THE NORMANS IN ENGLAND

(1066–1154)

COMPILED BY

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(PUBLIC RECORD OFFICE)

LONDON

G. BELL AND SONS, LTD.

1921

INTRODUCTION

THIS series of English History Source Books is intended for use with any ordinary textbook of English History. Experience has conclusively shown that such apparatus is a valuable—nay, an indispensable—adjunct to the history lesson. It is capable of two main uses: either by way of lively illustration at the close of a lesson, or by way of inference-drawing, before the textbook is read, at the beginning of the lesson. The kind of problems and exercises that may be based on the documents are legion, and are admirably illustrated in a *History of England for Schools*, Part I., by Keatinge and Frazer, pp. 377-381. However, we have no wish to prescribe for the teacher the manner in which he shall exercise his craft, but simply to provide him and his pupils with materials hitherto not readily accessible for school purposes. The very moderate price of the books in this series should bring them within the reach of every secondary school. Source books enable the pupil to take a more active part than hitherto in the history lesson. Here is the apparatus, the raw material: its use we leave to teacher and taught.

Our belief is that the books may profitably be used by all grades of historical students between the standards of fourth-form boys in secondary schools and undergraduates at Universities. What differentiates students at one extreme from those at the other is not so much the kind of subject-matter dealt with, as the amount they can read into or extract from it.

In regard to choice of subject-matter, while trying to satisfy the natural demand for certain "stock" documents of vital importance, we hope to introduce much fresh and novel matter. It is our intention that the majority of the extracts should be

lively in style—that is, personal, or descriptive, or rhetorical, or even strongly partisan—and should not so much profess to give the truth as supply data for inference. We aim at the greatest possible variety, and lay under contribution letters, biographies, ballads and poems, diaries, debates, and newspaper accounts. Economics, London, municipal, and social life generally, and local history, are represented in these pages.

The order of the extracts is strictly chronological, each being numbered, titled, and dated, and its authority given. The text is modernised, where necessary, to the extent of leaving no difficulties in reading.

We shall be most grateful to teachers and students who may send us suggestions for improvement.

S. E. WINBOLT.
KENNETH BELL.

NOTE TO THIS VOLUME

THE sources from which the extracts in this volume have been drawn are contemporary, with the exception of the *Dialogus de Scaccario*, of which two or three passages included here appear also in the succeeding volume.

A. E. B.

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(1066—1154)

THE CHARACTER OF THE SAXONS AND NORMANS CONTRASTED.

Source.—William of Malmesbury, *De gestis regum Anglorum*, ed. Stubbs, vol. ii., p. 306. (Rolls Series.)

In the process of time the study of letters and of religion decayed, many years before the coming of the Normans. The clergy, content with insufficient learning, could scarcely stammer the words of the sacraments, and one who understood grammar was a cause of amazement and wonder to the rest. The monks made a mock of their rule, wearing fine garments and eating all kinds of food. The nobles, given over to gluttony and lust, used not to attend church in the morning in Christian fashion, but lay in bed till late hours and idly listened to the service of matins and masses from the lips of a hurrying priest. The people, unprotected in their midst, were the prey of the stronger folk, who drained their substance or sold their persons into distant lands, that they might heap up treasure upon treasure, albeit excess of feasting rather than of wealth is the instinct of this race. Many indulged the unnatural custom of selling their handmaids . . . into foreign slavery. They all used to drink in common, spending whole nights and days in this practice. They consumed their whole substance in small and mean houses, unlike the French and Normans, who live moderately in large and noble dwellings. The vices that

accompany drunkenness and enfeeble the minds of men ensued. Hence it came to pass that they encountered William with headlong rashness and fury rather than with military skill, and by one battle, and that easily won, doomed themselves and their country to slavery. Nothing is simpler than rashness, but that which is impetuously begun speedily comes to nought or is repressed. In short, the English at that time wore garments reaching to the middle of the thigh, their hair was cut short, their beards shaven, their arms laden with golden bracelets, their skin pricked with pictorial designs; they used to eat till they were surfeited, and drank till they were sick. These latter habits indeed they have now passed on to their conquerors, for the rest, however, adopting the others' customs. I would not, however, be understood to ascribe these vices universally to all the English; I know that there were many clerks who at that time lived simply and trod the path of holiness; I know that there were many laymen of the same nation, of every sort and condition, who were pleasing to God. Let my narrative escape injustice; all are not alike included in this condemnation; but as in times of peace the wisdom of God full often cherishes the evil with the good, so in times of captivity His sharp displeasure not seldom constrains the good with the evil.

Now the Normans, to speak of them also, were at that time and still are in dress bravely apparelled and in their food delicate but not excessive; a people accustomed to warfare, and without it scarce able to live. They are fierce in attacking the enemy, and where strength fails, they achieve their end no less by craft and bribery. As I have said, at home they live moderately in large dwellings, they envy their equals, they would surpass their superiors, and while they plunder their subjects, they protect them from others; faithful to their lords, they lightly break faith for a slight offence. They weigh treachery with its prospect of success, and change their policy for a bribe. They are, however, the kindliest of all nations and honour strangers equally with themselves; they also marry with their subject peoples. At their coming they raised the

standard of religion, everywhere lifeless in England; on all sides you might see churches rising in the villages, and monasteries in the towns and cities, built in a new style; you might see renewed services enrich the whole country, so that every man of means counted that day lost which was not marked by some great and glorious act.

THE HARRYING OF THE NORTH (1069).

Source.—Simeon of Durham, *Historia Regum*, ed. Arnold, vol. ii., p. 186. (Rolls Series.)

In the year 1069, the third year of his reign, king William sent earl Robert Cumin against the Northumbrians in the country north of the Tyne. But they had all united in one determination not to submit to the lordship of an alien, and resolved either to slay him or to fall, all of them together, by the edge of the sword. On his approach, Aegelwin, bishop of Durham, met and forewarned him to be on his guard against ambushes; but he, thinking that none would be so bold, despised the warning. Entering Durham with a large force of knights, he allowed his men to act with hostility in all quarters, and some peasants belonging to the church were killed. He was received, however, by the bishop with all courtesy and honour. But the Northumbrians, hastening all night to Durham, at daybreak broke through the gates with great violence, and on all sides surprised and slew the earl's followers. The struggle was fiercely waged; the knights were struck down in houses and streets, and the combatants attacked the bishop's house in which the earl had been received, and since they could not endure the darts of the defenders, burned down the house with all who were therein. So great was the multitude of the slain, that almost every part of the city was filled with blood; for out of seven hundred men only one escaped. This slaughter took place on the 28th of February, the fourth day of the week.

In the same year, before the Nativity of St. Mary, the sons of Sweyn, king of the Danes, Harold and Canute, and their

uncle earl Osbarn, and Christian their bishop, and earl Turkill, came from Denmark with 240 ships and landed at the mouth of the river Humber. There they were joined by Edgar Atheling, earl Waltheof and Marlesweyn and many others, with a fleet which they had made ready. Earl Cospatric also came with the whole strength of the Northumbrians, and all with one accord joined forces against the Normans. . . . On Saturday, the 19th September, the Normans who were holding the castles (at York), fearing that the houses near the castles would be of aid to the Danes in filling up the castle-moats, began to set them on fire, and the flames, increasing, raged throughout the whole city and destroyed with it the minster of St. Peter. But divine vengeance was speedily and disastrously wreaked upon them. For before the whole city was burned down, the Danish fleet arrived on the second day of the week, and the Danes on one side and the Northumbrians on the other stormed and burst into the castles on the same day. More than 3000 Normans were slain, the lives of William Malet, who was sheriff at that time, and of his wife and two children, and of Gilbert de Ghent and a few others, being spared; the Danes took ship with their innumerable forces, and the Northumbrians returned to their homes.

But when king William heard the news, he at once gathered an army and hastened to Northumberland with exasperation at heart, and all the winter without ceasing laid waste the country, cut men to pieces and committed many other deeds of cruelty. Meanwhile he sent envoys to earl Osbarn the Dane, and promised to give him secretly a large sum of money and to allow his army freely to seize provisions along the sea-coasts, on condition, however, that he should depart without fighting at the close of winter. To these proposals he assented, in his greed for gold and silver, with great dishonour to himself.

While the Normans were laying waste England, in Northumberland and other districts in the preceding year, but in the present and following year throughout the whole of England and especially in Northumberland and the neighbouring provinces, so great a famine prevailed that men, compelled by

hunger, ate human flesh, and horses, dogs and cats, and anything whatsoever that is loathsome to experience; some sold themselves into perpetual slavery, so long as they could somehow support a miserable existence; others leaving the country as exiles gave up the ghost in the middle of their journey. It was horrible to behold human corpses rotting in the houses and streets and highways, swarming with worms and reeking with putrefaction. For there was none left to bury them, all were cut off either by the sword or by famine, or for hunger had abandoned their native land. And so for nine years the land was destitute of tillers, and far and wide there extended a barren waste. Between York and Durham never a town was inhabited; there were only dens of wild beasts and robbers to terrify the heart of the traveller.

THE RESISTANCE IN THE FENS (1070).

Source.—*The Anglo-Saxon Chronicle*, ed. Thorpe, vol. i., p. 345. (Rolls Series.)

1070. In this year earl Waltheof made peace with the king; and in Lent the king caused all the monasteries that were in England to be plundered. Then in the same year came Sweyn, king of Denmark, into the Humber, and the country folk came to meet him and made peace with him, deeming that he should overcome that country. Then came to Ely Christian, the Danish bishop, and Osbarn the earl, and the Danish housecarles with them; and the English folk from all the fenlands came to them, deeming that they should win all the country. Then the monks of Peterborough heard say that their own men would plunder the monastery; that was Hereward and his company. That was because they had heard say that the king had given the abbacy to a French abbot named Turold and that he was a very stern man, and was then come to Stamford with all his Frenchmen. Now there was a church warden there named Yware, who took by night all that he could, to wit, gospels, mass-mantles, cantor copes and vestments, and such little things as he could, and went forthwith,

ere day, to the abbot Turold, and told him that he sought his protection, and informed him how that the outlaws were coming to Peterborough, and that he did all by the advice of the monks. Then forthwith on the morrow came all the outlaws with many ships, and would have entered the monastery; and the monks withstood them, that they might not come in. Then they set fire thereto and burned all the monks' houses, and all the town but one house. Then they came in through the fire at Bolhithe gate, and the monks came to meet them, praying them peace. But they recked nothing thereof, went into the monastery, climbed up to the holy rood, and then took the crown from our Lord's head, all of beaten gold; then they took the foot-spur that was underneath His foot, which was all of red gold. They climbed up to the steeple, and brought down the crosier that was there hidden; it was all of gold and of silver. They took there two golden shrines, and nine of silver, and they took fifteen great roods, both of gold and of silver. They took there so much gold and silver, and so many treasures in money and in raiment and in books, as no man may tell another, saying that they did it out of reverence for the monastery. Then went they to the ships, fared to Ely, and there put all the treasures. The Danish men deemed that they would overcome the Frenchmen; they then drove away all the monks, none being left there but one monk, who was named Leofwine Lange; he lay sick in the sick man's ward.

Then came abbot Turold and eight score Frenchmen with him, and all fully armed. When he came thither, he found all burned within and without, save the church only. The outlaws were then all afloat, knowing that he would come thither. This was done on the fourth of June.

The two kings, William and Sweyn, were reconciled; and the Danish men went forth out of Ely with all the aforesaid treasures, and took the same with them. When they came into the midst of the sea, there came a great storm and scattered all the ships wherein the treasures were; some fared to Norway, some to Ireland, some to Denmark, and all that came thither were the crosier and some shrines and some roods and

many of the other treasures; and they brought them to a king's town and put it all there in a church. Then afterwards, through their heedlessness, and through their drunkenness, the church was burned one night, and all that was therein. On this wise was the monastery of Peterborough burned and plundered. May God Almighty have compassion upon it of his great lovingkindness. And on this wise came the abbot Turold to Peterborough, and the monks came then again, and did Christ's service in their church, which had stood a full sennight without any sort of rite. When bishop Aegelric heard tell thereof, he excommunicated all the men who had done that evil deed.

THE DEPRESSION OF THE ENGLISH (1070).

Source.—Florence of Worcester, *Chronicon*, ed. Thorpe, vol. ii., pp. 4, 5.

In the season of Lent, by advice of William earl of Hereford and certain others, king William ordered the monasteries of the whole of England to be searched, and the money, which the wealthier English had deposited therein on account of his severity and devastation, to be taken from them and brought to his treasury. On the octave of Easter (4 April) a great council was held at Winchester, by the command and in the presence of king William, with the consent of Pope Alexander, whose authority was represented by his legates Ermenfred bishop of Sion, and John and Peter, cardinal priests of the apostolic see. In this council Stigand archbishop of Canterbury was degraded on three grounds; to wit, because he wrongfully held the bishopric of Winchester with the archbishopric; and because, in the lifetime of archbishop Robert, he had not only taken the archbishopric, but also for some time in the celebration of mass had used his pall, which remained at Canterbury, when he had been unjustly and forcibly expelled from England; and because afterwards he received his pall from Benedict, who had been excommunicated by the holy church of Rome for having gained the apostolic see by bribery. His brother Agelmar, bishop of East Anglia, was also degraded.

Moreover several abbots were degraded there, the king being bent on depriving as many of the English as possible of their honours, and in their place he appointed persons of his own race, to strengthen his hold on the kingdom which he had newly acquired. Here also he deprived of their honours certain bishops and abbots, whom neither synods nor secular laws condemned on any obvious ground, and kept them in confinement to the end of their lives, influenced simply, as we have said, by distrust on account of his new kingdom. . . . After this the king summoned from Normandy Lanfranc, abbot of Caen, a Lombard by birth, a man of the widest range of learning, and with expert knowledge alike of all liberal and divine arts and of secular literature, and equally wise in counsel and the administration of temporal affairs; on the Assumption of St. Mary (15 August) he appointed him archbishop of the church of Canterbury, and on the Nativity of St. John the Baptist (24 June), being Sunday, caused him to be consecrated archbishop at Canterbury. The ceremony was performed by Giso bishop of Wells and Walter bishop of Hereford, who had both been ordained at Rome by Pope Nicholas, when Aldred archbishop of York received his pall, for they avoided ordination by Stigand, who was then over the archbishopric of Canterbury, knowing him to have received his pall uncanonically. Bishop Herman also, who had transferred his see from Sherborne to Salisbury, was present with certain others at the consecration; whereafter Lanfranc consecrated Thomas archbishop of York.

NORMAN MEASURES AFTER THE CONQUEST, AND THE FUSION OF THE RACES.

Source.—Richard, son of Nigel, *Dialogus de Scaccario*, ed. Hughes, Crump, and Johnson, p. 99.

Master.—The proper definition of "murder" is the secret killing of a man whose slayer is unknown. . . . In the original condition of the realm after the Conquest, the

conquered English who were left used to lie secretly in wait for the distrusted and hated Norman people, and everywhere, when opportunity offered, killed them by stealth in the woods and in remote places; and when, to avenge them, kings and their ministers had for years with exquisite kinds of torture cruelly entreated the English, and the latter none the less had not altogether unlearned the habit, the following plan was devised; the so-called "hundred," in which a Norman was found thus killed, when the compasser of his death was not found and through flight could not be traced, was condemned to pay a large sum of tested silver to the treasury, some 36*l.*, some 44*l.*, according to the size of the district and the frequency of the slaying. They say that this was done in order that the infliction of a general penalty might ensure safety for travellers, and that all men might make haste to punish a crime so great, or to bring to justice the man through whom so enormous a loss fell on the whole neighbourhood. . . .

Disciple.—Ought not the secret killing of an Englishman to be reputed as murder equally with that of a Norman?

M.—No, not by the original institution, as you have heard; but now, through the dwelling together of the English and the Normans and by intermarriage, the races have become so mixed that one can hardly tell to-day—I speak of freemen—who is of English and who of Norman birth; except in the case of those bound to the soil who are called villeins, who are not free to change their condition against the will of their lords. On that account almost always when any one is found so slain to-day, it is punished as murder, except in the case of those whose servile condition, as we have said, is apparent by obvious proofs.

D.—I wonder that a prince of such unique excellence and a man of so stern a mould should have shown such mercy towards the English people, conquered and distrusted by him, that he not only saved harmless the husbandmen by whom agriculture might be practised, but left even to the nobles their estates and wide possessions.

M.—These questions are not relevant to the matter in hand, to which I am pledged; still I will gladly tell you what I have heard hereon from the natives themselves. After the conquest of the realm, after the just overthrow of the rebels, when the king himself and the king's barons traversed the new country, a careful enquiry was made touching those who fought against the king in battle and saved themselves by flight. To all of these, and to the heirs also of those who had fallen in battle, all hope of the lands and estates and revenues which they had before possessed was denied; they thought it much to enjoy the privilege of continuing to live under their enemies. But as for those who were summoned to the war and had not yet assembled, or had not been present through domestic or any necessary occupations, when in the course of time they had won the favour of their lords by devoted service, they began to acquire possessions for themselves only, without hope of passing them on to an heir, at the will of their lords. But as time passed and they became hateful to their lords and were everywhere driven from their possessions, with none to restore what had been taken away, a general complaint of the natives reached the ear of the king, that if they were thus hated of all and spoiled of their goods, they would be forced to cross to alien peoples. Counsel was at length taken hereon, and it was decreed that what their merits might earn from their lords by a lawful covenant should be granted to them by inviolable right, but that they should claim nothing for themselves by right of heredity from the time of the conquest of the race. The wise discretion of this provision is manifest, the more so as they would thus be bound in every way in their own interests to strive henceforth to win the favour of their lords by devoted service. So, therefore, any member of the conquered people who possesses estates or any such thing, has acquired them not because they were thought to be due to him by hereditary right, but because he has gotten them by his merits or by covenant.

THE STATUTES OF WILLIAM THE CONQUEROR.

Source.—*Bodleian Rawlinson*, C. 641, in Stubbs, Select Charters.

First, he desired that above all things one God should be worshipped throughout the whole of his realm, one faith in Christ kept always inviolate, and peace and security observed between the English and the Normans.

We have decreed also that every freeman affirm by covenant and oath that within and without England they will be loyal to king William, and will keep his honour in all fealty with him, and defend him against his enemies.

I will also that all men whom I have brought with me or who have come after me be in my peace and quiet. And if any one of them be killed, his lord shall have his murderer within five days, if he can; and if not, he shall begin payment to me of 46 marks of silver, so long as that lord's possessions last. And when his possessions fail, the whole hundred in which that murder was committed shall pay the residue in common.

And every Frenchman who in the time of king Edward, my kinsman, was in England, sharing the customs of the English which they call lot and scot,[1] shall be paid for[2] according to the law of the English. This decree was established in the city of Gloucester.

We forbid also that any live cattle be sold or bought except within cities, and this before three trusty witnesses, and that none sell or buy anything old without surety and warrant. And if any do otherwise he shall pay and pay to the full, and shall afterwards pay a forfeiture.

It was also decreed there that if a Frenchman shall appeal an Englishman of perjury or murder, theft, homicide, or "ran," which is the English term for manifest rape that cannot be denied, the Englishman shall defend himself as he shall prefer, either by the ordeal of iron or by battle. But if the Englishman be sick, he shall find another to do it for

[1] To be "in lot and scot" is in modern phrase "to pay rates."
[2] *I.e.*, if he be killed.

him. The one who shall be vanquished shall make amends in 40*s.* to the king. If an Englishman shall appeal a Frenchman and refuse the proof of ordeal or battle, I will that the Frenchman purge himself with an oath unbroken.

This also I command and will, that all men have and hold the law of king Edward in lands and all other things, with those additions which I have decreed for the benefit of the English people.

Every man who will be holden for a freeman shall have a surety, that the surety may hold and bring him to justice, if he offend in aught. And if any such make default, his sureties shall see to it that they pay simply what is charged against him, and purge themselves of all collusion in his default. The hundred court and the county court shall be convened, as our ancestors decreed. And they who ought justly to come and refuse to come, shall be summoned once; and if they refuse to come the second time, one ox shall be taken, and they shall be summoned a third time; and if they come not the third time, another ox shall be taken; but if they come not a fourth time, there shall be rendered from the goods of the man who shall refuse to come what is charged against him, which is called "ceapgeld"; and further a forfeiture to the king.

I forbid any to sell a man out of the country on pain of full forfeiture to me.

I prohibit also that any man be killed or hanged for any crime, but his eyes shall be plucked out or his members cut off. And this command shall not be violated on pain of full forfeiture to me.

THE ORDEAL OF THE GLOWING IRON.

Source.—Gengler, *Germanische Rechtsdenkmäler*, p. 759.

After the accusation has been lawfully made, and three days have been passed in fasting and prayer, the priest, clad in his sacred vestments with the exception of his outer garment, shall take with a tongs the iron placed before the altar; and, singing the hymn of the three youths, namely, "Bless him all his works," he shall bear it to the fire, and shall say this prayer

over the place where fire is to carry out the judgment: "Bless, O Lord God, this place, that there may be for us in it sanctity, chastity, virtue and victory, and piety, humility, goodness, gentleness and plenitude of law, and obedience to God the Father and the Son and the Holy Ghost."—After this, the iron shall be placed in the fire and shall be sprinkled with holy water; and while it is heating, he shall celebrate mass. And when the priest shall have taken the Eucharist, he shall adjure the man who is to be tried . . . and shall cause him to take the communion.—Then the priest shall sprinkle holy water above the iron and shall say: "The blessing of God the Father, the Son, and the Holy Ghost descend upon this iron for the discerning of the right judgment of God." And straightway the accused shall carry the iron to a distance of nine feet. Finally, his hand shall be covered under seal for three days, and if festering blood be found in the track of the iron, he shall be judged guilty. But if, however, he shall go forth uninjured, praise shall be rendered to God.

ORDINANCE OF WILLIAM I., SEPARATING THE SPIRITUAL AND TEMPORAL COURTS.[1]

Source.—*Ancient Laws and Institutes*, p. 213.

William by the grace of God King of the English, to R. Bainard and G. de Mandeville, and P. de Valoines, and to the rest of my trusty men of Essex and of Hertfordshire and of Middlesex, greeting. Know all of you and the rest of my trusty men who remain in England, that in a common council and by the advice of the archbishops and bishops, and abbots, and of all the chief men of my kingdom, I have decided that the episcopal laws, which up to my times in the kingdom of the English have not been right or according to the precepts of the holy canons, shall be amended. Wherefore I command, and by royal authority decree, that no bishop or archdeacon shall any longer hold in the hundred court pleas pertaining to the episcopal laws, nor shall they bring before the judgment of

[1] Date unknown.

secular men any cause which pertains to the rule of souls; but whoever shall be summoned, according to the episcopal laws, in any cause or for any fault, shall come to the place which the bishop shall choose or name for this purpose, and shall there answer in his cause or for his fault, and shall do right to God and his bishop not according to the hundred court, but according to the canons and the episcopal laws. But if any one, puffed up by pride, shall scorn or refuse to come before the judgment seat of the bishop, he shall be summoned once and a second and a third time; and if he come not even then to make amends, he shall be excommunicated; and, if it be needful to give effect to this, the power and justice of the king or the sheriff shall be called in. And he who is summoned before the judgment seat of the bishop and refuses to come shall, for such summons, make amends by the episcopal law. This also I forbid and by my authority prohibit, that any sheriff, or provost, or minister of the king, or any layman intermeddle with the laws which pertain to the bishop, nor shall any layman summon another man to judgment apart from the jurisdiction of the bishop. But judgment shall be passed in no place except within the episcopal see, or in such place as the bishop shall fix upon for this purpose.

THE VINDICATION OF A SAXON SAINT (1072).

Source.—Roger of Hoveden, *Chronica*, ed. Stubbs, vol. i., p. 126. (Rolls Series.)

