

THE EXCHEQUER  
IN THE  
TWELFTH CENTURY

THE FORD LECTURES  
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by

REGINALD L. POOLE

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## PREFACE

TEN years ago I gave a course of lectures on the *Dialogus de Scaccario*, and the book interested me so much that I determined to remodel my materials so as to form a treatise on the subject. My preparations, however, went on slowly, and it was not until I retired from College work in the summer of 1910 that I had leisure to advance them very much. My election as Ford's Lecturer in English History, in November of that year, gave me the opportunity of planning in a different form the book which I had contemplated. The form was necessarily that of a course of lectures ; but the subject was not the Dialogue but the Exchequer itself. I have printed the lectures substantially as they were delivered in last October and November ; but I have enlarged the introduction to the first lecture into a separate chapter, and I have added a supplementary lecture, which, though prepared, there was not time to deliver. Hence the six lectures now appear as eight chapters.

The form of a lecture will explain and partly excuse the limitations and defects of the work. In a lecture a certain amount of repetition is unavoidable : it is necessary also to avoid

obscurity of statement; one must not introduce reserves and qualifications overmuch. I have no doubt that I have made many rash assertions and not a few technical mistakes. But I have sought before all things to be plain and free from ambiguity in expression. It has also resulted that a great deal of illustrative detail has been omitted. Part of this has indeed been supplied by means of notes. But a large area has been designedly left untouched. I have considered the Exchequer as a machine at work and have tried to explain how it worked. This was all that I could attempt within the limitations of a short course. The other side of the subject, the sources from which the payments came, I have treated summarily. To have entered at all usefully into such matters as the assessment of Danegeld or of scutage would have required an apparatus of detailed calculations which could not practically have been given in lecture; and it would besides have distracted attention from my main subject.

Confining myself in principle to the twelfth century, while I have briefly indicated the continuity of various offices down to modern times, I have avoided saying anything of the more complicated system of controlling the business of the Exchequer which arose when the practice of enrolling the Chancery records led to the making of estreats and counterwrits, or of the specialization of accounts which began under Edward I.

Nor have I entered upon the wide field occupied by the remembrancers in subsequent times, though I have given reason for believing that their offices were already in existence. Until the memoranda rolls are accessible in print it will hardly be possible to survey with profit the work which fell to the remembrancers' departments.

It will prevent misunderstanding if I mention that in my frequent quotations from the *Dialogue* I never profess to give a strict translation. I render freely and usually abridge. My obligations to the editors of the Oxford edition of that work are, I hope, sufficiently implied in what I have said of it in my opening chapter, which also explains the nature of my indebtedness to other writers. But I should like to thank Messrs. C. G. Crump, Charles Johnson, and C. Hilary Jenkinson, of the Public Record Office, for their extreme kindness in answering questions which I addressed to them at various times. Had I ventured to ask any of them to look over my proof sheets, I am sure the text would have been freed from many errors. Nor should I omit to express my gratitude to the Secretary to the Delegates of the Clarendon Press for the readiness with which he arranged for my convenience that my lectures should all be in print before they were delivered.

R. L. P.

*January 1912.*

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## TEXTS AND COMMENTARIES

THE wealth of England in records for the earlier middle ages—I speak of the time before the thirteenth century—is unapproached by any other country in Europe. It is not in our historians that we claim a pre-eminence, though it was monks from the British Isles who traced the models upon which all the compilations of Frankish Annals were founded. But no other country possesses anything like the mass of land charters such as we have for the Anglo-Saxon period. No other country has a survey such as that of our Domesday Book. Abroad there are a few customals of particular lordships, such as the invaluable polyptych of Irmino ; but for a survey on a great scale we have to wait until the beginning of the fourteenth century, when the *Urbar* or terrier of the Habsburg lands was drawn up. In England almost the whole country was minutely surveyed before William the Conqueror had finished his reign. The Domesday survey, like a modern valuation return, was compiled as a basis for taxation ; and it is in the revenue department that our earliest official records appear. The great annual rolls of the Exchequer are nearly complete for the reign of

Henry II and the time following, and one single specimen is preserved from the reign of Henry I. Here again there is no parallel abroad except under the same dynasty in Normandy, where however the rolls now preserved do not begin until 1180.

