

Progress and problems in medieval England

ESSAYS IN HONOUR OF EDWARD MILLER

EDITED BY

RICHARD BRITNELL

University of Durham

AND

JOHN HATCHER

University of Cambridge



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Economic development in the early twelfth century

EDMUND KING

THE SOURCES for an economic history of England between the death of the first Norman king in 1087, and the accession of his great-grandson, the first Angevin king, in 1154, are not considerable. They are the by-products of government, royal, lay and ecclesiastical. They have provided the material for some distinguished studies of various aspects of government, of politics and of law. They are not at first sight promising for those of economic interests. Yet there are in the *acta* of kings and magnates, in the narrative passages that connect the charters in such sources as the Abingdon cartulary and the *Liber Eliensis*, and in the records of the royal exchequer and of local estate management, indications of the assumptions which governed men's attitudes to land and wealth. It might seem a little ambitious to broaden the discussion to consider economic policy at this time, but we have in Edward Miller's work clear evidence of the benefits to be gained from this approach, and important clues as to how best to proceed. We may start with some necessary caveats. 'The study of government policies can be based on no straightforward progression through time; and it is also difficult to lay down hard and fast criteria defining what was and what was not a "state".'¹ The Anglo-Norman territorial state may seem advanced in ambition and achievement by the standards of the eleventh century, but still this is a period in which 'government' can be difficult to distinguish from 'estate management'.² Neither central administrators nor local estate managers could function effectively without the protection of a *pax*;³ and at the end of the

¹ Edward Miller, 'Government Economic Policies and Public Finance 1000-1500', in Carlo M. Cipolla (ed.), *The Fontana Economic History of Europe, I: The Middle Ages* (London, 1972), pp. 339-73, quotation p. 339.

² Edward Miller, 'The Economic Policies of Governments', in M.M. Postan *et al.* (eds.), *Cambridge Economic History of Europe, III: Economic Organization and Policies in the Middle Ages* (Cambridge, 1963), pp. 281-340, quotation p. 285.

³ *Ibid.*, p. 282.

period under discussion there was a protracted civil war, the 'nineteen long winters in which Christ and his saints were asleep'.

In England the records of central government might seem particularly impressive. Domesday Book is incomparable. So also is the one surviving pipe roll from Henry I's day, that of 1129–30. There are from the same reign a group of estate surveys, with information more detailed than in the text of Domesday. It was the suggestion of the late Lewis Warren that the written records of Henry I's time showed an administrative machine facing a crisis, due in large part to the loss of the Anglo-Saxon memory: 'a crisis in the management of the Anglo-Saxon inheritance developed as the old hands passed away'.⁴ In this interpretation, it is no coincidence that the surveys appeared 'at that moment in time when the Normans were having to learn to cope for themselves'.⁵ It is good to have noted the importance of local estate managers, and more will be said about these, but the general thesis cannot be sustained. Marjorie Chibnall sees the surveys rather as part of the normal process of efficient estate management.⁶ The *Leges Henrici Primi* envisage a close questioning of staff when the manor is returned to the lord: 'they must be questioned about increases in the number of men and cattle, about whether the manor has decreased in value in respect of demesne land or tenants, pastures or woods, about whether any occupant has increased his due payments or whether anyone has unjustly withheld them, about what is held in the granaries and what has been sown'.⁷ The Peterborough survey specifies the villein services, renders to the monastery in cash and in kind, and the livestock on the demesne. It gives no indication as to whether the manors were farmed, but it does have sufficient information for a farm contract to be drawn up.⁸ Now this survey was made at a time of vacancy, in 1125–8: 'This is the survey (*descriptio*) of the manors of the abbey of Peterborough as Walter the archdeacon received them, and seized them into the king's hands'.⁹ At exactly the same time, a survey which has not survived was made at Battle, by William of Ely and John Belet, 'who made a brief survey of the entire abbey and its appurtenances'.¹⁰ The coincidence is sufficient to suggest that in the late 1120s it was the standard practice of the exchequer to require a written survey to be made at a time of vacancy.

⁴ W.L. Warren, 'The Myth of Norman Administrative Efficiency', *Trans. Royal Hist. Soc.*, 5th ser., 34 (1984), pp. 113–32, quotation p. 118.

⁵ *Ibid.*, p. 118 and n. 13, quotation p. 119.

⁶ *Charters and Customals of the Abbey of Holy Trinity Caen*, ed. Marjorie Chibnall (*Records of Social and Economic History*, n.s., V, London, 1982), p. xxix.