At the same time, to wit, when the king had returned from Scotland, he built a castle in Durham, where the bishop and his men might enjoy security from the (Scottish) invaders. And since some of the Normans disbelieved that the blessed Cuthbert was a saint or that his body was preserved there, at the feast of All Saints, while the bishop was celebrating mass, the king ordered two chaplains to enter the sanctuary, and opening the tomb to examine both by sight and touch, whether the holy body was laid there. For the king had already resolved that, if it were not there, all the elders should be put to the sword. So, while all were terror-stricken, the chaplains

proceeded to execute his orders. Now at the time the weather was severely cold, but the king meanwhile began to suffer from an intolerable heat and to sweat profusely, and to be smitten with an overpowering horror. He therefore sent quickly to the chaplains and ordered them not to presume to touch the tomb. And forthwith he took horse and galloped at full speed until he reached the Tees, and thereafter held the saint in great honour and confirmed for perpetual observance the laws and customs of that church, to be held as fully as ever in past times. And furthermore he gave and granted and by his charter confirmed to God and St. Cuthbert and the prior and monks there serving God, in pure and perpetual almoin,[1] his royal manor, to wit, the town of Hemingburgh with all the land of Brakenholm and all lands adjacent, with the church of the town aforesaid and all things pertaining thereto in wood and plain, moor and meadow, woods and marshes, waters, mills and fishponds . . . and all the right bounds thereof, as well and quietly and freely, with all rights and customs thereof, as ever St. Cuthbert held other his lands, together with all royal customs and liberties which the king himself had therein, when he held the same in his own hand after the conquest of England, and with the same bounds with which he himself or Tostig or Siward held the manor.

ORDINANCE OF THE COUNCIL TOUCHING THE DISPUTE BETWEEN CANTERBURY AND YORK AS TO THE PRIMACY (1072).

Source.—William of Malmesbury, *De gestis regum Anglorum*, ed. Stubbs, vol. ii., p. 349. (Rolls Series.)

GENERAL COUNCIL OF THE REALM OF THE ENGLISH TOUCHING THE RIGHT AND PRIMACY OF THE CHURCH OF CANTERBURY.

In the year 1072 after the incarnation of our Lord Jesus Christ, the 11th year of the pontificate of the lord Pope Alexander, and the sixth year of the reign of William, the

[1] *I.e.*, "alms." To hold in "almoin" is to hold by the sole service of prayers for the grantor.

glorious king of the English and duke of the Normans, by command of the same Pope Alexander and by assent of the same king, in the presence of the king and of the bishops and abbots, there was debated the cause of the primacy, which Lanfranc, archbishop of Canterbury, claimed in right of his church over the church of York, and of the ordination of certain bishops, whereon there was no certainty to whom they ought specially to pertain; and at length, by divers authorities of divers writings, it was proved and shewn that the church of York ought to be subject to Canterbury, and to obey the rulings of the archbishop thereof, as primate of all Britain, in all the things that pertain to the Christian religion. But the metropolitan of Canterbury granted to the archbishop of York and his successors that they should hold subject the bishop of Durham, that is, of Lindisfarne, and all the districts from the boundaries of the bishopric of Lichfield and the great river Humber to the limits of the border of Scotland, and whatever belongs of right to the diocese of the church of York on this side of the aforesaid river; so that if the archbishop of Canterbury would summon a council wheresoever he should deem fit, the archbishop of York should attend the same at his bidding, with all his suffragans, and obey his canonical rulings. Lanfranc, archbishop of Canterbury, shewed also from the ancient custom of his predecessors that the archbishop of York ought to make profession to the archbishop of Canterbury, and that too with an oath; but out of love for the king he released Thomas, archbishop of York, from the oath and accepted a written profession only, without prejudicing his successors, if they should wish to demand from the successors of Thomas an oath with the profession. If the archbishop of Canterbury should die, the archbishop of York shall come to Canterbury, and, with the other bishops of the church aforesaid, shall of right consecrate him who shall be elected. And if the archbishop of York should die, he who is chosen to succeed him, after receiving from the king the gift of the archbishopric, shall come to Canterbury or whither the archbishop of Canterbury shall please, and shall receive canonical ordination from

him. To this constitution assented the aforesaid King, and the archbishops, Lanfranc of Canterbury, and Thomas of York, and Hubert, subdeacon of the holy church of Rome and legate of the aforesaid Pope Alexander, and the rest of the bishops and abbots who were there. This cause was first debated in the city of Winchester at the Easter festival, in the royal chapel within the castle; and afterwards in the royal town called Windsor, where also it was determined in the presence of the King, the bishops and abbots of divers orders, who were assembled at the Court on the feast of Whitsunday. . . .

The profession of Thomas archbishop of York.—It becomes all Christians to be subject to Christian laws, and not to contravene for any reasons the things which have been soundly instituted by the holy fathers. For hence come forth strivings, dissensions, envyings, contentions and the like, which cast down those who love them into eternal pains. And the more exalted be a man's rank, the more exact should be his obedience to commands. Wherefore I, Thomas, now ordained metropolitan of the church of York, having heard and understood the argument, make absolute profession of canonical obedience to you, Lanfranc, archbishop of Canterbury, and to your successors; and whatsoever shall be justly and canonically enjoined upon me by you or by them, I promise to observe. I was doubtful upon this matter, while I was yet to be ordained by you, and therefore it was I promised obedience unconditionally to you, but to your successors conditionally.

THE REVIVAL OF MONASTICISM (1074).

Source.—Simeon of Durham, *Historia Regum*, ed. Arnold, vol. ii., p. 201. (Rolls Series.)

Three poor monks, sent by divine inspiration from the province of Mercia to the province of Northumberland, came to York, and requested Hugh son of Baldric, then sheriff, to find them a guide as far as the place called Monkchester, now named Newcastle. They were brought thither and stayed there for a time, but finding no trace of the ancient com-

munity of Christ's servants there, they passed on to Jarrow, where amid the ruins, that hardly indicated what they had been of old, they found many monastic buildings with churches half destroyed; here they were received by bishop Walcher with the greatest kindness, and supplied by him with necessaries. . . . These three founded three monasteries in the country of the Northumbrians; one at Durham, by the holy and uncorrupt body of the father Cuthbert, in honour of St. Mary the Virgin; another at York, in honour of the same Mary, mother of God; . . . and the third in the place . . . now called Whitby. . . . Indeed, after the savage devastation of the heathen had with fire and sword reduced to ashes the churches and monasteries, Christianity was almost extinct, and scarcely any churches survived, and those covered with twigs and thatch; and for two hundred years no monasteries had been anywhere rebuilt. Faith in religion waxed so faint, and religious services failed so utterly, that the name of monk was unknown to the inhabitants, and they were struck with amazement when they chanced to see any one of monkish garb and life. But when these three men aforesaid began to dwell among them, they too began to change their savage life and manners for the better, and to help them in restoring the holy places, and of themselves to restore and repair the half-ruined churches, and even to build new churches in places where there was none before. And many abandoned the secular life for the warfare of monks, though few of these were natives of the district, many more coming from remote parts of England, drawn by reports to join them heart and soul.

THE CONSPIRACY OF THE EARLS (1074).

Source.—Florence of Worcester, *Chronicon*, ed. Thorpe, vol. ii., p. 10.

Contrary to the command of king William, Roger earl of Hereford, son of William, earl of the same county, gave his sister in marriage to Ralph earl of the East Angles; they celebrated the wedding with great magnificence amid a large

gathering of nobles in the county of Cambridge at a place called Exning, and there, with the assent of almost all, entered into a great conspiracy against king William; they also forced earl Waltheof, whom they had secured by a stratagem, to join their conspiracy. He, however, as soon as he could, went to Lanfranc archbishop of Canterbury, and received absolution from him, with the sacrament, for the crime of which he was guilty against his will; and by his advice he sought out king William, who was then in Normandy; and disclosing to him the whole matter from beginning to end, threw himself on his mercy. Meanwhile the aforesaid authors of the conspiracy, in furtherance of their designs, repaired to their castles, and began with their supporters to strain every nerve to foment rebellion. But Wulstan bishop of Worcester, with a large military force, prevented the earl of Hereford from crossing the Severn and joining earl Ralph with his army at the appointed place, and the bishop was joined by Aegelwin abbot of Evesham, with his men, and summoned to his aid Urse, the sheriff of Worcester, and Walter de Lacy, with their forces, and a large company of the people. Earl Ralph, on the other hand, camping near Cambridge, was met by Odo, bishop of Bayeux, the king's brother, and Geoffrey-bishop of Coutances, with a large force of both English and Normans ready for battle. Seeing that his intentions were thwarted, and fearing the numbers of his opponents, he fled secretly to Norwich, and entrusting the castle to his wife and his knights, took ship and fled from England to Brittany; he was pursued by his adversaries, who either slew or in divers ways disabled all of his company whom they could take. Then the leaders of the king's men for a long time invested the castle, until peace was granted by the king's permission and the countess and her men allowed to leave England. After these events the king returned from Normandy in autumn and put earl Roger in prison, and earl Waltheof likewise, although he had sued for the king's mercy. . . . At Christmas following the king held his court at Westminster, and of those who had risen against him he

banished some from England, and mutilated others by putting out their eyes or cutting off their hands. As for the earls Waltheof and Roger, they were condemned by a judicial sentence and committed to straiter imprisonment.

In the year 1075 earl Waltheof, by command of king William, was led without the city of Winchester and there unworthily and cruelly decapitated with an axe and buried on the spot. But in course of time God so ordained it that his body was disinterred and carried with great honour to Croyland and honourably buried there in the church. While he was still in possession of life, though placed in strait confinement, he bewailed unceasingly and remorsefully all that he had done amiss, and by watchings, prayers, fasts and alms strove to make his peace with God; men tried to blot out his memory on earth, but it is believed that in truth he rejoices with the saints in heaven, on the faithful testimony of the aforesaid archbishop Lanfranc, of pious memory, who heard his confession and gave him absolution; for he asserted that the earl was innocent of the charge imputed to him, to wit, the aforesaid conspiracy, and that, like a true Christian, he had regretted with tears of repentance whatsoever other sins he had committed; and declared moreover that he himself should be blessed, if, at the end of his own life, he should obtain a like blessed repose.

THE CROWN AND THE PAPACY: THE CONQUEROR'S LETTER TO HILDEBRAND (*c.* 1080).

Source.—*Lanfranci Opera*, ed. Lucas d'Achéry, p. 304.

'To the most excellent pastor of the Holy Church, Gregory, William by the grace of God glorious king of the English and duke of the Normans, greeting with affection.

Holy Father, your legate, Hubert, coming to me on your behalf, has admonished me to do fealty to you and to your successors, and to take better heed touching the money which my ancestors used to send to the church of Rome. To the one request I consent, to the other I do not consent. I have

refused to do fealty, and I do refuse, because neither did I promise it, nor, as I find, did my predecessors do fealty to your predecessors. As to the money, it was negligently collected for nearly three years, while I was in France, but now that I by divine mercy have returned to my kingdom, that which has been collected by the aforesaid legate is being sent, and the residue shall be despatched by the messengers of our faithful archbishop Lanfranc, when opportunity shall serve. Pray for me and for the estate of our realm, because we have loved your predecessors and desire sincerely to love you before all men, and obediently to hear you.

NORMAN ABBOTS AND SAXON MONKS (1083).

Source.—Florence of Worcester, ***Chronicon***, ed. Thorpe, vol. ii., p. 16.

A disgraceful dispute arose between the monks of Glastonbury and abbot Thurstan, unworthy of the name of abbot, a man of no tact, whom king William had preferred to the said place from the monastery of Caen. Among his other acts of stupidity he attempted to compel the monks to forsake the Gregorian chant, which he despised, and to learn and sing the chant of one William of Fécamp. When they took this ill, for they had now grown old in the use of this chant and in the rest of the ecclesiastical offices according to the practice of the church of Rome, suddenly with a band of armed men he rushed one day into the chapter-house, the monks suspecting nothing, pursued them as they fled in terror into the church as far as the altar, and there the armed men, piercing with darts and arrows the crosses and images and shrines of the saints, even slew one of the monks with a spear, as he clung to the holy altar, while another fell at the altar's edge, pierced with arrows, and the rest, driven by necessity, defended themselves with benches and candlesticks, and though sorely wounded, drove the knights back beyond the choir; in the result two of the monks were killed and fourteen wounded, and some of the knights also were wounded. The matter was

brought to judgment, and since the greatest blame rested on the abbot, the king removed him and sent him back to his monastery in Normandy. Many of the monks, however, were dispersed by the king's command among bishoprics and abbeys, to be kept under guard. After the king's death, the same abbot again purchased his abbey from the king's son king William for 500*l.* of silver, and after wandering for some years among the possessions of the church, wretchedly ended his life far from the monastery itself, as he justly deserved.

DOMESDAY BOOK (1085).

Source.—Richard, son of Nigel, *Dialogus de Scaccario*, ed. Hughes, Crump, and Johnson, p. 107.

The book of which you ask is the inseparable companion of the royal seal in the treasury. The cause of this practice, as I have been told by Henry, sometime bishop of Winchester, is as follows.

When the famous conqueror of England, king William, a kinsman by blood of the same prelate, had subdued the further limits of the island to his sovereignty and cowed the hearts of rebels by terrible examples, he decreed that the subject race should submit to a written law and a written code, to prevent thereafter the existence of an easy means of error. The English laws, therefore, were laid before him, according to their threefold diversity, to wit, Mercian law, Dane law, and West Saxon law; some laws he denounced, others he approved, and added thereto the foreign laws of Neustria which he thought most effectual for the keeping of the peace of the realm. Finally, that nothing might be thought lacking, he brought the whole of his far-seeing measures to completion by despatching from his side his wisest men in circuit throughout the realm. The latter made a careful survey of the whole land, in woods and pastures and meadows, and arable lands also, which was reduced to a common phraseology and compiled into a book, that every man might be content with his own right and not encroach with impunity on that of another. The

survey is made by counties, by hundreds and hides,[1] the king's name being set down at the head, and thereafter the names of the other lords appearing in turn according to the dignity of their rank, those, namely, who hold of the king in chief. Each name thus in the list is numbered in order, so that the section concerning them can easily be found in its place below in the book. This book is called "Domesday" by the natives, that is "the day of judgment" by a metaphor; for just as the award of that last stern and terrible trial cannot be evaded by any subtlety of pleading, so when a dispute has arisen in the realm touching the things there noted, once the book is referred to, its award cannot be derided or with impunity defied. Therefore we have named it the book of dooms, not because it makes awards on any matter in dispute, but because, like the last judgment, it allows no sort of evasion.

THE DOMESDAY COMMISSION (1085).

Source.—*The Anglo-Saxon Chronicle*, ed. Thorpe, vol. i., p. 352. (Rolls Series.)

Then at Midwinter was the king at Gloucester with his witan and there held his court five days, and thereafter the archbishop and clergy had a synod three days. . . . After this the king had a great council and very deep speech with his witan touching this land, how it was peopled or with how many men. Then he sent his men over all England into every shire, and caused to be learned how many hundred hides were in the shire, or what land the king himself had and what cattle on that land, or what manner of dues he ought to have for twelve months from the shire. Also he caused to be written how much land his archbishops had, and his bishops and his abbots and his earls, and, though I take long to tell it, what or how much each man had, who was a land-holder in England, in land or in cattle, and how much money it was worth. So

[1] The hide was at once a measure of land normally consisting of about 120 acres, and a fiscal unit; a Domesday manor containing ten hides for purposes of taxation might comprise a larger area than 1,200 acres.

very straitly he caused it to be traced out that not a single hide nor a yard of land, nor even—it is a shame to tell, though he thought it no shame to do—an ox, nor a cow, nor a swine was left that was not set down in his writing. And all the writings were brought to him thereafter.

THE FORM OF THE DOMESDAY INQUEST (1085).

Source.—*Inquisitio Eliensis* (Domesday Book, vol. iii.).

Here below is written the inquest upon the lands, in what manner the King's barons make enquiry, to wit, by the oath of the sheriff of the shire, and of all the barons and their Frenchmen, and of the whole hundred, of the priest, the reeve, and six villeins of each town. Then how the manor is named; who held it in the time of King Edward; who holds it now; how many hides; how many ploughs on the demesne, and how many men; how many villeins; how many cotters; how many serfs; how many freemen; how many socmen;[1] how much wood; how much meadow; how many pastures; how many mills; how many fishponds; how much has been added or taken away; how much it was worth altogether; and how much now; how much each freeman or socman there had or has. All this for three periods; to wit, in the time of King Edward; and when King William granted it; and as it is now; and if more can be had therefrom than is had.

THE DOMESDAY DESCRIPTION OF SHREWSBURY.

Source.—*Domesday Book*, vol. i., p. 252.

In the city of Shrewsbury in the time of King Edward there were 252 houses, and as many burgesses in the same houses, rendering yearly 7*l.* 16*s.* 8*d.* of rent. King Edward had there the customs below written.

If any man wittingly broke the peace of the King given with his own hand, he was made an outlaw. And he who broke the peace of the King given by the sheriff made amends in 100*s.*

[1] A socman holds land by the service of attending the lords' court or soke.

and gave as much as he who committed "Forestel"[1] or "Heinfare."[2] These three forfeitures King Edward had in demesne in the whole of England beyond the farms.

When the King lay in this city, twelve men of the city of the better sort served him, keeping watch over him. And when he went hunting there, burgesses of the better sort, having horses, guarded him with arms in like manner. And for beating the woods the sheriff sent thirty-six footmen, so long as the King were there. And for the park of Marsetelie he found thirty-six men by custom for eight days.

When the sheriff wished to go into Wales, he who went not after being summoned by him gave 40*s.* of forfeiture.

A woman in any wise taking a husband gave to the King 20*s.* if she was a widow, 10*s.* if she was a maid, in what wise soever she should take a man.

Any burgess soever whose house should be burned by any chance or hap or by negligence, gave to the King 40*s.* for forfeiture, and to his two nearer neighbours 2*s.* to each.

When a burgess who was on the King's demesne died, the King had 10*s.* by way of relief.

If any burgess broke the term which the sheriff imposed upon him, he made amends in 10*s.* He who shed blood made amends in 40*s.*

When the King went from the city, the sheriff sent to him twenty-four horses as far as Leintwardine, and the King brought them as far as the first manor-house of Staffordshire.

The King had there three moneyers, who, after they had bought their money-dies, on the fifteenth day gave each to the King 20*s.* like other moneyers of the country. And this was done at the change of coinage.

In all, this city rendered 30*l.* a year. The King had two parts, and the sheriff a third.

In the year preceding this survey it rendered 40*l.* to Earl Roger.

This city gelded for a hundred hides in the time of King Edward.

[1] Highway robbery. [2] Housebreaking.

Of these, St. Almund had 2 hides, St. Juliana half a hide, St. Milburga 1 hide, St. Chad a hide and a half, St. Mary 1 virgate, the bishop of Chester 1 hide, Ediet (queen Edith) 3 hides, which Ralph de Mortemer has.

The English burgesses of Shrewsbury say that it is a great burden to them that they render the whole geld as it was rendered in the time of King Edward, although the earl's castle has occupied 51 dwellings, and 50 other dwellings are waste, and 43 French burgesses hold dwellings which gelded in the time of King Edward, and the Earl has himself given to the abbey which he is building there 39 burgesses, who in like manner formerly gelded with the others. In all there are 200 dwellings less seven, which pay no geld.

THE SALISBURY OATH OF FEALTY (1086).

Source.—*The Anglo-Saxon Chronicle*, ed. Thorpe, vol. i., p. 353. (Rolls Series.)

In this year the king bare his crown and held his court at Winchester at Easter; and so he fared that he was at Westminster on Whitsunday and there dubbed his son Henry a knight. Thereafter he fared so that he came at Lammas to Salisbury, and there his witan came to him, and all the landholders who were of account all over England, what man's men soever they were; and they all bowed down to him and became his men, and swore to him oaths of fealty, that they would be faithful to him against all other men.

HOMAGE AND FEALTY.

Source.—Bracton, *De Legibus Anglie*, ed. Twiss, vol. i., p. 632. (Rolls Series.)

Be it known that he who should do his homage, in view of the reverence which he owes his lord, should wait upon his lord wherever he may be found in the realm or elsewhere, if he can be conveniently waited upon; and the lord is not bound to seek out his tenant. And he should do homage to him in

this wise: the tenant should first put both his hands between both hands of his lord, which signifies on the part of the lord protection, defence and warranty, and on the part of the tenant reverence and subjection, and he should say these words: "I become your man for the tenement which I hold of you and ought to hold, and I will bear faith to you of life and limb and earthly honour, and I will bear faith to you against all men, saving the faith due to the lord the King and his heirs." And straightway afterwards he shall make the oath of fealty to his lord in this wise: "This you hear, my lord N., that I will bear faith to you of life and limb, body and chattels and earthly honour, so help me God and these holy relics." And some add in the oath, and well so, that faithfully and without diminution, contradiction or hindrance or unjust delay, the tenant will do his service to his lord and his heirs at the stated terms.

And homage ought not to be done in private, but in a public and common place before many persons in the county, hundred or court, so that if by chance the tenant through malice should wish to deny the homage, the lord could the more easily have proof of homage done and service acknowledged.

THE ENDOWMENT OF BATTLE ABBEY (1087).

Source.—Rymer, *Fœdera*, ed. Record Commission, vol. i.

In the name of the holy and undivided Trinity. I, William, by the grace of God king of the English, make known to all archbishops, bishops, abbots, earls, barons and all my trusty men, French and English, present and to come, that when I came to England and landed with an army within the bounds of Hastings against my enemies who were striving unjustly to deprive me of the kingdom of England, upon the edge of battle, when I was already armed, I made a vow before my barons and knights, with the approval of them all and to strengthen their hearts, that I would build a church to the honour of God for the common salvation, if by God's grace I should avail to gain the victory. And since we obtained the victory, I have fulfilled my vow and in honour of the Holy Trinity and St.

Martin the Confessor of Christ I have built a church for the salvation of my soul and the souls of my predecessor, king Edward, and my wife, queen Matilda, and my successors in the kingdom, and for the salvation of all by whose labour and aid I obtained the kingdom, and specially of those who fell in the battle itself. And because God gave me victory in battle in this place where the church has been so built, in memory of the victory I have determined that the place itself shall be called Battle.

Therefore to this church of St. Martin, Battle, first of all by royal authority I grant the dignity that it have its court in all matters, and the royal liberty and custom of treating of its own business and affairs, and justice to be holden by itself, and that it be free and quit for ever from all subjection to bishops and all domination of any persons, as is the church of Christ at Canterbury. And if any robber or homicide or any criminal, fleeing for fear of death, shall come to this church, he shall suffer no manner of hurt, but shall be sent away wholly free. And the abbot of the church may everywhere set free from hanging a robber or thief, if he come upon such. I grant also to the same church the lowey[1] adjacent on every side free and quit of all geld and scot, hidage and danegelds, and bridge-works and castle-works and park-works, and enclosures, and armies, and all aids, and pleas and plaints and shires and hundreds,[2] with sac and soc,[3] and tol[4] and theam,[5] and infangenetheof[6] and warpeni[7] and lastages[8] and hamsocne[9] and forestall[10] and blodwite[11] and cildwite[12] and larceny,[13] and free

[1] *I.e.*, the precincts, one mile and a half round.
[2] *I.e.*, from all national and local burdens, whether financial, judicial, or otherwise.
[3] Rights of jurisdiction.
[4] Toll.
[5] Right to summon possessors of stolen property to name the person from whom they received it.
[6] Apprehension of offenders.
[7] Payment for watch and ward.
[8] Market, fair, and port tolls.
[9] Fine for housebreaking.
[10] Highway robbery and the fine due for the same.
[11] Fine for bloodshedding.
[12] Fine for bastardy.
[13] This clause, from "with sac and soc" to "larceny," grants to the abbey full rights of jurisdiction, with tolls, and fines for the offences specified.

also of all custom of earthly service and of all exactions of bishops.

Further, I give to the church of St. Martin, Battle, the royal manor called Wye, with all its appurtenances from my crown demesne, with all liberties and royal customs, as free and quit as ever I have held it, or could grant it as king, to wit, from all geld and scot and hidages and danegelds and bridge-works and castle-works and enclosures of parks, and armies, and all aids and pleas and shires and hundreds, with sac and soc and tol and theam and infangenetheof and warpeni and lastages and hamsocne and forestall and blodwite and cildwite and larceny, if the same arise. Likewise I give 2*d.* from all forfeitures and pleas of all hundreds that pertain to the summons of Wye. In Denge marsh also, which is a member of Wye, I grant to the same church all maritime customs which I have had there, with all wreck. And if any fish called "craspeis" (whale) come there, it shall belong wholly to the abbot and monks, but if it come ashore between the bounds of Blachewase and Horsemede and Bradelle as far as Withiburne, the church shall have two parts of the fish and the tongue, as I have always had.

