

A LINK IN THE EARLY HISTORY OF LONDON.

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“The Pipe Roll of the 31st year of Henry I is most fortunately preserved, and this, with Domesday Book is the most valuable store of information which exists for the administrative history of the age.” Bishop Stubbs. *Constitutional History of England*. Vol. I, chap. XI, p. 409.

It would probably occur to few people to search a Pipe Roll either for incidents of historical interest, or of legal procedure yet nowhere else does there exist such a source, or one so absolutely impeccable. Rival chroniclers may, and frequently do, disagree in their accounts, but all the statements alike in Domesday Book and this unique Pipe Roll are matters of fact, undisputed and indisputable. Many would halt upon the threshold, daunted by the difficulties which beset the path of the student, albeit these are more apparent than real as will appear. As regards the City of London, Domesday Book is most unfortunately silent, still it does give a fairly comprehensive account of the County of Middlesex, but when we come to this invaluable record of the year 1130 A.D., we find the Roll full of information about the state of affairs in London, and it is in a great measure with these that I propose to deal, but before commencing to do so it may perhaps be as well to give a short account of the Roll and what is known about it.

The Pipe Roll is best described as the written and final record made by the Clerks of the Treasury at the Exchequer

of all the financial business of the year. Twice a year sessions were held at the Palace of Westminster, or at Winchester, or elsewhere, and two chambers were used for the transaction of business, the upper one, or Exchequer of Account, in which the reports were received and all the legal transactions carried on were recorded, and the lower one, or Exchequer of Receipt, at which moneys due were paid down, weighed, and subjected to test for purity by fire assay. The record of all this mass of business was preserved in three great Rolls, one kept by the Treasurer, another by the Chancellor, and the third by an official (nominated by the King) whose duty it was to register all matters of legal and special importance, and who later on became the King's Remembrancer. The Rolls made by the Scribes of the Treasurer and Chancellor were practically duplicates, that of the former was called from its shape the Great Roll of the Pipe, and that of the latter the great Roll of the Chancery. These documents are still, more or less, in existence. The Pipe Rolls are complete from the 2nd year of Henry II, and the Chancellor's Rolls very nearly so.

Of the preceding period from the Norman Conquest to 1155 but one solitary Roll of the 31st year of Henry the First has been preserved and constitutes the most ancient record of the annual accounts of the Exchequer, all the others presumably having been destroyed during the years of anarchy under Stephen, and grievous as is the loss of so many records that would now be priceless as sources of information we may be indeed thankful that even *this* solitary example has been preserved, though in an imperfect, and somewhat mutilated shape. In form it consists of 16 smaller rolls or rotulets stitched together at the head, each of these consists of two membranes of which the greater part are written on both sides.

These smaller rolls are of unequal length, some exceed others, are less, than four feet. The character in which the record is written is tall and bold, and hardly ever (even in

its minims) presents any difficulty to the transcriber; the width is about 12 inches. The 2nd, or lower membrane of the 4th roll, which contained portions of the accounts for the County of Hampshire has long been separated from the other membrane and lost.

In some of the rolls or rotulets the edges are in part worn away, or the writing has become illegible. When Dodsworth, the Yorkshire antiquary, examined the Roll [between 1623 and 1654] and made his excerpts from it, a few passages were then legible to him, which, by 1833, had become quite illegible; yet the Roll had evidently been preserved with all the care which so ancient and venerable a document deserved. Unfortunately not only the lower membrane of the 4th roll is missing, but those for the following Counties, Somersetshire, Worcestershire, Herefordshire in Wales, Shropshire, Cheshire, Lancashire, Westmorland, Cumberland, and the Bishopric of Durham, all of which are either omitted, or but imperfectly noticed, so that we are irresistibly impelled to the conclusion that this great Roll has at some earlier period been deprived of several of the rotulets of which it once undoubtedly consisted.

The Exchequer of our early Norman Kings was the Court in which the entire financial business of the County was transacted, and as such not only the whole administration of justice but even the military organisation (such as it was) depended upon these fiscal officers, and the whole framework of Society may be said to have passed annually under its view. It is said to have derived its name from the chequered cloth which covered the table at which the accounts were dealt with which from its appearance when the table was set out for that purpose would suggest to the onlooker the idea of a game at chess, playing between the receiver and the payer, the Treasurer, and the Sheriff. This has been often called in question by antiquarians (as they question everything), but in spite of cavilling the fact remains that the symbol of the Exchequer is that which swings, and creaks

before that wayside inn "The Chequers," which once in azure and or was so nobly displayed upon the field of Lewes, and which is still proudly quartered by the Earl Marshal of England.