⁷ *Leges Henrici Primi* c. 56, 3, ed. L.J. Downer (Oxford, 1972), pp. 174–5.

⁸ *Chronicon Petroburgense*, ed. T. Stapleton (Camden ser. XLVII, London, 1849), pp. 157–68.

⁹ *Ibid.*, p. 157.

¹⁰ *The Chronicle of Battle Abbey*, ed. Eleanor Searle (Oxford, 1980), pp. 132–3.

It is tempting to go on to suggest that what we see here is what in the jargon of modern quality control is termed the dissemination of good practice.

If a survey were not made during the vacancy, it would be made by a prudent new incumbent. This was done by Nigel the second bishop of Ely, immediately on his appointment in 1133,¹¹ after up to a decade of service as the first court treasurer.¹² He was the nephew of Roger of Salisbury, and father of the author of the *Dialogus*. He 'had no match in his day for knowledge of the exchequer'.¹³ His knowledge of good practice was second to none. A prudent landlord would also ride out and survey his demesnes in person. Thus Walter de Lucy 'shortly after his institution' as abbot of Battle in 1139 'planned to make a visitation to the manors and possessions in distant parts, as is the custom of those who undertake new administrations'.¹⁴ Walter was the brother of Richard de Lucy, who came to exercise much of the influence of Roger of Salisbury, and was justiciar under Henry II. Henry of Blois made a similar visitation on his appointment as abbot of Glastonbury in 1126, which office he would hold for forty-five years, in plurality with the bishopric of Winchester from 1129. He has left an account of his actions as abbot, the first English landlord to do so, his confidence and his care for detail thrusting out from the page.¹⁵ The following passage describes his discovery that fertile land had been passed off as worthless:

A certain Ralph of Sainte-Barbe asked my predecessor, Abbot Herluin [1100–18], for some land adjacent to the river Axe in the Brent marshes, which he disingenuously argued had been of no use to the church, was not of use now and never would be. As it was spoken of in these terms, and so described in a charter, the land was given to him as a gift. Then one day when I had gone to the manor I speak of and was wandering about via some causeways in disrepair to tour the bounds of my territory, I came across this piece of land, surrounded on one side by a circular bank and on the other by a deep watercourse. I saw there waving corn, golden in colour, making a soft murmur

¹¹ *English Lawsuits from William I to Richard I*, ed. R.C. Van Caenegem, 2 vols. (Selden Soc., CVI–CVII, London, 1990–1), I, no. 287. (No other reference will normally be cited for texts that appear in this invaluable collection of documents.) Edward Miller, *The Abbey and Bishopric of Ely: The Social History of an Ecclesiastical Estate from the Tenth Century to the Early Fourteenth Century* (Cambridge, 1951), pp. 167–74.

¹² C. Warren Hollister, 'The Origins of the English Treasury', *Eng. Hist. Rev.*, 93 (1978), pp. 262–75, at pp. 269–75; repr. in his *Monarchy, Magnates and Institutions* (London, 1986), pp. 209–22, at pp. 216–22.

¹³ *Dialogus de Scaccario*, ed. Charles Johnson (London, 1950), p. 50.

¹⁴ *Chronicle of Battle*, pp. 238–9.

¹⁵ First printed in *Adami de Domerham Historia de Rebus Gestis Glastoniensibus*, ed. T. Hearne, 2 vols. (Oxford, 1727), II, pp. 305–15; more recently, with useful commentary, in *English Episcopal Acta, VIII: Winchester 1070–1204*, ed. M.J. Franklin (London, 1993), pp. 202–13; and there are some sections in translation in *English Lawsuits*, I, pp. 221–3, 246.

in the breeze, so level and so even that no foreign shoot poked up above it, while below no weed sprouted to push apart the dense cornstalks, close-ranked enough to present the reaper with bunches rather than single ears. When I asked the name of this field, I was told that the knight previously mentioned had called it 'useless' (*nullius proficui*). Thereafter on the appointed day, in the presence of many people, this great deception was exposed, and by their judgement I rightfully received this piece of land, whose name was suitably changed.¹⁶

The *Libellus* is a remarkable text, which would repay a close exegesis. It need not be questioned that we have here the authentic voice of Henry of Blois; and it will be heard again in what follows.