I give also to the same church these manors, Alciston, Limpsfield, Hoo, Crowmarsh and Brightwalton, with all their appurtenances, free and quit with the aforesaid liberties and royal customs. If murder-fine be due in the lowey or in the manors of the church, or if treasure be found, both shall belong to the abbot and monks. The church shall have its own warren in the lowey and in all its manors. I give also to the same church of St. Martin the church of Reading, and the church of Cullompton, and the church of St. Olave, Exeter, with the lands and tithes and all things pertaining thereto. And if any of my barons or men give anything of their own to the same church in almoin, I grant to them therein the same liberties which I have granted in my own gifts to the same church, and by this writing by royal authority, as aforesaid, I confirm the same.

Names of witnesses to the charter:

William the king, Lanfranc archbishop of Canterbury, Thomas archbishop of York, Maurice bishop of London, Walchelin bishop of Winchester, Osbern bishop of Exeter, Gundulf bishop of Rochester, Hugh, earl of Chester, Roger, earl of Montgomery, William, earl of Warwick, William son of Osbern, William of Brai, Bernard of Neufmarché.

CHARACTER OF WILLIAM THE CONQUEROR AND OF HIS REIGN.

Source.—*The Anglo-Saxon Chronicle*, ed. Thorpe, vol. i., p. 353. (Rolls Series.)

After the birth-tide of our Lord Jesus Christ one thousand and seven and eighty winters, in the one and twentieth year that William ruled and governed England, as God permitted him, there befel a most heavy and most pestilent year in this land. Such a sickness came on men that wellnigh every other man was in the worst evil, that is with the fever, and that so sorely that many men died of the evil. Afterwards there came, through the great tempests which befel, as we told before, a very great famine over all England, so that many hundred men woefully met their death through that famine. Ah! how woeful and how rueful a time was then, when the wretched men lay driven full nigh to death, and thereafter came the sharp hunger and destroyed them withal. Whom can such times not touch? and who is so hard of heart that he cannot weep for such misfortune? But such things befal for a folk's sins, because they will not love God and righteousness; so it was in those days that little righteousness was in this land with any man, but with the monks only, where they fared well. The king and the chief men loved much and overmuch the getting of gold and of silver, and cared not how sinfully it were gotten, if only it came to them. The king granted his land for as dear a rent as he could; then came some other and offered more than the other gave before, and the king let it to the man who offered him more; then came a third and offered

yet more, and the king let it to the man who offered him most of all; and he cared not how sinfully the reeves got it from poor men, nor how many unlawful things they did, but the more men spake of right laws, the more unlawful things they did. They gathered unjust tolls, and many other unjust things they did, which are hard to number.

And in the same year before harvest the holy minster of St. Paul, the bishop's see in London, was burned, and many other minsters, and the greatest and fairest part of all that borough. So also, at the same time, wellnigh every chief town in all England was burned. Ah! a rueful and sorrowful time was that year, which brought forth so many misfortunes. Also in the same year before the Assumption of St. Mary (15 August) king William went from Normandy into France with a host and made war upon his own lord, Philip the king, and slew a great part of his men, and burned the borough of Mantes and all the holy monasteries that were within the borough; and two holy men, who served God dwelling in a hermitage, were there burned. This so done, king William turned again to Normandy. A rueful thing he did, and a more rueful thing befel him. How more rueful? He fell sick and was sorely stricken. What can I say? Sharp death that passes by neither mighty men nor humble, took him. He died in Normandy on the day next after the Nativity of St. Mary (9 September), and he was buried at Caen in the monastery of St. Stephen, which he had formerly built and afterwards richly endowed. Ah! how false and how unstable is the wealth of this world. He who was before a mighty king and lord of many a land had then of all his land but a seven foot strip, and he who was once decked with gold and with gems lay then covered over with mould. . . .

If any one will know what sort of a man he was, or what worship he had, or of how many lands he was lord, then will we write of him as we understood him, who looked upon him and at another time dwelt in his court. King William, of whom we speak, was a very wise man and very mighty, and worthier and stronger than were any of his predecessors. He

was gentle to the good men who loved God, and beyond all measure severe to the men who withstood his will. On the same spot where God granted to him that he should conquer England, he built a noble monastery and set monks there and well endowed it. In his days was built the noble monastery at Canterbury, and also full many others over all England. Yea! this land was filled with monks, and they lived their life after the rule of St. Benedict, and Christianity was such in his day that every man that would followed what belonged to his degree. Also he was full worshipful; thrice he bare his crown each year as oft as he was in England; at Easter he bare it in Winchester, on Whitsunday at Westminster, at Midwinter in Gloucester. And then there were with him all the mighty men over all England, archbishops and bishops, abbots and earls, thegns and knights. So also was he a full stern and cruel man, so that none durst do anything against his will. He had earls in his bonds who had done against his will; bishops he put away from their bishoprics, and abbots from their abbeys, and thegns he put in prison, and at last he spared not his own brother Odo. He was a very great bishop in Normandy, at Bayeux was his bishop's see, and he was the foremost man beside the king. He had an earldom in England, and when the king was in Normandy, then was he the mightiest in this land; and him he put in prison.

Among other things is not to be forgotten the good peace that he made in this land, so that a man who himself were aught might fare unhurt throughout his realm with his bosom full of gold. And no man durst slay another man, how much evil soever he had done to the other. . . . He reigned over England and by his wisdom so well surveyed it, that there was not a hide of land in England that he knew not who had it, or what it was worth, and afterwards set it in his book. Wales was in his lordship, and he wrought castles therein and ruled over that race of men withal. So also he subdued Scotland to him by his great strength. The land of Normandy was his by heritage, and he ruled over the county called Maine, and if he might have lived yet two years more, he

would have won Ireland by his valour, and without any weapons.

Truly in his time men had much hardship and full many troubles. He caused castles to be built and poor men to be sore oppressed. The king was so very stern and took from his subjects many a mark of gold and more hundred pounds of silver, which he took by weight and with much unright from his people for little need. He was fallen upon covetousness and greed he loved withal. He planted a great deer forest and laid down laws for the same that whosoever slew hart or hind should be blinded. He forbade that the harts and also the boars be slain; so much he loved the high deer, as he had been their father. Also he ordained for the hares, that they should go free. His mighty men grieved and the poor men murmured thereat, but he was so hard that he cared not for the hatred of them all, and they must follow the king's will withal, if they would live or hold land or chattels, or even have his peace. Ah! that any man should be so haughty and lift himself up and count himself above all men. May God Almighty shew his soul lovingkindness and forgive him his sins. These things we have written of him, both the good and the evil, that good men may follow after the good and altogether eschew the evil, and go in the way that leads us to the kingdom of heaven.

FORESTS AND THE ROYAL LOVE OF HUNTING.

Source.—Richard, son of Nigel, *Dialogus de Scaccario*, ed. Hughes, Crump, and Johnson, p. 105.

Master. Forest procedure and the penalties or pardons of transgressors in forests, whether pecuniary or corporal, are kept apart from the other judgments of the realm and reserved for the decision of the king alone or of one of his intimate ministers specially deputed hereto. It subsists by its own laws, which are said to rest not upon the common law of the realm but on the personal will of the kings, so that anything that is done by forest-law is said to be not just absolutely, but

just according to forest-law. The forests, moreover, are the kings' sanctuaries and their highest delight, for to them they come to hunt when they lay aside the cares of state for a while, that they may be refreshed by a brief rest. There they put off at once their burdens and the inevitable turmoil of the court, and breathe for a space the blessed air of natural freedom; wherefore it follows that transgressors therein are subject only to the royal displeasure. . . .

Disciple. . . . Tell me at once what is a forest? . . . .

M. The king's forest is the safe abode of wild beasts, not of any species, but of woodland beasts, not in any kind of place, but in fixed and suitable places. . . .

D. Is there a king's forest in every county?

M. No, only in the wooded ones, which furnish the beasts with coverts and the richest feeding grounds; and it matters not who is the possessor of the woods, the king himself or the chief men of the realm, everywhere the beasts can range freely and unharmed.

THE TRAINING AND TEMPERAMENT OF WILLIAM RUFUS.

Source.—William of Malmesbury, *De gestis regum Anglorum*, ed. Stubbs, vol. ii., pp. 359, 366, 368. (Rolls Series.)

William the son of William was born in Normandy many years before his father came to England. He was brought up by his parents with great care, and, since he was endowed by nature with a mind fertile in great schemes, he climbed to the utmost summit of honour. He would have been without doubt a prince incomparable in our time, had not his father's greatness eclipsed him, and had not destiny cut him off ere his prime, before riper years might correct faults which sprang from the licence of power and the rashness of youth. After his childhood, his early years were spent in military pursuits, in riding, in throwing the spear, in contending with his elders in service, and with those of his own age in duty. He counted it a reproach to his courage if another took arms before him in

warfare, or if he were not the first to challenge the enemy, or, if challenged, to overthrow him. Loyal to his father in all things, he fought before his eyes in battle and stayed at his side in time of peace. With a gradually widening ambition, he was now eager to succeed to the throne, especially after the renunciation of his elder brother, though he was not without suspicion of his untried younger brother. So when his father, lying in his last illness, adopted him as his successor, he went in haste to take possession of the realm, before the king had breathed his last; and soon after was gladly received by the people and secured the keys of the treasury, by means whereof he subjected the whole of England to his will. Archbishop Lanfranc, the greatest power of the state, declared in favour of him, because he had educated him and made him a knight. . . .

He was endowed with a high generosity of soul, which in the course of time was obscured by an excessive harshness, and vices crept into his heart in place of virtues so insensibly as to escape observation. For a long time men were in doubt whither his nature would carry and incline him. At first, during the life of archbishop Lanfranc, he shrank from any kind of crime, so that men hoped he would prove an unexampled mirror of royalty; and after Lanfranc's death, he wavered for a time, poised between good and evil courses; but at length, in his last years, desire for good froze in him, and a crop of ills grew and ripened; his generosity became prodigality, his large-heartedness became pride, his severity became brutality. . . . Abroad and at gatherings of men he stood high and proud of aspect, fixing a threatening eye on bystanders, and repelling those who spoke with him with an assumed severity and fierce tones; as may be guessed, a fear of inadequate supplies and of others' treachery made him unduly rapacious and stern. In private and at table with friends he was altogether easy and genial and full of jest. He was the wittiest of commentators on his own misdeeds, and strove to rid himself of the odium by an epigram. . . .

He had no conception of making a bargain or valuing wares,

and a trader could unload his goods on him at any price, and a soldier demand any pay. He wished the price of his clothes to be extravagant, and was disdainful of cheapness. One morning, when he was putting on new boots, he asked the chamberlain how much they had cost, and when he replied "Three shillings," he shouted indignantly and angrily, "Bastard! how long has the king worn boots at that mean price? go and fetch me a pair worth a mark of silver." He went, and bringing a much cheaper pair falsely said that they had cost as much as the king had commanded. "Ah!" said the king, "those are fit for the royal majesty." So the chamberlain used afterwards to charge him what he pleased for his clothes, and bought many a thing for his own benefit.

THE REBELLION OF BISHOP ODO (1088).

Source.—William of Malmesbury, *De gestis regum Anglorum*, ed. Stubbs, vol. ii., p. 360. (Rolls Series.)

At the beginning of Spring the first struggle was against Odo, the king's uncle, bishop of Bayeux. For when, as I have related, on his release from prison, he had established his nephew Robert in the duchy of Normandy, he came to England and received from the king the earldom of Kent; but seeing how all things in England were administered not according to his will as before (for the control of public affairs had been entrusted to William bishop of Durham), he was smitten with jealousy, and himself deserting the king, he intrigued also with many others, urging that Robert was of an easier disposition and had tempered his youthful excesses with great hardships, and therefore deserved the realm; William, on the other hand, carefully brought up as he was, and overbearing and brutal, as his face itself proved, would set at nought all right and justice; soon they would lose the honours so strenuously won; they would have gained nothing by the father's death, if the son slew those whom the father had imprisoned. These complaints were first made in secret by him and Roger of Montgomery, and by Geoffrey bishop of Coutances, with

his nephew Robert earl of Northumberland; afterwards they interchanged letters and plotted openly. Even William bishop of Durham, the king's confidant, had joined in their treason; a source of grave concern to the king, it is said, because he at once lost a friend and was deprived of supplies from the distant provinces. Thereupon Odo conveyed booty of all kinds to Rochester, laying waste the king's demesnes in Kent, and especially the lands of the archbishop, against whom he breathed an undying hatred, since, as he alleged, it was by the archbishop's advice that his brother had cast him into prison. This charge was true enough, for when the elder William had complained to Lanfranc of his brother's desertion, Lanfranc said, "Seize and imprison him!" "What!" he replied, "he is a clerk." To which the archbishop rejoined, with playful wit, "weighing the objection with nice antitheses," as Persius remarks, "You will not be laying hands on the bishop of Bayeux, you will be committing to prison the earl of Kent." Bishop Geoffrey, with his nephew, ravaging Bath and Berkeley and part of Wiltshire, gathered his forces at Bristol. Roger of Montgomery, sending his troops with Welshmen from Shrewsbury plundered Worcestershire, and was now threatening Worcester, when the king's knights who guarded the city, relying on the blessing of bishop Wulstan, to whom the keeping of the castle had been committed, few though they were, put to flight their numerous opponents, wounding and killing many, and taking some prisoners. At the same time Roger Bigod at Norwich and Hugh Grantmesnil at Leicester were ravaging each his own country. In vain, however, did the whole strength of rebellion rage against the king, who lacked neither wisdom nor good fortune. Seeing well-nigh all the Normans leagued together in one wild revolt, he summoned by letters of request such trusty and stout Englishmen as were still left, and complaining to them of his wrongs, bound them in fealty to him by promises of good laws, relief from taxation and the right of free chase. With equal skill he won over Roger of Montgomery, who, concealing his treachery, was riding with him. Taking him aside, he heaped reproaches upon him, say-

ing he would gladly abdicate, if Roger and the others whom his father had left as his guardians thought fit; he failed to understand why they were so outrageous; if they wanted money, they might have what they chose; if an increase of their inheritances, be it so; indeed they might have what they wished. Only they must take care not to imperil the validity of his father's decision; for if they chose to defy it in his case, they must beware of the precedent in their own case; for he who had made him king had made them earls. Stirred by these words and promises, the chief rebel, after Odo, was the first to fall away. So the king, marching at once against the traitors, stormed his uncle's castles of Tonbridge and Pevensey, captured Odo in the latter and forced him to swear that he would leave England and give up Rochester. To accomplish the same he sent him in advance with a loyal guard, himself following slowly. Now at that time there was at Rochester almost the whole of the younger nobility of England and Normandy; three sons of earl Roger, the younger Eustace of Boulogne and many others whom I need not specify. The royal guards of the bishop were few and unarmed, for who would suspect treachery in his company? They leapt down before the walls, calling to the townsmen to open the gates; it was the will of the bishop, there with them; it was the command of the king, though absent. But they, seeing that the bishop's aspect discountenanced the speaker's words, suddenly opened the gates, rushed out, took horse and carried them all away bound, with the bishop. Reports of the event speedily reached the king, whose reverse stiffened his purpose; smothering his wrath, he summoned his Englishmen, and bade them gather all their countrymen for the siege, unless they would earn the name of "nithing" (that is, worthless). The English, who reckoned nothing more disgraceful than to be branded with this dishonourable term, flocked in multitudes to the king and made his host invincible. The townsmen could no longer avoid submission, realising that a band of men, however noble, however compact, could avail nothing against the king of England. Odo, taken a second time, abjured England for

ever; the bishop of Durham of his own will crossed the sea, the king, out of regard for past friendship, suffering him to escape harmless; while the rest were all admitted to fealty.

ROYAL PROCEDURE AGAINST A BISHOP: (1087).

Source.—Simeon of Durham, *De injusta vexatione Willelmi episcopi primi*, ed. Arnold, vol. i., p. 171. (Rolls Series.)

King William the younger disseised[2] the bishop of Durham of his own lands and the lands of his church on 4 March, and caused his men and all his goods to be taken, wherever he could; he also ordered the bishop to be taken, and laid many snares for him; but by God's will the bishop escaped them, and coming to Durham, sent his messenger to the king with the following letter on the very day on which he entered Durham:

"To his lord, William, king of the English, William bishop of Durham, greeting and loyal service. Know, my lord, that your men of York and Lincoln detain my men under arrest, and have seized my lands, and would have taken me also, if they could; and they say that they have done all these things at your command. I request you, therefore, as my lord, to cause my men and my lands to be restored with my chattels to me, as your liege man, whom you have never appealed[3] of any crime, and who has never stood on his defence before you. If you will appeal me hereafter of any crime, I am ready to justify myself before you in your court at a convenient term, on receipt of a safe conduct. But I earnestly beg you not to treat me so basely and dishonourably, nor to disseise me unjustly, upon the advice of my enemies. For it is not every man who may judge bishops, and for my part, saving always my order, I undertake to offer you complete satisfaction; and if at the present you desire to have my service or the service of my men, I offer you the same at your pleasure."

[1] William of St. Karileph, Bishop of Durham, accused of participation in the rebellion of Bishop Odo.

[2] Dispossessed.

[3] Charged with.

The king, however, on receiving and hearing the bishop's letter, gave the bishop's lands to his barons before the eyes of the messenger whom the bishop had sent, and again commanded the bishop to come to him, on the condition that if he should refuse to abide by the king's will, he might return safely to Durham. But when the bishop, on hearing this answer, was ready to go to the king, he sent first to the sheriff of York, asking for a safe journey to the king's presence. But Ralph Paynel, who was then sheriff, refused a conduct not only to the bishop but to all his messengers and men desiring to go to the king; he even seized the bishop's monk who was returning from the king, and killed his horse, permitting him, however, to go on his way thereafter. Furthermore, on the king's behalf, he commanded all the king's men to do harm to the bishop wheresoever and howsoever they could. So, when the bishop was thus prevented from seeking the king either in person or by messenger, and had endured the destruction and devastation of his lands without any retaliation for seven weeks and more, the king at length sent to him the abbot of St. Augustine's, commanding him, as he had before commanded, to come to his court with the abbot. The bishop, however, fearing the snares of his enemies and the king's anger, answered that he could not come without a safe conduct, and sent his messengers in the abbot's company with a letter to the king to that effect. . . .

The king, on seeing this letter, sent the bishop a safe conduct, and assured him by letter that no hurt should be done him by the king himself or his men, until he should have left the king and reached Durham once more. The bishop, therefore, went to the king, and prayed to be put on his trial as a bishop. The king replied that he would consent to a trial only if the bishop would plead in a lay court and forego the safe conduct granted to him; if he should refuse so to plead, he must go back to Durham. The bishop then asked the archbishop of York and the bishops there present to advise him thereon. But the bishops replied that the king had forbidden them to advise him. Then the bishop pressed his archbishop to advise

him, as a matter of right, due to his church and to himself. The archbishop therefore made request to the king thereon, but reported to the bishop that it was impossible. So the bishop himself prayed the king to allow him the advice of his archbishop and primate and the bishops, his peers, but the king summarily refused. The bishop then offered to purge himself of the charge of treason and disloyalty; the king, however, rejected the offer, and the bishop returned to Durham. Meanwhile the king had seized there more than 700 men and considerable booty.

Again therefore the bishop sent a letter to the king by one of his monks. . . . The king replied by seizing and imprisoning the monk who brought it, and sent his army against the bishop; and after the troops had laid waste the bishop's lands with fire and plunder, the barons opened negotiations with the bishop, and both parties agreed to a solemn covenant. . . .

On the strength of this, the plea was respited on both sides until 10 November, and on that day the bishop came to Salisbury. . . . The bishop rose in court and prayed the king to restore to him his bishopric, which he had long ago taken from him without a judgment. The king said nothing, but Lanfranc replied, "The king has taken away no part of your bishopric, nor has any other man at his command, nor have you seen his writ disseising you or commanding you to be disseised of your bishopric." The bishop rejoined, "No, but I have seen Ralph Paynel, and I see him here; and he, by the king's command, has disseised me of the whole of my bishopric in Yorkshire. . . ." Lanfranc replied, "The king summons you to make your defence to him, and his barons have brought you here to that end; yet you ask that he first make his defence to you! First defend yourself, and then ask what you are now asking." The bishop said in answer, "My lord archbishop, do you say that by way of advice or by way of judgment?" "By way of advice, of course," said he, "but if the king will listen to me, he will make a judgment of it soon enough." At these words of Lanfranc, the primate of all England, the lay barons were aroused and cried out against the bishop, asserting that it was

contrary to right that the king should answer the bishop before the latter had justified himself to the king.

The lay barons gave utterance to this and many other statements, with much repetition, but when silence was restored, the bishop said, "My lords, barons and laymen, allow me, I beg you, to say what I have to say to the king, and to make my answer to the archbishops and bishops. I have nothing to say to you, and since I have not come here to receive your judgment, I reject it altogether; even if it had pleased our lord the king and the archbishops and bishops that you should meddle with this matter, it would not have befitted me to submit to such an indignity." The king then said, "I trusted that the bishop would first answer me touching the charges I make against him; I am astonished that he asks for anything else." Thereupon earl Alan and earl Roger said, "We have brought the bishop to justify himself to the king." To which the bishop replied, "Robbed as I am, I am ready to answer, if I be tried canonically, for I will not go one step beyond the law of my order in this suit." Roger Bigot then said to the king, "You should tell the bishop whereof you appeal him, and afterward, if he refuse to answer to us, cause him to be judged touching his answer; if not, do thereon what your barons advise you." The bishop rejoined, "I have just said, and I say again, that I reject altogether the judgment of laymen, and anything that contravenes the canons. I accept no accusation, unless I be first invested with my bishopric, or unless it be awarded by a canonical judgment that I must be charged and make answer and be judged before such investiture." Then Hugh de Beaumont rose by the king's command and said to the bishop, "The king appeals you of this, that when he learned that his enemies were rising against him, and his men, to wit, the bishop of Bayeux and earl Roger and many others, were attempting to deprive him of his realm and crown, and he, by your advice, rode against them, he summoned you, in my presence, to ride with him, and you answered that you would willingly go with the seven knights whom you had there, and would send to your castle for more with all speed; and

afterwards you fled from his court without his licence, taking with you some men of his household, and so failed him in his necessity. And now it is his will that you do thereon to him what his court shall award, and if need be, he will appeal you afterwards of more offences." The bishop, however, replied to him, "Hugh, say what you like, but you I will not answer today. . . ." Hugh de Beaumont rejoined, "If I today fail to judge you and your order, you or your order shall never judge me again. . . ." The bishop went out with his men, and on his return, Thomas, archbishop of York, said to him, "My lord bishop, our lord archbishop and the king's court awards that you do right to the king before he reinvest you with your fee. . . ." The bishop said, "The judgment here given I reject, because it contravenes the canons and our law . . . and since I am conscious that through the king's hatred you are all against me, I appeal to the apostolic see, the holy church of Rome, to St. Peter and his vicar. . . ." Thereupon archbishop Lanfranc replied, "We are not judging you touching your bishopric, but touching your fee, and in the same way we judged the bishop of Bayeux before this king's father, touching his fee; in that suit the king did not summon him as a bishop, but as his brother and as an earl." The bishop answered, "My lord archbishop, I have not said a word today about a fee, nor have I said that I had a fee; I complained, and I complain still, of the disseisin of my bishopric." The archbishop rejoined, "I may not have heard you speak of a fee, but I know you had a great fee, and we have judged you thereon." The bishop replied, "My lord archbishop, I gather now that you have ignored all that I have said, and judge me out of your own knowledge; but though by God's grace you are exceeding wise and of great reputation, I perceive that in this your wisdom is so high that my humble intelligence cannot grasp it; but I wish to go to the apostolic see, to which of necessity I have appealed, by licence of the king and you." "Leave us," said the archbishop, "and the king, after taking counsel, will announce to you his will." When the bishop had left the room and had been summoned back, Hugh de Beaumont

rose and said to him, "My lord bishop, the king's court and these barons adjudge as just, that since you refuse to answer touching the charge wherein the king through me has appealed you, but cite him on his plea to Rome, you thereby forfeit your fee."

THE ILLNESS OF WILLIAM RUFUS, AND THE APPOINTMENT OF ANSELM AS ARCHBISHOP OF CANTERBURY (1093).

Source.—Eadmer, *Historia Novorum in Anglia*, ed. Rule, p. 30. (Rolls Series.)