Twice a year, at Easter and Michaelmas, the Sheriffs of the Counties were summoned usually to London, or Winchester, to the audit of the Exchequer to enable them to make proffer of the amounts for which they were held accountable, or as much as them as they had either received, or were able to pay at the time. Payments at Easter were considered as being payments on account, the Easter audit being called the "Visus compoti," or merely *view* of account, while those paying in any money at Easter were given receipts in the shape of wooden tallies, small slips of wood upon the face of which their names were written with the sum credited to them marked by notches of varying width cut transversely across the tally; this was then split into two parts, the Sheriff retaining the stock end and one of the tallies, the other being given to the Officials of the Exchequer.

At the Michaelmas audit the *Compotus* or final account was made out, each man's record for the financial year was closed, and the Great Roll of the Pipe was made up. At Michaelmas the Sheriff produced and laid down any tallies granted at the preceding Easter audit, which after comparison with those retained by the officials of the Exchequer to see that they were all correct were accepted as a sufficient proof that the amounts indicated by the various cuts on the tally had been already paid in by him on account of what he owed, and they were allowed to him for the equivalent in sterling money of the kingdom.

This process of cutting, and using tallies was employed to a lesser degree and lower down in the scale of financial business, the Sheriff also giving to the King's debtors a tally of receipt for payments made to him, on the production and verification of which *he* was obliged to acquit them at the Exchequer.

The custom of using these wooden tallies continued down to a comparatively recent date, and it will be remembered that the conflagration in which the old Houses of Parliament perished in 1834 was caused by the burning of a vast accumulation of these wooden tallies, the use of which had been finally abolished in 1826. In order to get rid of them the order was given that they must be privately and confidentially burnt, and the place selected was the furnace that then served for the warming of the House of Lords. This becoming overheated set fire to some adjacent panelling and so started the fire.

That tallies were employed in Scotland as late as the close of the eighteenth century, is shown by a passage in "The Antiquary" which refers to their use by bakers in settling with their customers, when they were known as "Nicksticks," which was really a remarkably correct description of them, and as Sir Walter Scott remarks the antiquity of this method of keeping accounts in the Exchequer may have occasioned that partiality to their use by Mr. Oldbuck.*

They are also mentioned in Prior's poems, in whose time English bakers had the same mode of reckoning—

" Have you not seen a baker's maid
Between two equal panniers swayed ?
Her Tallies useless lie, and idle,
If placed exactly in the middle."

If the accounting Sheriff had paid in full he obtained his quitance, "et quietus est" being entered against his name on the Roll. If only a part was paid, the amount due was debited against him, "et dedet" so many pounds, shillings, and pence. If (which occasionally happened) he paid in more than was due, the surplus balance was duly accredited to him "Et superplusagium habet" etc., and in the former case the debt would be carried forward to the next year's

* "The Antiquary." Scott, Chapter XV. "Mr. Oldbuck was in an unco Kippage when we sent him a book, instead o' the nicksticks, whilk he said were the true ancient way o' counting between tradesmen, and customers.

account and in a similar way any surplus arising from overpayment was retained by the Sheriff as his lawful profit in payment for his services. Credit was also given to the Sheriff for customary payments made by him as annual outgoings, or by Special Warrant from the King or the Treasurer, such as, expenditure on procuring approvers (probatores) as King's evidences, charitable allowances, pensions, wages to Crown servants, (liberationes), and expenditure on public works.

When a Sheriff retired from office his liabilities had to be taken over by his successor, and by reason of this the Pipe Rolls in course of time became overloaded with entries of bad debts, many irretrievably irrecoverable but carried forward with meticulous precision from year to year* with the unaltered entry on the side of the Sheriff "Nihil quod inde nihil habuit" (nothing paid in because he has thence received nothing).