So much of the wealth of England in the early twelfth century was in land that references to land as a commodity, to its value and to its capacity for improvement are worth attention. In 1147 at the consecration of the new church at Lewes William III de Warenne said that tithes should increase if his demesnes increased: it would seem that he is thinking of an increase in wealth – primarily at least – as following an increase in territory.¹⁷ But in a grant by the abbot of St Mary's York to Ralph the sheriff in the very early years of Henry II's reign, an increase in value was clearly seen to be tied to an increase in effort (*industria*).¹⁸ The *Leges Henrici Primi* had envisaged disputes arising between the lord and the farmer, 'in regard to the tallies or to a subsequent increase in value'.¹⁹ The charters give evidence of many such disputes, often prompted by the need to specify to whom the profits of improvement should go.²⁰ If land was not to be improved this might need

¹⁶ *Ibid.*, I, p. 222.

¹⁷ 'et si dominium meum aut redditus mei creuerint eotenus crescat et decima monachorum': *Early Yorkshire Charters*, I–III, ed. W. Farrer (Edinburgh, 1914–16), IV–XII, ed. C.T. Clay (Yorkshire Arch. Soc., Leeds, 1935–65), VIII, no. 32. The concession nonetheless was worth having. To see one religious corporation being distinctly less magnanimous with another, note Fountains Abbey compounding the tithes of Aldburgh to the local church for 6d. a year: 'precium quidem paruum est, quia non fuit ibi multum terre arabilis quando primum data est eis, sed fere totum monachi postea sartauerunt': *Charters of the Honour of Mowbray 1107–1191*, ed. D.E. Greenway (Records of Social and Economic History, n.s., I, London, 1972), no. 97.

¹⁸ 'Concedimus eciam ad jus suum pertinere quicquid sua uel nostra industria in eadem tenura poterit adlescere': *Early Yorkshire Charters*, IV, no. 106.

¹⁹ *Leges Henrici Primi*, c. 56, 1, ed. Downer, pp. 174–5.

²⁰ At the conclusion of a life-tenure conceded by the abbot of Ramsey to Reinald de Argentine, the abbot was to hold 'cum omni augmentatione et emendatione quam Reinaldus faciet super terram illam': *Regesta Regum Anglo-Normannorum 1066–1154*, ed. H.W.C. Davis, C. Johnson, H.A. Cronne and R.H.C. Davis, 4 vols. (Oxford, 1913–69), II, no. 580. Here also the churchmen might wish to have it both ways. When the canons of Guisborough received a carucate of land in 1160 for the term of twenty years, they specified that the grantor or his heirs should pay the value of their buildings, 'justa estimacio pretii', at the end of the term, otherwise they would be razed to the ground: *Early Yorkshire Charters*, II, no. 754.

to be specified.²¹ Baldwin de Redvers, earl of Exeter, in granting St James, Exeter, as a Cluniac priory, conceded to the monks that ‘they and all their men should have in all their lands any measure and every freedom to buy and sell to allow their goods to multiply in every way that is proper’.²² This was a daughter-house of St Martin des Champs in Paris, then seeing its own goods multiplying wonderfully, through the profits of trade, particularly along the Seine. They might have wished to be assured that the west country was not an economic backwater.

London certainly was not. The following charter of Stephen’s queen Matilda mentions the *profituum* as a part of the calculation involved in the repayment of a mortgage taken out with Gervase of Cornhill.

Know that I give Gervase the justice of London ten marks-worth of land in the township of Gamlingay for his service. The remainder of the township, besides this ten marks-worth of land, I give to him free and quit, until I shall have repaid the debt which I owe him, so that within this term he shall have the profits which arise from this township. When I shall have repaid the debt to him or his heirs, then they shall keep the stock which they will have put on my land.²³

Gervase was one of the great men of the city of London, and he had a reputation as a usurer; but this charter contains nothing exceptional. The same standards applied in the fens. We find living in Chatteris in the middle of Henry I’s reign one Bricstan. He was a model citizen: ‘he was neither very rich nor very poor, but managed his affairs and those of his family after the fashion of a layman with a modest competence’. He was, however, accused by a royal official with concealment of treasure trove and usury; and it took St Etheldreda, in one of her finest cameo roles, to secure his release.²⁴ There had been debt ever since Eve took the apple from the tree. It was a part of the human condition. In the preamble to a charter Archbishop Thurstan wrote simply: ‘it happens frequently that clerics just as other men, from necessity or human frailty, pass from this world burdened with various debts’.²⁵ Thurstan had been another man close to Henry I, and had served

²¹ This happens in an early charter, of c. 1108, from the Norwich collection: ‘land which was then [pre-1087] cultivated shall be arable, and land then uncultivated shall remain waste’: *English Episcopal Acta, VI: Norwich 1070–1214*, ed. C. Harper-Bill (London, 1990), no. 5.