One day one of the chief men of the realm, a favourite of the king, happened to say to him among other things in the course of conversation: "We have never known a man of holiness so great, we honestly believe, as Anselm abbot of Bec; he loves nothing beside God, and, as the whole of his work makes manifest, he covets nothing transitory." The king rejoined with a sneer, "No, not even the archbishopric of Canterbury." The other replied, "No, not even that has a very great attraction for him, in the opinion of myself and many others." Whereupon the king swore that the abbot would rush to accept it with open arms, if he had the slightest hope of attaining to it, and added, "But, by the Holy Cross of Lucca," as he was accustomed to swear, "neither he nor any other shall be archbishop at present, except myself." He had scarcely spoken when he was seized by illness and took to his bed, growing daily worse until he was at the point of death. Why continue? All the chief men of the whole realm came together, bishops, abbots and all the nobles, looking for nothing but his death. The sick man was urged to take thought for the salvation of his soul, to open the prisons, to set free the prisoners, to unloose the bound, to pardon debts, to restore to liberty the churches still in bondage under his lordship, by setting pastors over them, and above all the church of Canterbury, "the oppression whereof," they said, "lays a hateful burden upon the whole church of Christ in England." Anselm at this time, in ignorance of this event, was staying in a town

not far from Gloucester, where the king lay sick. He was commanded, therefore, to come to the king with all speed and by his presence to comfort and strengthen him on his death-bed. Hearing such news he made haste to come, and on his arrival came to the king, who asked him what he deemed the most wholesome counsel for a dying man; the abbot asked to be first informed what counsel had been given to the sick prince by those around him before his own coming. He heard and approved, adding: "It is written, 'Begin by confession to the Lord'; wherefore it seems to me that he should first make a good confession of all that he knows himself to have done against God, and should promise without insincerity to amend all if he recover, and then should order to be performed without delay what you have advised him." This precise counsel was approved, and the task of hearing the confession enjoined upon the abbot. The king was informed what Anselm had urged as the best means for the saving of his soul, and straightway he acquiesced and with a contrite heart promised to do everything which the abbot's judgment decided, and to conduct the whole of his life in gentleness and justice. To this he pledged his faith, and made his bishops sureties between him and God, sending one of them in his stead to make this his vow to God upon the altar. The order was written and confirmed by the royal seal, that all prisoners in the whole of his dominion should be released, all debts irrevocably cancelled, and all offences committed hitherto consigned to everlasting oblivion. Moreover righteous and holy laws were promised to all people, the inviolable observance of justice, and a weighty and deterrent trial of abuses. All men rejoiced and God was blessed herein, and urgent prayers were offered for the salvation of so good and great a king.

Thereupon all good men entreated the king to release from her long widowhood the common mother of the whole realm by instituting a pastor thereto. He willingly consented and admitted that he had changed his mind. The question, therefore, was asked, who was most worthy to enjoy this honour, and while all were hanging on the king's decision, he himself

announced, amid the unanimous acclamation of all, that abbot Anselm was worthiest thereof. Anselm was alarmed at his words and grew pale; and when he was forced to approach the king to receive investiture of the archbishopric from his hand by the pastoral staff, he resisted with the whole of his strength, and declared that for many reasons it was altogether impossible. . . . He said: "I am the abbot of a monastery of another realm, having an archbishop to whom I owe obedience, an earthly prince to whom I owe submission, and monks to whom I owe the ministrations of counsel and assistance. To all these I am so bound that I can neither abandon the monks without their consent, nor loose myself from my prince's lordship without his permission, nor disown obedience to my bishop without peril to my soul unless he absolve me." The bishops rejoined, "That is a light matter, all will readily consent." He replied, "Not so; what you purpose can never be." Thereupon they dragged him to the sick king and set forth his obstinacy. The king was distressed almost to tears . . . but recognising that the labour of all of them was in vain, he ordered them all to fall on their knees at his feet, to see if by that means he could be induced to consent. To what end? When they knelt, he knelt too before them and would not alter his first decision. They were angry with him, and blaming their own stupidity for the delay they had suffered by listening to his objections, they cried out "The pastoral staff, bring the pastoral staff hither." Then, seizing his right hand, some dragged, others pushed the struggling abbot, and gradually they reached the sick man's bedside. The king proffered him the staff, but he closed his hand against it and wholly refused to take it. The bishops struggled to unclasp his tightly clenched fingers, that the staff might be thrust into his hand. But after they had wasted their efforts for some time, and he groaned with the pain inflicted upon him, at last his forefinger was raised but bent backwards, the staff was laid against his closed hand and squeezed and held in it by the hands of the bishops. The whole throng cried out, "Long live the bishop," the bishops and clergy lifted up their voices and began to sing

"*Te deum laudamus*," and carried rather than led the bishop elect to the nearest church, he resisting the while as well as he could, and saying: "It is all void, it is all void." After they had performed the customary ritual in the church, Anselm was brought back to the king and said to him, "I tell you, my lord king, that you will not die of your illness, and I wish you to know this that you will be able to set right what has now been done with me, for I have not consented and do not consent to its ratification. . . . The king however ordered him to be invested without delay and diminution with all things belonging to the archbishopric within and without, and further that the city of Canterbury, which Lanfranc in his time held of the king as a fee, and the abbey of St. Albans, which not only Lanfranc but also his predecessors are known to have held, should pass as an alodiary[1] possession for ever to Christ Church, Canterbury, for the redemption of his soul. . . . The king recovered, as Anselm had foretold, and soon undid all the good that he had decreed in his illness, and ordered it to be annulled. The prisoners who had not yet been released he ordered to be kept more straitly than usual, those who had been released to be retaken if possible, old debts now pardoned to be exacted in full, pleas and offences to be recalled to their original standing, and to be tried and decided by the judgment of men who were concerned rather to subvert justice than to maintain and defend it, and interested rather in oppressing the wretched and in spoiling men of their wealth than in correcting any crime. Wherefore there grew throughout the realm so vast a woe and so woeful a waste that he who remembers it, I judge, remembers to have never seen the like in England. Indeed every evil that the king had done before his illness seemed a good thing in comparison with the evils he did after his return to health. And if any man will know the source from which they flowed, they can judge by his answer to the bishop of Rochester, when the latter in friendly conversation warned him after his recovery that he should in all things behave more circumspectly towards God: "Be sure,

[1] *i.e.*, an absolute possession, free from all feudal service.

bishop," he said, "by the Holy Cross of Lucca, that God shall never have me good because of the evil He has brought upon me."

THE QUARREL OF WILLIAM RUFUS AND ANSELM (1093-94).

Source.—Eadmer, *Historia Novorum in Anglia*, ed. Rule, p. 47. (Rolls Series.)

At that time the king, straining with all his power to seize Normandy from his brother Robert, spent lavishly on this object a large sum of money collected from every possible quarter, so that he began to experience not a few difficulties which were thought incompatible with the king's dignity. The new prelate was therefore recommended by his friends to offer to the king 500*l.* of silver, which he did, hoping and believing their promises that hereby he would secure thenceforward the king's lasting favour, and would obtain his willing support for all godly works, and win peace and protection for the interests of the church within and without against all enemies. The king, hearing of this offer, expressed his thanks with the word "Excellent." But certain evilminded folk, as usual, induced the king contemptuously to reject the money offered. They said, "Here is a man whom you have honoured, enriched and exalted above all the chief men of England; yet now, when he ought to give you 2000*l.* or at least 1000*l.*, considering your necessity, in return for your lavish favours, he offers a miserable 500*l.* Do not put up with it, change your mind, and you will see that he will be influenced by the fear which others feel, and, to recover your goodwill, will be only too glad to double his offer of 500*l.*" The king, in fact, pursued this plan with all his subjects; when any of them offered him any money, with the sole desire to gain his favour, he rejected the gift, unless the amount tallied with his desires, and refused to admit the donor to his continued favour, unless he would increase the gift to the king's satisfaction These grumblers, therefore, expected that Anselm would be moved by fear like the rest

and driven forthwith to fulfil the king's wishes by increasing the sum. So he was informed that the king had rejected his money, which amazed him. He went to the king and asked if the refusal was the king's own act or not. Being told that it was so, he expostulated with him, saying, "My lord, I beg you not to do so; do not refuse to take what I now offer you; for though it be your archbishop's first gift, it will not be the last. Indeed I maintain that it would be more profitable and more honourable to you to take little from me with affectionate freedom and at frequent intervals than to seize much by forcible exactions involving servility. Admit affectionate freedom, and you shall have at your service myself and my all; insist on servility, and you shall have neither." The king was wroth, and said in a passion, "Mind your own affairs, and I will mind mine; away with you!" He rose and went, meditating, it may be, that it was not without significance that on the first day of his entry into his see the gospel had been, "No man can serve two masters." Quickly recovering himself, he said, "Blessed be God Almighty, who of His mercy has preserved me from all evil report. For had the king graciously accepted what I offered him, verily the evil men who abound would have deemed it money promised beforehand for the bishopric, and now rendered under the cloak of a free gift. But now what shall I do? I will give the money intended for the king not to him but to Christ's poor for the ransom of his soul, and will devoutly pray to Christ to pour down His grace upon him and defend me from all evil." He afterwards sued for the king's favour by messengers, but obtained it not because he would not double the money, and so after the festival (Christmas) he left the court, busying himself with the distribution of his offering to Christ's poor, as he had determined. . . .

Some days afterwards, by the king's command, almost all the bishops assembled at Hastings with the chief men of England, the bishops to bless and the others to accompany the king on his intended passage to Normandy. And father Anselm came also to pray urgently for the protection of the king from the perils of the sea. The wind, however, was

unfavourable for the king's crossing, and king and barons were delayed there more than a month. . . .

On one day he came to the king according to his wont, and sitting by him began to speak thus, "My lord king, you have resolved to cross the sea and subdue Normandy to your sovereignty. But in order that these and other your desires may turn out to your prosperity, I pray you, lend your aid and counsel to the restoration to this your realm of the Christian religion, which has now almost wholly perished in many ways." He answered, "What aid, what counsel?" "Command," said Anselm, "if it please you, that councils as of old be held, that things done amiss be discussed in common, and that discussion be followed by trial, trial by conviction and conviction by judgment. For no general council of bishops has been held in England since you became king and for many years before. In consequence many evils have grown up, and with none to check them, have waxed overstrong by the pernicious force of custom." The king rejoined, "When I think fit, I will deal with these matters, and not at your will but at mine. The question shall be raised later." And he added with a sneer, "As for you, what do you propose to talk about in a council? . . ." He replied, "There are many abbeys in the land destitute of their pastors, on account whereof the monks abandon their order for worldly indulgence and pass away without confession. Wherefore I counsel, I pray, I warn you to examine the matter carefully, and to institute abbots according to God's will, that by the destruction of monasteries and the damnation of monks you yourself come not to perdition, which God forbid." The king could restrain his anger no longer, but said, quite beside himself with passion, "What business is that of yours? Are not the abbeys mine? What? are you to do as you please with your towns, and not I with my abbeys?" He replied, "They are yours indeed, for you to defend and maintain as their guardian, but they are not yours for you to break into and lay them waste. We know they are God's, that his ministers may live thereby, and not that your expeditions and wars may be undertaken from their revenues. You have many

towns and the rents thereof for the ample administration of your affairs. May it please you to leave to the churches what is theirs?" "By heaven," said the king, "your words are intolerable; your predecessor would never have dared to speak so to my father. I will do nothing for you." Anselm realised that he was talking to the winds, and rose and left him.

Feeling, however, that the king's former anger was manifest in such answers, and reflecting that, if the king's heart were incensed, there would be no peace, for the sake of the general welfare, and to achieve more abundant results for God by securing the royal favour for himself, he humbly sued the king through the mouth of the bishops, freely to receive him into his friendship. "If he refuses," he said, "let him say why; and if I have offended, I am ready to make amends." This was reported to the king, who answered, "I have nothing to blame him for, but I will not extend my favour to him, for I hear no reason why I should." When the bishops brought this answer, he was puzzled by the words "I hear no reason why I should." They said, "The mystery is clear enough; if you want peace, you must offer him more money. Lately you proffered him 500*l.*, and he refused to take it, because it was too little; if you will take our advice and do what we do in similar circumstances, give him now the same 500*l.* and promise him a like sum to be taken by you from your men; we are sure that he will restore you to favour and permit a peaceable fulfilment of your wishes. We can see no other way out of it, and in our own case, we have no other way in face of such obstacles." He at once grasped the effect of this advice upon himself, and said "I cannot take that way. You say that though he brings no charge against me, he is yet so much enraged that he can be appeased only by 1000*l.*; now if I, a new bishop, can appease him with such a gift, his anger will break out again habitually, demanding a like sop. Apart from that, after the death of Lanfranc, my predecessor, of venerable memory, my men were robbed and plundered; and shall I, before I have done anything to restore their estate, rob them, naked as they are, nay, break the hearts of men already

stripped? God forbid. . . ." They replied, "At least, we are sure, you will not refuse the 500*l.* you offered before." He answered, "I will not give him even that, for when I offered, he rejected it, and besides, I have already given the greater part to the poor, as I promised." The king was told, and ordered this reply to be brought to him: "Yesterday I hated him much; to-day I hate him more; let him know that to-morrow and after I shall hate him always worse and worse. I will count him no further as father or archbishop; I entirely abominate and curse his blessings and his sermons. He may go where he chooses; let him wait no longer to bless my passage." So we[1] hastened away from the court and left him to his will. For his part, he crossed to Normandy, and though he spent enormous sums of money, he could by no means conquer it.

THE FIRST CRUSADE (1095).

Source.—William of Malmesbury, *De gestis regum Anglorum*, ed. Stubbs, vol. ii., pp. 390, 393, 398. (Rolls Series.)

In the year 1095 after the Incarnation of Our Lord, Pope Urban II., who then filled the apostolic see, passed over the Alps and came to France. The ostensible cause of his coming was that after being driven from Rome by Guibert's violence he might win over the churches north of the Alps to acknowledge him. His more secret purpose was less well known, to wit, by Bohemond's counsel, to stir up wellnigh the whole of Europe for an expedition to Asia, so that amid so great a commotion in all countries mercenaries might easily be secured for Urban to attack Rome, and Bohemond Illyria and Macedonia. . . . However, whatever might have been the occasion of his journey, his coming was of great and glorious benefit to Christians. A council, then, was summoned at Clermont, the most famous city of Auvergne. . . . A clear and forcible sermon, as a priest's sermon ought to be, was addressed to the people, touching an expedition of Christians against the Turks. . . . The audience was filled with en-

[1] The chronicler and the archbishop.

thusiasm, and shouted approval, delighted with the eloquence, and attracted to the pilgrimage; and forthwith, in the council, many of the nobility knelt before the Pope and consecrated themselves and theirs to God's warfare; among them was Aymer, the mighty bishop of Puy, who afterwards commanded the host with wisdom and increased its numbers with his eloquence. So in the month of November, in which the council was held, all departed to their own homes; and forthwith the report of the good news spread throughout all the world and stirred the hearts of Christians with a pure emotion, which was so universally diffused, that there was no people so remote, so obscure, as not to contribute its proportion; for not only were the Mediterranean countries fired by the enthusiasm, but all who dwelt in the utmost islands or among savage nations and had heard the name of Christ. The Welshman left his forest-hunting, the Scotsman forsook his friendly lice, the Dane abandoned his endless drinking bouts, the Norwegian deserted his raw fish. The husbandmen left the fields, houses were emptied of their inmates, whole cities went abroad. There was no regard for ties, love of country was of small esteem, God alone held men's vision. Stored up barns, hoarded treasures, all that might satisfy the tiller's eager hopes or the miser's greed, were abandoned; they hungered only after the journey to Jerusalem. Joy went with the travellers, grief oppressed those who stayed at home. Those who stayed at home? You might have seen husband and wife and all their children on the march; you would have laughed to see them, furniture and all, setting off in carts. The roads were too narrow, the ways too strait, for those who took the journey; so thick the multitudes jostled and thronged. The number surpassed men's imagination, though the travellers were estimated at six millions. Never, beyond a doubt, did so many nations combine for one same purpose, never did a host so unorganized submit its undiscipline to one, nay, to no command. For most wonderful of all it was to see so vast a throng move slowly through all Christendom, yet never led to plunder, and none to restrain them. All were afire with mutual love, so

that if any man found in his possession what he knew not to be his, he exposed it everywhere for many days to be claimed, and the finder's desire meanwhile was checked, until the loser's need might be satisfied.

THE PAWNING OF NORMANDY (1097).

Source.—Florence of Worcester, *Chronicon*, ed. Thorpe, vol. ii., p. 40.

After this Robert, duke of the Normans, having determined to set out with others to Jerusalem, sent envoys to England to request his brother king William to renew the peace between them and to lend him 10,000 marks of silver, receiving from him as security the duchy of Normandy. The king, anxious at once to satisfy his request, commanded the nobles of England, each of them according to his means, to advance him money with all speed. Therefore, bishops, abbots and abbesses broke up their gold and silver church-ornaments, and earls, barons and sheriffs despoiled their knights and villeins, and brought to the king a large sum of gold and silver. And he crossed the sea in the month of September, made peace with his brother, lent him 6,666*l.*, and received Normandy from him as security.

THE JEWS UNDER WILLIAM RUFUS (1098).

Source.—Eadmer, *Historia Novorum in Anglia*, ed. Rule, p. 99. (Rolls Series.)

Over and above the deeds of which we knew the king to be constantly guilty, when we were living in England, news of some fresh atrocity was brought every day by those who came thence, wherein he was understood to be so hardened against God's righteousness, that many of that country, men and women alike, cherished sentiments about him other than the Christian law teaches Christians to hold about a Christian. And hereon I have thought fit to digress a little, that my charges may not be thought bare assertion. I will set out simply what we heard, without affirming its truth or falsity.

Those who came told us that almost at that very time, when the king was staying at Rouen, the Jews dwelling in that city came to him, complaining that some of their number had forsaken Judaism and recently become Christians, and asking the king to take money to force them to reject Christianity and return to Judaism. He consented, received the price of apostasy, and ordered the Jews concerned to be brought to him. What shall I add? Many of them were compelled by his threats and menaces to deny Christ and readopt their former error. Moreover there was at that time a young Jew, to whom one day, as he was walking along the road, another young man appeared, seemly in face and vesture. On being asked whence he came and who he was, he replied that of old he had been converted from Judaism to Christianity, and that he was Stephen, the first martyr. "And I have descended now from Heaven," he said, "that you may reject the Jewish superstition, and, becoming a Christian, be baptized in Christ by my name." He spoke and vanished out of sight. The young man was seized with fear and straightway went to a priest and clearly related what he had seen and heard, and confessing that he believed in Christ, forthwith received the grace of baptism. When his father discovered the fact, he was smitten to the heart with sharp grief, and amidst his anxious efforts to find means of restoring his son to his faith, learned that William, king of the English, for the sake of money, had lately given back such converts to Judaism. He went therefore to him and in plaintive tones set forth how he had lost his son. He prayed for his compassion and asked that the boy, whom he loved as an only son, might be restored to his father's laws by the royal sanction. The king made no answer to his requests, not hearing a reason why he should meddle in such a matter. The Jew understood the secret of his silence and at once promised to give him 60 marks of silver if he would restore his son to Judaism. So the king ordered the young man to be brought before him and addressed him as follows: "Your father complains that you have become a Christian without his permission. If

satisfy his desire and without any hesitation to return at once to Judaism." The youth replied "My lord king, I suppose you are jesting." He replied in a rage, "Jest with you, you gutter-snipe? Be off and do at once what I bid you, else, by the Holy Cross of Lucca, I will have your eyes put out. . . ." The young man was driven out and found his father at the door eagerly awaiting the outcome of the matter, and to him he said with anger, "Son of death, heir of eternal perdition, is not your own damnation enough, but you must drag me down with you. Christ has now become my father, and God forbid that I should ever recognize you for my father, for your father is the devil." While he was speaking, at the king's order the Jew was ushered into the king's presence, and the king said to him, "I have done what you asked; pay me what you promised." He replied, "My son is now more confirmed than ever in his confession of Christ, and has become more bitter against me than before, and yet you say 'I have done what you asked, pay me what you promised.' Rather finish first what you began and then discuss promises; for that was the covenant between us." The king replied "I have done what I could; but, though I have not succeeded, I certainly shall not do something for nothing. And the trembling Jew had much ado to secure his release from half the sum promised, on payment of the other half.

THE DEATH OF WILLIAM RUFUS (1100).

Source.—Florence of Worcester, *Chronicon*, ed. Thorpe, vol. ii., p. 44.

On 4 August . . . William the younger, king of the English, while hunting in the New Forest, which is called Ytene in the language of the English, was struck by an arrow carelessly aimed by a Frenchman, Walter, surnamed Tyrel, and died; and his body was carried to Winchester and buried in the old minster in the church of St. Peter. His fate astonished none, for popular report affirmed it to proceed from the great strength and vengeance of God. For in ancient times, to wit, in the days of king Edward and other kings of England, his prede-

cessors, the same district flourished exceedingly with God-fearing inhabitants and with churches; but, at the command of king William the elder, the men were driven away, the houses pulled down, the churches destroyed and the land given over to the habitation only of deer; and that was the cause, so folk believed, of the mischance. For Richard, brother of the same William the younger, had perished in the same forest some time before, and a little while afterward his nephew, Richard, son of Robert duke of the Normans, was struck, while hunting, by an arrow shot by one of his knights, and perished. In the place where the king fell a church had stood in former times, but, as we said before, it was destroyed in the time of his father.

In the days of the same king . . . there were many portents in the sun, the moon and the stars; the sea, too, often overflowed the shore and drowned men and beasts, and swept away many towns and houses; in the county of Berkshire, before his death, blood flowed from a well for three weeks; the devil also showed himself to many Normans in horrible shape in the woods, and spoke with them touching the king and Ranulf (Flambard) and certain other persons. And no wonder, for in their time almost all legal justice was silenced, and in causes before the courts money alone swayed the powers that were. In truth at that time many obeyed the king's will rather than justice, and Ranulf, contrary to ecclesiastical law and the rule of his order (for he was a priest), took from the king at farm first abbeys, and then bishoprics, the prelates whereof were lately dead, and paid to him yearly therefrom large sums of money. His ingenuity and shrewdness were so active and in a short time became so useful, that the king appointed him justiciar and collector of the whole realm. In the enjoyment of such wide powers, everywhere throughout England he exacted fines from the rich and wealthy, despoiling them of their possessions and lands; and incessantly burdened the poor with heavy and unjust taxes, and in many ways, both before he received his bishopric and after, oppressed great and small alike, and that too, until the king's death.

THE CHARACTER OF THE REIGN OF WILLIAM RUFUS.

Source.—*The Anglo-Saxon Chronicle*, ed. Thorpe, vol. i., p. 364. (Rolls Series.)

He was very strong and stern over his land and his men and towards all his neighbours, and much to be feared; and through evil men's counsels, that were ever comfortable to him, and through his own covetousness, he was ever tormenting this people with an army and unjust taxes, whereby in his days all right fell, and all unright in the sight of God and of the world uprose. God's churches he brought down; and the bishoprics and the abbeys whereof the heads passed away in his days either he sold them all for money, or held them in his own hand and let them to farm, because he would be the heir of every man, ordained and lay; and so on the day that he died, he had in his own hand the archbishopric of Canterbury and the bishopric of Winchester and the bishopric of Salisbury, and eleven abbacies, all let to farm. And though I take long to tell it, all that was hateful to God and oppressive to men, it was all customary in this land in his times, and therefore he was hateful to well-nigh all his people and loathed of God, as his end bore witness, for he perished in the midst of his unrighteousness, without repentance and any atonement.

THE FOUNDATION OF THE CISTERCIAN ORDER BY STEPHEN HARDING.

Source.—William of Malmesbury, *De gestis regum Anglorum*, ed. Stubbs, vol. ii., p. 380. (Rolls Series.)

