

The Chancery Rolls as a record of trans-Angevin ruling in the early years of King John, 1199-1206: A study in the production of the printed editions under the nineteenth-century Record Commissions and the creation and use of the original manuscripts stored in The National Archives.

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## Abstract

This thesis is a study of the chancery rolls for the first six years of King John's reign. Part one undertakes a critical re-examination of the printed editions of the rolls. These editions, produced by the Record Commissions between 1800 and 1844, are the texts on which historians rely to understand the documents from which we write the history of John's reign. Part one demonstrates the inadequacy of relying on these editions for our understanding of the processes and origins of chancery enrolments. Part two uses codicological techniques to place the rolls within the contemporary context of the years 1199 to 1204. It establishes that the current archival organisation of the rolls is not always reflective of their contemporary setting and suggests re-cataloguing certain rolls within TNA's archival organisation. The codicological study adds weight to the argument that the rolls were introduced in 1199, probably linked with Hubert Walter's appointment as chancellor. Part three engages with the letters close issued from John's chancery to demonstrate that the extant rolls were supported by a series of lost rolls compiled by regency administrations in John's various domains.

The thesis mostly concentrates on 1199 to 1204 for two reasons. First, this period sees the beginnings of chancery enrolments - or at least the beginnings of those that have survived to us. Second, the chancery followed John on his daily itineraries. After December 1203, apart from brief excursions, John was confined to England. Before 1204 we witness John and his chancery operating in a pan-Angevin setting. How John's chancery reflected the multiple polities which he ruled is the central question this thesis seeks to address. Its answers should add to what can be said about Angevin rule of their territories before the collapse of the dynasty's power under King John.

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## Contents

<i>Abstract</i>	2
<i>Contents</i>	3
<i>List of Tables</i>	4
<i>List of Abbreviations</i>	7
<i>Acknowledgements</i>	12
Introduction	14
Chapter 1: Thomas Duffus Hardy and the Record Commissions: The Publication of the Chancery Rolls in the Nineteenth Century	54
Chapter 2: The Chancery Rolls in The National Archives	100
Chapter 3: Rolls, Membranes and Margins	141
Chapter 4: Types of Writs, Rates of Enrolment and Peripatetic Kingship	231
Conclusion	317
<i>Bibliography</i>	324
<i>Appendix 1: The Published Scholarly Works of Thomas Duffus Hardy in Chronological Order</i>	347
<i>Appendix 2: Chronological List of the Publication Programme of the Record Commissions</i>	351
<i>Appendix 3: Tables Showing the Number of Staff Employed at the Major Record Offices at the Time of the Record Commissions</i>	360
<i>Appendix 4: List of John's Seneschals in his French Lands between 1199 and 1204</i>	363

## List of Tables

Table 1: The Chancery Rolls 1199-1204 in their TNA Classifications	31
Table 2: The Publications of the Record Commission	81
Table 3: The Chancery Rolls 1199-1206 with 'Contemporary' Classifications	106
Table 4: Sizes of the Charter Rolls	142
Table 5: Sizes of the Patent Rolls	144
Table 6: Sizes of the Fine Rolls	146
Table 7: Sizes of the Close Rolls 1199-1204	149
Table 8: Sizes of the Close Rolls after 1204	150
Table 9: Estimated Sizes of the Missing Close Rolls 1199-1204	173
Table 10: Marginal Styles of the Charter Rolls	177
Table 11: Marginal Styles of the Patent Rolls	179
Table 12: Marginal Styles of the Patent Roll for 3 John	180
Table 13: Marginal Styles of the Patent Roll for 4 John	180
Table 14: Marginal Styles of the Close Rolls	182
Table 15: Marginal Styles of the 'English' Close Roll for 3 John	187
Table 16: Marginal Styles of the 'Norman' Close Roll for 4 John	187
Table 17: Marginal Styles of the 'Norman' Close Roll for 5 John	189

Table 18: Marginal Styles of the Fine Rolls	191
Table 19: Marginal Styles of the 'English' Fine Roll for 1 John	192
Table 20: Marginal Styles of the 'English' Fine Roll for 3 John	195
Table 21: Rates of Enrolment in the Close Rolls for 2 John	235
Table 22: Rates of Enrolment in the 'English' Close Roll for 3 John	236
Table 23: Rates of Enrolment in the 'Norman' Close Roll for 4 John	237
Table 24: Rates of Enrolment in the Close Rolls for 5 John	238
Table 25: Location of Entries in the 'English' Close Rolls 1199-1204	240
Table 26: Location of Entries in the 'Norman' Close Rolls 1199-1204	241
Table 27: John's Itinerary and Location of Entries in the 'Norman' Close Roll for 2 John	245
Table 28: John's Itinerary and Location of Entries in the 'Norman' Close Roll for 4 John	246
Table 29: Location of Entries in the Close Rolls for 6 John and 7 John	251
Table 30: Rates of Enrolment in the Close Roll for 8 John	264
Table 31: Rates of Enrolment in the Close Rolls for 15 and 16 John	266
Table 32: Type of Writs in the Close Roll for 16 John	283
Table 33: Type of Writs in the Justiciar's Roll	284
Table 34: Type of Writs in the 'English' Close Roll for 2 John	285
Table 35: Type of Writs in the 'English' Close Roll for 3 John	285
Table 36: Type of Writs in the 'English' Close Roll for 5 John	285

Table 37: Type of Writs in the 'Norman' Close Roll for 2 John	292
Table 38: Type of Writs in the 'Norman' Close Rolls for 4 and 5 John	293
Table 39: John's Itinerary and Type of Writs in the 'Norman' Close Roll for 2 John	295
Table 40: John's Itinerary and Type of Writs in the 'Norman' Close Roll for 4 John	296
Table 41: John's Itinerary and Type of 'Norman' Writs in the 'Norman' Close Roll for 2 John	299
Table 42: John's Itinerary and Type of 'Norman' Writs in the 'Norman' Close Roll for 4 John	300
Table 43: John's Itinerary and Type of 'Angevin and Poitevin' Writs in the 'Norman' Close Roll for 2 John	302
Table 44: John's Itinerary and Type of 'Angevin and Poitevin' Writs in the 'Norman' Close Roll for 4 John	303
Table 45: John's Itinerary and Type of Writs in the 'English' Close Rolls 1199-1204	304
Table 46: Officials Writs are sent to in 'Norman' Close Rolls	305
Table 47: Officials Writs are sent to in the 'Norman' Close Roll for 2 John	306
Table 48: Officials Writs are sent to in the 'Norman' Close Roll for 4 John	307
Table 49: Officials Writs are sent to in the 'Norman' Close Roll for 5 John	308
Table 50: Officials Writs are sent to by Region in the 'Norman' Close Rolls	308

## List of Abbreviations

- Carpenter, 'In Testimonium' D.A. Carpenter, "'In Testimonium Factorum Brevium": The Beginnings of English Chancery Rolls' in *Records, Administration and Aristocratic Society in the Anglo-Norman Realm*, ed. by N. Vincent (Woodbridge, Boydell, 2009), 1-28.
- Church, *John* S.D. Church, *King John: England, Magna Carta, and the Making of a Tyrant*, (London, MacMillan, 2015).
- Clanchy, *Memory* M.T. Clanchy, *From Memory to Written Record in England, 1066-1307*, 2nd edn., (Oxford, Blackwell, 1993).
- Cooper, *Proceedings* *Proceedings of His Majesty's Commissioners on The Public Records of The Kingdom: June, 1832-August, 1833*, ed. by C.P. Cooper (London, Record Commission, 1833).
- Cooper, *Papers* *Papers and Documents Relating to the Evidence of Certain Witnesses Examined Before the Select Committee of the House of Commons Appointed "to Inquire Into the Management and Affairs of the Record Commission, and the Present State of the Records of the United Kingdom": Comprising the Remarks and Questions and Answers Referred to in the Observations Upon the Report of the Said Committee, Transmitted to the Lords Commissioners of His Majesty's Treasury, by His Majesty's Commissioners on the Public Records*, ed. by C.P. Cooper (London, Record Commission, 1837).



*Constitutio Domus Regis*

*Dialogus de Scaccario: The Dialogue of the Exchequer, and Constitutio Domus Regis, The Disposition of the King's Household*, ed. and trans. by E. Amt and S.D. Church (Oxford, Oxford University Press, 2007), introduction at xxxviii-lxvii, text at 195-215.

*Commissioners Reports (1819)*

*Reports from the commissioners appointed by His Majesty to execute the measures recommended by a select committee of the House of Commons respecting the public records of the kingdom, etc., 1800-1819* (London, Hansard, 1819).

*Dialogus*

*Dialogus de Scaccario: The Dialogue of the Exchequer, and Constitutio Domus Regis, The Disposition of the King's Household*, ed. and trans. by E. Amt and S.D. Church (Oxford, Oxford University Press, 2007), introduction at xiii-xxxvii, text at 1-193.

Edwards, *Chamber and Chancery*

J.B. Edwards, 'The English Royal Chamber and Chancery in the Reign of King John', unpublished PhD thesis (University of Cambridge, 1974).

*EHR*

*English Historical Review*.

*General Report (1837)*

*General Report to the king in council from the honourable board of commissioners on the public records, appointed by His Majesty King William IV., by a commission dated the 12th of March, in the first year of his reign; with an appendix and index* (London, Record Commission, 1837).

Gillingham, 'Bureaucracy'	J. Gillingham, 'Bureaucracy, the English State, and the Crisis of the Angevin Empire, 1199-1205' in <i>Empires and Bureaucracy in World History: From Late Antiquity to the Twentieth Century</i> , ed. by P. Crooks and T.H. Parsons (Cambridge, Cambridge University Press, 2016), 197–220.
HMSO	His/Her Majesty's Stationery Office.
ODNB	<i>Oxford Dictionary of National Biography</i> , (Oxford, Oxford University Press, 2004, online edn. 2008).
Powicke, <i>Normandy</i>	F.M. Powicke, <i>The Loss of Normandy (1189-1204) Studies in the history of the Angevin Empire</i> , 2nd edn. (Manchester, Manchester University Press, 1960).
PR	<i>Pipe Roll</i> . References to the Pipe Rolls refer to the editions published in London by the Pipe Roll Society and are cited by regnal year, with the exceptions of <i>PR 2 Henry II</i> , <i>3 Henry II</i> , and <i>4 Henry II</i> (published in <i>The Great Roll of the Pipe for the Second, Third and Fourth Years of the Reign of King Henry II</i> , ed. by J. Hunter (London, Record Commission, 1844)) and <i>PR 1 Richard I</i> , (published in <i>The Great Roll of the Pipe for the First Year of the Reign of King Richard the First</i> , ed. by J. Hunter (London, Record Commission, 1844)).
PRO	Public Record Office.

*Report [on] Bayley*

*Report of the Committee Appointed by Order of the Board, Dated 30th June, 1832: To Inquire Into the Circumstances Connected with Mr Bayley's Publication of the Calendars of the Proceedings in Chancery and His Charges for the Same* (London, Record Commission, 1833).

*Richardson, Memoranda Roll*

*The Memoranda Roll for the Michaelmas term of the first year of the reign of King John (1199-1200) together with fragments of the Originalia Roll of the seventh year of King Richard I (1195-6), the Liberate Roll of the second year of King John (1200-1) and the Norman Roll of the fifth year of King John (1203)*, ed. by N. Blakiston with an introduction by H.G. Richardson, PRS, new ser., 21 (London, 1943), introduction at xj-lxxxvij, text of Memoranda Roll 1 John at 1-84, text of Originalia Roll 7 Richard I at 85-88, text of Liberate Roll 1 John at 88-97, text of Norman Roll 5 John at 97-98.

*Rot. Chart.*

*Rotuli Chartarum in Turri Londinensi Asservati*, ed. by T.D. Hardy (London, Record Commission, 1837).

*RLC*

*Rotuli Litterarum Clausarum in Turri Londinensi Asservati*, 2 vols. ed. by T.D. Hardy (London, Record Commission, 1833-1844), i (1833).

*RLP*

*Rotuli Litterarum Patentium in Turri Londinensi Asservati*, ed. by T.D. Hardy, (London, Record Commission, 1835).

*Rot. Lib.*

*Rotuli de Liberate ac de Misis et Praestitis, Regnante Johanne*, ed. by T.D. Hardy, (London, Record Commission, 1844).

- Rot. Norm.* *Rotuli Normanniae in Turri Londinensi Asservati, Johanne et Henrico Quinto Angliae Regibus. Vol. I: De annis 1200-1205, necnon de anno 1417*, ed. by T.D. Hardy (London, Record Commission, 1835).
- Rot. Ob. et Fin.* *Rotuli de Oblatis et Finibus in Turri Londinensi Asservati Tempore Regis Johannis*, ed. by T.D. Hardy (London, Record Commission, 1835).
- Select Committee Reports (1800)* *Reports from the Select Committee Appointed to Inquire Into the State of the Public Records of the Kingdom etc.: Ordered by the House of Commons to be Printed, 4th July 1800* (London, Hansard, 1800).
- TNA The National Archives, London.
- Tout, Chapters* T.F. Tout, *Chapters in the Administrative History of Medieval England: The Wardrobe, the Chamber, and the Small Seals*, 6 vols. (Manchester, Manchester University Press, 1920-1967), i (1920).
- Vincent, Norman Charters* N. Vincent, *Norman Charters from English Sources: Archives, Antiquaries and the Rediscovery of the Anglo-Norman Past* (London, Pipe Roll Society, NS 59, 2013).
- Vincent, 'Why 1199?'* N. Vincent, 'Why 1199? Bureaucracy and Enrolment under John and his Contemporaries', in *English Government in the Thirteenth Century*, ed. by A. Jobson (Woodbridge, Boydell, 2004) 17-48.

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## Introduction

### The 'English' Chancery and Administration Before and After 1199

On 10 March 1832 Thomas Duffus Hardy, a record clerk at the record office in the Tower of London, was directed to produce transcripts of the early close rolls, from the reign of King John, to be used to produce printed editions.<sup>1</sup> Over the next ten years Hardy also produced transcripts for editions of the other series of early chancery rolls, including: the charter rolls, the patent rolls, the fine rolls, the 'Norman' rolls and the liberate rolls. These printed editions have been of immeasurable value to historians in the years since, providing access to the contents of these rolls for many scholars who would otherwise have been unable to study these records. A consequence of the creation of these editions, however, is that in-depth studies of the original documents have been infrequent and often narrow in scope. My purpose in this thesis is to provide a detailed study of the original documents for the first five or six years of John's reign. King John, like his father and brother, was not only king of England but, at various times in his reign, also held lands in the French king's lands as his subject, and he also held directly lands elsewhere in the British Isles.<sup>2</sup> Up until the collapse of his continental power in 1204, John was the duke of Normandy and Aquitaine,

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<sup>1</sup> TNA, PRO 36/12, 48-9.

<sup>2</sup> See below, 49-50.

and for much of that time was also recognised as count of Anjou.<sup>3</sup> The chancery rolls, usually called the 'English' chancery rolls by historians, were before 1204 no such thing. Before that date – and indeed afterwards as John wrote to 'his' officials outside of England – they were produced by John's clerks in John's chancery as records of their activities as they followed the ruler in his nomadic existence. The chancery rolls, therefore, were not just English administrative documents, but also played a part in the wider administration and record keeping of the so-called 'Angevin empire'.<sup>4</sup> In this thesis I also, therefore, intend to explore the chancery rolls' place within the Angevin administration before 1204, rather than only considering the English chancery.<sup>5</sup>

The chancery, itself, was the writing office of the king, responsible for issuing the words of the king in a written form. It had pre-Conquest origins and by John's reign the chancery had developed from simply being the collection of the king's personal clerks to become an administrative department operating within the royal household, with custody

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<sup>3</sup> On the death of John's brother Richard in 1199, the previous king of England, duke of Normandy and Aquitaine and count of Anjou, John was able to secure the kingdom of England, as well as the duchies of Normandy and Aquitaine with little serious opposition. His nephew Arthur, count of Brittany, however, pressed a claim as count of Anjou (including Maine and Poitou) which was recognised by King Philip II of France. It was not until John agreed the Treaty of Le Goulet with Philip in May 1200 that Philip renounced his support for Arthur and formally recognised John's right to the county of Anjou. This narrative is well covered in: Powicke, *Normandy*, 127-138.

<sup>4</sup> The term 'Angevin empire' was first used by Kate Norgate in 1887, and whether the Angevin domains can be called an empire has been the focus of long running debate. As a useful shorthand for the collection of lands under John's control between 1199 and 1204 it will be used as such throughout this thesis. For the major works on the subject, see: K. Norgate, *England under the Angevin Kings*, 2 vols. (London, Macmillan 1887) ii, 491; J. Gillingham, *The Angevin Empire*, 2nd edn. (London, Arnold, 2001); M. Aurell, *L'Empire des Plantagenêts 1154-1224* (Paris, Perrin, 2003), tr. by D. Crouch as *The Plantagenet Empire 1154-1224* (Harlow, Pearson, 2007).

<sup>5</sup> A note here on naming conventions used in this thesis, with toponymic surnames of both English and French origin found throughout the 'Angevin' empire. Any surnames with known French origins have been given the preposition 'de' and the modern French spelling is used. All other surnames, either with English origins or where origins are unclear have been given the preposition 'of' and the English spelling used if known.



of the great seal and headed, in theory at least, by the chancellor.<sup>6</sup> The increasing importance of the chancellor as an officer of state meant that, in practice, by the thirteenth century the seal itself was in the care of the principal clerk or a vice-chancellor.

Although now more than a century old, T.F. Tout's work on the chancery remains the starting point for any discussion of this office.<sup>7</sup> Tout identified the possible beginnings of the chancery with the introduction of a great seal, under the care of a chancellor, in the reign of Edward the Confessor.<sup>8</sup> He argued that the chancery, by the reign of Henry II, was a 'highly organised instrument of government'.<sup>9</sup> He explored, through the *Dialogus de Scaccario*, the evolving relationship between the chancery and exchequer, and the growing influence of the chancellor outside the writing office.<sup>10</sup> Throughout the twelfth century the chancery adopted, at various points, a number of innovative procedures. Tout argued that it was in Henry II's reign that royal writs began to be officially divided into the categories of charters, letters close and letters patent.<sup>11</sup> Furthermore, after 1172 the *Dei gratia* clause was introduced in Henry II's correspondence as a standard practice. On Richard I's accession in

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<sup>6</sup> See below, 16-17, 32.

<sup>7</sup> Tout, *Chapters*.

<sup>8</sup> Tout, *Chapters*, 15, 130-131. For further discussion of the origins of the chancery, see: P. Chaplais, 'The Royal Anglo-Saxon "Chancery" of the Tenth Century Revisited', in *Studies in Medieval History Presented to R.H.C. Davis*, ed. by H. Mayr-Harting and R.I. Moore (London, Hambledon Press, 1985), 41-51; S. Keynes, 'Royal Government and the Written Word in Late Anglo-Saxon England', in *The Uses of Literacy in Early Medieval Europe*, ed. by R. McKitterick (Cambridge, Cambridge University Press, 1990), 226-257.

<sup>9</sup> Tout, *Chapters*, 131. For the chancery in the earlier twelfth century, see: L. Delisle, *Recueil de Actes de Henri II, roi d'Angleterre et duc de Normandie concernant les provinces francaises et les affaires de France, Introduction* (Paris, Imprimerie Nationale, 1909); T.A.M. Bishop, *Scriptores Regis: Facsimiles to Identify and Illustrate the Hands of Royal Scribes in Original Charters of Henry I, Stephen and Henry* (Oxford, Clarendon, 1961).

<sup>10</sup> Tout, *Chapters*, 132-135.

<sup>11</sup> *Ibid.*, 135-137.

1189, the practice of place dating and the use of the first person plural was introduced. Then in John's reign the phrase *rex Angliae* replaced *rex Anglorum*.<sup>12</sup> The most notable innovation, however, was the beginning of enrolment.