The Sheriffs it would appear were held responsible primarily for all payments by collective groups such as guardians of vacant bishoprics, and abbacies, escheated baronies, and other fiefs; guilds of craftsmen as well paid their yearly fee (or licence duty) and it may be presumed, even when not so stated, that the Sheriff also acted on behalf of smaller people such as single individuals from whom an account was due, and it is no great strain on our credulity to believe that each technicality and every legal presumption would be taken as favouring the King to the utmost degree and correspondingly against the opposite or accounting Sheriff. The manner of payment varied; if the item were the usual yearly render, or was one beyond the ordinary course, when in the case of the temporalities of a vacant See these were taken by the King pending the appointment of a new holder.

* At a later period orders appear to have been given to strike out all these useless entries of arrears, thereby affording a measure of relief (albeit but temporary) to the Exchequer Scribe and the student of to-day. In the Pipe Roll of 33 Henry II there is a list of such bad debts then struck out.

The Sheriff was simply the royal agent and had to account in detail for every sum received from the estates. Sometimes the entire county was held in Wardship (in custodia), but as a rule the Sheriff, or bailiff, whose duty it was to collect the rents of the royal manors within his jurisdiction, did not hand over to the Treasurer the rents received by him, but compounded for a lump sum, it being a general financial principle at that time to farm out the different branches of the revenue for fixed sums leaving the collector to make what he could out of it, the amounts to be collected being defined according to the "Dialogus de Scaccario" or the Dialogue of (and explaining the working of) the Exchequer, written by Richard Bishop of London, which is the source next to the Pipe Roll itself from which I have taken much of my information. Although it deals with the practice of a later period, that is to say the reign of Henry the Second, it probably embodies all the earlier practice in use by his great uncle Roger, Bishop of Salisbury, who was Chancellor and then Justiciar under Henry I and by whom the Exchequer was first instituted.

In the same way that the King's revenues might be expanded by forfeitures, so on the other hand they were open to reduction by grants of lands made to royal favourites or deserving supporters. If such lands were taken from those for which the Sheriff was responsible at the commencement of his office, or "ferm" as it was called, equity demanded that a corresponding reduction should be allowed to him; so we find the "Terrae datae" as they are called entered as a regular deduction from the Sheriff's account. The first item to be recorded is whatever balance unpaid was due for the account of the "ferm" of the preceding year, (or years) if in arrear, which was called the "Vetus Firma" or old ferm; then follow payments on account, or in full for the current year or "Nova Firma," the new "ferm" with the corresponding deductions already referred to. Then follows the amount of Danegeld from which the City of London appears

to have been exempt as it is not mentioned in that part of the Roll which deals with the City, though the Sheriffs for the County of Middlesex render an account of seven shillings for the "Old Danegeld," and pay five into the Treasury [p. 150.]* and on the next page of the printed edition of the Roll, [151, P.R.H I.] they render a further account of thirty-five pounds and two shillings paid into the Exchequer for Danegeld of this year.

The ferm or farm rent at which the royal manors and the ordinary affairs of justice (as it was administered in both county and hundred) were assessed was the first item as already stated, but there being no precise list of the items it is not possible to state what exactly the *Corpus Comitatus* included. Payments on account of Danegeld and other items are not included in it. These others all relate to the various incidents of feudal tenure such as, wardships, reliefs, fines, for permission to marry, or *not* to do so, felons goods, receipts for encroachments, scutage, and aids, † the various profits of the royal 'justice,' the "Dona" from the Towns, returns from the forests and mines, and fines for encroachments on the forests, (essarts, and purprestures), compositions for offences, (Conventiones oblata), murder fines, special judicial penalties, "placita," doubtlessly imposed by the King's Court, or the Justices in Eyre, and fines for royal licences, special fines, and penalties imposed on the Jews (of which more hereafter), profits of farmed-out estates of minors, fines to take up offices of trust, and fines for permission to *relinquish* them, according to Bishop Stubbs in his *Constitutional History*, (Vol. I, p. 415), a source of income that might be usefully revived by present day Chancellors of the Exchequer.

* The figures in brackets refer to the Pipe Roll of 31 Henry I, as edited by J. Hunter in 1833. Cited as P.R.H. I. p.

† An aid (*Auxilium*) is an incident of feudal tenure, the purpose of the levy being threefold. To marry the eldest daughter, knight the eldest son, or ransom the overlord if taken captive. The first was levied by Henry I, in 1111 A.D. for the marriage of his daughter Matilda.