²² *Charters of the Redvers Family and the Earldom of Devon, 1090–1217*, ed. Robert Bearman (Devon and Cornwall Rec. Soc., n.s., 37, Exeter, 1994), no. 27.

²³ *Regesta*, III, no. 243.

²⁴ Parallel accounts, though with a different view of Bricstan’s guilt, are found in the *Liber Eliensis* and the *Ecclesiastical History* of Orderic Vitalis, and translated in *English Lawsuits*, I, no. 204, pp. 167–76.

²⁵ *Early Yorkshire Charters*, I, no. 149, dated to the last months of Thurstan’s life in *English Episcopal Acta, V: York 1070–1154*, ed. Janet Burton (London, 1988), no. 80.

as his almoner, 'possibly in charge of the privy purse'.²⁶ He had seen it all.

It may be too early to speak of a market for land at this date,²⁷ but in charters and in chronicles it is assumed that land could be bought and sold in Anglo-Norman England. Purchase was one of a range of options, the choice to be determined by the status of the parties and the relationship between them, the nature of the tenure, and by the economic environment. It was a sign of confidence that at Battle under Henry I's firm peace, 'the abbot and the brothers started to look for lands to buy and to recover lands that had been lost'.²⁸ At another monastery William of Malmesbury wrote in a matter of fact way, and from first-hand experience, of the authority of Roger bishop of Salisbury: 'anything bordering his property that suited his requirements he extracted at once by prayer or price, otherwise by force'.²⁹ In the 1140s Robert of Bethune bishop of Hereford acquired land 'et precibus et pecunia et amore' from Roger earl of Hereford and his sub-tenant.³⁰ The prayer of a powerful man might be indistinguishable from force. In his *Libellus* Henry of Winchester described himself as 'defeated' by a request from Henry I.³¹

A very clear statement about sale of urban property and title to it is found in the Ramsey cartulary.

Be it known to all the sons of Holy Church that Wolnoth of Walbrooke from London has sold to abbot Reginald of Ramsey some land of his, which he had on the Walbrooke . . . and also a house of stone and a cellar which he had built on that land with iron doors and windows upstairs and downstairs, and also some wooden houses which he had build with his own money on some other adjacent land, which he held in fee and inheritance from the church and the abbot of Ramsey.³²

The consideration was ten pounds *in denariis*, which the abbot gave him in the presence of the whole husting. It was still worth specifying the nature of the title to the property. A confirmation for Gloucester Abbey in 1114 confirmed in detail individual grants of rural property, concluding with a broad sweep of the hand, 'and all their lands and houses in Gloucester by

²⁶ Frank Barlow, *The English Church 1066-1154* (London, 1979), p. 83.

²⁷ Paul R. Hyams, 'The Origins of a Peasant Land Market in England', *Econ. Hist. Rev.*, 2nd ser., 23 (1970), pp. 18-31, has points of more general significance.

²⁸ *Chronicle of Battle*, pp. 118-19.

²⁹ *Historia Novella*, ed. K.R. Potter (London, 1955), p. 38. 'uel prece uel precio' was a borrowing from the classics, but this does not weaken the point: it was seen to be appropriate to the circumstances of the early twelfth century.

³⁰ *English Episcopal Acta, VII: Hereford 1079-1234*, ed. Julia Barrow (London, 1993), no. 28.

³¹ 'victus tandem prece regis': *English Lawsuits*, I, p. 222.

³² *Ibid.*, I, no. 270

gift or purchase'.³³ One feature in the market for property in London was the need for major landowners to have appropriate lodging in the capital. Henry of Winchester, here as elsewhere, provides an exemplary study. Royal charters show his purchase of land in Southwark;³⁴ but his authentic voice provides the better record. He and his predecessors, he said, had been gravely inconvenienced coming to London on urgent royal and other business, 'for the lack of a house of our own in that city'.³⁵ He had needed to spend a very large sum of money indeed to remedy the lack (*altiori precio comparauit*); and this from a man whose wealth was legendary.