In his (William Rufus') days was founded the Cistercian order, which is now believed and alleged to provide the surest path to Heaven. To speak of this here is not irrelevant to the work I have undertaken, since it is England's glory to have bred the man who was at once the founder and the organizer of this rule. To us he belongs, and in our schools as a boy he passed his early years. Therefore, if we are without envy, we shall the more gratefully cherish his worth, the more intimately

we learn of it; at the same time I am myself disposed to sing loud his praises, because it is a noble trait to approve in others those qualities, the lack of which in yourself you regret. Harding was his name among the English, and he was born of no very illustrious parentage. In early youth he was a monk at Sherborne, but when, as he grew up, worldly desires troubled him, disgusted with his cloth, he went first to Scotland and afterwards to France. There, after some years education in the humanities, he felt the prickings of the love of God, for, after his manhood had put away childish follies, he went to Rome with a clerk, his fellow-student; neither the length nor the difficulty of the journey, nor their poverty, could restrain them from chanting daily the whole psalter as they went and returned. Already, indeed, the renowned man was meditating at heart the purpose which by God's grace he began to execute soon after; returning to Burgundy, he received the tonsure in Molesme, a new and great monastery, and readily acknowledged the first principles of the rule, as he had formerly seen them; but when other observances were proposed to him which he had neither read in the rule nor ever seen, he began to press for the reason of the same, humbly and as becomes a monk. . . . His opinions, spreading, as happens, from one to another, justly moved the hearts of such as feared God, lest perchance they should run or had run in vain. The question, therefore, was debated in many chapters, and ended in the agreement of the abbot himself that superfluous observances should be given up and only the essential principles followed. Thereupon two of the brethren were chosen, of equal learning and piety, to enquire by vicarious research touching the will of the founder of the rule, and to expound the results of their enquiry to the others. The abbot strove earnestly to obtain the consent of the whole convent, but it is difficult to uproot from men's minds old habits of thought, since they are reluctant to eschew what they have earliest digested; so well-nigh all refused to accept the new doctrine, because they loved the old. Only eighteen, among whom was Harding (who is also called Stephen), persisted in their holy determina-

tion, and left the community with their abbot, declaring that the rule could not be observed in its purity in a place where the soul, in spite of struggle, was overwhelmed by wealth and gluttony. So they came to Cîteaux, a place once simple woodland, but now so marked by the abundant piety of monks, that it is deservedly held to be conscious of the divine presence itself. There, by the countenance of the archbishop of Vienne, now Pope, they entered upon a labour worthy of renown and reverence for all time.

Truly many of their rules seem severe, but these especially: they wear no fur or linen, nor that finely woven woollen cloth which we call *staminium;* they never have breeches, except when they are sent on a journey, and then they wash and give them up on their return; they have two gowns with hoods, but put on no added garment in winter; but in summer, if they choose, they lighten their clothing. They sleep robed and girt, and never return to their beds after matins, but they so order the hour of matins that it shall be light before the *laudes;* they are so careful of the rule that they deem no jot or tittle should be disregarded. Immediately after the *laudes* they chant the prime, whereafter they go forth to work for stated hours. They accomplish all their labour and chanting for the day without any artificial light. None is ever absent from the daily services, none from compline, except the sick; the cellarer and hospitaller, after compline, serve the guests, observing however the strictest silence. The abbot allows himself nothing that is not allowed to others, and is everywhere present, everywhere tending his flock; only he eats not with the rest, since his table is always with pilgrims and the poor. None the less, wherever he be, he is sparing of speech and food, for neither for him nor for others are laid more than two courses; only the sick may have lard and meat. From 5 September to Easter, regarding no festival except Sundays, they break their fast but once a day. They never leave the cloister except to work, nor do they converse then, or at any time, except in turn to the abbot or prior. They observe unwearied the canonical hours, adding nothing foreign thereto,

except a vigil for the dead. They use in divine offices the Ambrosian chants and hymns, so far as they could learn them at Milan. They bestow care on guests and the sick, but inflict intolerable crosses on their own bodies for the salvation of their souls. . . . In a word, the Cistercian monks are to-day a pattern for all monks, a mirror for the diligent, a spur to the slothful.

FASHIONS AT THE COURTS OF WILLIAM RUFUS AND HENRY I.

Source.—William of Malmesbury, *De gestis regum Anglorum*, ed. Stubbs, vol. ii., pp. 369, 530. (Rolls Series.)

Flowing hair was then in vogue, and extravagance of dress; and the fashion of shoes with curved points was then adopted; it was the ambition of the young gallants to rival women in suppleness of limb, in mincing gait, in easy gesture and uncovered bust. Effeminate and soft, they refused to be what birth had made them.

In the twenty-ninth year (of Henry I.) an event occurred in England which may appear strange to our long-haired dandies, who forget their sex and eagerly ape the fashions of women. An English knight, who was proud of his luxuriant hair, was terrified by the pricks of conscience into a dream, in which he thought a man was strangling him with his own locks. Shaken out of his sleep, he straightway cut off his too abundant curls. The fashion spread throughout England, and, since a recent shock commonly stirs the feelings, almost all knights tolerated without ado the reasonable cropping of their hair. But this decency did not last long; scarcely had a year passed, when all who claimed to be men of court lapsed to their earlier vice; they vied with women in the length of their hair, and when they had little, they wore false; forgetful, or rather ignorant, of the saying of the apostle, "If a man have long hair it is a shame unto him."

THE CHARTER OF HENRY I. (1101).

Source.—Richard, Prior of Hexham, *De Gestis regis Stephani*, ed. Howlett, vol. iii., p. 142. (Rolls Series—Chronicles of Stephen, Henry II., and Richard I.)

Henry, by the grace of God king of the English, to all his faithful, as well French as English, of the whole of England, greeting.

Know ye that I, by the mercy of God and by the common counsel of the barons of the realm of England, have been crowned king of the same realm. And because the realm was oppressed by unjust exactions, I, out of reverence for God and out of the love which I have towards all of you, grant first that the Holy Church of God be free, so that I will neither sell it nor put it to farm, nor, upon the death of archbishop or bishop or abbot, will I take aught of the lordship of the church or of the men, until a successor enter therein. And all the evil customs, with which the realm of England was unjustly oppressed, will I remove therefrom. Which evil customs I set forth in part here.

If any of my barons or earls or others who hold of me shall die, his heir shall not redeem his land as he did in the time of my brother, but he shall relieve it with a lawful and just relief. In like manner the men of my barons shall relieve their lands from their lords by a lawful and just relief.

And if any of my barons or other men wish to give his daughter in marriage, or his sister or niece or kinswoman, he shall speak with me thereon. But neither will I take anything of his for licence herein, nor will I forbid him from giving her in marriage, unless he wish to unite her with my enemy. And if, upon the death of a baron or other man of mine, his daughter be left heir, I will give her in marriage with her land by the counsel of my barons. And if a husband die and his wife be left and she have no children, she shall have her dower and marriage, and I will not give her to a husband except according to her will; and if a wife be left with children, she also shall have her dower and marriage, so long as she live chastely, and

I will not give her in marriage except according to her will; and the guardian of the children's land shall be either the wife or another kinsman, who shall have the juster claim. And I command that my barons behave in like manner towards the sons or daughters or wives of their men.

The common moneyage which was taken by cities and by counties, which also was not taken in the time of king Edward, I wholly forbid henceforth. If any man be taken, whether moneyer or other man, with false money, right justice shall be done thereon.

All pleas and all debts which were due to my brother, I pardon, except my right farms, and except those which were agreed upon for the inheritances of others, or for those matters for which others were justly liable. And if any man have made any covenant for his own inheritance, I pardon it, and all reliefs which were agreed upon for right inheritances.

And if any of my barons or men shall fall sick, I grant that, as he shall give his money, or dispose it to be given, it shall be so given. But if he be prevented by battle or sickness and do not give his money or dispose it to be given, his wife or children or kinsfolk, and his lawful men, shall divide it for his soul as shall seem best to them.

And if any of my barons or men shall do amiss, he shall not pledge his money by way of mercy, as he did in the time of my father or my brother, but according to the manner of the fault, so shall he make amends, as he would have made amends before the time of my father in the time of other my predecessors. And if he be convicted of treason or crime, he shall make amends in like manner.

I pardon also all murder-fines incurred before the day on which I was crowned king. And for such as shall be made hereafter, amends shall be made justly, according to the law of king Edward.

By the common consent of my barons I have retained the forests in my hand as my father had them. Of my own gift I grant to the knights, who do service for their lands by hauberk, the lands of their demesne ploughs quit of all gelds and of all

work, so that, as they have been relieved at so great a burden, they may so equip themselves well with horses and arms, that they may be prompt and ready for my service and for the defence of my realm.

I establish a firm peace in the whole of my realm and command it to be henceforth observed. I give back to you the law of king Edward, with those amendments by which my father amended it by the counsel of his barons.

If any man have taken aught of mine or of any other man since the death of king William, my brother, the whole shall be restored speedily without amends. And if any man shall retain aught thereof, he in whose possession it shall be found shall make heavy amends to me.

Witness: Maurice bishop of London, and William bishop-elect of Winchester, and Gerard bishop of Hereford, and Henry the earl, and Simon the earl, and Walter Giffard the earl, and R. de Muntfort, and Eudo the butler, and Roger Bigot. Fare ye well.

HENRY I.'S APOLOGY TO ANSELM FOR BEING CROWNED IN THE LATTER'S ABSENCE (1100).

Source.—*Epistolæ Anselmi.*

Henry by the grace of God king of the English to his most pious spiritual father, Anselm archbishop of Canterbury, greeting and all affection.

Know, dear father, that my brother king William is dead, and that I, by the will of God, elected by the clergy and by the people of England, and now consecrated king, though reluctantly by reason of your absence, request you as my father, together with all the people of England, that as soon as you can you come to give your counsel to me, your son, and to the said people, the care of whose souls has been committed to you. I commit myself and the people of the whole realm of England to the counsel of you and of those who ought with you to give me counsel; and I pray you not to be vexed that I have received the blessing as king in your absence; for as touching that, I

would have received it more gladly from you than from any other. But necessity compelled, for enemies wished to rise up against me and the people whom I have to govern, and therefore my barons and the same people refused to permit that it should be longer delayed; wherefore on that account I received it from your vicars. Indeed I would have sent to you certain from my side; by whom I would have also despatched some of my money to you, but by the death of my brother the whole world was so unsettled touching the kingdom of England, that they could not in any wise have come safely to you. Therefore I recommend and warn you not to come through Normandy but by Witsand, and I will cause my barons to meet you at Dover and money to be brought to you; and you shall find resources, God willing, wherefrom you shall be well able to repay any loan you have received. Therefore, my father, make haste to come, that our mother church of Canterbury, long troubled and desolate for your sake, suffer no longer the desolation of souls. Witness bishop Gerard, and William, bishop elect of Winchester, and William Warelwast, and earl Henry, and Robert FitzHamon, and Hamon the sewer,[1] and others as well my bishops as my barons. Farewell.

THE INVESTITURE CONTROVERSY (1100-1107).

Source.—Eadmer, *Historia Novorum in Anglia*, ed. Rule, pp. 119, 128, 131, 134. (Rolls Series.)

A few days after his return, Anselm came to the king at Salisbury and was welcomed by him; he accepted the king's excuse for having assumed the royal dignity without waiting for the benediction of him whose right he knew it to be, and was thereupon required to do homage to the king according to the custom of his ancestors, and to receive the archbishopric from the king's hand. He answered that in no wise either would he or could he consent so to do, and when asked why, he immediately set forth in plain words what he had agreed to on these and certain other matters in the council at Rome, saying in conclusion, "If the lord the king will accept these terms, and

[1] Dishbearer to the royal household.

accepting, observe them, there shall surely be a firm peace between us; but if not, I do not see that my remaining in England will be either useful or honest; especially as, if he has granted any bishoprics or abbacies, I must altogether reject communion both with him and with those who have accepted them. I have not returned to England to dwell there, unless the king will obey the Pope of Rome. Therefore I beg that the king will make what order he will, that I may know which way to turn." The king, on hearing this, was gravely disturbed. It seemed to him a serious matter to lose the investitures of churches and the homage of prelates, but not less serious to suffer Anselm to leave the realm before he himself was fully established on the throne. On the one hand he thought he would be losing as it were half the realm, and on the other he feared that Anselm would go to his brother Robert, who had by that time returned to Normandy from Jerusalem, and persuading him to submit to the apostolic see, which he knew to be a most easy thing to do, would make him king of England. A truce, therefore, from controversy on either side was asked for until Easter. . . . To this Anselm consented. . . .

Not long after . . . a friendly letter was sent by the king to him. . . . asking him to come to the king, who wished the matter to be settled and had another plan. Hoping to hear that God of his grace had touched the king's heart, he went, as he was ordered, to Winchester. There the bishops and chief men of the realm were gathered together, and by their common assent Anselm agreed that . . . envoys should be sent by both parties to Rome to explain to the Roman pontiff face to face that either he must abandon his original decision, or submit to the expulsion of Anselm and his party from England and lose the submission of the whole realm and the profits which he was accustomed to derive yearly from the same. Two monks therefore were sent by Anselm, to wit, Baldwin of Bec and Alexander of Canterbury, not indeed to urge the Roman pontiff in any way to abate the rigour of justice on Anselm's behalf, but partly to bear testimony of the

threats of the court which the Pope must straightway believe, and partly to bring back to Anselm a final decision from the apostolic see. To accomplish the same purpose the king sent three bishops, Gerard of Hereford, lately made archbishop of York, Herbert of Thetford and Robert of Chester. . . .

The journey at length accomplished, the envoys reached Rome together, and announced the cause of their coming to the apostolic ears, each party presenting its own case, and humbly asked for the Pope's counsel to put an end to the quarrel. He heard their story and found no words in which to express his amazement. But when he was urgently pressed by the bishops to consult his own interests and mitigate the strictness of his predecessor's rigid decision, that peace might everywhere abound, he declared that he would not do it even to ransom his person. "Shall one man's threats," he asked with indignation, "drive me to annul the decrees and institutes of the holy fathers?" That was the end of the matter. Hereupon he sent letters to the king and Anselm, one to each . . . which we set out before our readers' eyes, the better to reveal their contents:

"Paschal the bishop, servant of the servants of God, to his dear son Henry, king of the English, greeting and apostolic benediction.

"We give thanks to the Lord, the King of kings, who by the grace of His goodwill has raised you to the throne, and by the grace of His goodwill and of His ineffable mercy has watched over you as a Christian king. We ask, therefore, that He may make the good beginnings of your reign grow to better things, and to the end watch over His gifts bestowed upon you. For you have repudiated the impiety of the king your brother, which, as you see, has been terribly avenged by the divine judgment; you have restored the churches to freedom, you have begun to honour the clergy and to reverence their heads, the bishops, and in them Christ the Lord. We are therefore confident that you will be equally wise to the end and persevere in the same excellence; except that there are men of perverse

spirit who strive to prepare your royal heart for divine wrath through the investiture of bishops and abbots. Their counsels in this behalf should be shunned by you like poison, that you offend not Him by whom kings reign and the mighty decree justice. If you propitiate Him, of a truth your reign will be blessed, and you will win undisputed power and riches. But if, which God forbid, you offend Him, neither the counsels of barons, nor the aid of knights, nor arms nor riches will avail to help you when He shall begin to overthrow you. In the honour of God, in the liberty of the church, you shall have in us a friend and helper. Be sure that no man shall wrest you from our friendship, if you abstain from investitures, if you yield to the church due honour and preserve its freedom ordained by God. Indeed, by the judgment of the Holy Ghost, we prohibit kings and princes and all laymen alike from investitures of churches. It is not fit that a mother should be sold into slavery by a son, receiving a spouse whom she has not chosen. For her Spouse she has our King and Lord, and may He keep you of His mercy in power and piety, and lead you from an earthly to a heavenly kingdom. Amen."

"Paschal the bishop, servant of the servants of God, to his venerable brother and fellow-bishop, Anselm, greeting and apostolic benediction.

"You are not ignorant that it is by the counsel of the divine will that your piety presides over the realm of England. For when, to avoid the hatred of a perverse king, you chose to withdraw and to dwell by yourself far from the turmoil of England, living unto God, Almighty God wrought an awful judgment upon the perverse king. But by the vehement demand of the whole people and by the wonderful devoutness of the new king, you have been recalled to the primacy which for God's sake you abandoned. Thanks be to God that episcopal authority ever abides in you, and that though you are set among a barbarous folk, you cease not to proclaim truth in spite of the violence of tyrants and the favour of the mighty, in spite of the kindled fire and the outstretched hand. We ask

therefore that what you are doing, you continue to do, that what you proclaim, you proclaim to the end. For the inspiration of Him, Who in the beginning was the Word, shall not be wanting to our words and works. Nor will we be wanting to Him Who is the power of God and the wisdom of God. For we believe that we have the same inspiration as our fathers, wherefore also we now speak . . . In the truth thereof we will guard against the lies of men. Wherefore in the late Lateran council we re-enacted the famous decrees of our fathers, proclaiming and prohibiting that no clerk whatsoever accept churches or ecclesiastical gifts from the hand of a layman; for this is the root of the vice of simony, when fools strive to win the favour of secular persons in order to receive the honours of the church. Therefore the reverend majesty of holy councils has decreed that ecclesiastical elections shall be guarded from the power of secular princes, in order that, as through Christ only is the door of the church first opened to eternal life in baptism and at the last in death, so through Christ only shall be appointed the door-keeper of Christ's fold, by whom Christ's sheep, not for hire but for Christ, shall be led in and out to life eternal. These things, dear brother, might be treated at greater length both in speech and argument, but it is enough to have set forth a few considerations to your wisdom, which abounds in divine utterances and is familiar with ecclesiastical arguments. Teach these things, as you know befits your primacy, which, moreover, we confirm to you as fully and entirely as it was ever held by your predecessors, adding for ourselves that so long as the divine mercy shall preserve your piety in the realm of England, you shall not be subject to the judgment of any legate, but only of ourself."

. . . On the return of the bishops and others who, as we have said, were sent to Rome, the king, summoning the chief men of the realm to London, called on Anselm by messenger according to wont, either no longer to oppose him and the customs of his predecessors, or to give up his primacy of the realm. He replied, "Let the king be pleased to permit exam-

ination of the letters which have been brought, and, saving my honour and my obedience to the apostolic see, I will do all in my power to submit to his will." The king replied, "Let his own be examined, if he chooses, but mine shall certainly not be shown at present." He answered, "When it shall please the king to show it at another time, he shall find me ready to meet his present demands." The king rejoined, "I have no concern with letters, nor will I; let him say in plain speech whether he will obey my will in all things." On hearing this many were filled with a great wonder, arguing that if the letter had coincided with the king's wishes, he would have made the contents public of his own will, without any reference to Anselm. At that time they were not known to us, yet the more anxiously their secrecy was then preserved, the more openly were their contents known a few days later. When the letter to Anselm had been read and read again before all who would hear it, the bishops who had come from Rome asserted that they had received from the Pope at Rome a verbal assurance quite contrary to the tenour of that letter and even to the letter which they had brought to the king. Asked what it was, they declared on their word as bishops that the Pope himself had sent a message for the king's private ears, that as long as he lived the life of a good prince in other ways, he would willingly bear with him on the matter of investitures of churches, and would refrain from imposing the ban of excommunication if he should invest religious persons by the gift of the pastoral staff. He had refused to entrust to writing the honour of a concession so great in case it should be brought to the knowledge of other princes, who might usurp the same privilege and despise the authority of the Roman pontiff. . . .

On the first of August (1107) a council of the bishops, abbots and chief men of the realm was held at London in the king's palace, and for three whole days the question of the investitures of churches was discussed by the king and the bishops in Anselm's absence, some urging upon him to maintain the practice of his father and brother in defiance of the apostolic command. For the Pope, taking a firm stand upon the

decree which had been published thereon, had conceded the homage which Pope Urban had prohibited equally with investitures, and thereby secured the king's consent to his view of the investitures. . . . Afterwards, in the presence of Anselm, and the whole council standing, the king agreed and ordained that from that time forward no man should be invested in any bishopric or abbey by the king or the hand of any layman in England by the giving of the pastoral staff or ring, Anselm on his side granting that no man elected to be a prelate should be deprived of consecration to the dignity he had received, by reason of the homage which he should do to the king. Upon this settlement of the dispute, institutions were made by the king, without investiture of the pastoral staff or ring, by the counsel of Anselm and the chief men of the realm, to almost all the churches of England, so long bereft of their pastors.

OPPRESSIVE TAXATION UNDER HENRY I. (1105).

Source.—Eadmer, *Historia Novorum in Anglia*, ed. Rule, p. 184. (Rolls Series.)

The character and number of the burdens, under which the whole of England was crushed at this time, are difficult, I know, to describe. For the king, leaving Normandy because he could not conquer the whole of it by the means described above,[1] returned to England to collect larger supplies of money with which he might go back and subdue the remainder, disinheriting his brother. In the levying of this money the collectors showed no regard for pity or mercy, but all men suffered a ruthless and outrageous exaction, as those who came to us testified. Indeed you might have seen men who had nothing to give driven from their own homes, or the doors of their houses torn off and carried away, and themselves exposed to wholesale plunder; or they were reduced to extreme poverty, their mean furniture being seized, or at any rate persecuted and tortured in other shameful ways. Against those who were thought to have any wealth certain new and ingeniously devised penalties were charged, and so, when they dared not

[1] *I.e.*, by lavish bribery.

venture to implead the king for the defence of their land, their possessions were seized and themselves reduced to serious distress. But these measures perhaps will be deemed slight by some, because they were not peculiar to king Henry's reign; many a like oppression had been committed under his brother, not to mention his father king William. Yet they were thought harder and more intolerable, because much less than usual was found to be extracted from a people already despoiled and exhausted. But further, in the council of London . . . all priests and monks of England had been prohibited from marriage, and this prohibition, during Anselm's exile, had been violated by many, who still retained or at least took back their wives. The king, refusing to allow this sin to go unpunished, ordered his ministers to implead the offenders and take fines from them to expiate their sin. But since many of them were found innocent of this offence, the money demanded for the king's use amounted to a smaller sum than the collectors could have desired. Therefore they changed their plan, the innocent were involved with the guilty in a universal charge, and all parish churches were put in the king's debt and every one ordered to be redeemed by the parson who served God therein. It was pitiful to behold. When the fury of this exaction was at its height, and some men, who either had nothing to give, or, in detestation of the outrageous measure, refused to give on such a ground, and were contemptuously robbed, imprisoned and tortured, the king chanced to come to London; there nearly two hundred priests assembled, it is said, robed in their albs and priestly stoles, and with naked feet approached the king on his way to the palace. But, as it happened, his thoughts were much occupied, and he was entirely unmoved to pity by their prayers, or at any rate deemed them unworthy of the honour of an answer, as if they were men destitute of all religion, and ordered them to be driven at once out of his sight. Their confusion thus worse confounded, they approached the queen and begged her to intercede; but though, it is said, she was moved by pity to tears, she was held back by fear from intervening.

THE BATTLE OF TENCHEBRAI (1106).

Source.—Eadmer, *Historia Novorum in Anglia*, ed. Rule, p. 184. (Rolls Series.)

Meanwhile the king conquered Normandy in battle, and forthwith notified the fact to Anselm by the following letter:

"Henry, king of the English, to Anselm, archbishop of Canterbury, greeting and affection. We make known to your paternity and holiness that Robert duke of Normandy, with all the forces of knights and footmen which he could collect by prayer or for hire, on a day named and agreed on, fought a sharp fight with me at Tenchebrai; and at last by God's mercy we defeated him, and that without much loss on our side. What more should I say? The divine mercy has given into our hands the duke of Normandy, the count of Moretuil, William Crispin, William de Ferrers and Robert de Stuteville the elder, and other knights to the number of four hundred, and ten thousand footmen, and Normandy itself. The number of those slain by the sword was not great. This victory, however, I attribute not to my own glory or vanity or strength, but to the blessing of divine providence. Wherefore, reverend father, humbly and devoutly I bow the knee to your holiness and beseech you to beseech the supreme Judge, whose award and pleasure has granted this triumph, so glorious and so profitable to me, that it may not turn to my loss and damage, but to the beginning of good works and the service of God, and to the maintenance and strengthening of the estate of God's Holy Church in peace and tranquillity, that henceforth it may persist in freedom and not be shaken by any shock of battle."

Many men therefore argued that the king had gained this victory because of his agreement with Anselm.

CONSOLIDATION OF THE POWER OF HENRY I. (1107)

Source.—Henry of Huntingdon, *Historia Anglorum*, ed. Arnold, p. 236. (Rolls Series.)

The Lord rendered to duke Robert his deserts, because, after He had granted him glory in the wars of Jerusalem, he refused

the offer of the kingdom of Jerusalem, choosing rather to be enslaved by the peace and sloth of Normandy than to sweat in the Holy City for the King of kings. Therefore God condemned him to lasting inactivity and perpetual imprisonment. In proof hereof a comet had appeared in the same year, and on the day of the Lord's Supper two full moons were seen, one in the east and the other in the west.