At the start of King John's reign in 1199 the royal chancery apparently started to retain records of the king's outgoing orders and correspondence in roll form in the documents that have become known as the chancery rolls. The act of enrolling appears to have been entirely unique amongst the secular monarchs of western Christendom. Elsewhere, records, if they were kept at all, were bound in codices.<sup>13</sup> The only known earlier example of such record keeping are the archives of letters made by the Papacy.<sup>14</sup>

Despite the importance attributed to 1199 as the turning point in chancery enrolment, record making and record keeping certainly did not begin with the chancery rolls. Financial records were being enrolled at the annual meetings of the exchequers at least 75 years

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<sup>12</sup> Vincent, 'Why 1199?', 43-44.

<sup>13</sup> For a discussion of why rolls were used for Angevin record keeping instead of codices, and, an assessment of whether Angevin enrolment influenced the beginning of record keeping by the Capetian kings in the thirteenth century, see; N. Vincent, 'Rouleaux ou registres? Choix et usages de l'enregistrement à la chancellerie Plantagenêt (XIIe-XIIIe siècles)', in *L'Art Médiéval du Registre: Chancelleries royales et princières*, ed. by O. Guyotjeannin (Paris, École nationale des chartes, 2018), 55-70.

<sup>14</sup> For more on record keeping in the papal secretariat see; R.L. Poole, *Lectures on the History of the Papal Chancery Down to the Time of Innocent III* (Cambridge, Cambridge University Press, 1915), 27-36, 123-135; C.R. Cheney, *The study of the medieval Papal Chancery: The second Edwards lecture delivered within the University of Glasgow on the 7th December 1964* (Glasgow, Jackson, 1966); P. Chaplais, *English Royal Documents King John–Henry VI, 1199–1461* (Oxford, Clarendon, 1971), 14, 50-51.

earlier, in the form of the pipe rolls.<sup>15</sup> The creation of the pipe rolls, however, unlike the chancery rolls, was not record making for the purpose of record keeping. These rolls were created to assist the process of financial accounting at the exchequer and not as a record of what had occurred.<sup>16</sup> In addition, in the later part of the twelfth century, rolls of fines and other purely financial documents were being sent between the chancery and exchequers, with these being examples of records created for the purpose of communication.<sup>17</sup>

There is, however, some evidence of record making for the sole purpose of record keeping before 1199. Charters were being enrolled by the royal administration at the exchequer before 1199, although seemingly only at the instigation of the beneficiaries. First, in the 1180s and 1190s charters could be copied into the pipe rolls for a fee.<sup>18</sup> Second, a separate series of rolls of charters were made at the exchequer, known as the *Cartae Antiquae*

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<sup>15</sup> The pipe rolls from the English exchequer survive for the years 1130-1131, and from 1155 onwards (TNA, E 372), although an extract from a pipe roll for 1124-1125 has been identified by Mark Hagger in a cartulary of St. Albans Abbey (M. Hagger, 'A Pipe Roll for 25 Henry I', in *EHR*, 122 (2007), 133-140). The pipe rolls from the Norman exchequer survive for the years 1180, 1184, 1195, 1198 and 1203 (TNA, E 373). No original pipe rolls from the Irish exchequer have survived for John's reign, or earlier, although there is a seventeenth century copy of the now lost Irish pipe roll for 14 John, see below, 23-24. For more on the extant pipe roll from Henry I's reign, and the evidence that the English rolls must go back to at least 1120 and likely as early as 1109, see: J. Green, "'Praeclarum et Magnificum Antiquitatis Monumentum': The Earliest Surviving Pipe Roll", in *Bulletin of the Institute of Historical Research*, 55 (1982), 1-17, esp. 2-3; idem., 'Introduction', in *PR 31 Henry I*, xii-xiv, xxviii-xxxi. For a discussion of whether financial record keeping started before the Norman invasion in 1066, see: Church, *Constitutio Domus Regis*, xxxviii – lxvii, esp. xlii-xliii.

<sup>16</sup> For a discussion of the different drivers behind record making and record keeping, see: S.D. Church, 'Talking to itself: royal records and the Angevin kings in England, 1154-1216', in *Comparative Studies of Medieval Documents in Japan and England*, ed. by H. Tsurushima (Tokyo, Japan, 2008), 71-104 (84-86).

<sup>17</sup> Richardson, *Memoranda Roll*, xxj-xxxij; Carpenter, 'In Testimonium', 6-9; Church, 'Talking to itself', 93-102.

<sup>18</sup> Richardson, *Memoranda Roll*, lv, lvii; *PR 31 Henry II*, 55; *PR 34 Henry II*, 28, 66.

rolls.<sup>19</sup> The *Cartae Antiquae* rolls, however, are not a predecessor of or directly comparable to the series of chancery rolls commonly known as the charter rolls. Both the date of and exact motives for the beginnings of the *Cartae Antiquae* rolls remain unclear, but they were likely to have been begun before the end of the twelfth century at the English exchequer.<sup>20</sup>

In addition, after 1195, records were kept at the treasury recording settlements made in the king's court in the form of the *feet of fines*, which were the third part of chirographs written in triplicate.<sup>21</sup> Since the reign of Henry II, resolutions of cases of land disputes had been recorded in chirographs, with both parties involved each retaining a copy. At the instigation of Hubert Walter in 1195, however, a third copy was made of these agreements,

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<sup>19</sup> *The Cartae Antiquae Rolls 1-10*, ed. by L. Landon, new ser. 17, (London, Pipe Roll Society, 1939); *The Cartae Antiquae Rolls 11-20*, ed. by J. C. Davies, new ser. 33 (London, Pipe Roll Society, 1957).

<sup>20</sup> Several hypotheses have been advanced regarding dating the invention of the *Cartae Antiquae* (CA) rolls. J. H. Round argued that the rolls were an innovation of Henry II's reign, based on a fifteenth-century cartulary reference to a 'king's roll' being consulted in 1180 for a charter of Holy Trinity Priory, several of which are found on CA Roll 'N' (C 52/13). Landon in his Pipe Roll Society edition of the *Cartae Antiquae* rolls, made no attempt to refute Round's theory and himself advanced additional arguments for the existence of the rolls early in Richard I's reign, referring to several charters for Boxley Abbey enrolled on CA Roll 'C' (C 52/2) from the first year of Richard's reign, which were issued under his first seal which was only in use until spring 1198. Vincent, although not convinced by Landon's arguments concerning the Boxley charters has also argued that the CA rolls can be dated to Richard's reign. He firmly disputed Round's argument that the rolls were in existence in Henry's reign and contended that the earliest evidence for the existence of CA rolls is in 1194, when the men of Beverly paid a fine for their charters to be enrolled, which can be found on CA roll 'R' (C 52/17). For these arguments in more detail, see: J.H. Round, *The Commune of London and other studies* (Westminster, Constable, 1899), 86-89; L. Landon, 'Introduction' in *The Cartae Antiquae Rolls 1-10*, xiii-xvj; Vincent, 'Why 1199?', 37-38.

<sup>21</sup> *Fines sive Pedes Finium sive Finales Concordiae in Curia Domini Regis*, ed. by J. Hunter, 2 vols. (London, Record Commission, 1835-1844); *Feet of Fines of the reign of Henry II and of the first seven years of the reign of Richard I. A.D. 1182 to A.D. 1196.*, 17 (London, Pipe Roll Society, 1894).

for the purpose of being kept by the royal administration.<sup>22</sup> The cases recorded in the *feet of fines* were often fictitious disputes, which were bought into the royal court in order to allow a settlement to have full weight of royal authority.<sup>23</sup> As such, like the *Cartae Antiquae* rolls and enrolment of charters within the pipe rolls, the creation of the *feet of fines* were driven by the actions of the beneficiaries of the records.

It is clear from the examples discussed above that a significant presence in the matter of record making in the twelfth century were the various exchequers and financial systems. To understand the place of the chancery within the administrative system of the Angevin realms, therefore, it is worth considering the relationship between the chancery and those exchequers and other financial institutions which John had at his disposal. The English exchequer is known to have existed from at least 1109, with conflicting arguments over the date of its establishment and at what point a distinction can be made between the treasury

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<sup>22</sup> It is clear that Hubert Walter was responsible for the invention of the feet fines, as the first recorded chirograph made in such a manner, dated 15 July 1195, is endorsed as follows: 'This is the first chirograph that was made in the king's court in the form of three chirographs, according to the command of his lordship of Canterbury [Hubert Walter] and other barons of the king, to the end that by this form a record can be made to be passed on to the treasurer to put in the treasury'. Clanchy, *Memory*, 68-69; C.R. Cheney, *Hubert Walter* (London, Nelson, 1967), 96.

<sup>23</sup> Clanchy, *Memory*, 68-69.

and the exchequer.<sup>24</sup> Furthermore, throughout the twelfth century, although the English exchequer regularly met at Westminster, it was not exclusively based there and would meet in other large towns.<sup>25</sup> Indeed, it has been suggested by Stephen Church that the locations where the exchequer met did not follow the king's movements and that it would have been physically separate from the itinerant household 'almost from its inception'.<sup>26</sup> The exchequer, by the start of John's reign, appears to have permanently settled at Westminster, but the exact date when this occurred is unclear.<sup>27</sup> Although the accounting process of the upper exchequer was still primarily focused around the Easter and Michaelmas accounts, the lower exchequer and its officials also had a more permanent presence throughout the

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<sup>24</sup> The earliest known reference to the exchequer is found in a writ from 1110 sent to the *baronibus de scaccario*; *Regesta Regum Anglo-Normanorum 1066-1154*, ed. by H.W. Davis, C. Johnson, H.A. Cronne and R.H.C. Davis, 4 vols. (Oxford, Clarendon, 1913), ii, 96, no. 963. For the argument that the English exchequer was established in Henry I's reign, see: W. Stubbs, *The Constitutional History of England, in its Origin and Development*, 3 vols. (Oxford, Clarendon Press, 1874-1878), i (1874) 405-408; R.L. Poole, *The Exchequer in the Twelfth Century: The Ford Lectures Delivered in the University of Oxford in Michaelmas Term, 1911* (Oxford, Clarendon, 1912), 24-57; A.L. Poole, *From Domesday Book to Magna Carta, 1087-1216* (Oxford, Clarendon, 1951), 415-416; Tout, *Chapters*, 93-95; C.W. Hollister, 'The Origins of the English Treasury', in *EHR*, 93 (1978), 262-275, (272-273); J. Green, *The Government of England under Henry I* (Cambridge, Cambridge University Press, 1986), 40-43; Clanchy, *Memory*, 136-138. The other school of thought places the origins of the exchequer either in the reign of William I or before the Norman conquest, but certainly earlier than Henry's reign. This view was originally taken by: J.H. Round, 'The Origin of the Exchequer', in *The Commune of London*, 62-96; idem., 'The Officers of Edward the Confessor', in *EHR*, 19 (1904), 90-92; and C.H. Haskins, 'The Abacus and the Exchequer', in *Studies in the History of Mediaeval Science*, ed. by C.H. Haskins (New York, Ungar, 1960), 327-335. Recent scholarship has accepted the exchequer as a product of Henry's reign, whilst also observing that some form of system to collect royal finances must have existed before 1100, see: Church, *Constitutio Domus Regis*, xlii, n. 26; Amt, *Dialogus*, xxvi-xxvii; N. Vincent, 'The Kings of England and their Accounting Procedures (1100-1300): Theory and Practice', in *De l'autel à l'écritoire: Genèse des comptabilités princières en Occident XIIIe-XIVe siècle*, ed. by T. Pécout, (Paris, Editions de Boccard, 2017), 107-130. For another argument in favour of the earlier origin, along with an excellent summary of the historiography in more detail, see: J.D. Brand, 'The Exchequer in the Later Twelfth Century', unpublished PhD thesis (The Polytechnic of North London, 1989), 14-76.

<sup>25</sup> Church, *Constitutio Domus Regis*, lii-liv, esp. n.73.

<sup>26</sup> Ibid., pp. lii-liv, esp. n.66.

<sup>27</sup> Ibid., p. lii, n. 66.

year.<sup>28</sup> The permanent presence of the exchequer in John's reign can be seen by writs being regularly sent to the barons and other staff of the exchequer throughout the year in the chancery rolls.<sup>29</sup>

Additionally, a separate Norman exchequer provided the duchy with a comparable institution for much of the twelfth century. Although there are clear links between the English and Norman exchequers, they appear to have been set up separately and not as part of any attempt to impose a single financial system on the Anglo-Norman realm. In the 1170s both Richard of Ilchester and Richard fitzNigel were sent to Normandy with the task of reforming the Norman exchequer, perhaps signifying an attempt to bring the Norman exchequer practices more in line with the English counterpart.<sup>30</sup> Although the inception of the Norman exchequer has often been dated to 1176 and credited to Richard of Ilchester's visit, it is mostly accepted that the Norman exchequer was in existence from at least the

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<sup>28</sup> The exchequer, as Richard fitzNigel tells us in the *Dialogus*, was split into two parts; the upper exchequer where the barons sat and judged the accounts of the sheriffs and other royal agents, and the lower exchequer, where the mechanical business of collecting coinage, weighing, counting, assaying and producing tally sticks was conducted. Although the upper exchequer only sat for the Easter and Michaelmas sessions, it seems likely that the lower exchequer would have had a more permanent presence. *Dialogus*, 11-23.

<sup>29</sup> In the close roll for 2 John, 55 out of 139 writs, where the addressees name can be seen, were sent to the exchequer at Westminster. Out of those sent to the exchequer, 33 writs were sent to the treasurer and clerks of the chamber whilst the other 22 writs were sent to the barons of the exchequer (or the treasurer *and* barons of the exchequer). These writs were sent throughout the year showing the more permanent existence of the exchequer. See below, 304.

<sup>30</sup> *PR 21 Henry II*, 187-188; *PR 24 Henry II*, 124.

reign of Henry I.<sup>31</sup> Indeed, the origins of the Norman exchequer are generally dated to around 1107 when Henry I returned to England and left the administration of Normandy in the care of his justiciar, John de Lisieux, whilst the reign of King Stephen is believed to have led to a breakdown in administrative practices, the Norman exchequer is believed to have been re-established in the 1160s, some time before Richard of Ilchester was sent to carry out an overhaul of the Norman exchequer.<sup>32</sup> It is, moreover, unclear where the Norman exchequer originally met and whether it would have been a movable event in the same manner as the early English exchequer. At least from the time of the first surviving Norman pipe roll, which begins in 1180, it was permanently based at Caen, where it remained until evacuated by King John in 1204.<sup>33</sup>

In Ireland, an exchequer is believed to have existed before 1199, although the earliest Irish pipe roll known to have survived into the modern era, before the loss of the Irish records in 1922, was from 14 John (1211-1212).<sup>34</sup> There are, however, clear references to the Irish exchequer throughout John's reign, from 1200 onwards.<sup>35</sup> Furthermore, an entry in the

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<sup>31</sup> The evidence that the Norman exchequer was established under Henry I by 1130, or perhaps earlier, is attached to a reference to Bernard the Scribe appearing at the court of the exchequer, an exchequer that Round suggests by virtue of the witnesses and officials to be the Norman exchequer, and which has been dated to 1120 at the earliest and as late as 1135, see: J.H. Round, 'Bernard, the king's scribe', in *EHR*, 14 (1899), 417-30; Poole, *The Exchequer in the Twelfth Century*, 57-59; Tout, *Chapters*, 93. For an argument in favour of a slightly later date, towards the end of Henry I's reign and the re-establishment in 1176, after a complete collapse in the crisis of Stephen's reign, see: J. Green, 'Unity and Disunity in the Anglo-Norman State', in *Historical Research*, 62, (1989) 115-134, (118-123).

<sup>32</sup> V. Moss, 'Normandy and the Angevin Empire: A Study of the Norman Exchequer Rolls 1180-1204', unpublished PhD thesis (University of Cardiff, 1996), 13-14, 90-97.

<sup>33</sup> C.H. Haskins, 'The Government of Normandy under Henry II', in *American Historical Review*, 20 (1915), 277-291, (279).

<sup>34</sup> 'The Irish pipe roll of 14 John, 1211-1212', ed. and tr. by O. Davies and D. B. Quinn, in *Ulster Journal of Archaeology*, 3rd Ser., 4, supplement (1941), 1-76, (2-3).

<sup>35</sup> *Rot. Chart.*, 61b; *RLC*, 132b.



pipe roll for 2 John, notes that the former justiciar of Ireland, Hamo de Valognes, who was in office between 1195 and 1198, had been quit of an Irish account.<sup>36</sup> Richardson suggested that this showed the existence of some process by which Irish revenues were administered before 1199 and for which the justiciars were responsible.<sup>37</sup> An Irish exchequer or at least an Irish treasury was based at Dublin throughout John's reign under the command of the Irish justiciar.<sup>38</sup> It must of course be noted that for most of these years before 1199, Ireland was ruled not by the English king, but by John, as lord of Ireland.<sup>39</sup> As such, the financial administration of Ireland in those years may have been linked to or functioned as John's personal exchequer and would not have been linked into Richard's financial system.<sup>40</sup>

By the end of the twelfth century, therefore, we have a fairly good understanding of how the exchequers of England, Ireland and Normandy functioned, serving as the focal points of mostly separate financial systems, which seem to have been based on each principality and organised by the local administrative norms which answered to the itinerant household and chamber. The financial administration of Anjou and Aquitaine under King John and his predecessors is less clear. John Gillingham has suggested that La Rochelle was the base of an exchequer in Poitou and that the treasury at Chinon functioned

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<sup>36</sup> H.G. Richardson and G.O. Sayles, *The Administration of Ireland, 1172–1377* (Dublin, Irish Manuscripts Commission, 1963), 21, 75.

<sup>37</sup> There is also a 1215 agreement John made with Walter de Lacy to pay a debt Hugh de Lacy (d. 1186) owed for his Irish account, which may indicate earlier financial systems in Ireland. C. Veach, *Lordship in Four Realms: The Lacy Family, 1166–1241* (Manchester, Manchester University Press, 2014), 147-148.

<sup>38</sup> 'The Irish pipe roll of 14 John, 1211-1212', 3, n.5.

<sup>39</sup> When John was disseised between 1194 and 1195, Richard became the direct ruler of Ireland. Church, *John*, 58-59.

<sup>40</sup> For more on the administration of John's lands, including Ireland, before 1199, as a mirror of the royal administration, see: R.A. Daines, 'A king in all but Name: John, dominus Hibernie, frater regis, and unconsecrated rulership in two kingdoms, 1185–99', unpublished PhD thesis (University of East Anglia, 2019).

as the financial centre of the wider Angevin bureaucracy, each staffed by the officers employed by the seneschals of Poitou and Anjou.<sup>41</sup> He also speculated that the financial administration of Gascony also operated separately from Anjou and Poitou, with a seneschal in Gascony presumably responsible for the financial accounts.<sup>42</sup> In the thirteenth and fourteenth centuries the financial administration of Gascony under the English kings was the responsibility of the Constable of Bordeaux and so a reasonable assumption could be made that the same place functioned as the financial centre of the region in John's reign.<sup>43</sup> No records have survived from these suggested financial institutions of central and southern France and so we must rely on the minimal references and communications recorded within the chancery rolls alone to assess the connections between Anjou and Aquitaine and the other regions of the 'Angevin empire'. The separate financial systems of the regions ruled by King John, therefore, have an important impact on a study of the chancery rolls. The apparent division of chancery enrolment between 'English' and 'Norman' in the case of several series of rolls, noticeably does not match the division of the financial system, which appears to have been separated into perhaps six distinct parts: England, Ireland, Normandy, Anjou, Poitou and Gascony. Although we do not have clear evidence for Anjou, Poitou and Gascony, it is clear that a separate Irish exchequer operated outside the influence of Westminster, even after England and Ireland were united under the rule of one man, and that the Norman exchequer was not involved in the regular administration of any lands outside Normandy.

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<sup>41</sup> Gillingham, 'Bureaucracy', 214.

<sup>42</sup> *Ibid.*, 215.

<sup>43</sup> Tout, *Chapters*, vi, 68-71; J.P. Trabut-Cussac, *L'administration anglaise en Gascogne sous Henri III et Édouard I de 1254 à 1307* (Genève, Droz, 1972), 376-8; E.C. Lodge, 'The Constables of Bordeaux in the reign of Edward III', in *EHR*, 50 (1935), 225-41.