References to the sale of rural property are proportionately more scarce than references to the sale of urban property in charters of the early twelfth century. In royal charters they are scarce indeed. The subject index in the volume for Stephen's reign shows three only in over a thousand entries. It cannot be a coincidence that all three concern Henry of Winchester. One relates to the purchase of land in Southwark just noted.³⁶ The second concerns land bought from Berner de Ferrers in West Hatch, Somerset.³⁷ These two are charters for Winchester: the third concerns Glastonbury. This was the purchase of the manor of Siston in Gloucestershire, 'for the agreed purchase of which Racindis received forty marks of silver from the monies of that church by the hand of my brother Henry bishop of Winchester'.³⁸ There is further information in the *Libellus*. This reveals negotiations going back a decade, and vigorous competition for the property from other religious houses.³⁹ The list of purchases referred to in royal charters might be extended,⁴⁰ but even so would not be long. As the Siston example shows, a royal charter was at several removes from the transaction which it recorded. It was not necessary for the diplomatic of the charter for cash to be mentioned, and it may have been reckoned bad form to do so. In some cases there may have been reservations about the propriety of a sale. A charter early in the reign of Henry II spells this out. Roger le Bret of Markingfield granted Fountains Abbey thirty-six acres of land, receiving in his need twenty marks and 20s., a plough-team and a horse, 'so that he might retain the rest

³³ *Regesta*, II, no. 1041.

³⁴ *Ibid.*, III, nos. 956–8.

³⁵ *Winchester Acta*, ed. Franklin, no. 24.

³⁶ *Regesta*, III, nos. 956–8.

³⁷ *Ibid.*, III, no. 954.

³⁸ *Ibid.*, III, no. 342.

³⁹ *Winchester Acta*, ed. Franklin, pp. 208–9. The bishop later lost control of Siston to the earl of Gloucester: see R.H.C. Davis, *King Stephen*, 3rd edn (London, 1990), p. 168, no. 342a.

⁴⁰ *Regesta*, III, nos. 104 (Duke Henry for monks of Biddlesden), 861 (Stephen for the Templars).

of his inheritance'.⁴¹ The mention of necessity becomes a routine phrase in charters recording sales in the late twelfth century and beyond.

Roger of Howden described Richard I immediately after his coronation in 1189 gathering resources for his crusade: 'he put up for sale everything he had – offices, lordships, earldoms, castles, towns, lands, the lot'.⁴² Even with the reticence of the sources, enough survives to suggest that at the beginning of the twelfth century, just as at its end, England was a land in which everything had its price. Norwich in the 1140s, illuminated by the searchlights trained on the murdered William of Norwich, absolutely reeks of money. When the Jews were first accused they sought aid from the sheriff, 'who had been wont to be their refuge'. 'Look you,' they said to him, 'we are placed in a position of great anxiety, and if you can help us out of it, we promise you a hundred marks.' The sheriff, 'delighted at the number of marks', promised to keep their secrets, and swore to secrecy also the chief witness, Aelward Ded.⁴³ Elsewhere a smaller consideration might suffice. We find one man asking simply for 'a dog that he wanted';⁴⁴ another for 'ten marks and a monk's raincoat';⁴⁵ while 3d. for cherries purchased the attention of the schoolboys of London for sufficient time for them to note the purchase of an acre of land by the canons of St Paul's.⁴⁶ Service as well as land had its value. In the mid-1140s, dark days for the see of York, the provost of Beverley often rode over to York at the archbishop's request, and was given twenty bovates of land in augmentation of his prebend in consideration of his expenses.⁴⁷ At a less elevated level we find Torfin holding twelve bovates of land in a hamlet of Harkness, and additionally a toft worth 8d. a year to enable him to represent the interests of the monks of Whitby in the village. It was specified that for this latter the monks would get precisely 8d. worth of advice (*secundum valenciam ipsorum denariorum*).⁴⁸ Torfin was a true Yorkshireman.

Aelward Ded of Norwich was not a Yorkshireman, but he also, in the case just quoted, was careful to specify that the promise to keep quiet would only last until he lay on his death-bed. There different considerations applied. The *locus classicus* here, made so by another distinguished historian from north-east England, is Nigel d'Aubigny's restitution to the monks of

⁴¹ 'ut per ipsam pecuniam retinerem me et heredes meos in residuum hereditatis nostre ne plus aut eciam totum amitteremus'; *Early Yorkshire Charters*, XI, no. 158.