A very notable instance from this Roll is the case of Lucy, Countess of Chester, who thrice married and thrice left a widow, fines with the King in a thousand marks of silver (£646 13s. 4d.,) “not to be compelled to marry a fourth time for a term of five years *certain*”! [P. R. H. I., p. 110] in addition to *other fines*! for permission to hold her father’s lands and to have her own law courts over her men, which at a later period is known as the right of High, Middle, and Low Justice, this comprising power to hang, imprison at will or fine. On this amount of the Countess’s fine there is a further payment of nine per cent. to the Queen, called “Queen’s Gold,” as on all fines and oblations to the King of a hundred marks and upwards. The King seems to have looked upon himself as heir general of all wealthy churchmen; whatever they may have accumulated during their lives was swept into the royal coffers at their death, possibly as an ironical reminder that Holy Writ says “We brought nothing into this world, and can take nothing away.” Nevertheless this must have pressed rather hardy on the survivors.

At the time of the compilation of this Roll, the See of Durham was vacant by the demise of its notorious Bishop, Ralph Flambard, in 1128, A.D., and in the Roll we find it duly farmed out for £428 odd per annum, two years’ payments being included in the account besides a further £230 extracted from under-tenants of the bishopric! Finally, there are the Jews, who at this time are only mentioned in connection with London, where owing to their wealth and inability to resist oppression they formed a valuable source of income. For all of these items the Sheriff was held to account.

With regard to Danegeld, it would appear from the evidence that down to the time of Henry I this tax was only occasionally levied in times of stress as a special war tax, the rate being variable. Henry I seems to have been the first ruler to make it a regular yearly impost, and to have assessed it at two shillings on the rated hide of land according

to the Dialogus* and Henry of Huntingdon,† for this does not appear in the Roll. As, according to Domesday Book, the hide was taken to be worth £2 per annum, so two shillings on the hide would be ten per cent. (a crushing burden) but the rated hide might, and probably did, include considerably more than the 120 acres of the agricultural hide of land. Be this as it may, we find this tax yielded a very poor return, arrears were frequent and extensive; remission to favoured parties, such as Bishops, and Barons, are frequently granted.

At this period as has been wittily remarked by Sir James Ramsay,‡ with the King "anything might be bought or sold." With laudable impartiality he took fines for help to be given for, or against, the Jews in those moneylending transactions which were their main business in life.

Having now explained what were the duties of the Sheriff in a County and his dealings with the Exchequer, we at last approach the connection of the Pipe Roll with the City.

The Roll opens on page 143§ under the heading "London and Middlesex" with a statement which shows the unique position of London in 1130 A.D. No less than *four* Sheriffs render an account of the "firma, or ferm" of London, and Middlesex!

The famous Charter of William the Conqueror to the City of London|| only mentions William the Bishop and Gosfrith the Portreeve by name and says nothing of the four Sheriffs and does not point to any specific civic constitution, but in that granted by Henry I¶ there are marked signs of advances, due possibly to the great influx of Normans settling and becoming citizens. Here we find the ancient rights, customs, and privileges of the City duly enumerated, and confirmed;

* Dialogus, 101. "De Singulis hidis . . . duo Solidi."

† H. Huntingdon, p. 258. "Duos solidos ad hidam."

‡ Ramsay: *Revenues of the Kings of England*, I, 57, 8.

§ P.R.H.I., p. 143.

|| Stubbs' "Select Charters," III, 82.

¶ *Ibid*, III, 108.

churches, citizens and Barons have their rights, and jurisdictions, the ancient assemblies, folk moots, hustings, ward moots, are to be continued—the King himself, in all cases dealing with the succession of land *within* the City must follow the law of the City, and the men of London must not be summoned in any law-suit beyond their own boundaries and they are to have a Sheriff and a Justiciar of their own selection. The Sheriff later in the reign is seen to have become four, possibly because the entire County of Middlesex was let to farm to the citizens of London who appointed their own Sheriffs to collect the rent or “ferm” of three hundred pounds, and the citizens are to be free of Scot, and Lot, and Danegeld.