Not every financial transaction within the Angevin king's financial system, indeed, probably not even the majority, were conducted through the exchequers. In addition to the known exchequers and any financial institutions in central and southern France, the household and chamber operated as an itinerant financial centre for the king, with funds drawn from treasuries on both sides of the channel or often paid directly into the chamber coffers.<sup>44</sup> As has been discussed above, the English exchequer began as a treasury event and was staffed by the officers of the treasury. The exchequers, therefore, were based at some of the more significant treasuries, at Westminster in England, at Dublin in Ireland, and at Caen in Normandy. In addition, in England, after 1207, numerous provincial treasuries were established, to ensure a more reliable access to funds for the itinerant king.<sup>45</sup> In France, before 1204, the use of numerous provincial treasuries had already been widespread, and some of these, such as Chinon, perhaps also functioned as 'provincial exchequers'.<sup>46</sup> Many of the documents created to support the administration of the financial system have now been lost. In addition to a selection of the pipe rolls and memoranda rolls created at the relevant exchequers, the remaining records from the financial system of the Angevin kings are found within the chancery rolls. Unlike the exchequers, the chancery throughout John's reign was not physically separated from the royal household and court. The chancery, with the rest of the household, followed the king wherever he went, either in England, or on the continent,

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<sup>44</sup> J.E.A. Jolliffe, 'The Chamber and Castle Treasuries Under King John', in *Studies in Medieval History presented to F.M. Powicke*, ed. by R.W. Hunt, W.A. Pantin and R.W. Southern (Oxford, Oxford University Press, 1948), 117-142, (118-128).

<sup>45</sup> Jolliffe, 'The Chamber and Castle Treasuries', 126-142; N. Vincent, *Peter des Roches: An Alien in English Politics, 1205-1238* (Cambridge, Cambridge University Press, 1996), 58-59.

<sup>46</sup> Jolliffe, 'The Chamber and Castle Treasuries', 124.

and was, therefore, almost constantly in motion.<sup>47</sup> From 1199, this chancery, as well as producing original documents for the king and for petitioners to the king, was also certainly producing several rolls of record each year, each with a different character and purpose.

### The Surviving Rolls

Today, the chancery rolls are all stored in The National Archives in Kew. The rolls for the years between 1199 and 1204, which this thesis is most interested in, however, although all kept in the same building, are spread across several different archival series. In later chapters I will suggest how these rolls could be reclassified to better reflect the contemporary understanding of these records. In their current state the rolls are found in six different archival series. A brief description of the rolls compiled in John's chancery which have survived from the first six regnal years of John's reign, up to Ascension Day on 19 May 1205 may be useful to the reader before I embark on examining the wider historiography concerning the chancery and chancery rolls.<sup>48</sup>

The TNA series which include rolls dating for the first six years of John's reign are: the fine rolls, the charter rolls, the patent rolls, the liberate rolls, the close rolls and the Norman rolls. The fine rolls, often considered the earliest chancery rolls, were records of the offers, of both money and goods, made by royal subjects to the king. These offers were made

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<sup>47</sup> Gillingham, 'Bureaucracy', 199.

<sup>48</sup> The chancery rolls were dated by regnal year and King John's regnal year began on Ascension Day, a moveable feast that was celebrated on the fortieth day of Easter.

in order to secure rights, gifts or favours.<sup>49</sup> Although the rolls did not include fines imposed as criminal penalties, what are known as amercements, many of the offerings recorded were not truly voluntary and could, for example, include fines to restore the subject to the king's good grace.<sup>50</sup> A fine or oblata roll has survived for each of the first three years of John's reign and can be found within series C 60, which is titled, Chancery: Fine Rolls.<sup>51</sup> The fine rolls for the fourth and fifth years of the reign have been lost but the roll for the sixth year of John's reign is extant and stored in the same series.<sup>52</sup> Transcripts of all of these fine rolls, including those which have survived from later in John's reign, were published in the edition *Rotuli de Oblatis et Finibus*.<sup>53</sup>

The charter rolls were used to record copies of royal charters, documents used for grants of lands, liberties, and other royal gifts.<sup>54</sup> Copies of both original charters and

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<sup>49</sup> A comprehensive treatment of the fine rolls is given in: D. Carpenter, 'Historical Introduction' in *Calendar of the Fine Rolls of the Reign of Henry III Preserved in the National Archives*, ed. by P. Dryburgh and B. Hartland, 3 vols. (Woodbridge, Boydell, 2007-2009), i (2007) vii-xxix.

<sup>50</sup> For a discussion of the nuances around the voluntary or involuntary nature of fines and oblata see: Carpenter, 'Historical Introduction' in *Calendar of Fine Rolls*, viii-xii. Amercements and legal penalties were recorded separately, in rolls or records compiled by royal justices and various courts, but not by the chancery. For a discussion, see: D. Crook, *Records of the General Eyre* (London, HMSO, 1982); P. Brand, 'The Fine Rolls of Henry III as a Source for the Legal Historian', in *The Growth of Royal Government under Henry III*, ed. by D. Crook and L.J. Wilkinson (Woodbridge, Boydell, 2015) 44-54; and T.K. Moore, 'The Fine Rolls as Evidence for the Expansion of Royal Justice during the Reign of Henry III', *ibidem*, 55-71; R. Cassidy, 'The Rolls Behind the Rolls: The English pipe rolls and their preliminary documents', in *The Roll in England and France in the Late Middle Ages: Form and Content*, ed. by S.G. Holz, J. Peltzer and M. Shirota (Berlin, Boston De Gruyter, 2019), 147-166 (159-162).

<sup>51</sup> TNA, C 60/1A-1C.

<sup>52</sup> TNA, C 60/2.

<sup>53</sup> *Rot. Ob. et Fin.*

<sup>54</sup> For a discussion of what a 'charter' was in John's reign, see: Chaplais, *English Royal Documents*, 4-7; Clanchy, *Memory*, 52-62, 85-87. For a more detailed discussion of charters in general, see: D. Bates, 'Charters and Historians of Britain and Ireland: Problems and Possibilities', in *Charters and Charter Scholarship in Britain and Ireland*, ed. by M.T. Flanagan and J. Green (Basingstoke, Palgrave Macmillan, 2005), 1-14; and the other essays within the same volume; and, R. Sharpe, 'Charters, Deeds, and Diplomacy', in *Medieval Latin: An Introduction and Bibliographical Guide*, ed. by F.A.C. Mantello and A.G. Rigg. (Washington, Catholic University of America Press, 1996), 230-240.

confirmations, or *inspeximi*, were enrolled, including the witness lists, which were usually entered in full. The charter roll for John's first regnal year is stored in three parts in series C 53, titled, Charter Rolls.<sup>55</sup> An individual charter roll for the second, fifth and sixth regnal year is also stored in the same series.<sup>56</sup> Transcripts of these rolls and the other extant charter rolls for John's reign are published in *Rotuli Chartarum*.<sup>57</sup>

The patent rolls are registers of letters patent, which were writs or *breve* issued and sealed open. Letters patent were used for a variety of different royal business, including gifts and grants not made in royal charters.<sup>58</sup> The first extant patent roll, which is thought to be the very first to have been created, is a partial roll for John's third regnal year.<sup>59</sup> The patent rolls then survive from each of the fourth, fifth and sixth years of John's reign.<sup>60</sup> The patent rolls are stored in the series C 66, titled, Chancery and Supreme Court of Judicature: Patent Rolls, and transcripts of the rolls from John's reign are published in *Rotuli Litterarum Patentium*.<sup>61</sup>

There are extant rolls from the second, third and fifth year of John's reign stored in series C 62, titled, Chancery: Liberate Rolls.<sup>62</sup> The roll for 2 John is a partial roll which has

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<sup>55</sup> TNA, C 53/1-3.

<sup>56</sup> TNA, C 53/4-6.

<sup>57</sup> *Rot. Chart.*

<sup>58</sup> For a discussion of letters patent, see: Clanchy, *Memory*, 90-91, 221-222. Chaplais, *English Royal Documents*, 7-20; H.C. Maxwell-Lyte, *Historical Notes on the Use of the Great Seal of England* (London, HMSO, 1926); T.D. Hardy, 'Introduction', in *RLP*, i-ix.

<sup>59</sup> TNA C 66/1; Vincent, *Norman Charters*, 15-16.

<sup>60</sup> TNA, C 66/2-4.

<sup>61</sup> *RLP*.

<sup>62</sup> TNA, C 62/1-3.

been repaired from fragments and is also missing several extant membranes currently stored in a different series.<sup>63</sup> A more detailed account of the missing membranes and fragmentary nature of this roll is given below.<sup>64</sup> Transcripts of these rolls, except for some of the fragments added to the roll for 2 John, are published in *Rotuli de Liberate ac de Misis et Praestitis* alongside transcripts of several rolls produced in John's chamber.<sup>65</sup> These three rolls are registers of letters close and are not the same type of roll as the other liberate rolls which are stored in series C 62.<sup>66</sup>

Another roll of letters close, from John's sixth regnal year is stored in series C 54, titled, Chancery and Supreme Court of Judicature: Close Rolls.<sup>67</sup> Transcripts of this roll, the extant close rolls from the remaining years of John's reign and the earliest years of Henry III's reign are published in the first volume of *Rotuli Litterarum Clausarum*.<sup>68</sup> Letters close, themselves, were writs sent sealed closed and were used for a variety of royal business, including writs of *liberate* and *computate* concerning royal finances, as well as a variety of orders and mandates sent to royal officials.<sup>69</sup> The table below shows the regnal years for

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<sup>63</sup> TNA C 64/1.

<sup>64</sup> See below, 152-159.

<sup>65</sup> *Rot. Lib.*

<sup>66</sup> TNA C 62/4-148. The true liberate rolls begin in Henry III's reign, when the enrolment of writs of *liberate*, and writs of *computate* and *allocate*, was diverted from the ever-expanding close rolls. These liberate rolls were only compiled until 1436, when writs of *liberate* returned to the close rolls. T.D. Hardy, 'Preface', in *Rot. Lib.*, viii-xiii. For more on writs of *liberate* and the thirteenth century liberate rolls, see: D. Carpenter, 'The English Royal Chancery in the Thirteenth Century', in *English Government in the Thirteenth Century*, ed. by A. Jobson (Woodbridge, Boydell, 2004), 50-54 (49-70); H.C. Maxwell-Lyte, 'Preface' in *Calendar of the Liberate Rolls Preserved in the Public Record Office*, 6 vols. (London, HMSO, 1916-1964), i (1916), v-xiii.

<sup>67</sup> TNA C 54/1.

<sup>68</sup> *RLC*.

<sup>69</sup> On the differences between charters, letters close and letters patent, see: Chaplais, *English Royal Documents*, 12-20; Clanchy, *Memory*, 90-91. For a description of the various uses of letters close, see: T.D. Hardy, 'General Introduction to the Close Rolls', in *RLC*, i-ii, iv-vi.

which the extant rolls between 1199 and 1204 have survived and the archival series in which they are stored today:

Table 1: *The Chancery Rolls 1199-1204 in their TNA Classifications*

Regnal Year	C 60: Fine Rolls	C 53: Charter Rolls	C 66: Patent Rolls	C 62: Liberate Rolls	C 54: Close Rolls
1 John		(In three parts)			
2 John				(In two parts)	
3 John					
4 John					
5 John					
6 John					

<b>Key</b>	Roll survives in full	Roll survives in part
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Finally, several other assorted chancery rolls have survived from the earliest years of John's reign, which are stored in series C 64, titled, Chancery: Norman Rolls. The first roll in this series, which has already been mentioned, is a fragment of the close roll for 2 John.<sup>70</sup> Another roll in this series is a roll of fines, which concerns fines made by subjects in John's lands in Normandy, is dated to the second regnal year.<sup>71</sup> There is a roll of charters, also connected to Normandy and apparently dated to the second regnal year.<sup>72</sup> Another roll, containing the valuation of lands in England held by 'Normans' is dated to John's sixth regnal year.<sup>73</sup> Finally, there are three rolls containing letters close, dating from the second, fourth and part of the fifth regnal year.<sup>74</sup> Transcripts of all of these rolls, except the

<sup>70</sup> TNA C 64/1.

<sup>71</sup> TNA C 64/2.

<sup>72</sup> TNA C 64/3.

<sup>73</sup> TNA C 64/7.

<sup>74</sup> TNA C 64/4-6.



fragments from the close roll for 2 John, are published in *Rotuli Normanniae*, alongside several rolls of 'Norman' business from the reign of Henry V.<sup>75</sup> The rolls in this edition from John's reign and their connection to the other chancery rolls from the same time are explored in more detail below.<sup>76</sup>

### Literature Review

Over the last hundred years or more there have been many excellent studies of the medieval chancery. In 1920, Tout published the first volume of his six-volume, *Chapters in the Administrative History*, having observed a neglect of the administrative history of medieval England in favour of constitutional history, the dominant focus of the historical discipline of the previous generation of scholars.<sup>77</sup> Tout's life work, which covered the medieval administration of England from the Norman conquest to the end of the reign of Richard II, was directly concerned with the wardrobe and chamber in the household of the English kings, but nevertheless provided a comprehensive account of the origins and functions of chancery.<sup>78</sup>

In his description of the chancery enrolments in John's reign, Tout limited himself to a few notes regarding the difference in the writs being enrolled. Tout also followed Thomas

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<sup>75</sup> *Rot. Norm.*

<sup>76</sup> See below, 124-140.

<sup>77</sup> Tout, *Chapters*.

<sup>78</sup> See above, 16.

Duffus Hardy in arguing that the liberate rolls of King John's reign, which had been classified as such in the Record Commission editions, were, in fact, early close rolls.<sup>79</sup> The liberate rolls are, Tout concluded, in fact the earliest close rolls that have survived to us.<sup>80</sup> Tout's focus in John's reign was mostly on the emerging role of the small or privy seal and on the chamber and wardrobe, arguing that in John's reign a separate 'chamber secretariat' began to take on more of the duties of the chancery under the small seal, which he considered to be an early step in the eventual separation of the chancery from the household. Tout was the first historian to examine the workings of the chancery and *Chapters* should be the starting point for the student of both the medieval administration as a whole and the chancery, too.<sup>81</sup>

A few years after Tout's first volume of *Chapters* was published, H.C. Maxwell-Lyte examined the chancery in his work on the use of the great seal.<sup>82</sup> Maxwell-Lyte, drawing on his extensive experience of the original documents as Deputy Keeper of the Public Record Office, had completed a thorough investigation of the practical workings of the medieval chancery. Although he drew many of his sources from the period after John's reign, Maxwell-Lyte remains the original authority for the practical functions of the medieval chancery in our period. For the reign of John, Maxwell-Lyte is most useful in his discussion of the process of drafting and engrossing writs, the fees charged by the chancery clerks for their services, and the process of enrolment.<sup>83</sup> *Historical Notes* did not refute any of Tout's

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<sup>79</sup> See below, 94-95.

<sup>80</sup> Tout, *Chapters*, 151-153.

<sup>81</sup> *Ibid.*, 155-157.

<sup>82</sup> Maxwell-Lyte, *Historical Notes*.

<sup>83</sup> *Ibid.*, 223-224, 265-271, 327-329, 359-372.

arguments about the history of the chancery but provided a detailed account of how things were done in the production of chancery documents.

In 1943, H.G. Richardson, in the introduction to his edition of the *Memoranda Roll 1 John* for the Pipe Roll Society, provided what should probably be considered to be the first serious work on the chancery of John's reign as a secretariat. Tout had defined the three chief instruments of government to be the 'exchequer, chancery and the executive departments of the household', whereas Richardson, although not ignoring the importance of the household, considered the dominant detail in the administrative history of England and Normandy under the Angevins to be the delegation of authority to the justiciars and seneschals, who acted as vice-regents in the king's absence.<sup>84</sup> Richardson would reassert his ideas in *The Governance of Medieval England* which he co-authored with G.O. Sayles in 1963.<sup>85</sup> Richardson and Sayles emphasised the importance of the legal and administrative rolls of the exchequers in the lands ruled by the Angevins, and where Tout placed the exchequer and chamber in an unconscious rivalry, *Governance* saw the chamber as the spending arm of the government, acting as the central organ of finance under the Angevins, whilst the exchequers were closely linked with the justiciars and seneschals. It was from this stance, then, that Richardson argued that the chancery was both an agent of the chamber, recording

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<sup>84</sup> Tout, *Chapters*, 10; Richardson, *Memoranda Roll*, xi.

<sup>85</sup> H.G. Richardson and G.O. Sayles, *The Governance of Medieval England from the Conquest to Magna Carta* (Edinburgh, Edinburgh University Press, 1963).

the business of the chamber, and itself a financial department, which recorded the fines made with the king, to notify the exchequer.<sup>86</sup>

It is Richardson's arguments regarding enrolment in his introduction to the *Memoranda Roll 1 John*, however, that are more significant to this thesis. Richardson's argument takes in two of the most widely debated questions regarding the chancery enrolments in John's reign, why did chancery enrolment begin, and when did the process of enrolment begin? Richardson's answer to the first of these questions is tied firmly to his belief that the chancery was as much a financial institution as a writing office in the twelfth century. His argument was primarily that enrolment in John's reign was an extension of an existing form of record keeping present under both Henry II and Richard I.<sup>87</sup> The justification for this view was built, firstly, on the fine rolls, which the chancery supplied in a certain form to the exchequer from at least the 1170s for the annual account. Secondly, that by the 1180s the exchequer was enrolling copies of royal charters in the *Cartae Antiquae* rolls, as a precursor to the post-1199 charter rolls. From here, Richardson went on to argue that the chancery of John's reign, following the issue of a charter two weeks after the king's coronation setting the fees for the various chancery services, began to enrol the letters patent and contemporary charters in order to track the fees owed for drawing up, sealing and issuing the chancery's output. He further suggested that the charters were enrolled in full because of the enrolling scribes' lack of skill and competence.<sup>88</sup> When it came to answering

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<sup>86</sup> Richardson and Sayles, *Governance of Medieval England*, 240-250; Richardson, *Memoranda Roll*, xxxii-xxxv.

<sup>87</sup> These arguments were generally accepted by more recent scholarship. Chaplais, *English Royal Documents*, 3-4.

<sup>88</sup> Richardson, *Memoranda Roll*, xxxi-iv.

the question of when the enrolments began, Richardson did not necessarily disagree with the assessments of Tout and the nineteenth century antiquaries that most of evidence suggested that the enrolments of John's reign began after 1199. He did hypothesise that the close rolls were created as a part of the same system as the fine rolls, and that both, therefore, originated in the 1170s.<sup>89</sup> In 1963, Richardson returned to these arguments in *Governance*, and, despite criticism (mostly of his arguments that enrolment in John's reign started as a way of monitoring fees owed for chancery outputs) reasserted his various arguments regarding earlier dating of enrolments and the financial motives for enrolment beginning at the start of John's reign.<sup>90</sup>

V.H. Galbraith, writing in 1948, was one of those who had criticised Richardson's arguments, and, in his, *Studies in the Public Records*, he had dismissed those ideas as 'frivolous'.<sup>91</sup> More than that, however, Galbraith added several further observations to the discussions about the medieval chancery, building on the ideas of Tout, that are worth considering.<sup>92</sup> As well arguing that the origins of the chancery were to be found primarily in the Anglo-Saxon state, Galbraith suggested that the beginnings of record keeping could be found in the exchequer of the mid-twelfth century. Royal record keeping, according to Galbraith, only began in earnest after 1199, in the chancery and household, placing the

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<sup>89</sup> *Ibid.*, xxxiii-xxxv.

<sup>90</sup> These criticisms coming mostly from: S. Painter, *The Reign of King John* (Baltimore, John Hopkins Press, 1949), 100-102; and V.H. Galbraith, *Studies in the Public Records* (London, Nelson, 1948), 69.

<sup>91</sup> Galbraith, *Studies in the Public Records*, 69.