⁴² John Gillingham, *Richard the Lionheart*, 2nd edn (London, 1978), p. 133.

⁴³ *English Lawsuits*, I, no. 321.

⁴⁴ *Chronicle of Battle*, pp. 120–1.

⁴⁵ *Early Yorkshire Charters*, III, no. 1528.

⁴⁶ *English Lawsuits*, I, no. 329.

⁴⁷ 'negotis ecclesie nostre exigentibus prefatum T. Ebor' venire sepius sollicitamus': *York Acta*, ed. Burton, no. 83, correcting the date given in *Early Yorkshire Charters*, I, no. 155.

⁴⁸ *Early Yorkshire Charters*, XI, no. 223.

Durham early in the reign of Henry I.⁴⁹ It has been quoted because of the loyalty it shows between king and magnate.⁵⁰ It is worth quoting also because of the constraints upon his freedom of action which Nigel d'Aubigny perceived. He seems in fact confident that he can restore his disseisins, but he felt obliged to offer land in exchange: thus he envisaged, 'the restoration of lands which I make to my men whom I have disinherited; and the exchanges which I have given for those lands to my men to whom I have given them'. The restoration was as peremptory as the disseisin. In many cases, however, land granted away could not be restored since its recipients were seen as enjoying secure title. This consideration clearly influenced Archbishop Theobald when in 1146 he accepted from Henry of Rye an exchange for land that had been alienated from Canterbury, 'in such a way that he could in no way revoke it in favour of the church'.⁵¹

Eleanor Searle is right to point out that material of this kind is of great significance for the questions of economic development in the twelfth century. A lord could even dispossess an improving tenant, and keep land and chattels without compensation.⁵² Both this, and the need to leave a profit for the farmer, were a check on investment. Good husbandry provides its own satisfaction, as the case of Henry of Winchester surveying the growing corn makes clear, but the real money was not here. Rather it lay in jurisdiction. 'Holders of large manors with extensive assets of grazing, woodland, moorland and, best of all, jurisdiction of a hundred attached, successfully exploited numerous possibilities of exacting a wide range of rents and dues from a large number of people.'⁵³ Recent work has served to highlight the importance of the lordship exercised from hundredal centres.⁵⁴ The Abingdon chronicle prints two charters of Henry I in favour of the abbey, one granting the hundred of Hormer, the other the market of Abingdon. Behind these there was a story. The abbey's rights to these had been called in question, and they were only vindicated when the abbot produced a charter of Edward the Confessor, and offered 300 marks for the royal confirmation. To raise the sum he 'thoroughly polished up the reliquary of St Ethelwold,

⁴⁹ *Mowbray Charters*, no. 3, the centre-piece of a 'remarkable series of charters', *ibid.*, nos. 2-10, ed. Greenway, p. xxv n. 3.

⁵⁰ R.W. Southern, 'King Henry I', in his *Medieval Humanism and Other Studies* (Oxford, 1970), pp. 220-1.

⁵¹ *English Lawsuits*, I, no. 311.

⁵² Searle, in *Chronicle of Battle*, pp. 12-13.

⁵³ Sally P. J. Harvey, 'The Extent and Profitability of Demesne Agriculture in England in the Later Eleventh Century', in T.H. Aston *et al.* (eds.), *Social Relations and Ideas: Essays in Honour of R.H. Hilton* (Cambridge, 1983), pp. 45-72, quotation p. 70.

⁵⁴ Edmund King, 'The Anarchy of King Stephen's Reign', *Trans. Royal Hist. Soc.*, 5th ser., 34 (1984), pp. 133-53, at pp. 138-41; Paul Dalton, *Conquest, Anarchy and Lordship: Yorkshire 1066-1154* (Cambridge, 1994).

which was made of gold and silver, and obtained the price of more than 300 marks for it'.⁵⁵ It should not be assumed that the hundred was valued at this sum, which might rather be seen as a relief, 'hidden from the more scrupulous as a confirmation of liberty. In this entry the hundred centre and the market went together, and might be seen to be coterminous.⁵⁶ It is thus appropriate to turn to sources reflecting the regulation and the profits of trade.