Later in the reign of Henry I, this Charter must have been altered or added to as it is in this very Pipe Roll [p. 148] we find the men of London fining with the King in a hundred marks of silver* that they may have the right to elect a Sheriff of their own choosing; but as to whether this was for the City, or the Shire, the Roll is silent, yet it is clear from the wording of the charter that they already had the right to elect their own Sheriff, and Justiciar, in whom we may, perhaps, see the germ of the Mayor’s Court of the future.

The witnesses to the Charter are the Bishop of Winchester, Robert the son of Richer (and Dapifer),† Hugh Bigod, the Lord of Bungay in Suffolk, (and Dapifer), Alured of Totnes, the son of Joel, or Judhael, a great landholder in Devon, selon D.B., and builder of the Castle there and at Barnstaple. William of Albini, Pincerna (or butler), Hubert the King’s Chamberlain William of Montfichet, holder of Stanstead Montfichet, Co. Essex, and of a “mansio,” or town house within the City, to which was given the name of the Tower of Montfichet and connected possibly with that “Ficketts field” which still forms a part of the estates of the Corporation

* £66 13s. 4d.

† Dapifer, a steward of the household.

of London, Hagulf, or Hasculf de Tani, who is also mentioned in the Roll (p. 152) as paying three shillings for a remission for some fine due under Middlesex, as also does William Montfichet, whose name occurs in the same list for a larger sum of eight shillings, John Belet, of a Berkshire family, that subsequently rose to considerable legal eminence in later reigns, and Robert, son of Siward, whose name is found under Essex, paying fourteen shillings for a remission [p. 56].

The first to point out the need for keeping steadily in view the annual "ferm" of London, and Middlesex and to prove that it was due in respect of both jointly, and not as supposed of Middlesex apart from London, was Mr. J. H. Round.* It can be seen from the later Pipe Rolls of Henry II † that while the contention of the citizens was a claim to hold both the City and the County at "ferm" for £300, as granted by the Charter of Henry I, the Crown persistently strove to compel them to pay a *firma* of more than £500, though the first actual mention of this larger sum does not occur till 1169 A.D. It would seem that the ferm extracted for London and Middlesex was disgracefully extortionate and was probably the cause of the Sheriffs when they went out of office doing so laden with debts, as they were obliged to make good from their own properties the difference between the "ferm" due to the Crown and any deficit in the proceeds of the various dues, and it is not impossible that we have here an explanation of the appointment of *four* Sheriffs, as in 1130 A.D., and so frequently in later years, as the loss would be divided among the larger number and with a greater chance of recovering the debt; moreover in this year we find each of the four Sheriffs paying £12 to the Crown that they may quit office, and when we compare this with a clause in the earliest Charter to Rouen "That no citizen shall be forced to serve as Sheriff

* Round, "Geoffrey de Mandeville" pp. 357-9.

† Now published by the Pipe Roll Society.

against his will" we may safely infer that to be a Sheriff was to be a victim of well-nigh ruinous extortion by the Crown.

The four Sheriffs render an account for the ferm of London and pay into the Treasury £16 14s. 9d. blanch, or money tested by fire assay, that is to say 240 silver pennies were placed in a cup and assayed to see that they came up to the purity of "the old standard of England"—that is silver with 18 dwts. of alloy to the lb. This process was intended as a safeguard against the wear of the coin, clipping, and false coining, and the Dialogus tells us that 12d. was considered a safe allowance between payment by tale and payments blanch when money being a payment out by the Sheriff could not be tested by assay and this test by blanching is referred to in the Pipe Rolls as "combustiones."

The next item that follows is the customary payments, "liberationibus constitutis," that is, wages to Crown servants, pensions, and charitable allowances. Then comes an item which, at first sight, would appear as if it might have been included with the former payments: "In payment of the Count of Mortain £12 12s. 6d., by number, (that is by tale), and in cloth (to make clothing) for the said Count, £3 5s. od., by tale. But when we remember that Count William had been incarcerated in the Tower of London as an important State prisoner ever since his capture at the battle of Tenchebrai in 1106 A.D. and that these items refer to the expense of feeding and clothing him and the large amount allowed, the next items make clear the fact that it was a payment, not *to* a free man, but *for* a prisoner," and in payment of the Serjeants who guard the said Count, and the Warders, and Gate Keepers of the Tower of London, £12 3s. 4d. by tale. Then follows a payment of 46s. 8d. to the wife of Owen, the Naparius, or Keeper of the Napery.