<sup>92</sup> Another to build on the ideas of Tout, was Jolliffe who developed Tout's theory of the exchequer and chamber being in an, 'unconscious rivalry', to argue that there was a deliberate competition to act as the financial centre of the Angevin lands, between the exchequers, as the representative of the magnates, and the chamber, which was as a part of the household an embodiment of the king. See: J.E.A. Jolliffe, *Angevin Kingship*, 2nd edn. (London, A.&C. Black, 1963).

chancery in a position to 'direct and control the administration'. Finally, Galbraith was to suggest that the reason for enrolment beginning was that this new system of administration was the personal intervention of King John.<sup>93</sup>

The question of who was responsible for the beginning of enrolment was next visited by C.R. Cheney in 1967, when writing his biography of Hubert Walter, the one-time justiciar, chancellor and archbishop of Canterbury. Cheney, in briefly discussing Hubert's time as chancellor, makes two relevant points. Firstly, that Hubert's appointment as chancellor was further evidence of the still growing importance of the role; and secondly that the innovations of the chancery should be credited to Hubert's desire to 'exploit' and 'improve' the 'daily workings' of his office.<sup>94</sup> It was also Cheney's PhD student, Jean B. Edwards, who, in 1974, provided the most detailed study of the chancery focused on John's reign to date.<sup>95</sup>

Edwards's thesis includes the most comprehensive survey of the chancery rolls as original documents to date. Edwards's conclusions, however, are restricted by her decision to examine an 'English' royal chamber and chancery. For the chancery and chamber at the start of John's reign were not English institutions. The 'Angevin empire' was still in existence, and the chancery was still the same institution which Tout had observed was common to each of the dominions ruled by the Angevin king. Even after the loss of

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<sup>93</sup> Galbraith, *Studies in the Public Records*, 47-48, 69-71.

<sup>94</sup> Cheney, *Hubert Walter*, 107 – 109; Cheney's other noteworthy contribution is his study of the episcopal secretariat, see: C.R. Cheney, *English Bishop's Chanceries, 1100-1250* (Manchester, Manchester University Press, 1950).

<sup>95</sup> Edwards, *Chamber and Chancery*.

Normandy and Anjou after 1204, the chancery and chamber of John's reign continued to serve from a distance the lands in Gascony that John retained. Just as importantly, after John was confined to England the chancery should not be considered an English institution, as John still perceived himself to be an Angevin prince who ruled England and other lands. The chancery, it must be remembered, was the personal secretariat of the man, not yet the independent secretariat of the country.

Edwards's thesis still makes a number of excellent observations about the chancery and the rolls which are worth considering. Firstly, Edwards was able to identify the significant personnel in the chancery, and their roles, throughout John's reign.<sup>96</sup> One of those roles was to issue the charter as the 'datary', who could be identified as the individual within the *datum per manum* clause.<sup>97</sup> Edwards also observed that in the early years of John's reign the role of datary alternated, and, on occasion, instances of double dataries occurred. Edwards argued that the multiple dataries were a result of large volumes of chancery business, combined with Hubert Walter being too preoccupied with other matters to act as datary.<sup>98</sup> Edwards did not, however, explore whether there were any correlations between the identity of the dataries and the context of the documents, which may be worth examining. Secondly, Edwards examined the chancery as an administrative office, as well as a secretariat. Edwards demonstrated that the chancery was involved in organising the care of vacant ecclesiastical properties, a particularly significant task during the interdict.<sup>99</sup>

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<sup>96</sup> *Ibid.*, 5-17.

<sup>97</sup> The term 'datary' is used by Edwards throughout her thesis in the same context.

<sup>98</sup> Edwards, *Chamber and Chancery*, 14.

<sup>99</sup> *Ibid.* 39-53.

Moreover, Edwards argued that senior chancery clerks were often involved in diplomatic missions, as they would have read and archived the king's incoming correspondence, as well as drawing up the outgoing documents.<sup>100</sup> The involvement of the chancery clerks in non-secretarial duties should not be forgotten when considering the 'administrative mind' of the chancery, as the increasing importance of the chancery in other matters than drafting and enrolling documents would likely have had an impact on the chancery clerks' perceptions of the chancery. Just as the *Dialogus* stressed the importance of the exchequer, the chancery clerks must have been aware of the important role that they were playing in the administration of the king's dominions.

Edwards's investigation of the chancery as a secretariat was heavily influenced by Richardson's arguments in *Memoranda Roll 1 John*. Edwards did not consider there to be enough evidence to be certain that the close, patent and charter rolls existed before 1199, although she believed that the chancery rolls from John's reign, were 'no more than a natural stage in the development of the Angevin administrative system'. Edwards felt that the most novel thing about the chancery rolls was that they were created and kept in the chancery, and that enrolment in the chancery was a continuation of record keeping in the exchequer.<sup>101</sup> Edwards accepted Richardson's theory that, from 1182, the pipe rolls were the first place for private deeds to be enrolled for a fee, and that the *Cartae Antiquae* rolls also began under Henry II as a continuation of this exchequer enrolment.<sup>102</sup> On a rare occasion Edwards included the 'Norman' rolls in the discussion, noting that the same was true in

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<sup>100</sup> *Ibid.*, 58-62.

<sup>101</sup> *Ibid.*, 67.

<sup>102</sup> Edwards, *Chamber and Chancery*, 67; Richardson, *Memoranda Roll*, liv-lix.



Normandy, as there was a roll similar to the *Cartae Antiquae* rolls amongst the 'series described as Norman Rolls'.<sup>103</sup> The practice of agreeing fines for charters to be enrolled at the exchequer is well known, although there has been some more recent discussion of whether this should indicate an earlier date for the *Cartae Antiquae* rolls.<sup>104</sup> Edwards, however, appears to have simply followed Richardson's arguments that the *Cartae Antiquae* rolls and earlier versions of fine rolls were produced in the twelfth century at the exchequer. Edwards was aware that the liberate rolls were the earliest part of the series of close rolls, again following Richardson's lead.<sup>105</sup>

Edwards, however, still regarded John's reign as a 'stepping off point' for enrolment in the chancery. She argued that as the chancery had become the focal point for recording all fines made in or out of the king's court, the fine rolls were being made and kept in the chancery by 1199, and *originalia* rolls being sent the exchequer.<sup>106</sup> Furthermore, Edwards disagreed with Richardson's suggestion that the close rolls were purely financial records for the exchequer, because many letters being enrolled dealt with 'matters of general administrative nature quite unconnected with finance'.<sup>107</sup> She also argued that Richardson had overemphasised his theory that the charter rolls and patent rolls were created for reasons that were financially motivated to track fees owed to the chancery.<sup>108</sup> Edwards instead agreed with Cheney's argument, that Hubert Walter's close personal interest in

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<sup>103</sup> Edwards, *Chamber and Chancery*, 67.

<sup>104</sup> Vincent 'Why 1199?', 37-38.

<sup>105</sup> Edwards, *Chamber and Chancery*, 70.

<sup>106</sup> *Ibid.*, 70-71.

<sup>107</sup> *Ibid.*, 69.

<sup>108</sup> *Ibid.*, 70-71.

improving the chancery had led to several innovations after 1199, including the recording of the king's business.<sup>109</sup> Having rejected Richardson's arguments about the financial motivations for the start of enrolment, Edwards still attempted to draw a distinction between the charter and patent rolls, and the close and fine rolls. She argued that that charters and letters patent were enrolled as much for the benefit of the public as the king, but that the close and fine rolls were created solely for the benefit of the administration.<sup>110</sup> Edwards also argued that charters were enrolled on payment of a fee, and that the charter and patent rolls were compiled to allow both the beneficiary and the king to have a second record of the transaction.<sup>111</sup> Edwards was attempting to construct a theory that the chancery rolls were not only a part of the administrative practices, but also partially an early form of Public Record. Edwards offered little evidence for this hypothesis, and the argument that enrolment was fee based has been rejected by recent scholarship.<sup>112</sup>

The most significant contribution from Edwards's study is the detailed survey made of the rolls themselves. Although, as previously mentioned, this study did not make use of the 'Norman' rolls, and is limited by a failure to recognise the impact of the changes after 1204. Her detailed assessment of the contents of the rolls allowed Edwards to argue that enrolment was done on a selective basis, and that copies on the rolls were made from both drafts and engrossments of the documents.<sup>113</sup> Edwards identified several extant charters and

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<sup>109</sup> Ibid., 72.

<sup>110</sup> Ibid., 69.

<sup>111</sup> Ibid., 77-78.

<sup>112</sup> Vincent, 'Why 1199?', 36.

<sup>113</sup> Edwards, *Chamber and Chancery*, 73-76, 82-89.

a large number of cartulary copies which do not appear on the charter roll.<sup>114</sup> Although several charters were enrolled sometime after they are dated, the majority were enrolled at the same time they were issued.<sup>115</sup> Edwards believed that the decision whether to enrol letters close and patent was made by the chancellor or king, although a few general rules also appear to have been in place for selecting what to enrol. Certain writs were exempt from enrolment, which Edwards suggested corresponded with papal chancery practice.<sup>116</sup> Furthermore, where multiple writs related to a single issue, only one was ever enrolled. Edwards demonstrated that which one of the multiple writs was enrolled depended on the whereabouts of the court. For example, when the chancery was close to the exchequer at the time of enrolment, she argued that only the writ of *liberate* would be enrolled.<sup>117</sup> Edwards was aware that enrolment was determined in part by location, but did not examine this finding in the earlier period when John spent time outside England.

Edwards also showed that documents were copied onto the rolls in roughly chronological order, written up in groups. Documents from the same month were entered together, but not always in the correct chronological order within each group.<sup>118</sup> Edwards noted that entries which had been missed when the rolls were first drawn up were occasionally inserted back into the correct chronological order, although in other cases entries were made significantly out of chronological order without reason. Edwards was unable to explain why entries were occasionally entered out of order other than by error by

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<sup>114</sup> *Ibid.*, 77.

<sup>115</sup> *Ibid.*, 77-78.

<sup>116</sup> Primarily judicial writs.

<sup>117</sup> Edwards, *Chamber and Chancery*, 79-81.

<sup>118</sup> *Ibid.*, 89.

the scribes.<sup>119</sup> As well as entries being inserted back into the correct chronological order after being missed out entirely, Edwards also showed that entries were reinserted after being initially entered, in the correct chronological order, but on the wrong roll. For example, where a letter close was entered on the patent roll. The entry had then been crossed out on the patent roll, and the same writ entered on the close roll. Edwards noted that where this occurred, the writ would have been reinserted on the close roll in the correct chronological order but in a different hand to the rest of that section of the roll.<sup>120</sup> Edwards also identified several instances where the same hand was working on both the close and patent rolls, seemingly at the same time. On other occasion the rolls were being worked on by different hands, but corrections were being added by the same hand. In general, however, Edwards concluded that no serious hypothesis could be made without an intense palaeographical study of the rolls.<sup>121</sup> A more detailed study of the rolls for 1199 to 1206 is required, as Edwards did not include the 'Norman' rolls in her survey and the majority of her evidence is drawn from the later years of John's reign where the rolls are more substantial.

Although Edwards' thesis is the last focused study of John's chancery, in a 1991 conference paper, Jane Sayers provided a more general account of the development of the chancery and privy seal in the twelfth and thirteenth centuries.<sup>122</sup> More recently a lively debate between David Carpenter and Nicholas Vincent has emerged over when the

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<sup>119</sup> Ibid., 90-97

<sup>120</sup> Ibid., 99-107. Edwards suggests that entries on the rolls were not being routinely checked against the original or draft, but were corrected where obviously wrong.

<sup>121</sup> Edwards, *Chamber and Chancery*, 102.

<sup>122</sup> J.E. Sayers, 'The English Royal Chancery: Structure and Productions', in *Diplomatique royale du Moyen Âge XIIIe-XIVe siècles; Actes du Colloque*, ed. by J. Marques (Porto, Faculdade de Letras, 1996), 77-83 (77-114).

chancery enrolments began. In the course of this debate, both have advanced several theories regarding the earliest chancery enrolments, as well as making a number of minor observations along the way that add to our understanding of these documents. This debate first entered the historiography in 2004, when Vincent set out to answer the question of why enrolment began in 1199.<sup>123</sup> As such Vincent was taking the position that the extant surviving charter, patent and close rolls were indeed the earliest created, although he accepted the earlier dates of inception for the fine and *originalia* rolls suggested by Richardson.<sup>124</sup> Vincent, however, rejected Richardson's argument that the *Cartae Antiquae* rolls were already in existence by 1180 and suggested that the earliest evidence for their existence could be found for 1194.<sup>125</sup> Regarding the charter rolls, which currently survive from 1199, Vincent observed that the adoption of Richard I's new seal in 1198, followed by John's accession in 1199, had led to charters being reissued in vast numbers. Vincent suggested, therefore, that a decision was taken to start enrolling copies of newly issued charters, and that from there the system was expanded to include letters close and patent over the next few years.<sup>126</sup> The article also explored the division between the 'Norman' and 'English' rolls, and here Vincent rejected an argument made by Richardson that the separation was to allow the 'Norman' liberate (or close) rolls to be sent to the Norman exchequer, and the corresponding 'English' roll to the English exchequer. Vincent, noting that the 'English' rolls included both English and Irish writs, and the 'Norman' rolls

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<sup>123</sup> Vincent, 'Why 1199?', 17-48. The debate pre-dated the articles of 2004, as shown by a footnote (n.36) in which Vincent commented that Carpenter had suggested that early forerunners of the letters close were being maintained from the earliest days of the exchequer. Carpenter's arguments will be examined more closely in due course.

<sup>124</sup> Vincent, 'Why 1199?', 22.

<sup>125</sup> Vincent, 'Why 1199?', 37-40. Vincent concluded that the exact date of the *Cartae Antiquae* rolls beginning might only be settled by 'competent palaeographical analysis ... once and for all'.

<sup>126</sup> Vincent, 'Why 1199?', 36-43.

included writs for Anjou and Poitou, argued that these rolls ‘tell us more of the Plantagenets’ perception of their cross-Chanel dominion than they do of exchequer practice’.<sup>127</sup>

Carpenter had contributed an article to the same edition in 2004, in which he was focused primarily on the decline of the chancery, as the core organ of government at the end of the thirteenth century.<sup>128</sup> At this time Carpenter had accepted the theory that enrolment of the close, patent and charter rolls had begun in 1199. Although Carpenter did not advance the theory in his 2004 article, we know from Vincent’s footnote that at this time Carpenter already believed a ‘precursor’ of the close rolls to exist before 1199.<sup>129</sup> Although he did not engage directly with the ‘1199 question’ in his 2004 article, Carpenter did make two relevant comments. Firstly, he noted that the liberate rolls were from the same series as the close rolls. Secondly, he advanced an argument that the beginnings of the chancery rolls in John’s reign should not be attributed to Hubert Walter, but to John himself, with Carpenter suggesting that ‘John’s morbidly suspicious nature’ went into overdrive at the start of his reign, and not entirely trusting either Hubert Walter, or the justiciar Geoffrey fitzPeter, John elected to start recording his orders and grants.<sup>130</sup> This is a view that Carpenter did not hold for long, and in 2009, he responded to Vincent’s article to argue against the general acceptance of 1199 as the year that the chancery enrolments began.<sup>131</sup> He included in this article an important clarification regarding the liberate rolls, and gave a detailed account to

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<sup>127</sup> Ibid., 34-35.

<sup>128</sup> Carpenter ‘The English Royal Chancery in the Thirteenth Century’, 49-69.

<sup>129</sup> Vincent, ‘Why 1199?’, 24 n.36.

<sup>130</sup> Carpenter, ‘The English Royal Chancery in the Thirteenth Century’, 50-51, 67-68.

<sup>131</sup> Carpenter, ‘In Testimonium’.

show that these were in fact close rolls, which had been labelled wrongly firstly by Hardy, and then by Richardson, despite both scholars understanding the true nature of these rolls.<sup>132</sup> In his response to Vincent on the 1199 question, Carpenter argued, first, that the fine rolls went back even further than previously believed. He argued that the headings used in earliest surviving pipe roll, for *31 Henry I*, supported a hypothesis that a fine roll, or something similar, was in existence as early as 1130.<sup>133</sup> Carpenter then supported Richardson's hypothesis to argue that the close rolls were also being drawn up before 1199. Carpenter argued that the *Dialogus* shows that as early as Henry II's reign the chancellor's scribe was making and keeping copies of writs issued at the Exchequer, and therefore that the scribes in the chancery itself were also likely doing so.<sup>134</sup> Carpenter further argued that the earliest existing close and fine rolls were co-dependent and had been produced and used in conjunction with each other, and so if the fine rolls are accepted as having existed before 1199, then the close rolls should too.<sup>135</sup> Carpenter then argued that without evidence that the charter rolls began in 1199, it was also possible that these had existed in Henry and Richard's reigns. He suggested that these rolls were lost in the fall of Anjou and Normandy to the French king, reminding us that these were Angevin, not English, rolls, and as such would likely have been stored in a continental treasury.<sup>136</sup> Carpenter's arguments are both bold and engaging, if somewhat reliant on that assumption that the existence of one form or record keeping indicated the existence of another. Vincent contributed the introduction to

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<sup>132</sup> Carpenter, 'In Testimonium', 9-16. Carpenter noted that despite both being aware that the liberate rolls should really be considered close rolls, Hardy and Richardson both, for whatever reason, chose to transcribe them under the title of liberate rolls.

<sup>133</sup> Carpenter, 'In Testimonium', 6-9; Green, 'Introduction', in *PR 31 Henry I*, xiv.

<sup>134</sup> Carpenter, 'In Testimonium', 20.

<sup>135</sup> *Ibid.*, 21-24.

<sup>136</sup> *Ibid.*, 25-28.

this same volume in which he gave a brief response to Carpenter's arguments, in particular refuting his arguments for the enrolment of charters at the chancery before 1199 and suggesting that there is positive evidence to show charter rolls were not available to be consulted by the Angevin kings before 1199.<sup>137</sup>

Vincent returned to the debate on the origin of enrolment in 2013, although fully accepting Carpenter's explanation on the true nature of the earliest liberate rolls, he remained unconvinced that the close rolls, 'let alone the Charter or Patent Rolls' could have been in existence before 1199.<sup>138</sup> Vincent argued that the reference to making and keeping copies of writs in the *Dialogus* was not a reference to full enrolment, and much more likely to be evidence of 'mere memoranda'. Vincent went on to argue that, although the 'Norman' and 'English' rolls for John's second year can be seen to have been checked against one another, 'to ensure that English writs on the Norman roll were transferred to the equivalent English Roll', there is no evidence that these rolls were checked against any other rolls.<sup>139</sup> Vincent argued that, had there already been a more comprehensive system of enrolment, and these were not the only rolls for the second year of John's reign but instead merely the surviving rolls for the second year of John's reign, then there should be evidence of the surviving rolls being checked against the other, now lost, rolls of John's reign.<sup>140</sup> Vincent suggested that the chancery rolls must have been created as a direct result of the cross-channel domains John ruled, and showed that the number of writs being entered on the

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<sup>137</sup> N. Vincent, 'Introduction: The Record of 1204', in *Records, Administration and Aristocratic Society in the Anglo-Norman Realm* (Woodbridge, Boydell, 2009), xiii-xx (xvi-xviii).

<sup>138</sup> Vincent, *Norman Charters*, 14-16; a similar position to the one he took in his introduction in 2009.

<sup>139</sup> Vincent, *Norman Charters*, 15.

<sup>140</sup> *Ibid.*, 15.



'Norman' rolls, and the corresponding English rolls, varied depending on which side of the channel the king was at the time.<sup>141</sup> Furthermore, in the course of examining where writs were being incorrectly entered on the wrong roll and re-enrolled in the correct place, Vincent noted that the incorrect entries were being entered in the correct chronological sequence on both rolls, and argued that this ordering suggested that the 'English' and 'Norman' rolls were being simultaneously enrolled, possibly by the same group of scribes.<sup>142</sup> In three chapters discussing enrolment, contributed to editions in 2017, 2018 and 2019, Vincent did not change his position on the 1199 question, and focused more on broader concepts and processes of enrolment and record making rather than the earliest rolls of John's reign.<sup>143</sup>

The most recent work to explore the early chancery rolls in detail arrived in 2016, when John Gillingham discussed the concept of the medieval bureaucracy, and by extension the chancery, within the context of the 'Angevin empire'. In this article he cautioned against a tendency for historians to regard the chancery rolls as a part of a unique type of English bureaucracy.<sup>144</sup> Gillingham commented that 'the royal chancery functioned as a secretariat not just for the kingdom of England, but for *all* the dominions over which the king of

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<sup>141</sup> Ibid., 15-16.

<sup>142</sup> Ibid., 11-12.