The surviving charters suggest that one of the first acts of Henry of Blois when he became abbot of Glastonbury was to secure a charter in protection of the fair of Glastonbury.⁵⁷ This was one of many fairs competing for custom in a market which nonetheless could not support more than a few fairs of international significance. When Henry was promoted to Winchester he succeeded to one of these. The story of the build up of this fair may be traced in outline from the royal confirmations, all doubtless after the event: first in 1096 the grant of a three-day fair by William Rufus; then in 1110 the period was extended to eight days by Henry I; then in 1136 Stephen added a further six days, making fourteen days in all; while in March 1155, ignoring the grant by Stephen, Henry II increased the fair yet further, to sixteen days.⁵⁸ For the whole of the period thus systematically extended, the bishop enjoyed the rights of the crown throughout the city. Later, to symbolise the transfer of power, the official measures were solemnly taken up St Giles Hill;⁵⁹ and such theatre was in every way characteristic of Bishop Henry. This background is necessary to explain the famous correspondence between Brian fitz Count and Henry of Winchester. It called forth, and is best remembered for, Brian fitz Count's recollection of the good days of Henry I, 'who gave me land and an honour'.⁶⁰ But it was precipitated by the baron seizing goods that were on their way to the bishop's fair at Winchester. The standard writ of protection stated that all bound for a fair should have the king's firm peace.⁶¹ Brian fitz Count's reply suggested not that no firm peace could be looked for in the circumstances of the early 1140s, but, more insidiously, that what was needed was a private arrangement. The men of Wallingford

⁵⁵ *English Lawsuits*, I, no. 246.

⁵⁶ On markets in hundredal centres, see R.H. Britnell, *The Commercialisation of English Society 1000-1500* (Cambridge, 1993), pp. 20-1.

⁵⁷ *Regesta*, II, no. 1590.

⁵⁸ Martin Biddle (ed.), *Winchester in the Early Middle Ages* (Winchester Studies, 1, Oxford, 1976), pp. 286-9.

⁵⁹ Martin Biddle (ed.), *Survey of Winchester*, 2 vols. (Winchester Studies, 2, Oxford, 1985), II, pp. 1091-123, at p. 1115.

⁶⁰ H.W.C. Davis, 'Henry of Blois and Brian fitz Count', *Eng. Hist. Rev.*, 25 (1910), pp. 297-303.

⁶¹ The bishop would have relied on *Regesta*, III, no. 952: 'omnes homines illuc venientes et ibi morantes et inde redeuntes in eundo et redeundo habeant meam firmam pacem'.

would later have privileged rights in the fair of Winchester; and the confirmation of its privileges, as they had been under Henry I, was Henry of Winchester's first request of Henry II.⁶²

Roger of Salisbury and his nephews the bishops of Lincoln and Ely were no less active. In September 1131, when oaths were once again sworn in support of the empress's succession, Roger of Salisbury was granted by the crown the abbey of Malmesbury *ut dominium suum et sedem propriam*.⁶³ And very soon after he had helped Stephen to come to power in December 1135 he obtained from him the borough of Malmesbury and the hundreds and customs pertaining to it.⁶⁴ He took a similar proprietary interest in the other boroughs and towns of his diocese and beyond. The boundaries of his diocese came up to the town walls of Oxford, and by the end of Henry I's reign he had acquired rights in the fair that had been granted to the canons of St Frideswide's.⁶⁵ As he lay on his death-bed, his examination of conscience, in contrast to that of Nigel d'Aubigny, turned on a range of economic issues, and he specifically restored the fair of Oxford to the canons.⁶⁶ The work of his nephew Alexander of Lincoln at Newark may similarly be taken as exemplary.⁶⁷ This is well known as one of the castles confiscated after 'the arrest of the bishops' at Oxford in 1139.⁶⁸ But the town and its castle were buttressed by privileges largely economic in nature. It was very carefully done. First the bishop was given permission to divert the Fosse Way, 'as he might chose'; then a bridge was built over the Trent to serve the castle; a part of the knight-service of the bishopric was transferred there; and a fair of five days confirmed. Those issuing the charter in regard to the bridge, in Hampshire, among them Roger of Salisbury, showed sufficient awareness of the topography and trade of the north midlands to specify that the new bridge should not be to the detriment of Lincoln or Nottingham, the royal boroughs which it served to link.⁶⁹

⁶² Biddle (ed.), *Winchester in the Early Middle Ages*, p. 287 n. 3.

⁶³ *Regesta*, II, no. 1715. Henry I's grants of the fair are *ibid.*, II, nos. 494, 971.

⁶⁴ *Ibid.*, III, no. 784.