In the seventh year of his reign, king Henry, having now destroyed or conquered his enemies, disposed the affairs of Normandy at his pleasure and returned to England, casting into dark dungeons his brother, the illustrious duke, and the count of Moretuil. Victorious, and now for the first time undisputed king, he held his court at Easter in Windsor, where the barons both of England and Normandy assembled in fear and trembling. For before, both while he was young and after he became king, he had been held in the greatest contempt; but God, Who judges far otherwise than the sons of men, Who exalts the humble and puts down the mighty, deposed the famous Robert from the favour of all men, and commanded that the glory of the despised Henry should shine to the ends of the earth. Freely the Lord Almighty gave to him three gifts, wisdom, victory and riches, and herewith he prospered in all things and surpassed all his predecessors.

HENRY I.'S CHARTER OF LIBERTIES TO THE CITY OF LONDON.

Source.—Rymer, *Fœdera*, vol. i., p. 11.

Henry by the grace of God king of the English to the archbishop of Canterbury and his bishops and abbots and earls and barons and justices and sheriffs and all his trusty men, French and English, of the whole of England, greeting. Know ye that I have granted to my citizens of London that they hold Middlesex at farm for 300*l.* at account, to them and their heirs, of me and my heirs, so that the citizens appoint as sheriff whom they choose from among themselves, and as justice whom they choose from among themselves, to keep the pleas

of my crown and to hold the same pleas; and no other shall be justice over the same men of London. And the citizens shall not plead outside the walls for any plea, and they shall be quit of scot and of lot, of Danegeld and murder-fine, and none of them shall suffer trial by battle. And if any of the citizens be impleaded of pleas of the crown, a man of London shall make his proof by the oath that shall be adjudged in the city. And within the walls of the city no man shall be lodged either of my household or of another's, unless lodging be delivered to him. And all men of London and all their possessions shall be quit and free, throughout the whole of England and throughout seaports, of toll and passage[1] and lastage[2] and all other customs. And the churches and the barons and the citizens shall have and hold their sokes[3] duly and peaceably with all customs, so that guests lodged in their sokes give their customs to none save to him whose soke it is, or to the minister whom he shall set there. And a man of London shall not be adjudged to a money penalty, except to his "wer,"[4] to wit, 100s.; I speak of pleas to which a money penalty is attached. And there shall no longer be "miskenning"[5] in the husting or in the folkmoot or in other pleas within the city. And the husting shall sit once a week, to wit, on Monday. And I will cause my citizens to have their lands and wardmoot and debts within the city and without. And I will award them right by the law of the city touching the lands whereto they shall lay claim before me. And if any man take toll or custom from the citizens of London, the citizens of London shall take from the borough or town where the toll or custom was taken as much as the man of London gave by way of toll, and further he shall take his damages. And all debtors who owe debts to the citizens shall render the same to them or shall prove in London that they owe nothing. And if they refuse to render the debts or to bring it to proof, then the citizens to whom their debts are due

[1] A toll on travellers. [2] A toll on cargoes.
[3] A soke is a court and an area of jurisdiction.
[4] The money-value set on a man if he were killed.
[5] The fine for changing the ground of an action once begun in court.

shall take their pledges within the city or from the county in which the debtor dwells. And the citizens shall have their chaces for chasing as well and fully as their ancestors had the same, to wit, Ciltre and Middlesex and Surrey. Witnesses:—the bishop of Winchester, Robert son of Richer, and Hugh Bigot, and Alfred de Toteneis, and William Albini, and Hubert the king's chamberlain, and William de Montfichet, and Hagulph de Tani, and John Belet, and Robert son of Siward. Given at Westminster.

SOCIAL EVILS AND DRASTIC PUNISHMENTS (1108).

Source.—Eadmer, *Historia Novorum in Anglia*, ed. Rule, p. 192. (Rolls Series.)

Meanwhile king Henry, noting that wellnigh the whole of the realm had sunk for many causes into deep misery, began to consider, by the advice of Anselm and the chief men of the realm, how to palliate in some way the evils by which especially the poor were weighed down. He wisely began this good work with his own court. In the time of the king, his brother, a great number of the company that followed his court were in the habit of destroying and plundering indiscriminately, and without any check or restraint, of wasting the whole of the land through which the king passed. Another evil supervened. Most of them, drunk with their own malice, when they could not altogether consume all that they found in the houses into which they forced their way, used to have the residue taken to the market place by the very possessors and sold for their private profit, or to light a fire and destroy it, or, if it were drink, to wash their horses' feet with it and pour the remainder on the ground, or at any rate make away with it in some other manner. . . . For these causes all men, on hearing of the king's coming, used to fly from their dwellings, in their anxiety for themselves and their households, and make for the woods or other places where they hoped to secure protection. King Henry, eager to do away with this curse, published a prohibition, and with stern and steady justice punished all who could

be convicted of any of the practices I have spoken of, by causing their eyes to be plucked out, or their hands or feet or other members to be cut off. This justice was suffered by many and proved a visible deterrent to the rest from inflicting injury on others, if they would save whole their own persons.

THE SHIPWRECK OF WILLIAM, SON OF HENRY I. (1120).

Source.—William of Malmesbury, *De gestis regum Anglorum*, ed. Stubbs, vol. ii., p. 495. (Rolls Series.)

By Matilda king Henry had a son named William, trained and destined to the succession with tender hopes and great anxiety; he was hardly twelve years old before all freemen of England and Normandy, of every condition and rank, to what lords soever they owed fealty, were compelled to become his men by homage and oaths. As a boy he espoused and took to wife the daughter of Fulk count of Anjou, herself but a girl, receiving from his father-in-law the county of Maine for her dower; moreover, when Fulk was bent on his journey to Jerusalem, he commended his county to the king, if he should live, to go to his son-in-law if he should not return. Many countries, therefore, awaited the boy's governance, and it was thought that he would fulfil the prophecy of king Edward, and it was said that the hope of England, cut down like a tree, would burst again into flower in his person, put forth fruit, and so might an end of evil be looked for. God willed otherwise. This hope was shattered, for he was destined to an untimely end. It happened that by the exertions of his father-in-law, and of Theobald son of Stephen and Adela his aunt, Louis king of France granted the lad Normandy, that after homage done he might hold it by lawful right; this was planned and brought to effect by the astuteness of his father, that the homage, which he disdained to do himself by reason of his high sovereignty, might be done by a tender child, who, it was supposed, was unlikely to live. The negotiations and peaceable settlement of these schemes occupied the king for a space of four years,

during the whole of which he stayed in Normandy. And yet the peace, so brilliant, so carefully devised, and the hopes of all men, raised so high, were brought to confusion by the uncertainty of man's lot. It was decided to return to England, and on the evening of the 24th of November the king set sail at Barfleur; a fair breeze filled his sails and brought him safe to his realm and noble heritage. But the young man, now seventeen years of age and a little more, endowed by his father's bounty with every honour except the name of king, ordered another ship to be made ready for himself; and almost all the young nobility, sharing with him the pleasures of youth, flocked in his train. The sailors had drunk too freely, and the drink excited their seaman's enthusiasm; they swore that those who had started first must speedily be left astern; for the ship was excellent and fresh-fitted with new planks and rivets. The night was now dark, when the young and inexperienced band, overcome with drink, pushed out from the shore. The ship flew swifter than the winged arrow, and cutting through the curling billows, by the crew's drunken carelessness struck on a rock rising out of the sea not far from the shore. The wretched men jumped up and shouting wildly strove long to push the ship off the rock with their iron boat-hooks; but fortune was against them and all their efforts were useless. The oars also were dragged against the rock and snapped, and the forepart hung jambed and shattered; and now some were washed overboard, and others were drowned by the inrushing water, when the ship's boat was at length pushed off, and the king's son put in it; he could have reached the shore in safety, had not his sister, the countess of Perche, struggling with death in the larger vessel, with shrieks implored her brother's help, and begged him not to abandon her so cruelly. He was moved with pity, ordered the skiff to be brought close to the ship to rescue his sister, and thus through tenderness of heart pitifully met his death; for at once a crowd of men jumped into the boat and upset it, and all alike sank to the bottom. Only one man, a rustic, escaped, and by clinging to the mast all night lived to tell the whole tragic story the next day. No ship ever brought

on England misery so great, no ship was so notorious throughout the world. With William perished also Richard, another son of the king, the child of a woman without rank, born before his accession to the throne, a young man of excellent parts and dear to his father for his devoted service; also Richard earl of Chester and his brother Otwell, the tutor and guardian of the king's son; also the king's daughter, the countess of Perche, and his niece, the sister of Theobald, countess of Chester; and indeed almost the whole flower of the court, whether knight or chaplain, and the sons of the nobility in training for knighthood; for, as I have said, they flocked to him from all sides, hoping to gain no small glory from either amusing or serving the son of the king. The disaster was increased by the difficulty of recovering their bodies, which could not easily be found by the searchers scattered along the coast; their noble limbs became food for the cruel monsters of the deep.

The news of the prince's death caused remarkable changes. His father abandoned the celibacy observed by him after Matilda's death, scheming to beget heirs from a new queen. His father-in-law, on the other hand, on his return home from Jerusalem, faithlessly joined the party of William, son of Robert duke of Normandy, giving to him in marriage his second daughter and the county of Maine, his wrath being roused and sharpened against the king for keeping the dowry of his daughter in England after the prince's death.

A NORMAN PRELATE.

Source.—Henry of Huntingdon, *Epistola de Contemptu Mundi*, ed. Arnold, p. 299. (Rolls Series.)

Experience of evil is a fatal hook to catch at men's hearts and enslave them to riches and transitory pleasures. This I have learned from my own life. For when I was a child, a boy and a young man, I used to see the glory of Robert, our bishop, his gallant knights, his noble pages, his costly horses, his vessels

of gold and silver gilt, his store of plate, his gorgeous waiting-men, his purple robes and fine linen, and I thought there could be no happier condition. And when all men, even they who lectured in the schools on the vanity of the world, were obsequious to him, and he himself, honoured as the father and god of all, loved and valued the world overmuch, with what countenance, with what temper would I have regarded any man who should have told me then that this splendour, which all admired, was contemptible? I would have judged him more mad than Orestes, more querulous than Thersites. I thought there could be no flaw in the exalted happiness of so exalted a man. But when I became a man, I heard stories of the vilest abuse being levelled at him, and felt that I would have fainted if the same words had been spoken to me, who possess nothing, before the same high audience. I began therefore to deem of less account that inestimable happiness.

But since many worldly folk commonly experience the bitterest reverses before their death, I will relate what befel him before his end. He who had been justiciar of the whole of England and greatly feared by all men, was twice impleaded by the king at the end of his life before a justice of low birth, and twice condemned with disgrace in the heaviest damages; whereby his anguish of heart so affected him, that when I, now his archdeacon, sat by him at dinner, I saw that he had been moved to tears. I asked the cause, and he replied, "At one time my attendants were sumptuously clothed; now the fines exacted by the king, whose favour I have always sought, have reduced them to sheepskins." After this his despair of winning the king's friendship was so great that when the high praise lavished on him by the king in his absence was reported to him, he said with a sigh, "The king only praises a subject whom he has determined utterly to ruin." For king Henry, if one may dare to say so, exercised consummate duplicity and possessed an inscrutable mind. A few days afterwards, at Woodstock, where the king had appointed a hunt, while conversing with the king and the bishop of Salisbury, who were the highest in the kingdom, our bishop was struck with apoplexy. Alive, but

speechless, he was carried into his house, and soon afterwards died in the king's presence. The great king, whom he had always served, whom he had loved much and feared much, whom he held in such honour, whom he trusted so entirely, no more availed him in his last necessity than a beggar. Note therefore that it was not said in vain, "Cursed be he that trusteth in man and maketh flesh his arm." When therefore the child or the boy or the young man regards the prosperous, let him take thought of the uncertainty of their end, and remember that even in this world they may be doomed to suffer a decline full of misery. Bishop Robert was gentle and humble, advancing many and crushing none, the father of orphans, beloved by his household; yet this was the end of him.

THE ORGANISATION OF THE EXCHEQUER.

Source.—Richard, son of Nigel, *Dialogus de Scaccario*, ed. Hughes, Crump, and Johnson, p. 60.

What the Exchequer[1] *is, and what is the reason of this term?*

Disciple. What is the Exchequer?

Master. The Exchequer is a rectangular board about ten feet in length and five in breadth, set like a table for those who sit round it, and on every side it has an edge about four fingers high, that nothing set thereon may fall off. Over the top of the Exchequer is placed a cloth, bought in the Easter term, not any sort of cloth, but black marked with stripes, which are separated from each other by the space either of a foot or of a hand's breadth. And in the spaces there are counters placed according to their value. . . . Now, though such a board is called the Exchequer, yet this term is transferred also to the court itself, when the Exchequer is sitting; so that if any man obtain aught by an award, or anything be decreed by common counsel, it is said to have been done at the Exchequer of this or that year. And where men say to-day "at the Exchequer," they used to say "at the tallies."

[1] Literally, a chess-board.

D. What is the reason of this term?

M. No better one occurs to me at present than that its shape is like that of a chessboard.

D. Would the wisdom of the ancients ever have so called it for its shape only, when for a like reason it might have been called "the Board?"

M. I was right in calling you particular. There is another but a less obvious reason. As in a game of chess there are certain ranks of combatants, which advance or stand still by certain rules or limitations, some presiding and others preceding: so here some preside and others assist by reason of their office, and none is free to transgress the established rules. . . . Moreover, as in chess the battle is fought between kings, so here it is mainly between two that the war is waged and the battle fought, to wit, the treasurer, and the sheriff who sits there to render account; the others sitting by as judges, to look on and give judgment.

THE DEVELOPMENT OF EXCHEQUER PROCEDURE IN RELATION TO ROYAL REVENUE.

Source.—Richard, son of Nigel, *Dialogus de Scaccario*, ed. Hughes, Crump, and Johnson, p. 89.

By whom and for what cause the testing of silver was instituted?

D. By whom and for what cause was the testing or combustion instituted?

M. In order that this may be clear to you, we must go back a little further. In the original condition of the realm after the Conquest, as we have learned from our fathers, only victuals were paid to the kings from their lands, and not gold or silver by weight, and from such payments were supplied the necessaries for the daily use of the royal household; and those who had been appointed for this purpose knew certainly how much came from each estate. But for the payments or gifts to the knights and for other necessary things, money by tale[1]

[1] In actual coin.

accrued from the pleas of the realm and from covenants,[1] and from the cities or castles where agriculture was not pursued. This practice, then, continued during the whole time of king William I., and as late as the times of king Henry his son; in fact, I myself have seen people who saw victuals brought at stated times from the royal estates to the court; and the officials of the royal household knew precisely from which counties wheat, and from which different kinds of meat or fodder for horses or any other necessaries, were due. Upon payment of these supplies according to the established amount of each, the royal officials put them to the sheriff's account, reducing them to a sum of money; to wit, for a measure of wheat sufficient to make bread for a hundred men, 1*s.*; for the carcase of a fattened ox, 1*s.*; for a ram or a sheep, 4*d.*; and for the fodder of twenty horses, also 4*d.* But as time went on, when the same king was occupied beyond seas and in remote parts, repressing the tumult of war, it came to pass that the sum necessary to meet these operations was paid to him in money by tale. Meanwhile a grumbling multitude of husbandmen used to flock to the king's court, or, what he thought worse, often used to press about him as he passed by, offering their ploughs as a sign of the decay of agriculture, for they were oppressed by innumerable hardships on account of the victuals, which they brought from their homes through all parts of the realm. The king listened to their complaints, and after taking counsel with the nobles, sent throughout the realm the wisest and most discreet men whom he knew for the purpose. They went about surveying the several estates with their own eyes, and, valuing the victuals paid from them, reduced the same to a sum of money. They decreed, further, that for the sum total of the amounts arising from all the estates in one county the sheriff of that county should be holden at the Exchequer; adding that he should pay by scale, that is, 6*d.* on each pound by tale. For they thought that in course of time it might well happen that the money, then good, might deteriorate. In this opinion they proved right. So they were forced to decree that the farm of manors

[1] *I.e.*, agreements with the crown touching feudal payments.

should be paid not only by scale but by weight, which could only be done by making considerable additions. This rule of payment was observed for many years at the Exchequer, and so in the old yearly rolls of that king you will often find written "in the treasury 100*l.* by scale," or, "in the treasury 100*l.* by weight." Meanwhile an able man arose, farseeing in counsel, eloquent in speech, and by God's grace preeminent in his immediate grasp of the deepest matters; you would say that he fulfilled what is written, "the grace of the Holy Ghost knows not slow movements." He was summoned to the court by the king, obscure but not without nobility, and taught by his example "how extreme poverty is the school of men." Increasing in favour with the king, the clergy and the people, he was made bishop of Salisbury, enjoyed the highest offices and honours in the realm, and possessed a consummate knowledge of the Exchequer. As to this there is no room for doubt, for the rolls themselves prove clearly that the Exchequer prospered exceedingly under him. And it is from his stores that the little knowledge we possess has trickled down. On this subject I refrain at present from speaking at length, since owing to the position which he filled, he has left behind him a lasting memorial of his high genius. Afterwards by the king's order he came to the Exchequer; and after having sat there for some years, he found that the method of payment described above failed to satisfy the treasury to the full; for though it appeared to obtain its dues by tale and by weight, it was defrauded in actual substance. For it did not follow that if a man had paid for a pound 20*s.* by tale, even if the shillings corresponded to a pound in weight, he had therefore paid a pound of silver; for the money paid by him might have been mixed with copper or any ore, since no test was applied. In order, therefore, that the royal and the public advantage might at the same time be provided for, it was decreed, after consultation with the king himself, that the combustion or testing of the farm should be made in the aforesaid manner.

D. Why do you say "the public advantage?"

M. Because the sheriff, feeling aggrieved by the combustion

of the debased money, when he is about to pay his farm, takes careful heed that the moneyers set under him do not transgress the established law; and when offenders are caught, they are so punished that others may be deterred by the example made of them.

THE OATH OF THE BARONS TO SUPPORT THE SUCCESSION OF MATILDA THE EMPRESS (1126).

Source.—William of Malmesbury, *De gestis regum Anglorum*, ed. Stubbs, vol. ii., p. 528. (Rolls Series.)

In the twenty-seventh year of his reign, king Henry came to England in the month of September, bringing his daughter with him; and at Christmas following he summoned to London a large number of the clergy and the barons, and there gave the county of Salop to his wife, the daughter of the Count of Louvain, whom he had wedded after Matilda's death; grieved that she had no issue, and fearing that she would remain childless, he was meditating, with well-founded anxiety, the question of his successor to the throne. This matter had already been debated at length, and at this council he constrained and bound with an oath all the barons of the whole realm, and bishops and abbots also, to accept as their lady his daughter Matilda, formerly empress, without any delay or hesitation, if he should die without heir male. He pointed out how disastrous to the country had been the loss of his son, William, to whom the realm of right belonged; now there survived his daughter, in whom alone inhered the lawful succession, from her grandfather, her uncle and her father, all kings, and on her mother's side, for centuries past. . . .

So all who were thought to be of weight in this council, took the oath; first, William, archbishop of Canterbury, then the rest of the bishops, and the abbots also. The first of the laity to take the oath was David, king of Scotland, the empress's uncle; then Stephen, count of Mortain and Boulogne, nephew of king Henry by his sister Adela; then Robert, the king's son, born before he came to the throne, whom he had created earl of

Gloucester. . . . There was, it is said, a remarkable dispute between Robert and Stephen, who strove in generous rivalry to be the first to take the oath, the one alleging the son's privilege, the other the nephew's rank. Thus all the barons were bound by fealty and oath, whereupon each departed to his own home. After Whitsuntide, however, the king sent his daughter to Normandy, ordering the archbishop of Rouen to betroth her to the son of Fulk (count of Anjou), a prince of great nobility and famous courage; the king himself made no delay in taking ship to Normandy and uniting them in marriage. Whereupon all men foretold prophetically that after his death they would break their oath. I have myself often heard Roger, bishop of Salisbury, say that he was loosed from the oath made to the empress, for he had sworn it on condition that the king would not give his daughter in marriage out of the realm without the advice of him and the rest of the baronage; and that no one authorized, no one had knowledge of the marriage except Robert, earl of Gloucester, Brian Fitz Count, and the bishop of Louviers. I do not relate this because I believe to be true the words of a man who knew how to adapt himself to every change of fickle fortune, but as a credible historian I set in writing common opinion.

THE DISPUTED ELECTION OF AN ARCHBISHOP OF CANTERBURY (1123).

Source.—*The Anglo-Saxon Chronicle*, ed. Thorpe, vol. i. p. 374. (Rolls Series.)

Then . . . the king sent his writ over all England and bade his bishops and his abbots and all his thegns that they should come to his council on Candlemas Day (2 February) at Gloucester to meet him, and so they did. When they were there gathered, the king bade them that they should choose them an archbishop of Canterbury, whomsoever they would. Then spake the bishops among themselves and said that never more would they have a monkish man to be archbishop over them; and they all went together to the king and prayed that

they might choose a man of the clergy, whomsoever they would, for archbishop; and the king granted the same to them. This was all afore done through the bishop of Salisbury and through the bishop of Lincoln before he was dead; for that they loved never the rule of a monk, but were ever against monks and their rule. And the prior and the monks of Canterbury and all the other monkish men that were there withstood it full two days, but it availed nothing, for the bishop of Salisbury was strong and ruled all England, and was against it all that he might and could be. Then chose they a clerk, William of Corbeil by name; he was canon of a monastery called Chich (St. Osyth). And they brought him before the king, and the king gave him the archbishopric, and all the bishops accepted him, but the monks and earls and almost all the thegns that were there withstood him. At the same time the envoys of the count (of Anjou) departed from the king unsatisfied and cared nought for his favour. At the same time there came a legate from Rome by name Henry; he was abbot of the monastery of St. Jean d'Angely, and he came for the Romescot. And he said to the king that it was against right that a clerk should be set over monks, and therefore had the monks before chosen an archbishop in their chapter according to right. But the king would not undo it for love of the bishop of Salisbury. Then soon thereafter the archbishop went to Canterbury, and was there received, though it was against their will, and was there forthwith consecrated as bishop by the bishop of London and the bishop Ernulf of Rochester and the bishop William Giffard of Winchester and the bishop Bernard of Wales and the bishop Roger of Salisbury. Then soon after in Lent the archbishop went to Rome for his pall, and with him went the bishop Bernard of Wales, and Sigfrid abbot of Glastonbury, and Anselm abbot of St. Edmunds, and John archdeacon of Canterbury and Giffard, who was the king's household chaplain. At the same time the archbishop Thurstan of York went to Rome at the Pope's command, and came thither three days before the archbishop of Canterbury came, and was there received with great worship. Then came the archbishop of Canterbury

and was there full seven nights before he could come to speech with the Pope. That was because it had been given to the Pope to understand that he had received the archbishopric against the will of the monks of the monastery, and against right. But that overcame Rome which overcomes all the world, that is, gold and silver. And the Pope was appeased and gave him his pall; and the archbishop swore obedience to him in all things that the Pope enjoined upon him, on the altar of St. Peter and St. Paul; and the Pope sent him home then with his blessing

THE DEATH AND CHARACTER OF HENRY I.

Source.—Henry of Huntingdon, *Historia Anglorum*, ed. Arnold, p. 253. (Rolls Series.)

In the thirty-fifth year King Henry stayed continuously in Normandy, and though destined never to return, he often purposed to return to England; but his daughter detained him through constant quarrels arising from many causes by her intrigues between the king and the count of Anjou. These vexations irritated the king to anger and bitterness, which resulted, some say, in a natural torpor, and afterwards, it is thought, caused his death. At any rate, on his return from hunting at St. Denis in the Forêt des Lions, he ate a dish of lampreys, of which he was always fond, though they always disagreed with him. A physician had forbidden him to eat them, but the king ignored his sound advice on the poet's principles—

> "Ever we strive against the law,
> And love to taste forbidden fruit."

So this meal brought on an evil humour and was followed by the old violent symptoms, which resulted in a complete collapse, his aged frame sinking into a deadly lethargy, the natural struggle of his constitution provoked an acute fever in the effort to throw off the poison in his system, but his powers of resistance failing, the great king died on 1 December after a reign of thirty-five years and three months. . . .