<sup>143</sup> Vincent, 'Rouleaux ou registres?', 55-70; idem., 'The Kings of England and their Accounting Procedures', 107-30; idem., 'Enrolment in Medieval English Government: Sickness or Cure?', in *The Roll in England and France in the Late Middle Ages: Form and Content*, ed. by S.G. Holz, J Peltzer, and M. Shirota (Berlin, De Gruyter, 2019), 103-146. In these chapters, Vincent explored how tradition, habit and bureaucratic conventions influenced administrative procedures, why rolls and not registers were chosen for the purpose of enrolment under the Angevin king's and the place of the Angevin rolls within a European context.

<sup>144</sup> Gillingham, 'Bureaucracy', 197-220.

England reigned'.<sup>145</sup> Gillingham observed that as these dominions each had their own customs and laws, with varying institutions and systems of administration, the chancery controlled the collection of money and transmitted the king's orders across these individual domains, from wherever in his 'Empire' he might have been.<sup>146</sup> Gillingham argued that the record revolution of 1199 had allowed historians for the first time to understand what the chancery did and how it operated, but acknowledged that a detailed study of 'the central writing office at work whilst the [Angevin] empire was still at its height, and as it collapsed' has yet to be undertaken.<sup>147</sup>

Gillingham's concern with the wider 'Angevin Empire' is incredibly important in understanding the chancery rolls. Each of the principal territories ruled by John in 1199 had a unique political bond with him.<sup>148</sup> He was the king of England, regarding his royal power as derived directly from God, and, as Lord of Ireland, his status had been approved by the Pope, his authority again connected to God.<sup>149</sup> In his lands on the other side of the channel, however, John had recognised the French king, Philip Augustus, as his liege lord. Although John may have believed that he had inherited his titles as duke of Normandy and Aquitaine, and as count of Anjou in his own right, Philip, however considered that John held these

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<sup>145</sup> Ibid., 199.

<sup>146</sup> Ibid., 200-207.

<sup>147</sup> Ibid., 206-209, esp. 207 n.43.

<sup>148</sup> For a discussion of these unique political bonds and an argument that the term 'Empire' should not be used to describe the lands under John's control, see: S.D. Church, 'The "Angevin Empire" (1150-1204): A Twelfth-Century Union', in *Unions and Divisions: New Forms of Rule in Medieval and Renaissance Europe*, ed. by P. Srodecki, (Abingdon, Routledge, Forthcoming).

<sup>149</sup> S.D. Church, 'Political Discourse at the Court of Henry II and the Making of the New Kingdom of Ireland: The Evidence of John's Title dominus Hibernie', in *History*, 102 (2017), 808-823.

lands as his man.<sup>150</sup> In addition, John was also count of Angoulême in right of his wife from 1202, and, moreover, the Angevins had since the reign of Henry II claimed, and sometime attained, over-lordship of Brittany, Toulouse, North Wales and even the kingdom of the Scots. Each of the Angevin dominions the chancery interacted with were connected to the king in their own unique way.

An important influence on the direction of my research is the work of Ulla Kypta, published in 2018, which examined the administrative mind in the twelfth century. Kypta argued that the *Dialogus de Scaccario* should not be seen as a guidebook for exchequer scribes on how to write an exchequer roll, but as a text for advising the reader how to think and act like an exchequer clerk, and that the purpose was to establish a common identity amongst the exchequer clerks.<sup>151</sup> Kypta recognised that the author of the *Dialogus* was concerned with the personnel working in the exchequer more than he was with how the exchequer worked, and that the author of the *Dialogus* did not just advise the clerks how to do their jobs, but also explained why their roles were important.<sup>152</sup> Kypta, therefore, understood the importance of understanding an organisation's collective identity and the ideas in Kypta's work have helped to establish several hypotheses in my thesis concerning the 'administrative mind'. The chancery clerks who compiled the rolls would likely have worked within an organisation that had developed its own collective identity, formed by those same clerks. One question this thesis will attempt to examine is how the creation and

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<sup>150</sup> J. Gillingham, 'Doing Homage to the King of France', in *Henry II: New Interpretations*, ed. by C. Harper-Bill and N. Vincent (Cambridge, 2007), 63-84 (82).

<sup>151</sup> U. Kypta, 'How to be an Exchequer Clerk in the Twelfth Century: What the *Dialogue of the Exchequer* is Really About', in *History*, 103 (2018), 199-222.

<sup>152</sup> *Ibid.*, 213-216.

use of the chancery rolls was influenced by this 'administrative mind' instead of the chancery clerks as individuals. In his study, *Officers and Accountability*, John Sabapathy also demonstrated the value of studying administrative institutions and 'middling officers' as a way of understanding medieval rule and the chancery staff who worked on the chancery rolls were the sort of 'middling officers' that Sabapathy discussed.<sup>153</sup>

Finally, no study of records or record making can be made without recognising the importance of Michael Clanchy's seminal work *From Memory to Written Record*.<sup>154</sup> Although he did not make a detailed study of the chancery rolls for 1199 – 1204, he is another to ascribe the creation of the rolls to Hubert Walter.<sup>155</sup> Clanchy's work is also extremely significant in tracing the development of literacy in medieval England and, therefore, places our understanding of the chancery rolls within the context of a wider move towards record keeping at both local and a national level, giving a brief description and introduction to the numerous records and documents which were produced by the kings of England and their subjects. Clanchy's work, in addition to exploring the growing trust in the written word in medieval England, should also remind us that like most medieval writing the chancery rolls would likely have been produced by the clerks through dictation.<sup>156</sup> Clanchy considered the central theme of his book to be 'the growth of literacy for practical purpose', and in the chancery rolls we can see the royal administration begin to take advantage of the practical

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<sup>153</sup> J. Sabapathy, *Officers and Accountability in Medieval England, 1170-1300* (Oxford, Oxford University Press, 2014).

<sup>154</sup> Clanchy, *Memory*.

<sup>155</sup> *Ibid.*, 69-71.

<sup>156</sup> Clanchy, *Memory*, 127-128, 272-273. Indeed, there are many instances where the same place names or surnames are spelt differently on perhaps every roll that has been included in this study, pointing towards dictation as the most likely method of copying writs onto the rolls.

uses of the written word to allow them to govern the multiple regions under the king's control.<sup>157</sup> The royal clerks of the chancery used the chancery rolls to assist them in their common purpose of serving the king through the transmission of his words to his various subjects in the form of the written word.

This thesis will examine how the chancery rolls and the underlying systems of record making and record keeping contributed to Angevin governance of the 'Angevin empire'. The works of Tout, Hardy, Edwards, Richardson and Sayles, as well as several others reviewed above, have provided a clear account of how the chancery was structured in the reign of King John and how writs were produced and copied into the rolls. From these earlier studies we have a good understanding of the long-term development and the basic mechanics of the late medieval English chancery. What is less clear from these studies, is for what reason these rolls were produced and why they appear to start to be compiled in King John's reign. These earlier works, with the exception of Edward's thesis, are also not focused studies in the chancery of King John. There is also a tendency within several of the works, including Edwards' thesis, to examine the chancery from the perspective of the English office of state it would become. The more recent works of Vincent, Carpenter and Gillingham, have begun to explore how the chancery operated within the 'Angevin empire'. These studies put more focus on John's reign, as well as looking closer at the volume and type of writs being enrolled and the emerging debate around when enrolment began. This

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<sup>157</sup> Clanchy, *Memory*, 329.

thesis, therefore, will build on these more recent studies to provide a focused, in-depth survey of John's chancery and chancery rolls.

## Chapter One

### Thomas Duffus Hardy and the Record Commissions: The Publication of the Chancery Rolls in the Nineteenth Century

Probably the most significant figure in the history of the documents to which we refer as the chancery rolls was Sir Thomas Duffus Hardy, the archivist and historian whose editions of these early chancery rolls, published between 1833 and 1844, have since been the only way in which the vast majority of historians have accessed the wealth of material contained within.<sup>158</sup> The decisions that were made when Hardy put together the editions have, therefore, had a profound impact on modern scholarship, and knowing the limitations of the printed editions allows us to understand the limitations that we inadvertently place on our own work. Hardy began his archival career in the Tower of London at the age of 15 (c.1819), and remained in direct contact, and then control of, the chancery records stored there until at least his move to Chancery Lane in 1856.<sup>159</sup> His proximity to the records throughout his working life means that Hardy was as qualified as any scholar of his age to work with the chancery rolls. Yet, despite Hardy's undoubted talent and endeavour, his editions are not entirely without inaccuracies. To understand the limitations attendant on the editions the following chapter will explore the history of the publication of these documents. This history is interlinked with the life of Sir Thomas Duffus Hardy.

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<sup>158</sup> In addition to his editions of the chancery rolls, Thomas Duffus Hardy wrote, edited or contributed to another twenty-two historical volumes. All of Hardy's published works are listed in Appendix 1.

<sup>159</sup> G.H. Martin, 'Hardy, Sir Thomas Duffus (1804-1878), historian and archivist', in *ODNB*.

To understand the production of the editions, this first chapter will need to examine both the general publication programme of the Record Commissions, and the working life of Thomas Duffus himself. The first half of this chapter will, therefore, give an account of Thomas Duffus' education and early career in the Tower of London, as well as the wider work of the Record Commissions, and the record office at the Tower itself. The second half of this chapter will look into the production and publication of Thomas Duffus' editions in more depth. His editions will be explored within the context of the wider publication programme of the Record Commissions, and the challenges and complications posed by the circumstances discussed in the first section of the chapter. Furthermore, an argument will be made that the publication of the chancery rolls was not primarily directed by Thomas Duffus, despite his role as the editor. In fact, it will be shown that the publication of the chancery rolls was heavily influenced by the Board of Commissioners, and, therefore, that a number of errors made in categorising the rolls should not be attributed entirely to Thomas Duffus. His responsibilities as an editor were more that of the senior transcriber, and as a historian, it is his introductions to the editions which reflect a more complex understanding of the chancery rolls. Finally, the chapter will conclude by suggesting that the classifications of the editions were made according to pre-existing arrangements, at the direction of the record commissioners and Thomas Duffus' superiors.



## Thomas Duffus Hardy, Archivist and Historian

Thomas Duffus was born in Jamaica at Port Royal on 22 May 1804, the son of Major T. B. P. (Thomas Bartholomew Price) Hardy (d. 1813/1814), a naval officer in the Royal Artillery, and his second wife Frances Duffus. His brother, William Hardy, who was himself a noted archivist and succeeded Thomas Duffus as Deputy Keeper of the Public Record Office, was born on 6 July 1807, also in Port Royal. Thomas Duffus and William were the third and fourth sons respectively of their father. Their elder two brothers, Alexander-Charles, died in 1814, aged 12, and George, the second brother, in infancy. Another son and daughter of Major Hardy also died in infancy before Major Hardy himself died in the West Indies on 27 January 1814. The only other son to outlive his father was a certain Peter Hardy, Esq., who was born in December 1813, and lived until 1838. Peter Hardy was a fellow of the Royal Society and a fellow of the London Zoological Society, showing that he, too, like his archivist brothers, had a scholarly temperament which was not to find an outlet in the life of a naval officer.<sup>160</sup>

At some point in 1811, the brothers, Thomas Duffus and William, moved to England. Throughout the following decade, William is known to have been educated at Fotheringhay, Northamptonshire, and then at Boulogne.<sup>161</sup> Thomas Duffus entered into service as a junior

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<sup>160</sup> J. B. Payne, *Armorial of Jersey: Being an Account, Heraldic and Antiquarian, of its Chief Native Families, with Pedigrees, Biographical Notices, and Illustrative Data; to which are added a Brief History of Heraldry, and Remarks on the Mediaeval Antiquities of the Island*, 5 vols. (Jersey, Subscribers Private Issue, 1859-1865), i (1859), 222.

<sup>161</sup> G.H. Martin, 'Hardy, Sir William (1807-1887), archivist', in *ODNB*.

clerk in the record office at the Tower of London on 1 January 1819, and would likely have been educated in a similar manner to his brother before starting this apprenticeship in the Tower.<sup>162</sup> As William Hardy obtained his own post in the Tower record office in 1823, also aged around 15, we can consider it likely that both boys were relatively similarly educated before starting their apprenticeships.<sup>163</sup> Thomas Duffus lived at a time when the lines between professional historians and antiquarians were becoming more pronounced. Even before a history degree was regarded as a path to producing a professional scholar, the strict entry requirements and rules of the new Public Record Office were providing the first professional historians.<sup>164</sup> Thomas Duffus, however, entered the service some time before such requirements were stipulated, and so we are unaware of the particular details of his apprenticeship in the Tower. We know Thomas Duffus was able to obtain the apprenticeship because the keeper of records at the time was his uncle, Samuel Lysons, who held the post from 1803 until his death in June 1819. Lysons had expanded the staff from a single clerk to six during his tenure, and also played an active part in the rearrangement of the archives which occurred under the direction of the Record Commissions.<sup>165</sup>

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<sup>162</sup> 'Death of Sir Thomas Hardy', in *The Times*, 17 June 1878, 12. When Thomas Duffus began his apprenticeship on 1 January 1819, he was in fact aged only 14 and 7 months, younger than the 15 years stated in the *Times* obituary. William began his in February 1823, aged 15 and 6 months.

<sup>163</sup> Martin, 'Hardy, Sir William', in *ODNB*.

<sup>164</sup> P. Levine, 'History in the archives; the Public Record Office and its staff, 1838–1886', in *EHR*, 101 (1986), 20-41, (22-26). Phillipa Levine's book on the emergence of a new class of *professional historians* explores this idea further, in the context of a wider variety of historical professions: *The Amateur and the Professional: Antiquarians, Historians and Archaeologists in Victorian England, 1838-1886* (Cambridge, Cambridge University Press, 1986).

<sup>165</sup> G. Goodwin, 'Lysons, Samuel (bap. 1763, d. 1819), antiquary', rev. by Brian Frith, in *ODNB*; L. Fleming, *Memoir and Select Letters of Samuel Lysons, 1763 -1819* (Oxford, Oxford University Press, 1934).

After the death of Samuel Lysons in 1819, the post of keeper of the records at the Tower was filled by Henry Petrie, a noted antiquary, who was to have a substantial influence on Thomas Duffus, acting as his teacher and mentor for the next 20 years. After Petrie's death, Thomas Duffus published the first, and only, part of Petrie's life's work – the *Monumenta historica Britannica* – an attempt at making a complete collection of the various early histories of the British Isles.<sup>166</sup> It was whilst working under Petrie that Thomas Duffus was to complete most of his editions of chancery rolls, beginning with the 1833 edition of the early thirteenth-century close rolls.<sup>167</sup> The editions of the Norman, fine and patent rolls followed in 1835, and the charter rolls in 1837.<sup>168</sup>

On Petrie's retirement in 1840, Thomas Duffus took on his role as the senior record officer in the Tower. Due to the reorganisation of the repositories and public records following the Public Record Office Act in 1838, he did not succeed to the position of keeper, however, but was appointed as a senior assistant keeper within the new Public Record Office.<sup>169</sup> This by itself may not have been a great disappointment for him, but the appointment of his long-time rival Sir Francis Palgrave as the Deputy Keeper of the new Public Record Office was likely to have caused him some discomfort. Thomas Duffus, with

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<sup>166</sup> Martin, 'Hardy, Sir Thomas Duffus', in *ODNB*. Thomas Duffus' relationship with Petrie is well illustrated in the general introduction to the *Monumenta*, where he chose to give a fierce rebuttal to the criticisms his friend and mentor had faced in putting the work together, going as far as to suggest that Petrie's death was directly linked to the 'anxiety and disappointment occasioned by the interruption of his work'. *Monumenta historica Britannica or Materials for the History of Britain from the Earliest Period to the end of the Reign of King Henry VII; Vol 1, extending to the Norman Conquest*, ed. by H. Petrie, J. Sharpe and T.D. Hardy (London, Eyre & Spottiswoode, 1848), 41-47.

<sup>167</sup> *RLC*.

<sup>168</sup> *Rot. Norm.; Rot. Ob. et Fin.; RLP; Rot. Chart.*

<sup>169</sup> J.D. Cantwell, *The Public Record Office 1838-1958* (London, HMSO, 1991), 54-56.

his brother William and several other young clerks, had worked for Palgrave outside office hours as transcribers in the early 1820s, and a dispute about their payment in 1823 began a hostile relationship that would last the next forty years. The low point of this relationship came in April 1832, when a fight between Thomas Duffus and Palgrave at the Tower Record Office allegedly left the latter with two black eyes.<sup>170</sup> Thomas Duffus was heavily involved in the manoeuvrings in the years between the end of the Record Commissions and the formal establishment of the Public Record Office in 1840, and played a significant part in the conception of the 1838 Public Record Office Act. John Cantwell has argued that, although he would not have been pleased with Palgrave's appointment, it was unlikely to have been unexpected, and that the widespread belief that Thomas Duffus felt he had been cheated out of the appointment was a misrepresentation arising from John Cordy Jeaffreson's rather exaggerated account of events.<sup>171</sup> Neither Thomas Duffus nor Palgrave was particularly comfortable with the arrangement, and an uneasy truce was to hold for the remainder of Palgrave's life.

After Petrie's retirement, Thomas Duffus remained at the Tower until 1856 when he moved to the new purpose-built central repository at Chancery Lane, along with the many public records that had been stored in the Tower.<sup>172</sup> In the intervening years, he was to complete a final two editions of the chancery rolls, including a second volume of the close rolls, for 1224-1227, and the edition known as *Rotuli de libertate ac de misis et praestitis regnante*

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<sup>170</sup> J.C. Jeaffreson, *A Book of Recollections*, 2 vols. (London, Hurst and Blackett, 1894), ii, 73.

<sup>171</sup> Cantwell, *The Public Record Office*, 29-32; Jeaffreson, *A Book of Recollections*, ii, 80-87.

<sup>172</sup> Cantwell, *The Public Record Office*, 174.

*Johanne*, both of which were published in 1844.<sup>173</sup> These two editions were works that had been ordered by the record commissioners and had been partially sent to the press by 1837 but had not been printed and published before the conclusion of the final commission.<sup>174</sup> As well as these editions and several other minor historical works, Thomas Duffus was to complete the first and only volume of Petrie's *Monumenta historica Britannica* in 1848, and in 1852 published a biography of Lord Langdale, the Master of Rolls who had overseen the creation of the Public Record Office.<sup>175</sup> In 1861, after the death of Palgrave, Thomas Duffus was selected as Deputy Keeper of the Public Record Office, and remained in the post until his death in 1878. As Deputy Keeper he oversaw a number of improvements to the Public Record Office, including an expansion of the Chancery Lane site, the abolition of fees for legal searches, and the second Public Record Office Act of 1877.<sup>176</sup> Outside of his official duties he played a significant part in the setting up and direction of the Royal Commission on Historical Manuscripts, and the establishment of the Rolls Series.<sup>177</sup>

Much more could be said about the life of Thomas Duffus Hardy, in particular about his time as Deputy Keeper of the Public Record Office.<sup>178</sup> The current study, however, will be

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<sup>173</sup> *Rotuli Litterarum Clausarum in Turri Londinensi Asservati*, ed. by T.D. Hardy, 2 vols. (London, Record Commission, 1833-1844), ii (1844); *Rot. Lib.*

<sup>174</sup> *General Report* (1837), 45-46.

<sup>175</sup> Martin, 'Hardy, Sir Thomas Duffus', in *ODNB*; *Monumenta historica Britannica*; T.D. Hardy, *Memoirs of the Right Honourable Henry Lord Langdale*, 2 vols. (London, Bentley, 1852).

<sup>176</sup> Cantwell, *The Public Record Office*, 205-286.

<sup>177</sup> Thomas Duffus also made several personal contributions to the Rolls Series, publishing three volumes cataloguing 'all the known sources, printed and unprinted, of English history' up to 1327, and, in four volumes, the episcopal register from 1311 to 1316 of Richard Kellaw of Durham. T.D. Hardy, *Descriptive catalogue of materials relating to the history of Great Britain and Ireland*, 3 vols. (London, Longman, 1862-1871); *The register of Richard de Kellawe, lord palatine and bishop of Durham: 1311 - 1316*, ed. by T.D. Hardy, 4 vols. (London, HMSO, 1873-1878).