The name Owen, suggestive of a Welsh nationality, is unusual at this comparatively early date. The name only occurs once again in this Roll [P. R. H. I., 5] when one Owen,

described as "Serviens," pays 3s. od. for a remission of a fine for some unknown offence recorded under the "New pleas and new agreements for Oxfordshire." Relations between England and Wales were not at this time quite so strained as they had been earlier in the reign, so that there is no reason why a Welshman should not have been in the royal service; indeed, earlier in the Roll there are several interesting entries relating to Carmarthen and the somewhat turbulent "men" thereof and to Pembroke.

Then comes a payment to Geoffrey the Engineer of no less a sum than £10 12s. 11d. by tale. It is a little difficult to ascertain with any degree of certainty the exact meaning of the term "Ingeniator" at this period, or what were his duties, but from the largeness of his pay it is clear he was a most important person, or he would not have been so highly remunerated by the thrifty monarch. As Engineer to the Tower of London his duties may have comprised those which would now be committed to the hands of an architect, namely the design, construction, and supervision of new defensive works; it seems less probable that he had anything to do at this early period with any so-called "engines" for throwing darts and stones, for the arts of both defence and siege craft were in their infancy, and such things beyond simple hand crossbows were not known. The usual methods of conducting sieges being to enclose the place with a line of contravallation and either to attempt breaching the wall and effecting an entrance by under-mining it, or by setting up movable siege towers of wood sufficiently high to overtop the walls, filling up the ditch, and advancing them on rollers until they reached the wall face, when bridges were let down from the tops, and the besiegers ascending by ladders inside the towers gained access to the rampart walks. Battering rams working under movable pent houses were also employed to effect breaches in walls, but it is not until fully a century later that complicated engines for throwing heavy projectiles are found playing any part in sieges, so that at

this time the art of the engineer demanded little or nothing above the ordinary handicraftsmanship of a carpenter or blacksmith.

Next follows a payment to Radulfus or Ralph, Arborarius, of £7 12s. 1d., which, though nothing is known about him, shows him to have been an important personage, possibly the purveyor and keeper of the stores of hewn and dressed timber which then played so large a part in the construction of defensive works.

The Goldsmiths of London are next allowed £3 os. 10d. to purchase charcoal for their work—these were coiners working in the Royal Mint or, what in those days were its equivalents.

Next follows an allowance of 15s. 2½d. for oil to burn [in a lamp] before the tomb of Queen Matilda, who died at Westminster in 1118, A.D. and was buried in the Abbey there, and what is very remarkable this charge (which *increased* in later reigns to 30s. 5d.), makes its usual appearance on the Rolls down to the second year of Richard the First, or 1190 A.D., (the last of the series to be transcribed and published by the Pipe Roll Society). It is a remarkable survival and possibly continued for many years longer, because when such a thing becomes a fixed annual charge it does not seem to have been the business of anyone to put a stop to the payment which (for aught I know to the contrary) may have endured till the Reformation. It has some resemblance to the daily recurring charge of “a bottle of rum for the use of the Chaplain celebrating divine Service in the Chapel Royal” which had been charged time out of mind until one day when the expenses of the Royal Household were being overhauled, re-arranged and reduced, it occurred to one of the Committee who were supervising the work, to enquire “why the Chaplain required so large a quantity of ardent spirit daily?” and no satisfactory explanation being elicited, a search was directed to be made and at length it was discovered that one day, early in the reign of George the First, the celebrating Chaplain was seized with an attack of faint-

ness during the celebration of Divine Service and being carried into the vestry was revived by the administration of some rum purveyed from the royal cellars; and from that day down to the time of William the Fourth that daily bottle figured in the expense account of the Royal chapel and had the matter not been enquired into the precedent once set might have been followed indefinitely, forming as it did a snug little perquisite for the officiating chaplains.

Next follows a payment to the Archbishop Hugh of Rouen who is unceremoniously lumped in with one for cloth [for the robes presumably] of the Count of Normandy, amounting to £23 os. 10d., but as to how this amount was apportioned the roll is silent.

(To be continued).