On the death of the great king Henry, his character was freely discussed by the people, as is usual in the case of the departed. Some asserted that three splendid gifts especially distinguished him; supreme wisdom, for he was profound in counsel, acutely farseeing and brilliant in speech; success in war, for apart from other famous exploits he overcame the king of France in battle; and wealth, in which he far surpassed all his predecessors. Others, however, took a different point of view, and urged that he was tainted by three vices; avarice, because, like all his house, though rich, he impoverished the poor with taxes and exactions, and snared them in the toils of the informer; cruelty also, because he put out the eyes of his kinsman, the count of Moretuil, when in captivity (this horrible crime could not be known until death laid bare the king's secret acts), and other instances also were alleged, of which I say nothing; and excess also .... Such was the common division of opinion. But in the terrible time that followed, amid the savage anarchy of the Norman traitors, all that Henry had done, whether as king or despot, seemed more than excellent in comparison with worse evil.

THE ACCESSION OF STEPHEN (1135).

Source.—*Gesta Stephani*, ed. Howlett, vol. iii., p. 3. (Rolls Series, Chronicles of Stephen, Henry II., and Richard I.)

When king Henry, giver of peace to his country and father of his people, passed away in death, the unhappy event threw the whole country into anarchy and total confusion. The land, which during his reign had been the seat of justice and the home of law, became on his decease a sink of iniquity and a hotbed of all malice. England, formerly the abode of right, the habitation of peace, the throne of piety, the mirror of religion, became the dwelling-place of perversity, the refuge of discord, the school of disorder, and the mistress of all rebellion. The reverend bonds of sacred friendship were straightway broken among the people, the most intimate ties of mutual

kinship were loosed, and those who had worn the garments of daily tranquillity were whelmed by the noise of battle and the madness of war. For every man was seized with a new passion for barbarity, to run riot against his neighbour, and to reckon his glory by the measure of his wrongs to the innocent.

The established laws, that restrain an undisciplined people, were wholly neglected, nay rather annulled, and men straightway accomplished any crime which their unlawful passions inspired. To use the words of the prophet, "There was no soundness from the sole of the foot to the crown of the head," for from the lowest to the highest their minds were sick, and either they wrought havoc or assented to the havoc which others wrought. Even the wild beasts, which were aforetime peaceably preserved in every district, as though confined by enclosures, were everywhere loosed and hunted by all and slain by all indiscriminately and without fear. This, indeed, was a lesser evil, and a matter of small complaint; none the less it was amazing how so many thousands of beasts, that before had covered the whole country in thronging herds, were now suddenly annihilated, so that out of so vast a number you would scarcely discover two together. When at length this great and indescribable plenty began so to decline that, as men say, a bird was a rarity and scarce a stag could anywhere be seen, folk turned their violence against each other and robbed their neighbours, each plundering each in turn, and plotting ambush and destruction for each other, as the prophet said, "Man rose up without mercy against man, and everyone was set against his neighbour." Whatever crime was suggested by passion in times of peace, was now swiftly brought to an issue, when vengeance might seize its opportunity; dissembled hatred and hidden malice burst forth to light and was openly avowed.

While the English were indulging in this disastrous anarchy, breaking the restraints of justice and freely rioting in all sorts of wickedness, Stephen, count of Boulogne, a man of illustrious and noble lineage, landed in England with a few followers. King Henry, the peacemaker, loved him above all his nephews,

not only because of his close tie of kinship, but for the manifold excellencies that specially distinguished and adorned him. What is rare indeed in our times, he combined riches with modesty, generosity with courtesy; yet in all military encounters and any siege of his enemies, he was daring and courageous, cautious and persistent. Being the man he was, as soon as rumours of king Henry's death reached him, he conceived a bold design in his heart, like Saul, and since he was beyond seas, hurried to the coast, and obtaining by good fortune a favourable breeze, steered for England on which his thoughts were set. Landing, as said before, with a very small following, he hastened to London, the metropolis and queen of the whole country. Stirred by his coming, the whole city came out to meet him with a noisy welcome, dancing with joy and festivity to have recovered in Stephen another Henry, the loss of whose guardianship they were but now deploring. So the elder and more prominent men summoned a council, and making common provision, in their judgment, for the good estate of the realm, unanimously conspired to elect him king. They urged that the whole realm was liable to the chances of evil fortune, where the fount of all governance and the head of justice was lacking. It was vital to them at once to establish a king, who should restore peace for the common good, punish rebels by force of arms, and justly administer the laws. Moreover it was their right, their special privilege, on the death of their king, themselves to set his successor on the throne. There was no other at hand to fulfil a king's part and put an end to the perils of the realm, save only Stephen, who, it seemed, had been brought to them by the will of Heaven; he was worthy of the dignity in the eyes of all, as well by the distinction of his birth as by the excellence of his character. These points were heard and welcomed by all without open contradiction, and by common counsel they decided to offer him the throne and to appoint him king with their unanimous support, both parties covenanting by a treaty confirmed, it is said, by mutual oaths, that the citizens on the one hand would support him with their wealth and maintain him with their

strength during his life, and that he, on the other hand, should devote all his energies to the pacification of the realm for the benefit of them all.

THE PERJURY OF THE BARONS (1135).

Source.—Henry of Huntingdon, *Historia Anglorum*, ed. Arnold, p. 256. (Rolls Series.)

In haste came Stephen, younger brother of Theobald, count of Blois, an active and resolute man, and though he had sworn an act of fealty to king Henry's daughter, yet, relying on swift and bold measures, he tempted God by seizing the crown of the realm. William, archbishop of Canterbury, the first to take the oath to the king's daughter, to his shame, blessed him as king, wherefore God decreed against him the same judgment which he had decreed against the priest who smote Jeremiah, to wit, that he should die within a year. Roger too, the great bishop of Salisbury, the second to take the aforesaid oath, and dictator of the oath to all the rest, added his weighty support to Stephen's claims; wherefore afterward by the just judgment of God he was seized and tortured by the king whom he had made, and suffered a miserable end. But why linger? All who had sworn the oath, prelates and earls and barons alike, offered their allegiance to Stephen and did him homage. It was an evil omen that the whole of England, without hesitation, without a struggle, in the twinkling of an eye, so suddenly submitted to him.

THE CORONATION OATH OF KING STEPHEN (1136).

Source.—William of Malmesbury, *De gestis regum Anglorum*, ed. Stubbs, vol. ii., p. 541. (Rolls Series.)

"I, Stephen, by the grace of God, by assent of the clergy and people, elected king of England, and consecrated by the lord William, archbishop of Canterbury and legate of the holy Roman Church, and afterwards confirmed by Innocent, Pope of the holy see of Rome, out of reverence and love for God,

grant that Holy Church be free, and confirm to it due reverence. I promise that I will not do or permit any simony in the church or in matters ecclesiastical. I admit that justice and power over ecclesiastical persons and all clerks and over their goods, and the distribution of ecclesiastical goods is in the hands of the bishops, and I confirm the same. I decree that the immunities of churches confirmed by their charters, and their customs observed by ancient use, remain inviolate, and I confirm the same. I grant that all possessions and holdings of churches, which they had on the day on which king William my grandfather was alive and dead, be theirs freely and absolutely, quit of all recovery by any claimants. But as touching anything held or possessed before the death of the king, whereof the church is now deprived, and for which the church shall sue hereafter, I reserve the same to my indulgence and dispensation for discussion or restitution. Moreover I confirm all grants made after the death of the king by the generosity of kings, the benefaction of princes, or the offering or sale or exchange of the faithful. I promise to make peace and to do justice in all things, and to preserve the same so far as in me lies. I reserve to myself the forests which king William my grandfather, and William the Second my uncle made and held; the rest, which king Henry added thereto, I give back and grant quit to the churches and the realm. And if any bishop or abbot or other ecclesiastical person before his death shall reasonably distribute his goods, or ordain the distribution thereof, I grant that the same shall remain valid; and if he be forestalled by death, the same distribution shall be made for the salvation of his soul by the counsel of his church. Moreover when sees be void of their proper pastors, both they and all the possessions thereof shall be committed into the hand and guardianship of the clerks and good men of the same church, until a pastor be canonically instituted. I utterly uproot all exactions and fines and injustices evilly imposed whether by sheriffs or by others whomsoever. I will observe good laws and the ancient and just customs in murder-fines and pleas and other causes, and I command and ordain that the

same be observed. Given at Oxford in the year 1136 after the incarnation of our Lord, in the first year of my reign."

I scorn to give the names of the many witnesses, for he so basely broke almost all his promises, as if he had sworn only in order to show himself to the whole realm as an oath-breaker. I must speak the truth, gentlest of princes though he was; for if he had lawfully obtained the kingdom, and in administering the same had not lent too ready an ear to the intrigues of evil-minded men, verily little would have been lacking to his royal dignity. Under him, however, the treasure of some churches was plundered, their landed possessions were given to laymen; the churches of the clergy were sold to aliens; bishops were imprisoned and forced to transfer their goods; and abbeys were granted to unworthy men, either to reward friends or to pay debts. Still I consider that these evils must be ascribed to his counsellors rather than to himself; for they persuaded him that he need never lack money so long as there were monasteries packed with treasure.

FEUDAL ANARCHY UNDER STEPHEN.

Source.—*The Anglo-Saxon Chronicle*, ed. Thorpe, vol. i., p. 382. (Rolls Series.)

When the traitors perceived that he was a mild man, and soft and good, and did no justice, then did they all wonder. They had done homage to him and sworn oaths, but had held no faith; they were all forsworn and brake their fealty; for every mighty man built his castles and held them against him; and they filled the land full of castles. They cruelly oppressed the wretched men of the land with castle-works. When the castles were made, they filled them with devils and evil men. Then they took those men whom they deemed to have any possessions, both by night and by day, husbandmen and women, and put them in prison for gold and silver, and tortured them with unspeakable torture, for never were martyrs so tortured as they were. They hanged them up by the feet, and smoked them with foul smoke; they hanged them by the

thumbs or by the head, and hung fires on their feet; they put knotted cords about their heads, and twisted them so that it went to the brain. They put them in dungeons, in which were adders and snakes and toads, and so killed them. Some they put in a "crucet hus," that is, in a chest that was short and narrow and shallow, and put sharp stones therein, and pressed the man therein, so that they brake all his limbs. In many of the castles were . . . neck-bonds, so that two or three men had enough to bear one. It was made thus, that is, fastened to a beam; and they put a sharp iron about the man's throat and his neck, so that he might no wise sit or lie or sleep, but must bear all that iron. Many thousands they killed with hunger; I cannot and may not tell all the wounds or all the tortures which they wrought on wretched men in this land; and it lasted the nineteen winters while Stephen was king; and ever it was worse and worse. They laid gelds on the towns continually . . .; when the wretched men had no more to give, they robbed and burned all the towns, so that thou mightest well go all a day's journey, and thou wouldst never find a man settled in a town, nor the land tilled. Then was corn dear, and meat and cheese and butter, for there was none in the land. Wretched men died of hunger; some went seeking alms, who were sometime rich men; some fled out of the land. Never yet had more wretchedness been in the land, nor did heathen men ever do worse than they did; for everywhere they spared neither church nor churchyard, but took all the goods that were therein, and then burned the church and all together. Nor spared they a bishop's land, nor an abbot's, nor a priest's, but robbed monks and clerks, and every man another who anywhere could. If two or three men came riding to a town, all the township fled before them, deeming that they were robbers. The bishops and clergy cursed them ever, but nothing came thereof, for they were all accursed and forsworn and lost. However a man tilled, the earth bare no corn, for the land was all undone with such deeds, and they said openly that Christ slept, and his saints. Such and more than we can say we endured nineteen winters for our sins.

WALES AND THE WELSH (1136).

Source.—*Gesta Stephani*, ed. Howlett, vol. iii., p. 10. (Rolls Series, Chronicles of Stephen, Henry II., and Richard I.)

Wales is a land of woods and pastures, adjoining England on its nearest borders, and jutting into the sea on the other side throughout its whole extent. It abounds in stags and fish, and cows and oxen. The men it rears are savage, swift of foot by nature, fighters by habit, and untrustworthy and unsettled alike. When the Normans had conquered England in battle, they established their sovereignty over this land also with numberless castles. They crushed the natives with spirit, and civilised them with patience; to ensure peace they imposed upon them law and ordinances, and brought the land to such fertility and abundant plenty, that you would deem it in no wise inferior to the most fruitful part of Britain. But on the death of king Henry, when the peace and concord of the realm were buried with him, the Welsh, who always cherished mortal hatred of their lords, wholly cast off the yoke to which their treaties bound them, and issuing in bands from divers places, made hostile inroads now here, now there, and with plunder, fire and sword, wasted towns, burned houses, and slaughtered men. They first attacked the district of Gower on the seacoast, a beautiful and abundantly fertile spot, and surrounded and entirely put to the sword a band of knights and footmen massed against them to the number of 516. Thereafter, exulting in the successful issue of their first uprising, they boldly overran all the marches of Wales, bent on every crime and ready for any mischief, neither sparing age nor reverencing rank, and suffering no time or place to check their violence. Rumours of this rebellion reached the ears of the king, who, to curb their unbridled audacity, sent a force of knights and archers, hired at a great cost of treasure, to crush them. Some, however, after many glorious exploits, were slain there, while the rest, unable to endure the savage onslaughts of the enemy, after much toil and expense, retreated with dishonour.

THE BATTLE OF THE STANDARD (1138).

Source.—Richard of Hexham, *De gestis regis Stephani*, ed. Howlett, vol. iii., p. 159. (Rolls Series, Chronicles of Stephen, Henry II., and Richard I.)

The king (of Scotland) passing by Durham with his army wasted the crops as far as the river Tees, and after his custom broke into, plundered and burned the towns and churches which he had earlier left untouched; and crossing the Tees also, he began to work the same havoc. But the pity of God, stirred by the tears of innumerable widows, orphans and wretched men, suffered him no longer to practise impiety so great without punishment. The preparations of him and his men for such wickedness, all his stores, and what he intended to do and whither to go, did not escape the men of Yorkshire. So the barons of that county, to wit, archbishop Thurstan, who, as will appear later, was a prime mover in this business, and William de Aumâle, Walter de Ghent, Robert de Bruce, Roger de Mowbray, Walter Spec, Ilbert de Lacy, William de Percy, Richard de Courcy, William Fossard, Robert de Stutevill, and the other mighty and learned men, assembled at York and discussed eagerly among themselves what plan to adopt in this crisis. And since many hesitated, suspecting the treason of others and mutually distrustful, and since they had no commander and leader in war, for king Stephen their lord was overwhelmed at that season with equal difficulties in the south of England and could not come to them at present, and since they feared to oppose their slight forces to numbers so superior, it seemed as if they would altogether abandon the attempt to defend themselves and their country; but Thurstan, their archbishop, a man of great persistence and worth, encouraged them with his speech and counsel. For he was the pastor of their souls, and unlike the hireling, regarded not his own safety by flight from the ravaging wolf, but rather was torn by the keenest compassionate grief at the scattering and undoing of his flock and the destruction of his country, and left no step untried, no stone unturned, to find a remedy for such

monstrous evils. Wherefore, both by the divine authority entrusted to him and by the royal power then committed to him in this matter, and by their fealty and honour, he faithfully admonished them not to allow themselves through cowardice to be overthrown in a single day by the worst sort of barbarism. . . . He also promised them that he would cause the priests of his diocese to march together with them to battle, with their crosses and their parishioners, and purposed himself, God willing, to be present at the fight. At the same troubled season Bernard de Balliol, one of the chief men of that district, came to them from the king with a large body of knights, and both on the king's and his own behalf inflamed their hearts to the same purpose. Urged therefore by the commands both of their king and of their archbishop, they were all with one accord confirmed in one same purpose, and each returned to his home. Soon after they all reassembled at York with their munitions and arms ready for war. So when they had done penance privately, the archbishop enjoined on them a three-days' fast with alms, and thereafter solemnly gave them absolution and God's and his own blessing, and though by reason of great infirmity and the weakness of old age he was carried in a litter wherever he was needed, yet to arouse their courage he determined to go with them. But they forced him to remain, beseeching him to be content to intercede for them by prayer and alms, watching and fasting and by other godly works; they would gladly fight the enemy for God's church and for His minister, as He should deign to help them, and as their order demanded. Thereupon he delivered to them his cross and the banner of St. Peter and his own men; and they went to the town of Thirsk. Thence they sent Robert de Brus and Bernard de Balliol to the king of Scotland, who was now wasting the land of St. Cuthbert, as was said above; they begged him, with the greatest deference and friendliness, to desist thenceforth from his cruel measures, and promised faithfully to ask the king of England to confer on Henry, son of the king of Scotland, the county of Northumberland, which that king had demanded. But he and his men hardened their

hearts, rejected their overtures, and treated them with scornful contempt. So Robert abjured the homage he had done to him, and Bernard the fealty which he had once sworn, when captured by him, and both returned to their fellows. Thereupon all the chief men of that county, and William Peverel and Geoffrey Halsalin from Nottinghamshire, and Robert de Ferers from Derbyshire, and other weighty and wise men, bound and fortified themselves in turn with oaths, that none of them would desert the others in this business, so long as they could each render mutual aid, and so all would either die or conquer together. At the same time the archbishop sent to them Ralph Novellus, bishop of Orkney, with one of his own archdeacons and other clerks, who in his stead should enjoin penance and give absolution to the bands of people daily flocking thither from all quarters. He also sent to them the priests with their parishioners, as he had promised them.

While, then, they were looking for the coming of the Scots, the scouts, whom they had sent in advance, returned, reporting that the king had already crossed the river Tees with his army, and after his custom was now devastating their district. So they went to meet him with the utmost haste, and passing through the town of Northallerton, reached at break of day a field two miles distant therefrom. Forthwith some of them set up the mast of a ship in the middle of a scaffold which they had brought, and called it the Standard. . . . On the top thereof they hung a silver box containing the body of Christ, and the banners of St. Peter the Apostle, and St. John of Beverley and St. Wilfred of Ripon, confessors and bishops. This they did that Jesus Christ our Lord, by the presence of His body, might be their leader in the war which they had undertaken for the defence of His church and their country, at the same time providing hereby that if any of them should be by chance separated from their fellows and scattered, they would have a sure signal by which to return to them and there find assistance. They had hardly equipped themselves with arms for the fight, when the king of Scotland was reported to be at hand with the whole of his army ready and arrayed for battle.

Therefore a great part of the knights left their horses and became footmen, and the choicest of them were arrayed with archers and set in the front rank, the rest, except the ordainers and directors of the battle, being packed about the Standard in the centre of the position, while the remainder of the troops were massed around them on every side in a dense rampart. The band of horsemen and the horses of the knights were withdrawn a little farther, that they might not take fright at the noise and clamour of the Scots. In like manner among the enemy the king himself and almost all his men became footmen and their horses were kept farther back. In the forefront of the battle were the Picts, in the middle the king with his knights and Englishmen; and the rest of the barbarous horde pressed around on all sides. While they marched to battle in such order, the Standard with its banners was seen not far away, and at once the hearts of the king and his followers were struck with a mighty fear and terror. But hardened in their malice, they yet strove to fulfil the evil work begun by them. So on the octave of the Assumption of St. Mary, 22 August, between the first and third hours, the strife of this battle began and ended. For straightway at the first onset innumerable Picts were slain, and the rest threw down their arms and basely took to flight. The field was choked with corpses, large numbers were captured, and the king and all the residue fled. Of that great army, all were either killed or captured or scattered like sheep whose shepherd is smitten down, and in wonderful wise, as if deprived of their sense, they fled as much away from their own land into the neighbouring parts of their enemies' country, as towards their native land. But wherever they were found, they were killed like sheep for slaughter; and so by the righteous judgment of God, those who had woefully slain and left the dead unburied were themselves more woefully cut to pieces, and found no burial after the fashion of their own or the foreigners' land, but were exposed to dogs, birds and wild beasts, or torn and dismembered, or left to decay and putrefy under the open sky. The king also, who a short time before in his excessive pride of heart and in the magnitude of

his army seemed to have raised his head among the stars of heaven, and therefore threatened to destroy utterly the whole or the greatest part of England, was now shorn of his glory, and accompanied by but a few, and covered with the utmost shame and disgrace, scarcely escaped alive.

The degree of the divine vengeance appeared most clearly in the fact that the army of the vanquished was beyond estimation larger than that of the conquerors; nor could the number of the slain be counted by any man. For, as many bear witness, of the army which left Scotland alone, more than ten thousand are reckoned to have been missing from the ranks of those who returned, for throughout divers parts of Deira, Bernicia, Northumberland, Cumberland and other districts, many more were cut off after the battle than were slain in the battle. The English army, on the other hand, lost few of its numbers, speedily gaining a victory by God's aid; and dividing the booty which was found there in great quantities, in a short while almost wholly broke up, and every man returned to his own home, restoring to the churches with joy and thanksgiving the banners of the saints which they had received. Verily they had marched to this battle in their finest array and all their wealth, as it had been to a royal marriage feast.

KING STEPHEN'S ATTACK ON THE BISHOPS (1139).

Source.—William of Malmesbury, *Historia Novella*, ed. Stubbs, vol. ii., pp. 547-555. (Rolls Series.)

In the year 1139 after the Incarnation of our Lord, the venom of malice, which king Stephen's heart had long been fostering, at length burst forth openly. Rumours were spreading about England that earl Robert was on the eve of coming from Normandy with his sister;[1] and in expectation thereof many were disaffected towards the king, not only in will but in deed, whereupon he repaired his losses by wronging others. Many were seized at court against the king's honour, on mere suspicion of supporting the opposite party, and forced to

[1] Matilda the Empress.

surrender their castles and submit to whatsoever conditions he chose. There were at that time in England two exceeding powerful bishops, Roger of Salisbury, and his brother's son, Alexander of Lincoln. Alexander had built the castle of Newark, for the defence and honour of the bishopric, as he said. Roger, who wished to display magnificence in the building of castles, had erected more imposing fortifications at Sherborne and Devizes, covering a large area of ground with his buildings. He had begun a castle at Malmesbury in the churchyard itself, hardly a stone's throw from the principal church. The castle of Salisbury, though it was the king's own property, had passed into his keeping by grant of king Henry, and had been surrounded with a wall. Some of the powerful laity, stirred to envy that they should be surpassed by clerks in their wealth of heaped-up treasure and the size of their towns, cherished in their hearts a sullen jealousy. So they poured their discontents into the king's ear, urging that it would all unquestionably turn to the king's destruction, since, as soon as the empress came, they would welcome their lady by surrendering their castles, drawn to her by the memory of her father's favours; they must therefore be at once forestalled and constrained to yield up their fortresses. . . . The king, though too favourably inclined to these advisers, for some time pretended not to listen to their attractive proposals, easing the bitterness of postponement either by his regard for the holy office of the bishops, or, as I incline to think, by his fear of the odium involved. In the end he only put off the execution of the policy thus urged upon him until the first favourable opportunity. That arose in the following manner.

A council of the nobility was held at Oxford on 24 June, which the prelates aforesaid attended. The bishop of Salisbury was most unwilling to go. I heard him say: "By my Lady St. Mary, I know not why, but I have no liking for this journey. This I know, that I shall be of as much use in the court as a foal in a battle." For so his heart foreboded ills to come. Fortune, as it turned out, seemed to favour the king's desires; a riot arose between the men of the bishops and the

men of Alan, count of Brittany, over a claim to quarters; the end was melancholy, for the men of the bishop of Salisbury, who were then sitting at table, left their meal unfinished and jumped up to fight. The affair was settled with curses first and swords afterwards. The retainers of Alan were driven off, his nephew barely escaping alive, while the bishops' party did not secure a bloodless victory, many being wounded and one knight killed. The king seized the opportunity and ordered the original instigators to summon the bishops to satisfy his court for their retainers' breach of the king's peace; the satisfaction demanded was the delivery of the keys of their castles as pledges of their good faith. They were ready to give satisfaction, but hesitated to surrender the castles, whereupon he commanded that they should be closely confined, to prevent their departure. So he took them to Devizes, bishop Roger unbound, but the chancellor, his nephew (or more than his nephew), in fetters; his object was to take the castle, which had been built at a great and almost incalculable cost, not for the glory of the church, as the prelate himself alleged, but, in sober truth, to its detriment. Upon investment, the castles of Salisbury, Sherborne and Malmesbury were surrendered to the king; Devizes itself was given up after three days, bishop Roger voluntarily imposing abstinence upon himself, that by his personal suffering he might induce the bishop of Ely, who held the castle, to yield.[1] Alexander, the bishop of Lincoln, gave way also without more ado, purchasing his delivery by the surrender of the castles of Newark and Sleaford.