⁶⁵ *Ibid.*, II, no. 1957; and cf. an earlier grant, *ibid.*, II, no. 1345. Roger's interest is explained by Edward J. Kealey, *Roger of Salisbury: Vicerey of England* (Berkeley, 1972), pp. 121–2, but in terms of religious patronage not the pursuit of economic advantage. It needs to be noted that the city of Oxford was not in the Salisbury diocese.

⁶⁶ Kealey, *Roger of Salisbury*, pp. 265–9.

⁶⁷ The group of charters need to be taken together: *Regesta*, II, nos. 1660–1, 1770, 1772–3, 1791. There is a useful discussion in *Documents relating to the Manor and Soke of Newark-on-Trent*, ed. M.W. Barley (Thoroton Soc., Rec. Ser., 12, Nottingham, 1956), pp. xvi–xxiv, though no special emphasis is given to this phase of development.

⁶⁸ Henry of Huntingdon, *Historia Anglorum*, ed. T. Arnold (Rolls Ser., 74, London, 1879), 266; *Historia Novella*, pp. 25, 27.

⁶⁹ *Regesta*, II, no. 1770.

A little to the south, in the fenland, the abbots of the great monasteries were no less single-minded in their pursuit of economic advantage. At St Ives the abbot of Ramsey had a winner. The grant of fair of eight days in 1110 was notified by the king not just to the bishop of Lincoln and the sheriff of Huntingdon, but to 'his lieges and merchants' of England.⁷⁰ The abbot's neighbours could not compete in the same league, but they tried very hard to do so. The ambition of the abbot of Thorney was closely focussed on the river bank at Yaxley. Early in Stephen's reign, he obtained from Henry the son of the king of Scots confirmation of the market and quay at Yaxley, with toll and other customs, 'so that those coming and going thence may have my firm peace in perpetuity'.⁷¹ But that peace was of no long duration, and in the 1140s a matching pair of charters were issued by earl Simon of Senlis.⁷² Additionally, he exempted the lands of the monks from *tenseria* and all works.⁷³ The compiler of the 'Red Book of Thorney' showed a good sense of the realities of power in Stephen's reign in copying these magnate charters, uniquely, in the section devoted to royal *acta*.

The amount of economic business coming before the chancery in the early twelfth century is striking, particularly since the survival rate for documents of this kind is likely to have been poor. Thus the Abingdon cartulary contains at least fifteen writs relating to economic privileges from Henry I's reign alone.⁷⁴ Among these the largest group relates to tolls. These writs can be useful in providing specific information about the commodities and the direction of trade, and the impediments that might be placed in its path. The abbot of Abingdon complained more than once concerning Warin the reeve of Southampton and his servants, who had taken toll and customs from the monastery's goods.⁷⁵ Several abbots of eastern England complained of the abbot of Peterborough and his agents, for they controlled the access of Barnack stone to the Welland and the Nene, and were levying toll from

⁷⁰ *Ibid.*, II, no. 953; cf. *ibid.*, II, no. 1916. Already by this date the court of the barony was held here: *English Lawsuits*, I, no. 182 (from 1109). See also M.W. Beresford and J.K.S. St Joseph, *Medieval England: An Aerial Survey*, 2nd edn (Cambridge, 1979), pp. 182–3, figs. 73A, 73B.

⁷¹ *Regesta Regum Scottorum, I: Acts of Malcolm IV, 1153–65*, ed. G.W.S. Barrow (Edinburgh, 1960), nos. 15–16, pp. 141–2.

⁷² Cambridge Univ. Library, Add. MS 3020, fol. 21r-v.

⁷³ This reference to *tenseria* gains an added interest from its geographical proximity to Peterborough, where the term appears in the famous passage in Anglo-Saxon Chronicle: *The Peterborough Chronicle*, ed. Cecily Clark, 2nd edn (Oxford, 1970), s.a. 1137, pp. 55–7; quoted with discussion in King, 'Anarchy of Stephen's Reign', pp. 135–7.

⁷⁴ *Regesta*, II, nos. 520 (carriage service), 550, 565 (building materials), 566 (salt), 576, 615 (improvement), 814–15, 854–5, 937–8, 1258 (aspects of trade on the Thames), 1510, 1612 (trade *via* Southampton).

⁷⁵ *Regesta*, II, no. 1510. Reading Abbey had similar problems in the reign of Stephen: *ibid.*, III, no. 676. It should be noted that the lord of the men of Southampton might at this stage have been Henry of Winchester: *Historia Novella*, p. 75.