<sup>178</sup> For more on Thomas Duffus' later life as Deputy Keeper see chapters eight and nine in: Cantwell, *The Public Record Office*, 205-286.

primarily concerned with the part of his career spent in the Tower record office, when he completed the editions of the chancery rolls, a time when the Record Commissions of 1800 – 1837 had a significant impact on his life and publications. In general, Thomas Duffus was regarded by contemporaries as an accomplished archivist and antiquarian, despite some criticism of his preference for publishing original material over the compilation of calendars and catalogues. Modern scholarship has continued to hold him in high esteem, with G.H. Martin describing him in his *ODNB* entry as a man who ‘showed a remarkable knowledge of the medieval narrative sources, and a keen eye for their interrelationships’.<sup>179</sup> Despite some minor corrections being offered, the details of his work have withstood the test of time, and the purpose of this chapter is not to question the integrity of Thomas Duffus’ scholarship, but to reassess where that scholarship should fit within future historical endeavours. But before looking any further into his work, it would be useful to consider the wider role of the Record Commissions themselves in the archival history of Britain.

### The Record Commissions, 1800 – 1837

The Record Commissions with which we are concerned are the six which followed a Select Committee of the Commons in 1800, which was established ‘to inquire into the State of the Public Records of this Kingdom [...] together with what they shall judge fit to be done for the better Arrangement, Preservation, and more convenient Use of the same’. The Committee, which was set up in February, issued its report by June the same year, and,

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<sup>179</sup> Martin, ‘Hardy, Sir Thomas Duffus’, in *ODNB*.

alongside suggestions for repairs, rearrangements, and the production of indexes, calendars and catalogues, recommended that a Royal Commission be established to implement the various suggestions in the report.<sup>180</sup>

The first of the Record Commissions sat from July 1800 until May 1806, and the second from July 1806 to March 1817.<sup>181</sup> The first two Commissions, both concluding before Thomas Duffus started working at the Tower, were strongly influenced by Charles Abbot, MP for Helston and Speaker of the House between 1802 and 1817.<sup>182</sup> These first two Commissions appear to have been highly productive in comparison to the commissions in the following decade.<sup>183</sup> The work started by the select committee was continued, surveying and sorting the public records, and a number of calendars and editions were also produced and printed. The third, fourth and fifth Commissions, between 1817 and 1830, are often viewed as less active bodies, with a reduced productivity in the printing of calendars and cataloguing.<sup>184</sup> The lull in activity is often associated with the partial retirement of Charles Abbot, who was suffering from ill health after 1816 and was abroad for some of this time.<sup>185</sup> Abbot died in 1829, after a brief return to politics in 1822.

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<sup>180</sup> *Select Committee Reports* (1800).

<sup>181</sup> The first Commission sat from 22 July 1800 to 22 May 1806 (their activity recorded in the detailed Minute Books: TNA, PRO 36/1; PRO 36/2) and the second from 2 July 1806 to March 1817 (TNA, PRO 36/3; PRO 36/4; PRO 36/5; PRO 36/6).

<sup>182</sup> R.B. Pugh, 'Charles Abbot and the Public Records: the First Phase', in *Bulletin of the Institute of Historical Research*, 39 (1966), 69-85, (69-70).

<sup>183</sup> P. Walne, 'The Record Commissions, 1800-1837', in *Journal of the Society of Archivists*, 2 (1960), 8-16, (11).

<sup>184</sup> The third Commission sat from July 1817 until March 1821 (TNA, PRO 36/7), the fourth from July 1821 until March 1825 (TNA, PRO: 36/8), and the fifth from July 1825 until June 1830; (TNA, PRO 36/9; PRO 36/10).

<sup>185</sup> Walne, 'The Record Commissions', 11, 14.

The final Commission, which sat from March 1831 to December 1837, would have been the first to have had no oversight at all from him, although his involvement after 1816 was certainly limited by the state of his health.<sup>186</sup> Without Abbot's direction, and the replacement of long time secretary, John Caley, with the combative Charles Purton Cooper, the final Commission was perhaps unsurprisingly beset by controversy and criticism from contemporaries.<sup>187</sup> This Commission, despite repeated complaints about the waste or misuse of public funds, was much more productive than those of the 1820s. Its productivity manifested itself in the publication of printed texts and record type editions, instead of the catalogues and calendars that the commissioners' critics considered the proper business of the record officer.<sup>188</sup> The various personal vendettas and disputes over both payment and the best use of funds, however, continued to draw focus away from the ongoing work and a critical report from a Parliamentary Select Committee of 1836 added to the Commission's troubles, until, finally, it was brought to an end by the death of King William IV, in June 1837.<sup>189</sup> The Commission officially expired in December 1837, six months later, although the work of the commissioners continued in some respects under the direction of Lord Langdale, the Master of Rolls, but they were no longer receiving regular funding from the treasury.<sup>190</sup> In the later years of the Commission there were several attempts to introduce a

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<sup>186</sup> Pugh, 'Charles Abbot and the Public Records', 85.

<sup>187</sup> J.A. Hamilton, 'Cooper, Charles Purton (1793-1873), lawyer and antiquary', rev. by Beth F. Wood, in *ODNB*.

<sup>188</sup> Walne, 'The Record Commissions', 14.

<sup>189</sup> Cantwell, *The Public Record Office, 4-7; Observations upon the report from the Select Committee of the House of Commons, appointed 'to inquire into the management and affairs of the Record Commission, and the present state of the records of the United Kingdom,' transmitted to the Lords Commissioners of His Majesty's Treasury* (London, Record Commission, 1837).

<sup>190</sup> TNA, PRO 36/13.



parliamentary bill for a longer-term solution for the preservation of public records; and, although these attempts were also halted by the death of the king, a new bill was drawn up and within a year the Public Record Office Act 1838 was passed on 14 August.<sup>191</sup> The activities of the Record Commissions can be divided, somewhat simply, into those concerned with publications and those concerned with the preservation of records. The final parts of this chapter will consider the publication programme of the Commissions, whilst the following parts of this chapter will examine the preservation activities of the Commissions, focusing primarily on the Tower of London.

### The Record Office at the Tower of London

To present the context of Thomas Duffus' work for the Record Commissions, it is worthwhile to examine the workplace where he spent the greater part of his adult life, the record office at the Tower of London. Space at the Tower had been used as a repository for government records from at least the beginning of the fourteenth century, and possibly before that, when the Tower served as a treasury.<sup>192</sup> As a record office the Tower provided a storage place and fee-based search service for the public records kept there for more than 500 years. Along with the other repositories, which developed from the later medieval period, the Tower went through cycles of reform and neglect, and its condition was often

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<sup>191</sup> Cantwell, *The Public Record Office*, 1-13.

<sup>192</sup> V.H. Galbraith, 'The Tower as an Exchequer Record Office in the Reign of Edward II', in *Essays in Medieval History Presented to T.F. Tout*, ed. by A.G. Little and F.M Powicke (Manchester, Subscribers Private Issue, 1925), 213-247; E.M. Hallam, 'The Tower of London as a Record Office', in *Archives*, 14 (1979), 3-10.

dependent on the skill of their custodians and the will of the ruling administration to finance their upkeep and to maintain the safety of the records.<sup>193</sup> At the start of the nineteenth century, and at the time of the establishment of the first Commission by act of Parliament, the Tower was just one of a number of repositories in varying states of upkeep and order. One of the primary concerns raised by the Select Committee of 1800 regarding the state of the public records was the diverse and scattered nature of the repositories within which they were stored. The total number of repositories which provided returns to the select committee was between three and four hundred.<sup>194</sup> Furthermore the Committee reported all those public buildings used to house records, especially those of the exchequer, were 'in a State so incommodious and insecure, as to require immediate Attention'.<sup>195</sup> Each of the many repositories appears to have been in a different state of repair. They all appear to have been run according to the whims of the record keepers and those set over them and various rules that they had inherited. The general condition of the buildings which housed the public records was clearly poor, and from the very outset the idea of a new purpose-built central repository was considered the best long-term solution for the care of the records.<sup>196</sup> When the record commissioners found themselves powerless to implement such an expensive and complex plan, they had turned their attention to repairing and rebuilding the individual repositories that were in the worst condition.

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<sup>193</sup> E.M. Hallam, 'Nine Centuries of Keeping the Public Records', in *The Records of the Nation*, ed. by G.H. Martin and P. Spufford (Woodbridge, Boydell, 1990), 17-22.

<sup>194</sup> A list of the repositories which the select committee was concerned with is given in the appendix of the report. *Select Committee Reports* (1800), 5.

<sup>195</sup> Excerpts from an address of the House of Commons Select Committee to George III on 11 July 1800 printed in: *Commissioners Reports* (1819), 13.

<sup>196</sup> Walne, 'The Record Commissions', 10.

During the first and second Record Commissions, more substantial works were requested at both the Rolls Chapel and the Chapter House than at the Tower, whilst many of the smaller offices also requested various renovations and expansions. A significant amount of this work was either postponed, never completed, or considered to lie outside the financial or administrative reach of the record commissioners from the outset.<sup>197</sup> Of the work that was carried out, most was ordered in 1801, with an additional office being built at the Chapter House in Westminster, and repairs made at the Auditors' Office, the Pipe Office, and the Lord Treasurer's Remembrancer's Office in Somerset Place.<sup>198</sup> Some offices were even considered too decrepit to be worth repairing. In 1811, for example, the records of the State Paper Office were transferred from a 'damp ruinous tenement' in Middle Scotland Yard into an office in Whitehall, recently vacated by the Office of Woods and Fruits.<sup>199</sup> Even this refuge was considered inappropriate in the long term, and finally in 1834 a new purpose-built repository was constructed near to Green Park to house the State Paper Office.<sup>200</sup> The records of the State Paper Office were not the only ones stored in such deplorable conditions that their complete removal seemed necessary. The records from the King's Remembrancer's Office, the Auditor of the Land Revenues Office and the Court of Common Pleas were all moved several times during the Record Commissions, with their original accommodation at Westminster Hall being deemed utterly inappropriate.<sup>201</sup> Such moves were, however, no great improvement for the safety of the records. The final general report highlighted the losses and damage suffered in the process of these transfers, and

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<sup>197</sup> *Commissioners Reports* (1819), 60-61.

<sup>198</sup> TNA, PRO 36/1, 10-15.

<sup>199</sup> *Commissioners Reports* (1819), 46.

<sup>200</sup> A. Lawes, *Chancery Lane 1377-1977: 'The Strongbox of the Empire'* (Kew, PRO, 1996), 14.

<sup>201</sup> Walne, 'The Record Commissions', 12.

further complained that the records had been kept in places of 'merely temporary deposit, ever since the year 1822'.<sup>202</sup>

The buildings at the Tower where the records were stored and Thomas Duffus worked appear to have been in a better condition, structurally at least, than many other record offices investigated by the record commissioners.<sup>203</sup> Only limited repair work was required at the Tower repository under the record commissioners, although the record office had expanded into several extra rooms within the White Tower, to accommodate a large collection of new records being transferred from the Admiralty courts. The only work completed immediately following the Select Committee of 1800's report, at the direction of the first Record Commission, however, was the framework and support on an apartment adjoining Caesar's Chapel being repaired in 1801.<sup>204</sup> In 1808, in preparation for the new Admiralty records, two rooms in the north-east turret were renovated, with furniture and presses being constructed to hold the records.<sup>205</sup> Then, in 1811, the west room on the second floor was acquired from the Ordinance Office, and in 1812, along with the north-west and south-west turrets, was converted into storage and working space.<sup>206</sup> The expansion in 1812 appears to have been the last major campaign of works at the Tower office, and in 1832

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<sup>202</sup> *General Report* (1837), 18-19.

<sup>203</sup> This may have been the result of several campaigns in the eighteenth century when renovations were carried out at the Tower, including work in the record office. For a more detailed history of the renovations to the Tower archive before the Record Commissions, see: *The White Tower*, ed. by E. Impey with contributions by J. Ashbee (New Haven, Yale University Press, 2008).

<sup>204</sup> *Commissioners Reports* (1819), 46.

<sup>205</sup> TNA, WORK 6/24, 49.

<sup>206</sup> As well as providing the shelving and furniture for the records, the works involved opening up skylights and windows and constructing 'bridge' galleries across the rooms, apparently to improve the clerks' working environment, as well as the storage conditions of the repository. TNA, WORK 6/25, 154-155; WORK 6/26, 2-3, 13-16, 54-55; WORK 6/27, 2-6, 12-13, 24-26.

when Petrie sent his return, to be printed in the final general report, he noted that the rooms used to store records in both the White Tower and Wakefield Tower were 'dry, well lighted, and ventilated' and were well stocked with furniture and presses 'convenient' for storing the records.<sup>207</sup> More worrying than the suitability of the building itself, however, was the risk of fire or even total destruction posed by the magazine of the fortress stored in the vaults beneath the White Tower.<sup>208</sup>

Even if it was in better condition than most other record offices, the Tower was not an acceptable record depository. There is no reason to distrust the prevailing opinion of the time that, along with the many other repositories, the Tower was unsuitable for the purpose of storing parchment. As the final general report notes, the Tower was built as fortress.<sup>209</sup> It was a stronghold, chosen initially in the medieval period as a secure location for safeguarding treasure and other royal property, but by the nineteenth century it had certainly become obsolete as a record office. The general mood of the record commissioners and clerks was echoed by the Chancellor of the Exchequer, who, when visiting the Tower office in 1823, remarked that 'a proper building ought to be immediately erected in some more accessible part of the metropolis, capable of uniting and containing all the national Records'.<sup>210</sup> It is also clear that the commissioners and keepers at the Tower did not feel that extensive repairs and renovations were required between 1800 and 1838. The focus in the short term at the Tower office was to fall on the staff and the records themselves. Having

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<sup>207</sup> *General Report* (1837), 70.

<sup>208</sup> *Ibid.*, 17-18.

<sup>209</sup> *Ibid.*, 16.

<sup>210</sup> Lawes, *Chancery Lane*, 18.

examined the structural integrity and viability of the Tower record office, it is also worthwhile to consider the same record office in an administrative context.

### The Tower Record Office: Clerks and Keepers

The most notable development in the Tower during the first two Record Commissions was the growth from only two permanent staff in 1800 up to eight by 1809. Although in the last few years of the final commission the number of staff fell back to four, the Tower was for much of the early nineteenth century one of the better staffed record offices in the country. It therefore makes sense to ask three more questions about the Tower repository during the time of the Record Commissions. How many staff worked there? Who were they? What did they do?

Identifying the individuals who worked in the Tower record office at the time of the Record Commissions is often a thankless task. Before the establishment of the Public Record Office, staff records were not made or kept in a consistent manner. The identities of the more senior, and successful, can be easily observed in the pages of their own publications and official reports. For many record officers and clerks, however, passing mentions in the Record Commissions' various reports, publications and minute books are the main, and often the only, source of information about who was working in the record offices in the

early nineteenth century.<sup>211</sup> The Record Commissions themselves add a layer of complication, with the involvement of various freelance antiquarians and others who were not employed within a particular record office. Moreover, as the commissioners were working across multiple repositories there was a tendency for record officers working for the commissioners to be recruited from and work in more than one repository. Finally, the fairly common practice of official clerks employing extra staff out of their own pockets when required introduces an often undocumented and rarely mentioned group of essentially sub-contracted employees. The best approach when examining the record officers at the Tower then is to focus primarily on identifying the official clerks employed within their own repositories, but to remember that other clerks and record officers were also likely to be working in the repository at various periods throughout the time of the Record Commissions.<sup>212</sup>

We are able to easily identify the two permanent record officers at the Tower for the first few years of the Record Commissions. The keeper of records in 1800 was Thomas Astle, who had worked his way through the ranks there, replacing Henry Rooke as chief clerk in 1775, and then Sir John Shelley as keeper in 1783.<sup>213</sup> In the report made by the Select Committee of 1800, a 'Mr Robert Lemon Snr.' was described as chief clerk, and he is the only

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<sup>211</sup> The trouble of identifying record officers before official staff records began to be kept by the Public Record Office in 1838 was much the same in the early nineteenth century as it was when the first royal record offices emerged in late thirteenth century.

<sup>212</sup> A number of tables showing the number of staff working at the Tower, and several of the other major repositories, at the time of the Record Commissions are printed in Appendix 3.

<sup>213</sup> N. Ramsay, 'Astle, Thomas (1735-1803), archivist and collector of books and manuscripts', in *ODNB*.

clerk who can be identified working for Astle after 1800.<sup>214</sup> The first change of personnel at the Tower recorded under the record commissioners was the appointment of Samuel Lysons, a noted archaeologist and honorary director of the Society of Antiquaries, who replaced the deceased Thomas Astle as keeper at the start of 1804.<sup>215</sup>

It is Lysons who is generally credited with increasing the staff from 'one to six' during his time as keeper, although this only takes into account the number of clerks, and Lysons was to additionally reestablish and fill the position of deputy-keeper.<sup>216</sup> Upon his appointment as keeper, Astle had elected not to fill the post, allegedly being motivated by a desire to draw as high a salary as his predecessor.<sup>217</sup> Lysons, however, sometime around 1805, appointed William Illingworth as his deputy.<sup>218</sup> As well as confirming Illingworth's appointment, Lysons had, by 1808, made several applications to the Treasury to increase the allowance he received to employ clerks. Lysons' memorials to the Treasury on the 24 May 1805 and of June 1808 show that three clerks were certainly employed between these dates, one of whom must have been the chief clerk Lemon Sr, who continued to appear in the Record Commission's yearly reports until 1810, before his death in December 1813.<sup>219</sup>

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<sup>214</sup> Cooper, *Proceedings*, 116. Mr Robert Lemon's son, a Mr Robert Lemon Jr, was recorded in Astle's return to the select committee as having been assisting in the Tower. However, although he was certainly trained in the Tower for around eighteen months, he was appointed as an extra clerk in the State Paper Office on 24 June 1795 and became second clerk there by February 1801, and so cannot have been officially employed in the Tower at the start of the Record Commissions, as claimed by: G. Goodwin, 'Lemon, Robert (1779–1835) archivist', rev. by G. H. Martin, in *ODNB*.

<sup>215</sup> TNA, PRO 36/1, 153-154.

<sup>216</sup> G. Goodwin, 'Lysons, Samuel', in *ODNB*.

<sup>217</sup> N. Harris Nicholas, *A Letter to the Right Hon. Lord Brougham and Vaux, Lord High Chancellor, on the Constitution and Proceedings of the Present Commission for the Public Records* (London, Pickering, 1832), 123-124. The salary Thomas Astle eventually received, despite opposition from Prime Minister William Pitt, was £500; made up from his previous £200 salary as deputy and the £300 now due to him as keeper.

<sup>218</sup> G. Goodwin, 'Illingworth, William (bap. 1764 d. 1845) archivist' rev. by Bernard Nurse, in *ODNB*.

<sup>219</sup> *Commissioners Reports* (1819), 177.



Lysons' requests to the Treasury continued throughout 1808, and as a result, with the endorsement of the record commissioners, fixed salaries for an establishment of four permanent clerks and two supernumerary clerks were provided by the Treasury from 5 July 1809.<sup>220</sup> The number of clerks thus established appears to have remained the same throughout the rest of Lysons' keepership, as in 1818 it was reported that 'ever since the 5<sup>th</sup> of July, there have been four Clerks' and 'two supernumerary Clerks' in the Tower.<sup>221</sup> The report of 1818 also confirmed the presence of the deputy keeper with a note that 'No Fees appear to be due to the Deputy or Clerks'.<sup>222</sup> As well as the permanent staff, it is possible that some apprentices were training at the Tower, as Lysons had made a request to 'take some young Men of competent Education into the Record Office, who might be brought up to a Knowledge of atient [sic] records'.<sup>223</sup>

Aside from Illingworth and Lemon, the only record officers we can identify with any degree of certainty from Lyson's eight are the two supernumerary clerks, a Mr Hoole and Mr Cossart.<sup>224</sup> We can be reasonably sure that another of these clerks was John Bayley, who, from Illingworth's resignation in 1819, held the position of chief clerk. Bayley is believed to have joined the Tower establishment at an early age, apparently at some time in 1810.<sup>225</sup> After Robert Lemon Sr died in December 1813, the vacancy created by his death was filled,

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<sup>220</sup> *Ibid.*, 177.

<sup>221</sup> Cooper, *Proceedings*, 117-118.

<sup>222</sup> *Ibid.*, 117-118.