This action of the king was widely discussed from opposite standpoints. Some said that the bishops were rightly dispossessed of their castles, because they had defied the canons in erecting them; they ought to be preachers of the gospel of

[1] On the other hand, the author of *Gesta Stephani* states: "The king ordered that the two bishops should be separately confined in foul places and tortured with sharp fasting, and that the chancellor, son of the bishop of Salisbury, now seized and thrown into chains, should be hanged in front of the castle gate, unless the bishop of Ely should surrender the castle and admit the king's force."

peace, not builders of houses that might harbour the authors of evil. This view was urged and further amplified by the arguments of Hugh, archbishop of Rouen, who stoutly championed the king with all his eloquence. Others said the contrary, and this party had the support of Henry, bishop of Winchester, legate in England of the apostolic see, brother of king Stephen. . . . "If bishops," he said, "in any wise forsake the way of justice, the canons, not the king, must be their judge; they ought to have been deprived of no possession without a public ecclesiastical council; the king had acted not from zeal for righteousness, but for his own private benefit, since he had not given the castles back to the churches, at whose charges and on whose lands they had been built, but had delivered them to laymen, and those by no means favourable to religion." He urged these considerations in the king's presence both privately and publicly, pressing him to deliver and make restitution to the prelates, but his labour was wasted, his plea ignored. Wherefore, determined to exert the force of the canons, he summoned his brother instantly to appear before the council which was to be holden on 29 August at Winchester.

On the appointed day almost all the bishops of England, with Theobald, archbishop of Canterbury . . . came to Winchester. . . . The bull of Pope Innocent was first read in the council, whereby from March 1, if I remember rightly, he had delegated part of his charge to the lord bishop of Winchester as his legate in England. . . . Next followed in the council the legate's address in Latin, prepared for the learned, touching the disgraceful seizure of the bishops, of whom the bishop of Salisbury had been taken in the chamber of the court, and the bishop of Lincoln in his lodging, while the bishop of Ely, fearing a like fate, had escaped disaster by a hasty flight to Devizes; it was a scandalous crime that the king should have been so led astray, at the instigation of others, as to order violent hands to be laid on his men, especially bishops, in the peace of his court. To the king's dishonour was added an offence against Heaven, to wit, that under the cloak of the

bishops' guilt, churches were robbed of their possessions. He was so indignant at the king's outrage against God's law, that he would rather himself suffer great inconvenience to his person and his possessions than that the episcopal dignity should be so basely humiliated. He had many times warned the king to make amends for his sin; and at last the king had consented to the summoning of a council. The archbishop and the rest should take counsel together as to necessary action; he would not fail in the execution of their advice either out of love for the king, his own brother, or out of fear of losing his possessions, or even of risking his life.

While he was gradually enlarging upon this theme, the king, confident in his own cause, sent earls to the council to ask why he had been summoned. . . . They were accompanied by one Aubrey de Vere, a man well versed in all kinds of legal causes. . . . The sum of his charges was as follows: bishop Roger had committed many offences against king Stephen; he had scarcely ever been to the court without riots being stirred up by his men, presuming on his power; as often at other times, so lately at Oxford they had assaulted the men and even the nephew of count Alan. . . . The bishop of Lincoln had instigated his men to riot, out of his old hatred against count Alan. The bishop of Salisbury secretly supported the king's enemies and only disguised his treachery for the moment; the king had many unquestionable proofs of it, the chief being that he refused a single night's lodging to Roger de Mortemer and the king's knights led by him, when they were in mortal terror of the Bristol rebels. Everybody was saying that as soon as the Empress should have come, he would attach himself to her with his nephews and his castles. Therefore Roger was seized not as a bishop, but as the king's servant, who had at once administered his affairs and received his wages. The king had not taken the castles by force, but both the bishops had voluntarily surrendered them to escape the accusation of the rioting which they had incited in the court. The king had found in the castles a small sum of money which was lawfully his, for bishop Roger had collected it in the time of king

Henry, the king's uncle and predecessor, from the rents due at the royal Exchequer. The bishop had willingly yielded up both money and castles, for fear of his offences against the king, and the king had no lack of witnesses thereto. For his part, the king was willing that his agreement with the bishops should remain unimpaired.

Bishop Roger exclaimed in reply that he had never been king Stephen's minister, and had never received his wages. He threatened, moreover, in his anger, thinking shame to give way to his misfortunes, that if he could not obtain justice in that council for the property wrested from him, he would seek it in the hearing of a higher court. . . .

So much was said on both sides, and at the king's request the cause was adjourned to the next day, and then on the morrow postponed to the following day until the coming of the archbishop of Rouen. When he came and all were in suspense to hear his opinion, he said that he allowed that the bishops might have castles, if they could prove by the canons that they might rightfully hold them; but since they could not, it was the height of wickedness for them to fight against the canons. "Grant," he said, "that they may lawfully have them; surely, in troubled times, it is the duty of the nobles, as among other nations, to hand over all the keys of their fortresses to the will of the king, who must make war for the peace of all. Therefore the whole argument of the bishops falls to the ground; either it is wrong according to the canons for them to have castles, or, if this be permitted by the king's indulgence, they ought to hand over the keys, yielding to the necessity of the situation."

To this the aforesaid pleader, Aubrey, added, that the king had been informed of the bishops' intention, expressed among themselves, to send some of their number to Rome against the king. "And the king," he said, "recommends that none of you venture to do it, for if anyone should leave England against his will and the dignity of the realm, he will perhaps find it less easy to return. Furthermore he himself, seeing himself aggrieved, appeals you at the court of Rome."

The king's despatch of this message, part warning, part threat, made his purpose obvious, and in consequence the council broke up, the king refusing to suffer canonical censure, and the bishops failing to execute their plans against him, and that for two reasons, first, because it would have been overbold to excommunicate a prince without the Pope's knowledge, and second, because they heard, and some saw, swords unsheathed about them. The struggle was no mere word-play, but a matter of life and death. None the less, the legate and the archbishop did not refrain from pursuing their duty; they humbly knelt before the king in his chamber and prayed him to take pity on the church and on his own soul and reputation, and not to allow a schism to arise between state and church. He courteously rose, but, although he moderated his disapproval of their action, he made no effort to fulfil his good promises, following rather his evil advisers.

THE CHARACTER AND CAREER OF ROGER, BISHOP OF SALISBURY.

Source.—William of Newburgh, *Historia rerum Anglicarum*, ed. Howlett, vol. i., p. 35 (Rolls Series, Chronicles of Stephen, Henry II., and Richard I.); and William of Malmesbury, *Historia Novella*, ed. Stubbs, vol. ii., p. 557 (Rolls Series).

A few words must be said, since occasion offers, of Roger's early career and progress, so that his wretched end may show forth the majesty of the divine judgment. In the reign of king William the younger he was a quite obscure priest, it is said, who lived by his office in the outskirts of Caen. At that time the young Henry was at war with his brother, and going on his way with his knights chanced to pass the church in which Roger ministered, and asked for service to be celebrated in his presence; the priest acceded to the request, and was quick to begin and swift to finish, pleasing the knights twice over, so that they remarked that nowhere could knights discover a more accommodating chaplain. So when the prince said "Follow me," he clove to him no less than Peter to his heavenly King

at the same words. Peter left his boats to follow the King of kings; he left his church to follow the son of a king; and as chaplain at will to him and his knights, became a blind leader of the blind. And though he was almost destitute of learning, he profited so well by a native cunning that in a short while he won his lord's affection and took charge of his most secret affairs.

On December 11 (1139) Roger, bishop of Salisbury, was relieved by death from the quartan ague which had long afflicted him; they say that his illness was the result of vexation at the severe and repeated injuries suffered by him at the hands of king Stephen. For my part I consider that God made him an example to the rich of the fickleness of circumstance, that they should not put their trust in the uncertainty of riches, for, as the apostle says, some who seek thereafter have suffered shipwreck of their faith. He attached himself first to prince Henry, afterwards king, by his wise management of his household and his restraint on extravagance; for before his reign Henry had been forced by his scanty resources to study economy and spend carefully, owing to the ungenerous behaviour of his brothers, William and Robert. Recognising his habit of mind, Roger earned his gratitude in the time of his poverty to such a degree that after his ascension to the throne, Henry could deny him little or nothing that he chose to ask, bestowing on him estates, churches, prebends of clerks, entire abbeys of monks, and finally committing to his charge the realm itself; at the beginning of his reign he made him chancellor, and not long after, bishop of Salisbury. So Roger heard causes, Roger regulated expenditure, Roger had charge of the treasury, and that too both when the king was in England, and also when he was in Normandy, as happened often and for long periods, without an associate or a witness. Not the king only, but the barons, even those who were secretly jealous of his prosperity, and above all the king's ministers and debtors, gave him whatever he pleased. If any estate adjoined his own and promised to serve his purpose, he extorted it forthwith

either by prayer or purchase, or if that failed, by force. He had no rival, in the memory of our own times, in the building of palaces and the splendour of the houses which he erected throughout his possessions, to maintain which his successors but labour in vain. He spared no expense to beautify to the utmost his own cathedral with marvellous ornament and construction. Verily it was wonderful to behold how honours of all kinds were heaped about him in rich abundance, and gathered into his hand; how great was his glory, and how unbounded his power, that he should have made bishops of his two nephews, educated by himself to be men of notable learning and industry; bishops, too, of no mean sees, but of Lincoln and Ely, the wealthiest, I suppose, in the realm. . . .

Under king Stephen his power declined, except that at the beginning of his reign he secured for his nephews the offices of chancellor and treasurer, and for himself the borough of Malmesbury, the king often repeating to his friends, "By the birth of God, I would give him the half of England, if he asked for it, until times change; he shall tire of asking before I tire of giving." But in his latter years fortune, which before had smiled upon him overmuch and overlong, struck him at last with cruel scorpion-sting. What a blow it was to see men wounded, who had served him well, to see his most devoted knight cut to pieces, and on the next day to see himself a prisoner, and his nephews, the great bishops, one forced to fly, and the other, dearest of all, bound with chains; and afterwards, on the surrender of the castles, to behold his treasures plundered and himself in the council taunted with the vilest abuse, and last of all, when he lay at Salisbury at death's door, to see the residue of his money and plate, which he had put upon the altar for the completion of the church, carried off against his will. Saddest of all I count it, and even I cannot withhold my pity, that while many thought his end pitiful, there were scarce any who pitied him; so much hatred and envy had his excessive power drawn upon him, and that too undeservedly, in the case of some whom he had himself advanced to honour.

THE BATTLE OF LINCOLN (1141).

Source.—John of Hexham, *Symeonis Historiæ Regum Continuatio*, ed. Arnold, vol. ii., p. 307. (Rolls Series, Simeon of Durham.)

In the month of January at Lincoln, Ranulf, earl of Chester, with his men, conspired and set their determination on harassing the king and the realm. Now an earthquake was thrice felt in the city at Christmastide. The plot was speedily made known to king Stephen, who forthwith appeared there and besieged the earl. The latter, however, escaped by night from the tower in which he was shut, and straightway went to Robert earl of Gloucester, whose daughter he had married, and persuaded him and the household of the Empress to aid him, and the Welsh likewise. The king's elder supporters advised him to gather an army, declaring that they had come unarmed to have speech with him, and were not equipped for battle. The king rejected their counsel, saying that the earls were but lads inexperienced in war, and would not dare to attack him; for he had been duped by the friendship of the young earls, who supported the king with words, but cherished the strength of his enemies with counsel and aid. So on the day of the Purification of St. Mary, Robert earl of Gloucester, Ranulf earl of Chester, and William de Romar, his brother, drew near with a strong force, Robert being the leader and disposer of the battle. The king also led forth his followers to the fight. Alan, earl of Richmond, with his men, abandoned the king and the struggle, before the battle was yet begun. William earl of York, withdrew from the fight and exposed the king to peril. His opponents therefore, with a boldness born of confidence, cut down all who resisted. They captured Bernard de Balliol, Roger de Mowbray, Richard de Courcy, William Fossart, William Peverel, William Clerfeith and many others. Many were slain and in the end all were scattered, including even Waleran count of Mellent. But the king stood in the forefront like a lion, braver than the bravest, afraid of no man's onset. He cut down all who came within reach, until his sword broke in his hands. Thereupon a citizen of Lincoln put in his hand

a Danish axe; and it is difficult to describe the heroic courage with which he faced his enemies. At last, however, he saw himself left alone and almost all his fellows scattered; yet no man dared to lay hands on him to take him. When earl Ranulf attempted an attack upon him, the king smote him on the head with the axe, and, beating him to his knees, taught him not to think more highly of himself than he ought to think. Finally, of his own will he summoned earl Robert, his cousin, and to him, as the son of king Henry, he, himself a king, consented to surrender his person.[1] So he was taken to Bristol and there put in safe keeping.

THE DEPOSITION OF KING STEPHEN (1141).

Source.—William of Malmesbury, *Historia Novella*, ed. Stubbs, vol. ii., p. 574. (Rolls Series.)

On the second day after the Octave of Easter (April 11) a council of archbishop Theobald and all the bishops of England and many abbots was opened with great ceremony at Winchester under the presidency of the legate. Those who were not there sent reasons for their absence by proctor or letter. The proceedings of this council I will set forth for posterity with complete accuracy, since I was myself present, and I remember the whole perfectly. On that day, after reading the letters of excuse whereby some justified their absence, the legate summoned the bishops apart and discussed with them his secret intention; and afterwards the abbots, and last of all the archdeacons, were summoned. Of his purpose nothing was made public, but the thoughts and speech of all men were busy with what was likely to be done.

On the third day the legate spoke to this effect: that by the Pope's condescension he held his place in England, wherefore by his authority the clergy of England had been assembled at this council, that they might deliberate together touching the peace of the country, which was in grave peril of shipwreck.

[1] This account does not agree with that of Henry of Huntingdon, who states that he was taken by William de Kahaines, after his battle-axe and sword had broken.

In the time of king Henry, his uncle, England had been a unique abode of peace, so that through the activity, the spirit and the labour of that unrivalled prince, not only the natives, whatsoever their might and rank, dared not make trouble, but also by his example all neighbouring kings and princes themselves yielded to peace and desired or forced their subjects to do the like. The same king, some years before his death, had caused the whole realm of England and the duchy of Normandy to be bound by the oath of all bishops and barons alike to his daughter, sometime Empress, his sole surviving child of his first wife, if he should fail of a male successor by the wife he had married from Lorraine. "And cruel fortune," said he, "grudged him his desire, so that he died in Normandy without heir male. So, because it seemed long to wait for the Lady, who delayed her coming to England, for she was dwelling in Normandy, the peace of the country was provided for, and my brother was suffered to become king. Yet, though I pledged myself as surety between him and God that he would honour and exalt Holy Church, and maintain good laws and uproot evil, I grieve to remember, I am ashamed to recall, what manner of king he has shown himself; how no justice has been done on offenders, how peace was wholly destroyed almost within a year; bishops seized and forced to surrender their possessions; abbeys sold, churches plundered of their treasures; evil men's counsel regarded, and good men's put aside or wholly despised. You know how often I appealed to him, as well by myself as by the bishops, especially in the council summoned last year for this purpose, and yet I won nothing but disfavour. It can escape no man, who thinks aright, that I ought to love my mortal brother, but much rather ought to regard the cause of my immortal Father. Therefore, since God has judged my brother, permitting him without my connivance to fall into the power of the mighty, in my right as legate I have asked you all to assemble hither, that the kingdom be not imperilled for lack of a ruler. Yesterday the matter was discussed in secret before the greater part of the clergy of England, whose right it is above all men to elect

and ordain a prince. First, then, as is justly due, calling God to our aid, we elect as lady of England and Normandy, the daughter of the peaceful, the glorious, the wealthy, the excellent king, incomparable in our times, and we promise her fealty and maintenance."

After all present had either suitably applauded his declaration or by silence refrained from opposition, the legate added: "We have summoned by messengers the men of London, who rank almost as nobles in England through the greatness of the city, and have sent them safe conduct, and I trust that they will not delay their arrival beyond to-day; let us give them good grace until the morrow."

On the fourth day came the men of London, and after being conducted into the council, put their case so far as to say that they had been sent by the commune of London not to raise strife but to pray for the release of their lord the king from captivity; and that all the barons who had long been admitted into their commune, earnestly demanded the same of the lord legate and of the archbishop and all the clergy there present. The legate answered them fully and clearly, and to prevent the fulfilment of what they requested, repeated his speech of the previous day, adding, however, that it did not become the men of London, who were esteemed in England as nobles, to support the cause of those who had abandoned their lord in battle, by whose counsel he had dishonoured Holy Church, and finally who appeared to show favour to the men of London solely in order to drain them of their money. . . . They took counsel together and said that they would report the decree of the council to their fellows, and give it their countenance so far as they could.

On the fifth day the council broke up after the excommunication of many of the royal party, in particular, William Martel, formerly king Henry's butler, and afterwards sewer[1] to king Stephen; he had grossly exasperated the legate by intercepting and pilfering much of his property.

It was a heavy task, however, to win over the good-will of

[1] Dish-bearer.

the men of London, for though these events took place, as I have said, immediately after Easter, it was only a few days before Midsummer that they consented to receive the empress. By that time the greater part of England had duly accepted her governance. . . . But at the very moment when she thought to secure possession of the whole of England, all was changed. The men of London, always mistrusted, and murmuring among themselves, now burst out into expressions of open hatred, and even, it is said, lay in wait for the Lady and her earls. They had warning and escaped, and left the city gradually without rioting and with a kind of knightly discipline. The empress was accompanied by the legate and David king of Scotland, her uncle, and her brother Robert, then as always, in all things, the partner of his sister's fortunes, and, in short, all of her party escaped to a man. The men of London, learning of their departure, flew to their houses and plundered everything which they had left behind in their haste.

THE CAREER OF GEOFFREY DE MANDEVILLE (1143.)

Source.—William of Newburgh, *Historia rerum Anglicarum*, ed. Howlett, vol. i., p. 44. (Rolls Series, Chronicles of Stephen, Henry II., and Richard I.)

At the same time king Stephen seized Geoffrey de Mandeville in his court at St. Albans, not indeed honourably and according to the law of nations, but for his deserts and out of fear, with an eye rather to the expedient than to the chivalrous. For Geoffrey was a man of consummate daring and of equal strength and cunning, strengthening his hold on the famous Tower of London with two noteworthy added fortifications, and achieving great ends by an ingenious subtlety. For these reasons he inspired fear in the king himself, who, however, was at pains to conceal his sense of wrong suffered at the other's hands, and watched for a convenient season to take his revenge.

Some years before the king had acquired the treasures of the bishop of Salisbury, and, despatching a large sum of money to Louis, king of the French, had married his son Eustace to

Constance, Louis' sister, planning by a match with so great a prince to strengthen his son's chance of succession against the count of Anjou and his sons; and Constance was in London with the queen, her mother-in-law. When the queen would have gone elsewhere with her daughter-in-law, the aforesaid Geoffrey, then master of the Tower, prevented her, and seizing her daughter-in-law out of her hands, in spite of her stout resistance, kept her, permitting the queen to depart with ignominy. Afterwards at the king's demand he reluctantly resigned his noble booty to her father-in-law, who for the time dissembled his just indignation. Now this wrong seemed to have been at length forgotten, when the barons assembled at the royal summons at St. Albans, and among them appeared this bandit; whereupon, forthwith seizing the opportunity, the king gave vent to his righteous anger and putting Geoffrey in bonds, extorted from him the Tower of London with the two other fortresses which he held. Stripped of his defences, but released, his incapacity to rest, his mighty spirit, his almost incomparable resource, and his extraordinary genius for evil, led him to gather together an impious crew, at whose head he burst into the monastery of Ramsey; without fear, he drove out the monks, and turned the famous and holy place into a den of thieves, and the sanctuary of God into the home of the devil, ravaging the country round with constant sallies and expeditions. Success increased his confidence, and going further afield, he harassed and menaced king Stephen with the boldest assaults. During this wild outburst it seemed as if God was asleep and took no thought for human affairs, or even his own, that is, the church; and pious men cried out of their trouble, "Arise, why sleepest thou, O Lord?" But, as the apostle says, after God endured with much patience vessels of wrath fit for destruction, "he arose," as the prophet says, "as from sleep, and smote his enemies in their hinder parts," that is, in the latter years of those whose earlier career seemed prosperous. In a word, shortly before the destruction of that impious wretch, as is proved by the true testimony of many, the walls of the church into which he had burst, and of the

adjacent cloister, sweated with real blood, by which, as afterwards appeared, was signified both the enormity of his crime and the now imminent judgment upon the enormity. But since the evil men, given over to a reprobate mind, were in no wise frightened by a portent so horrible, their abandoned leader, while storming a castle of his enemies among the serried ranks of his followers, was struck on the head by the arrow of a common footman; and from that wound the reckless fighter, though at first he made light of it, died after a few days, and took with him to hell the burden of the church's anathema, from which he could never be absolved.

His two most cruel followers, of whom one was over the knights and the other over the footmen, are reported to have perished by diverse mishaps. The one died by a fall from his horse, his head being crushed on the ground and his brains scattered; the other, Rainer by name, the chief destroyer and burner of churches, when crossing the sea with his wife, brought the ship to a standstill in mid ocean by the weight of his sins. The sailors and others who were crossing at the same time were reduced to stupefaction, but, following the ancient example, cast lots, and the lot fell upon Rainer; and when, to prevent the possibility of accident, they cast lots a second and a third time with the same result, it was declared to be the judgment of God. So, in order that all might not perish with him and on his account, he was put out in a boat with his wife and his ill-gotten wealth. The ship immediately leapt forward and was borne on its usual course. But the boat sank under the weight of the sinner, and was overwhelmed in the waves.

THE TREATY OF PEACE BETWEEN KING STEPHEN AND PRINCE HENRY (1153).

Source.—Henry of Huntingdon, *Historia Anglorum*, ed. Arnold, p. 289. (Rolls Series.)

Meanwhile archbishop Theobald urgently treated with the king, to induce him to come to terms with the duke, speaking often with the king in person and with the duke by messenger.

His efforts were seconded by Henry bishop of Winchester, who before had woefully disturbed the realm by conferring the crown upon Stephen his brother; now, stirred to repentance and seeing the whole country ruined by plunder, fire and slaughter, he shared in the negotiations for peace, to put an end to the awful evils. Above all, the providence of God, which makes peace and permits evil, purposing to stay the scourge that smote England according to her deserts, prospered their work until their efforts were blessed by the calm of peace and a treaty confirmed by oaths. Oh! priceless joy, oh! blessed day! when the illustrious prince, led by the king himself, was received with honour in the city of Winchester at the head of a splendid procession of bishops and warriors, amid the acclamation of a numberless throng of the people. For the king received him as his adopted son and acknowledged him heir to the throne. Thence the king brought the duke with him to London, where he was received with equal joy by a numberless multitude of people and magnificent processions, as so great a man deserved. So did the mercy of God shed a halo of peace and lighten the darkness of the ruined realm of England.

This accomplished, king Stephen and his new son parted in joy and affection, to meet again, for this treaty was confirmed before Christmas. But on the octave of the Epiphany they met once more at Oxford, after the duke had spent almost a year in the conquest, or rather the resurrection of England. There then the chief men of the English, by the king's command, did to the duke the homage and fealty due to a lord, saving to the king due honour and fealty during his life. From this brilliant gathering they joyfully departed to their own homes, blessed by a new peace. Again after a short interval of time they met at Dunstable. There a brilliant day was somewhat clouded. The duke was displeased that the castles, which had been everywhere built after the death of king Henry and put to the worst uses, were not destroyed, as had been determined and confirmed by the solemn treaty of peace between them; a great part had now been razed, but the

castles of some had been spared either by the clemency or the connivance of the king, whereby their mutual adherence to the compact seemed to be impaired. The duke, on complaining hereon to the king, suffered a repulse, but, deferring to his new father, reluctantly postponed the question, that the light of their harmony might not seem to be extinguished by him; they parted peaceably, and not long after, by the king's licence, the victorious duke returned to Normandy.

PRINTED IN GREAT BRITAIN BY BILLING AND SONS, LTD., GUILDFORD AND ESHER.