Our series of rolls, generally known by their later name of Pipe Rolls, were the subject of minute study by the learned and indefatigable Thomas Madox, whose *History and Antiquities of the Exchequer*, published in 1711,<sup>1</sup> is never likely to be superseded in these days of rapid and perfunctory work. But the texts themselves remained unpublished until, thanks to the Record Commission, Joseph Hunter printed the four oldest rolls in 1833 and 1844, and one of the first year of Richard I also in 1844. More recently a private society was established for the purpose of continuing the publication, and since 1884 (with an interval between 1900 and 1904) this Pipe Roll Society has issued 31 volumes, all but six of which are devoted to the particular rolls from which it takes its name. The fact that all these new materials are now placed at our disposal is an incentive to make the attempt to take a general survey of the institution from which they proceed; but it

<sup>1</sup> My references are to the pages of this edition, but I have cited also the chapter and section for the convenience of those who use the edition of 1769. An italic letter following the page indicates a footnote.

should be said at the outset that a comparison of successive rolls, however valuable for the purpose of discovering and ascertaining the succession to lands and offices, does not serve substantially to modify the conclusions as to the working of the exchequer system which might be drawn from the study of a couple of rolls.

Nor must it be supposed that the pipe rolls profess to contain anything like a complete record of the business which was transacted at the Exchequer. In order to learn this we have to take recourse to a work which is yet another instance of the extraordinary abundance of our historical materials and which is the envy of continental students. The famous Dialogue concerning the Exchequer was not merely written by one who was himself treasurer, but it is written with such fullness and lucidity of statement as to leave very few matters, and those not of the first importance, in obscurity. The author, Richard bishop of London, set out to explain the system in which he had been trained, and he succeeded to a degree which we can hardly overpraise. That I may not seem to exaggerate the merits of a work which must necessarily be one of my leading authorities, I will quote some sentences from Maitland, whose judgement, here at any rate, will not be disparaged.

<sup>1</sup> The book stands out as an unique book in the history of medieval England, perhaps in the history of medieval

<sup>1</sup> *History of English Law*, 1895, i. 140 i.

Europe. A high officer of state, the trusted counsellor of a powerful king, undertakes to explain to all whom it may concern the machinery of government. He will not deal in generalities, he will condescend to minute details. Perhaps his book was not meant for the general public so much as for the numerous clerks who were learning their business in the exchequer, but still that such a book should be written, is one of the wonderful things of Henry's wonderful reign. We may safely say that it was not published without the king's licence, and yet it exposes to the light of day many things which kings and ministers are apt to treat as solemn mysteries of state. We should know far more of the history of government than will ever be known could we have a Dialogue on the Exchequer from every century; but we have one only and it comes from the reign of Henry II. Henry was so strong that he had nothing to conceal; he could stand criticism; his will and pleasure if properly explained to his subjects would appear as reasonable and at any rate would not be resisted. And so his treasurer expounded the course of proceedings in the exchequer, the constitution of this financial board, its writs and its rolls, the various sources of royal income, the danegeld and the murder fine, the collection of the debts due to the king, the treatment of his debtors, and, coming to details, he described the chessboard and the counters, the tallies, the scales, and the melting pot. But for him, we should have known little of the administrative and fiscal law of his time or of later times—for the rolls of the exchequer sadly need a commentary—but as it is, we may know much.

The authorship of the Dialogue is not now disputed, but it was long obscured by several confusions. Bishop Bale copied from the collections of Nicholas Brigham an extract from the book

relative to the author's lost work, the Tricolumnis, and afterwards wrote, apparently as a guess, the name of Gervase of Tilbury between the lines of his manuscript.<sup>1</sup> The conjecture was repeated as a fact in his published Catalogue of British Writers,<sup>2</sup> and was long accepted. But, as Madox pointed out, Gervase the marshal of Burgundy under the Emperor Otto IV was unquestionably a layman, and the author of the Dialogue was as certainly a clergyman.<sup>3</sup> Gervase also wrote about twenty years later than the time when the Dialogue was composed. Another cause of confusion was that the Dialogue was often read in late copies of the Red Book or the Black Book of the Exchequer, and hence passages from the Dialogue are quoted as from the Red or Black Book.<sup>4</sup> Possibly one copy of this book belonged to Nicholas Ockham in the time of Edward I and chanced to have his

<sup>1</sup> Index Britanniae Scriptorum, Oxford, 1902, p. 477.

<sup>2</sup> Scriptorum illustrium maioris Brytannię Catalogus, Basel 1557, iii. 58 p. 250.

<sup>3</sup> See the Dissertatio epistolæ addressed to lord Halifax, prefixed to his edition of the Dialogus at the end of his History of the Exchequer, pp. x, xi. The author of the Dialogue expressly describes himself as a clergyman, ii. 26 p. 245.

<sup>4</sup> Selden cites it from *libro Rub. Archiu. Scacc.*: Titles of Honor, ii. 5, 2nd ed. 1631, p. 687. Prynne, in his *Aurum Reginae*, 1668, p. 4, says that it was 'stiled by most, *The Red Book of the Exchequer*'. Sir Matthew Hale, in his *Short Treatise touching Sheriffs Accounts*, 1683, p. 21, refers to 'Gervasius Tilburiensis, or the black Book of the Exchequer, written in the time of H. 2'.





























































































































































