<sup>223</sup> *Commissioners Reports* (1819), 177.

<sup>224</sup> Cooper, *Papers*, 76; Cooper, *Proceedings*, 28.

<sup>225</sup> G. Goodwin, 'Bayley, John Whitcomb (d. 1869) antiquary', rev. by B. Nurse, in *ODNB; Report [on] Bayley*, 66.

according to Bayley, 'by a young gentleman of the name of Thomson' in April 1814.<sup>226</sup> A John Hicken, who was Lysons' 'confidential clerk', was working in the Tower in 1810 when John Bayley joined, although whether he was a salaried member of staff or being paid out of Lysons' own pocket we cannot know.<sup>227</sup> Finally we know that two other record officers who were not attached to any other record office worked on the records at the Tower during Lyson's keepership. First is a Mr John Dale who appears frequently in the record commissioners' reports completing calendars or transcriptions of records in the Tower, last appearing in the annual progress report for the year ending 25 March 1808. As John Dale worked on the same records as Robert Lemon Sr for the record commissioners, mostly on the chancery rolls, he may well have been attached to the Tower, although this cannot be confirmed.<sup>228</sup> Less likely to have been employed as a Tower clerk, but still a possible candidate, was the Scottish antiquarian David Macpherson who was 'for some time a deputy keeper of the public records in London', and was at times based in the Tower editing the *Rotuli Scotiae* until his death in 1816.<sup>229</sup>

After Lysons' death in June 1819, Henry Petrie, another well respected antiquarian from outside the record office, was appointed as keeper.<sup>230</sup> Illingworth then resigned his

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<sup>226</sup> *Report [on] Bayley*, 60-61, 160; Nothing more is known about the said Thomson, except the claim of the Tower messenger, Mr Luxmore, disputed by Bayley, that he was working in the office as early as 1811 or 1812.

<sup>227</sup> *Report [on] Bayley*, 46, 66, 140.

<sup>228</sup> TNA, PRO 36/1, 32, 35 [1800-01], 55 [1801-02]; *Commissioners Reports* (1819), 25 [1802-03], 28 [1803-04], 29 [1804-05], 31 [1805-06], 33 [1806-07], 35 [1807-08]. Mr Dale was not named in the annual progress reports until that for 1802-03, even though he was being paid for work in the Tower on the calendars of the Close and Charter Rolls, appearing in the requests made to the treasury for 1800-01 and 1801-02. This may be a result of his not being appointed a sub-commissioner until 24 March 1802. TNA, PRO 36/1, 38.

<sup>229</sup> M.J. Mercer, 'Macpherson, David (1746-1816) historian', in *ODNB*.

<sup>230</sup> A.F. Pollard, 'Petrie, (Frederick) Henry (bap. 1772, d. 1842), antiquary' rev. by B. Nurse, in *ODNB*.

own post in the Tower, allegedly due to Petrie's decision not to allow the position of deputy keeper to continue and therefore to demote Mr Illingworth to chief clerk - a position subsequently held by John Bayley.<sup>231</sup> Thomas Duffus had entered into the Tower service in January 1819 upon Lysons' recommendation, and he was to be the first of several new Tower clerks who joined in the 1820s.<sup>232</sup> Petrie was to oversee six or seven clerks, including the two supernumeraries, until around 1830. The other clerks who can be placed in the Tower during the 1820s include Thomas Duffus' brother William Hardy from about 1823, Charles Roberts, who joined the service in 1820, and Henry James Sharpe, who joined in 1821.<sup>233</sup> These men who joined the service in the early 1820s were the last new appointments made in the Tower as an independent record office before the Public Record Office Act in 1838 and the creation of a central administrative structure overseeing the various depositories.

Throughout the 1830s a number of clerks left the tower without replacements. An order suppressing the salaries of the supernumerary clerks was made on 5 January 1830, although one of them, Mr Cossart, had died a few years earlier.<sup>234</sup> Then in February 1832 William Hardy, 'late of the Record Office in the Tower', was appointed as the clerk in the record office of the Duchy of Lancaster and, whilst the exact date of his departure from the Tower record office is not known, there is no reason to think he had left any earlier than

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<sup>231</sup> G. Goodwin, 'Bayley, John Whitcomb', in *ODNB*.

<sup>232</sup> Jeaffreson gives an illuminating account of Thomas Duffus' recruitment to the Tower, through the intervention of Thomas Duffus' aunt's husband, a certain Daniel Lysons, who was Samuel Lysons brother, see: Jeaffreson, *A Book of Recollections*, ii, 67-68.

<sup>233</sup> Cantwell, *The Public Record Office*, 572.

<sup>234</sup> TNA, PRO 36/10, 18; Cooper, *Papers*, 76; Cooper, *Proceedings*, 28.

1832.<sup>235</sup> John Bayley, the chief clerk, is also known to have departed in the 1830s, although ascertaining the date of his departure is even more complicated. At a board meeting of the record commissioners on 17 May 1834 it was noted that there was a 'vacancy of the office of chief clerk at the record office Tower occasioned by Mr Bayley's long absence', and the commissioners then ordered that Petrie should be told not to fill the position.<sup>236</sup> The length of Bayley's absence is not entirely clear, although the circumstances were infamous. He had been involved in a scandal regarding his remuneration for editing the 3 volumes of the *Calendar of the Proceedings in Chancery in the Reign of Queen Elizabeth* which he had worked on between 1827 and 1832.<sup>237</sup> A sub-committee of the Record Commission, which met at least seventeen times between 1832 and 1833, was set up to investigate.<sup>238</sup> An enquiry found that he had charged excessively for his own labour, and, moreover, claimed for work completed by others, and Bayley left his post in disgrace.<sup>239</sup> In 1840, therefore, when the first annual report was made by Sir Francis Palgrave, the newly created Deputy Keeper of the Public Record Office, the Tower was staffed by only three clerks and Petrie.<sup>240</sup> The reduction in clerks throughout the 1830s is rather notable, as it was during the same decade that Thomas Duffus completed the majority of his editions of the chancery rolls.

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<sup>235</sup> *General Report* (1837), 87.

<sup>236</sup> TNA, PRO 36/12, 308.

<sup>237</sup> Cantwell, *The Public Record Office*, 7; *Observations on the Calendar of the Proceedings in Chancery edited by John Bayley, ESQ. F.R.S. & F.S.A. and on the Parliamentary Writs edited by Francis Palgrave, ESQ. F.R.S. & F.S.A. Under the Authority of the Record Commission; to which is added an Appendix of Illustrative Documents* (London, Record Commission, 1832), 11-22.

<sup>238</sup> TNA, PRO 36/12, 1-3, 71-80, 93-94, 113-115, 130-131.

<sup>239</sup> *Report [on] Bayley*.

<sup>240</sup> *First Report of the Deputy Keeper of the Public Records: Presented to both Houses of Parliament by Command of Her Majesty* (London, HMSO, 1840), 19. The three clerks were Thomas Duffus Hardy, Charles Roberts and Henry James Sharpe. Also employed at this time were two non-clerical staff: a messenger Benjamin Luxmoore (appointed 1809) and a 'necessary woman' Mary Luxmoore (appointed 1819).

In general, the Tower, at the conclusion of the final Record Commission in 1837, was one of the better staffed record offices. In 1800, the size of the Tower establishment had been more comparable with the smaller repositories such as the Duchy of Lancaster and Augmentation Office. The Rolls Chapel and Chapter House, as well as the State Paper Office scattered over several repositories, employed significantly larger establishments than the Tower at the end of the eighteenth century. By the end of the second Record Commission in 1818, however, the Tower establishment was twice the size of the other major repositories. Even in the 1830s, the Tower despite a reduction in staff numbers, was one of the larger record offices along with the Rolls Chapel and Chapter House.<sup>241</sup> Even after the 1838 Public Record Act and the reorganisation of the former record offices into branches of the new Public Record Office on 1 July 1840, the Tower repository continued to be an important and comparatively well-staffed branch.<sup>242</sup> By the end of 1843 the Tower branch consisted of six record staff, with two assistant keepers and four clerks of various classes. Meanwhile, the Chapter House and Rolls House branches had only three staff, and the Rolls Chapel five. Only Carlton Ride, where most of the exchequer documents had been moved in the 1830s, was better staffed than the Tower, with eleven permanent employees.<sup>243</sup>

So far this study of record officers has attempted to consider the staff being employed directly by the Tower, and other record offices, slightly separate from the work of

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<sup>241</sup> Staff numbers for each of these repositories at various times during the Record Commissions are shown in the tables in Appendix 3.

<sup>242</sup> Cantwell, *The Public Record Office*, 56.

<sup>243</sup> *Ibid.*, 86.

the Record Commissions.<sup>244</sup> In general, this work was completed in addition to the day-to-day activities of the record officers in their repositories. Such day-to-day work involved both caring for the records and assisting those members of the public who wished to access the records. A large quantity of the work of the Record Commissions involved the preparation and publication of calendars, texts and editions. This work was not always carried out by the record officers who worked in the repository that stored the records with which they were working, with Thomas Duffus' editions being an interesting and somewhat rare exception. Often the clerks of the Tower establishment were not always the same as those working on the records in the Tower for the record commissioners. It is worth noting here that the absence of the Tower clerks' names from the yearly progress reports does not definitively show that these clerks were not involved in some way. The names which appear in these reports are generally those of the more senior staff, and correlate in general to the names attached to the publications of the Record Commissions. This was also the case for example with Caley's calendar of the *Inquisitiones Post Mortem*, the first volume of which was published in 1806.<sup>245</sup> Although Caley is credited as the editor of the calendar, the Tower clerk Robert Lemon had prepared the text on Caley's instruction.<sup>246</sup> It is almost certain, then, that the more junior clerks would have contributed to the work, particularly when it involved the more mundane sorting, cataloguing and transcribing that underpins much of

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<sup>244</sup> The commissioners were at times involved in shaping such official staffing levels at the Tower, for example giving their approval for Lysons' requests to expand the record office and the employment of the supernumerary clerks.

<sup>245</sup> *Calendarium Inquisitionum Post Mortem sive Escaetarum*, ed. by J. Caley, 4 vols. (London, Record Commission, 1806-1828) i (1806).

<sup>246</sup> S. Cunningham, 'A Great Historical Enterprise: The Public Record Office and the Making of the Calendars of Inquisitiones Post Mortem', in *The Fifteenth Century Inquisitiones Post Mortem: A Companion*, ed. by M. A. Hicks (Woodbridge, Boydell, 2012), 169-82 (170).

what the commissioners achieved.<sup>247</sup> Having identified earlier, where possible, the clerks employed in the Tower alongside Thomas Duffus, it should be acknowledged that any of these men could also have worked for him on the editions of the chancery rolls without being credited.

It is at times impossible to separate the day-to-day work of the repositories from the work of the Record Commission. At the Tower, the commissioners were heavily involved in directing and financing the efforts to sort the large number of miscellaneous records discovered at the Tower in 1805.<sup>248</sup> The work sorting the miscellanea was primarily carried out 'in-house' by the supernumerary clerks between 1808 and 1830. At other times the commissioners employed 'non-Tower' officers, including; John Caley, Francis Palgrave and Joseph Stevenson, to sort the Tower miscellanea. Caley was initially involved in assisting Samuel Lysons and the Tower clerks in sorting and cataloguing these records. In 1800 Caley was the 'clerk or keeper' in the Augmentation Office and not a part of the Tower establishment.<sup>249</sup> After being appointed as secretary and sub-commissioner he appeared frequently in the Record Commission's annual reports working in the Tower. Caley was primarily involved in editing the Inquisitions Post Mortem for the commissioners, as well as repairing and sorting the Tower records. Although his assignment to the Tower has been regarded as more harmful and damaging than helpful, his very presence is an important

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<sup>247</sup> In certain reports the presence of additional clerks was directly mentioned, as 'Caley & assistants' or 'Palgrave & assistants' when they were sorting, cleaning and repairing records. Although a note was made in these cases to indicate when additional labour was being provided, both Palgrave and Petrie employed additional clerks on 'Parliamentary Writs' and 'Materials' without their presence being recorded in the yearly progress reports.

<sup>248</sup> *Commissioners Reports* (1819), 31-32.

<sup>249</sup> *Select Committee Reports* (1800), 213.

reminder that not all those working in the Tower served in its record office.<sup>250</sup> After the removal of the supernumerary clerks, Palgrave was employed to sort the miscellanea in the Tower from 9 March 1833, but his appointment as keeper of the records at the Westminster Chapter House in May 1834 meant that he and the two clerks working for him were withdrawn.<sup>251</sup> The commissioners continued to have an interest in this work and at a board meeting on 17 May 1834 the secretary was ordered to take any steps necessary to prevent the absence of Sir Francis Palgrave and his clerks from interrupting their activities calendaring and sorting the miscellaneous rolls and records in the Tower.<sup>252</sup> Joseph Stevenson was, therefore, engaged in July or August of 1834 to continue sorting and arranging the miscellaneous records. Stevenson does not appear to have had an enjoyable time in the Tower, judging by his various complaints regarding his salary, the extent of his duties, and the obstacles at the Tower preventing him from completing his project. Reports made by Stevenson on his work survive until December 1835, and he appears to have still been engaged in this endeavor when he gave evidence on 9 May 1836 to the parliamentary select committee appointed to inquire into the work of the commissioners.<sup>253</sup> It is, however, unclear if he remained in the Tower after he gave evidence, although he would certainly have left by the end of the following year, when the final Record Commission terminated in December 1837.

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<sup>250</sup> For a discussion of Caley in the Tower, and the negative impact of his work, see: Cunningham, 'A Great Historical Enterprise', 169-170.

<sup>251</sup> TNA, PRO 36/12, 154, 301.

<sup>252</sup> TNA, PRO 36/12, 301, 306.

<sup>253</sup> Cooper, *Papers*, 89-90; *Comparison between Certain Statements contained in the Evidence Given by Messrs. Stevenson, Hardy and Cole, Before the Select Committee upon the Record Commission, and Various Documents illustrative of the Matters referred to in such Evidence* (London, Record Commission, 1837), 5-12.



In addition to non-Tower clerks in the Tower being officially employed by the commissioners, it is also possible that Tower staff were paying such clerks out of their own pockets, throughout the period. The practice of sub-contracting work, although not always documented, appears to have been common at the time. It can be most regularly observed in the Rolls Chapel, where the keeper of the office relied on fees, and therefore employed clerks exclusively out of his own profits, as they did not receive salaries from the Treasury.<sup>254</sup> More often, however, clerks were sub-contracted, not on a full-time basis, but when and where extra labour was required, as can be seen in the case of the keeper in the Augmentation Office 'who has no extra assistance, but occasionally in copying ancient records of considerable length [or complexity] he pays the person [or people] out of his own profits'.<sup>255</sup> Thomas Duffus, his brother William, and a number of other younger clerks, had worked for Palgrave in the 1820s on such a basis, assisting in his edition of *Parliamentary Writs*.<sup>256</sup>

### The Publication Programme of the Record Commissions

Thomas Duffus' editions of the chancery rolls were just a small part of an extensive publication programme during the Record Commissions. This programme consisted of the production and publication of 111 volumes, in the form of calendars, catalogues, indexes and full editions of original documents.<sup>257</sup> Of the 111 volumes produced, 97 were editions of

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<sup>254</sup> *General Report* (1837), 114-115; Cooper, *Proceedings*, 127.

<sup>255</sup> *General Report* (1837), 87, 209.

<sup>256</sup> Cantwell, *The Public Record Office*, 2-3.

<sup>257</sup> A chronological list of the publications of the Record Commissions is attached in Appendix 2.

original documents, whilst only 14 were printed catalogues or calendars.<sup>258</sup> The table below shows how the publication dates of these volumes were spread across the publication programme of the Record Commission:

*Table 2: Publications of the Record Commission*

<u>Time of Publication</u>	<u>Number of Volumes Published:</u>		
	<u>In Total</u>	<u>As Calendars and Catalogues</u>	<u>As Editions and Texts</u>
1800 – 1810	12	4	8
1811 – 1820	29	0	29
1821 – 1830	21	6	15
1831 – 1837	32	2	30
After 1837	17	0	17
<b>Total Count:</b>	<b>111</b>	<b>14</b>	<b>97</b>

The first ten years of the Record Commissions are noticeably less productive, although this is not that surprising considering the record commissioners were also directing a large amount of energy towards the sorting, arranging, preserving, cataloguing and moving of records, as well the surveying and repair of the repositories. After the majority of this work was completed the record commissioners began to produce more publications, with the slight dip in 1820 – 1830 perhaps a response to Charles Abbot’s death.<sup>259</sup> The final Commission was the most productive when it came to producing publications, although this came with a high financial burden and accompanied condemnation. Criticisms were not only limited to extravagant spending. The final

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<sup>258</sup> These figures do not include a number of reports, and accounts of committees, also published at the direction of the record commissioners.

<sup>259</sup> Pugh, ‘Charles Abbot and the Public Records’, 85.

Commission was also attacked by opponents who felt they should have focused more of their efforts into producing catalogues or calendars, instead of editions. Peter Walne described the shortcomings of the sixth Commission, which, 'failed to complete a single calendar or index to official records' and argued that 'the first two commissions [1800-1818] come out best, printing indexes to Domesday, calendars of chancery enrolments and proceedings and inquisitions, and new or revised catalogues to the Cottonian, Harleian and Lansdowne MSS. in British Museum'.<sup>260</sup> The final Commission did, however, oversee the publication of both the third volume of Bayley's, *Calendars of the proceedings in chancery in the reign of Queen Elizabeth*, and the third volume of RJ Harper's, *Ducatus Lancastriae: Calendar to pleadings*, which had been mostly compiled under the preceding Commissions.

The decade leading up to the final Commission, the 1820s, was surprisingly productive in the production of calendars and catalogues, despite significantly fewer editions being published. This resurgence in publications in the 1820s was primarily the result of the publication of the first two volumes of Bayley's *Calendar*, and the first two volumes of Harper's *Ducatus Lancastriae*. Moreover, whilst these final Record Commission projects to publish catalogues and calendars were starting, the final volumes of the calendar to the *Inquisitiones Post Mortem*, a series started under the first Commission, were also being printed.

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<sup>260</sup>Walne, 'The Record Commissions', 12, 14.

In the 1830s, under the direction of the final Commission, the focus was certainly on the reproduction of entire records in editions. The editions commissioned and mostly published under the final Commission included Thomas Duffus' numerous volumes of the chancery rolls, Palgrave's series of *Curia Regis* rolls, Nicholas' series of privy council proceedings, and J. Hunter's editions of the earliest pipe roll, for *31 Henry I*, and of the Chancellors roll, for *3 John*.<sup>261</sup> To complete many of their volumes the commissioners made extensive use of record type to construct faithful reproductions of the often contracted and abbreviated documents. Record type had been first used in the eighteenth-century edition of *Domesday Book*, and an improved form created by the type-founder Vincent Figgins in 1805 at the insistence of the record commissioners.<sup>262</sup> The final Commission in particular made extensive use of record type, including, of course, for all of Thomas Duffus' editions of the rolls. Although the first two commissions gave a greater focus to the printing of finding aids, a number of editions were also commissioned. Charles Abbott's personal interests were a focus of the earlier Commissions, most notably with the publication of the Hundred Rolls, the *Nonae* Rolls and the *Statutes of the Realm*.<sup>263</sup> From the start of the third Commission, throughout the 1820s and into 1830s, there is a notable focus to publish the earliest surviving material, and the longer running record series of records in chronological order. This was possibly a result of retrospectively misplaced optimism that the Commission would be able to publish a complete series of records up to the present day.

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<sup>261</sup> See Appendix 2 for a complete list of the editions published in those years.

<sup>262</sup> M.M. Condon and E.M. Hallam, 'Government Printing of the Public Records in the Eighteenth Century', in *Journal of the Society of Archivists*, 7 (1984), 348-388, (382); T.B. Reed, *A History of the Old English Letter Foundries: with notes, historical and bibliographical, on the rise and progress of English typography*, new ed., rev. by A.F. Johnson (Folkstone, Dawsons, 1974), 331-332.

<sup>263</sup> Pugh, 'Charles Abbot and the Public Records', 71, 85.

In general, it is difficult to dismiss the claim that the record commissioners, and final Commission in particular, were more interested in producing full editions of original documents, rather than making finding aids better available. A surprising trend shown in the above table is that the move towards prioritising editions appears to start as early as the later years of the second Commission, which could well have been assisted by the emergence of the improved record type as well as being a by-product of Abbot's deteriorating health and increasing absence. The argument over whether it was more useful to publish texts in full or to print catalogues, calendars and indexes continued beyond the end of the Record Commissions, and into the early years of the new Public Record Office. In these years the disagreement further developed with some records officers, including Thomas Duffus, arguing that cataloguing of all the records in the Public Record Office should be completed before any new calendars or editions should be made and printed.<sup>264</sup> Perhaps unsurprisingly Thomas Duffus' long-time adversary Palgrave disagreed, and as Deputy Keeper of the Public Record Office even set up a calendaring department which continued to publish calendars throughout the 1840s and 1850s.<sup>265</sup> Despite his previous opposition, after being appointed as Deputy Keeper in 1861, Thomas Duffus continued the work producing calendars and editions, perhaps influenced by John Romilly, Langdale's successor as Master of Rolls, whose own preference for the publication of calendars is well documented. It was he who instigated the Rolls Series which resulted in 120-odd volumes of

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<sup>264</sup> Cantwell, *The Public Record Office*, 35.

<sup>265</sup> *Ibid.*, 97.

full-text editions of medieval documents and histories.<sup>266</sup> Indeed, some of the more hostile criticism of Thomas Duffus' keepership came from those who felt he should have prioritised the sorting and cataloguing of records above the production of scholarly publications and calendars. Some things, it would appear, did not change with the end of the Record Commissions and the final publications from their extensive programme of publications.

### The Record Commissions and other *Great Historical Enterprises*

The publication programme of the Record Commissions is significant. It was the earliest organised cooperative historical endeavour attempted in the British Isles. Such organised cooperative historical study is perhaps best explored in David Knowles, *Great Historical Enterprises*, a series of lectures to the Royal Historical Society on four such enterprises across Europe.<sup>267</sup> As the first great historical enterprise in the British Isles the very existence of the Record Commissions raises two significant questions: why the endeavour was set up at that particular time, and what influence earlier or contemporary continental historical enterprises may have had on the commissioners' endeavours.

The establishment of the Record Commission in 1800 was driven by Charles Abbot and the work of the select committee of the same year. Abbot's desire to oversee general government reform, and record reform in particular, arose from his personal enthusiasm for

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<sup>266</sup> D. Knowles, 'The Rolls Series' in *Great Historical Enterprises: Problems in Monastic History* (London, Nelson, 1963), 99-134.

<sup>267</sup> Knowles, *Great Historical Enterprises*, 3-134.

such ventures. Throughout his working life, he was a leading figure on the Expiring Laws Committee, the Select Committee on Finance and several Committees examining trade and the docks of London. At the time he served as an MP such reforms were reliant on the drive and commitment of independent actors of his kind.<sup>268</sup> The existence of the Record Commissions owes a great deal to the energies and curiosities of Charles Abbot. His interest in records likely started when he served as a senior clerk at the Court of King's Bench and oversaw the reorganisation of the records in that office.<sup>269</sup> His motivation for record reform was not confined to a desire to contribute to scholarly progress. The improved organisation of the public records was also seen as a necessity 'in the daily concerns of government, legislation and jurisprudence'.<sup>270</sup> Record reform was, however, strongly influenced by scholarly considerations. Abbot's personal belief in the historical significance of the public records can explain why the Select Committee of 1800, unlike previous similar enquiries, led to the great historical enterprise that was the Record Commissions programme of publication.<sup>271</sup>

Our understanding of the origins of the Record Commissions publication programme could be further illuminated by briefly examining the state of scholarship in Europe throughout the preceding centuries. The seventeenth and eighteenth centuries in

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<sup>268</sup> Pugh, 'Charles Abbot and the Public Records', 71.

<sup>269</sup> *Ibid.*, 69-70.

<sup>270</sup> *Select Committee Reports* (1800), 19-20.

<sup>271</sup> There were a number of enquiries into the public records in the seventeenth and eighteenth centuries, which mostly occurred on an ad hoc basis, the most significant example being in 1732 after the fire at the Cotton library. At most these enquiries succeeded in some low-level reorganisation of records and repair of repositories, but did not, at any point, lead to any organised scholarly endeavour.

Britain were the times of the antiquarian gentleman scholar, such as Dugdale, Dodsworth, Madox and Rymer. The great historical endeavours of this time were typically the work of individual scholars. They were directed in their research and writings only by their personal scholarly interests, or perhaps, the wishes of their independent patrons and financiers.<sup>272</sup> A period of greater co-operation and productivity amongst scholars in Britain can be seen between 1660 – 1730, in parallel with a golden age of scholarship spreading across Europe in the seventeenth century.<sup>273</sup> On the continent this golden age was the setting for very first organised cooperative historical endeavours, with the emergence of the Maurists in France, and the Bollandists in modern day Belgium.

The Bollandists were a group of four to six Jesuits dedicated to the collection, publication and study of the original source material of hagiographies. In about 1607 Heribert Rosweyde devised a plan to collect source materials for the Saints' lives, to be examined and studied in a scholarly manner. After his death in 1629, Rosweyde's scheme was assigned by his superiors to John Bolland.<sup>274</sup> For much of the seventeenth and eighteenth century the Bollandists continued to work on the result of Rosweyde's plan, the *Acta Sanctorum*. Despite facing numerous challenges, the Bollandists have continued to produce the *Acta Sanctorum* and an assortment of supplementary scholarly works up to the present day.<sup>275</sup>

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<sup>272</sup> Madox and Rymer both held the office of Historiographer Royal at the English Royal Court, and they are regarded as the first true historians to hold the post. For more on how the position of Historiographer Royal influenced the choices of scholars, see: D. Hay, 'The Historiographers Royal in England and Scotland', in *Scottish Historical Review*, 30 (1951), 15-29.

<sup>273</sup> D.C. Douglas, *English Scholars, 1660-1730*, 2nd edn. (London, Eyre & Spottiswoode, 1951).

<sup>274</sup> Knowles, 'The Bollandists' in *Great Historical Enterprises*, 3-8 (1-32).

<sup>275</sup> *Ibid.*, 1-32.



The other great enterprise to emerge in the seventeenth century, that of the Maurists, unlike the Bollandists, did not survive the upheaval of the French revolution. Their work is, however, more comparable to the Record Commissions in scale, although, as with the Bollandists, the Maurists were a monastic organisation and not a government-directed enterprise like the Record Commissions. The earliest Maurist scholars, a congregation of Benedictine monks at Saint-Maur around 1640, were not too different from the English scholars of the seventeenth century, with most of their significant works produced by a single scholar, perhaps assisted by a younger colleague chosen as a successor.<sup>276</sup> The second half of the Maurist period, from the start of the eighteenth century up until the fatal disruption of the French Revolution in 1789, however, was characterised by planned, co-operative, and centrally directed historic endeavour based at the abbey of Saint-Germain-des-Prés in Paris.<sup>277</sup> These two enterprises are not explicitly referenced by the record commissioners or Charles Abbot as influencers of the Commissions, although the greater scholarly co-operation, planning and direction they introduced to European scholarship cannot have been without benefit for the record commissioners, and their antiquarian forebears in the British Isles.

At the time of the Record Commissions' commencement in 1800, however, there were no contemporary historical enterprises in operation. This was a consequence of the instability on the continent caused by the French Revolution from 1789, and the following

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<sup>276</sup> Knowles, 'The Maurists' in *Great Historical Enterprises*, 33-62 (36-43).

<sup>277</sup> *Ibid.*, 43-62.

revolutionary and Napoleonic wars that sent Europe into turmoil between 1792 and 1815. The involvement of the British Empire in these wars must not be forgotten when considering the Commissions, and the diversion of funds and resources towards the wars was a major reason for the Treasury being unwilling or unable to fully fund many requests of the commissioners. It may also be worth noting that until 1815 the record commissioners, and their employees, would have had severely limited access to any foreign based records, or indeed scholars, that may have been relevant to their work.

After peace returned to the continent in 1815 great enterprises and co-operative historical study re-emerged across Europe, but none of these were to have any significant impact on the Record Commissions. The activities of the Bollandists were revived in 1837, as the Record Commissions were reaching their own end.<sup>278</sup> In Germany work was started on the *Monumenta Germaniae Historica*, through the singular efforts of Baron Karl von Stein in the 1820s but with a focus solely on the history of the medieval Germanic states.<sup>279</sup> At the same time, in France, the *École Nationale des Chartes* was established in 1821. This endeavour was to have some impact on the Public Record Office but only in the later nineteenth century.<sup>280</sup> The aftermath of the Napoleonic Wars, and resultant drives for independence, in Spain and Italy, prevented such great enterprises from gaining momentum.

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<sup>278</sup> Knowles, 'The Bollandists' in *Great Historical Enterprises*, 1-32 (19-21).

<sup>279</sup> Knowles, 'The *Monumenta Germaniae Historica*' in *Great Historical Enterprises*, 63-98.

<sup>280</sup> L.J. Moore, *Restoring order: The École des Chartes and the Organization of Archives and Libraries in France 1820-1870* (Duluth MN., Litwin Books, 2008).

The Record Commissions, and the publication programme, were remarkable for their time. There was no such great enterprise operating in nineteenth-century Europe for much of the time the Record Commissions were running, and no comparative state-controlled historical enterprise had ever been attempted in the modern world. Moreover, the Commissions began, and were funded, by a government embroiled in a costly war for nearly half of the period of the Commissions. The record commissioners, and the record officers they employed, operated in isolation from any wider European scholarship and without the benefit of any previous example of how to conduct such an enterprise. If this is where the Record Commissions and their publication programme fit within the wider historical context of the early nineteenth century, where then do the editions of Thomas Duffus, with which we are concerned, sit within that publication programme?

#### The Publication of the Chancery Rolls by Thomas Duffus Hardy

Thomas Duffus' editions of the rolls were ordered, and work on most of them completed, under the direction of the sixth and final Commission. The first volume attributed to him was the close rolls for 1204-1224, published in 1833. In 1835 three more volumes followed, one of the patent rolls for 1201-1216, another of the Norman rolls for 1200-1205 and 1417, and the other of the *oblata* or fine rolls for 1199-1216. The last volume completed and published before the end of the final Commission was the charter rolls for 1199-1216 in 1837. Then, in 1844, a second volume of the close rolls, for 1224-1227, was published. Finally, in the same year the edition titled *Rotuli de Liberata ac de Misis et Praestitis*,

*Regnante Johanne* was published. Both volumes published in 1844 had been ordered under the sixth Commission, with the work suspended, and then completed, in the years following the end of that Commission, at the direction of Lord Langdale. In a period of eleven years, seven Record Commission volumes attributed to Thomas Duffus were published. As a comparison, in the same period a total of forty-four volumes were published by the record commissioners. The editions attributed to Thomas Duffus, therefore, account for 16% of the volumes published by the record commissioners between 1833 and 1844, making him a not insignificant contributor to the publication programme in its later years.

The progress of those volumes can be followed in more detail through the reports and minute books of the commissioners. The order for the publication of the first volume of the close rolls was made early in 1832, with Petrie's letter acknowledging the order and agreeing to Thomas Duffus' involvement dated 10 March 1832.<sup>281</sup> The transcripts were, therefore, completed to an exceptional standard, sent to the press and the edition published within a year. This was an impressive turnaround, considering both the delay many Record Commission editions suffered and the fact that Thomas Duffus was carrying out his usual duties in office hours, and working on the transcripts of the close rolls in his spare time.<sup>282</sup> He continued to be employed by the record commissioners throughout the 1830s, and on 17 May 1834 an order was given to Petrie for transcriptions to be made of 'the earliest of each series of Rolls', including the patent, Norman, Almain, Roman, Gascon and fine rolls, to be sent to the press.<sup>283</sup> It is notable that the order was issued at the same board meeting at

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<sup>281</sup> TNA, PRO 36/12, 48-49.

<sup>282</sup> TNA, PRO 36/12, 48-49.

<sup>283</sup> TNA, PRO 36/12, 306.

which John Bayley's departure from the Tower was confirmed.<sup>284</sup> The convergence of the two events is a reminder that Thomas Duffus began to put the editions together when the decline in the Tower's staffing was well underway. Despite the added pressures placed on his workload by the gradual reduction in Tower record officers, Thomas Duffus continued to work at an impressive rate. The following year, three editions edited by him were published by the record commissioners, one containing the Norman rolls, another the patent rolls and the third the fine [or oblata] rolls.<sup>285</sup>

This period of intense productivity for Thomas Duffus appears to have ended in a series of disputes over his remuneration, with a note on 'Hardy's memorial' from a board meeting of the commissioners on 18 December 1835 relating that a committee had been formed to discuss his financial claims.<sup>286</sup> Despite the sub-committee's investigation of Thomas Duffus' claim continuing into 1837, and although the Commission was brought to a close by the death of King William IV in June, another edition by Thomas Duffus, of the earliest Charter Rolls, was published in 1837. It is difficult to tell when the work was being done for that particular edition, as a list of clerks employed by the record commissioners in

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<sup>284</sup> TNA, PRO 36/12, 306.

<sup>285</sup> No editions of the Roman, Almain and Gascon rolls attributed to Hardy were published by the Record Commission or the PRO. Hardy's transcripts of the Gascon rolls remain in The National Archives (TNA: PRO 31/8/46). A short transcript of the Gascon rolls under the title, *Rotuli Vasconiae Fragmentum, Clausi ut videtur, de anno regni Regis Henrici tertii vicesimo sexto* (London, Record Commission, 1836), presumably those made by Hardy, were published by the Record Commission in 1836, but were not attributed to Hardy, who at the time was in dispute with the commissioners regarding his payment for the editions of the Norman, Oblate/Fine and Patent rolls. The majority of the Gascon Rolls were eventually published in various editions by Belmont and Renouard, possibly using the transcripts made by Hardy. Extracts from the Roman rolls were included in a later edition of *Rymer's Foedora*, whilst the Almain rolls have not been published to this day. *Rôles Gascons*, ed. by C. Bemont and Y. Renouard, 4 vols. (Paris, Imprimerie Nationale, 1885-1962).

<sup>286</sup> TNA, PRO 36/12, 392-396. At the same board meeting a sub-committee was formed to discuss Henry Cole's claims regarding his remuneration and 'dismissal'.

December 1836 does not include Thomas Duffus.<sup>287</sup> Furthermore, a note from a board meeting on 6 April 1836 states that, ‘after some consideration Mr Hallam withdrew his motion that Mr Thomas D. Hardy should be appointed a sub-commissioner’.<sup>288</sup> The record commissioners would appear to have already denied Thomas Duffus a promotion, ‘when, in 1834, the office of Chief Clerk at the Tower became vacant, we [the commissioners] suggested to the [...] Treasury the propriety of forbearing to fill up the vacancy’. Given the ongoing payment dispute, it is perhaps not a surprise that the relationship between Thomas Duffus and the record commissioners, despite the extensive work he had previously completed for them, was complicated throughout the last years of the final commission.<sup>289</sup>

At some point in those years towards the end of the final Record Commission in 1837, Thomas Duffus had also started working on a second volume of the close rolls and the edition that became *Rotuli de Liberate*.<sup>290</sup> These two volumes were suspended for some time and, although both were finally published in 1844, they are still considered Record Commission publications. A note is printed in the *Rotuli de Liberate*, stating that:

The Printing of this Work was commenced by the Command of his Late Majesty King William IV., under the Direction of the Commissioners of the Public Records of

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<sup>287</sup> TNA, PRO 36/12, 480-492.

<sup>288</sup> TNA, PRO 36/12, 435.

<sup>289</sup> *General Report* (1837), 24.

<sup>290</sup> I have been unable to find the order for the commencement of work on the last two editions, although they had both certainly been started before the *General Report* of 1837. The work was most likely started in 1837, due to Thomas Duffus’ pay dispute with the Commissioners throughout 1836.

the Kingdom. The work has been for some time suspended, it is now completed according to the original design, and published by the command of Her Majesty.<sup>291</sup>

As printing of the transcripts had begun, this note suggests that a significant part of the work for this volume had been completed before the printing of the edition was suspended. A similar note in the second volume of the close rolls, however, states that the work having been suspended 'is not now completed according to the original design. It has been carried on to its present extent, and is now published by the command of Her Majesty'.<sup>292</sup> That note most likely refers to the initial ambitious plan for many more of the later close rolls to have been printed, and also perhaps indicates that the publication of the liberate rolls, 'complete according to the original design' did not include publishing the rolls of John's reign along with the later liberate rolls of Henry III. The introduction to *Rotuli de Liberate* certainly appears to have been written in 1844, with a footnote referencing that the last writ of *liberate* passed under the exchequer seal 'is that of Hilary Term 1844'.<sup>293</sup> The introduction of the *Rotuli de Liberate* is certainly interesting, as it shows Thomas Duffus to have had a greater understanding of the so-called liberate rolls in 1844 than is apparent in the choices that were made in arranging the editions.

The editions, as we know today, are flawed most obviously in the categorisation of the liberate rolls as a separate series from the close rolls. These 'liberate rolls' for 1200-1,

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<sup>291</sup> *Rot. Lib.*, ii.

<sup>292</sup> *Rotuli Litterarum Clausarum*, ii, 1.

<sup>293</sup> Hardy, 'Preface', in *Rot. Lib.*, v, n.3.

1201-2 and 1203-4 are actually the earliest of the close rolls, as David Carpenter has since demonstrated.<sup>294</sup> Carpenter also observed that Thomas Duffus was aware, to some extent, of true nature of the early liberate rolls.<sup>295</sup> In the introduction to *Rotuli de Liberare*, Thomas Duffus noted that:

The Liberare Rolls of the reign of King John contain entries precisely similar to those which occur on the Close Rolls. The two series of records were in fact identical.<sup>296</sup>

Despite recognising their similarities, Thomas Duffus still published the close rolls and liberate rolls separately, and, had previously declared the close roll 6 John published in *Rotuli Litterarum Clausarum* to be 'the most ancient now extant'.<sup>297</sup> In fact, we now know, that although the first volume of *Rotuli Litterarum Clausarum* begins with the close roll 6 John, *Rotuli de Liberare* includes the close rolls for 2 John, 3 John and 5 John, all mislabelled as 'liberate' rolls.

Some of this confusion can be explained by the dates when these editions were completed. The first volume of the close rolls, when the decision was taken to begin with the roll for 1204-1205, was published in 1833.<sup>298</sup> The first volume of close rolls was, as such, the very first edition of the chancery rolls which Thomas Duffus produced. The *Rotuli de Liberare*

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<sup>294</sup> Carpenter, 'In Testimonium', 9-11.

<sup>295</sup> Ibid., 9.

<sup>296</sup> Hardy, 'Preface', in *Rot. Lib.*, viii.

<sup>297</sup> Hardy, 'General Introduction to the Close Rolls', in *RLC*, iii-iv.

<sup>298</sup> The transcripts for this edition were ordered by the record commissioners in March 1832. See above, 93.



on the other hand, were published in 1844, although at least part of this edition was 'in the press' by 1837.<sup>299</sup> The point being that by the time he finished the *Rotuli de Liberate* he had been working on the editions of the chancery rolls for over ten years. It is entirely possible that when he wrote the preface to the *Rotuli de Liberate* he had to some extent realised his mistake. Moreover, we should not unduly criticise Thomas Duffus for failing to recognise something which has evaded eminent scholars for centuries. Even H.G. Richardson in his own transcription of a fragment of the 'liberate roll' of 1200-1201, despite noticing that the 'liberate rolls' were 'strictly speaking' the earliest of the series of close rolls, still chose to publish under the title of the 'Liberate Roll of John 2'.<sup>300</sup> Even today, despite Carpenter's more than credible evidence for it being a misclassification, The National Archives continues to classify these 'liberate rolls' of John in C 62, and not with the other close rolls, in C 54.

There are also reasonable questions that can be asked about the classification of the 'Norman' rolls, with several rolls of *contrabrevia*, a roll of charters and fine roll, as well as a miscellaneous land survey, being included within a single volume under the title *Rotuli Normanniae in Turri Londinensi Asservati*. Moreover, Thomas Duffus' introduction in this volume is described by Hilary Jenkinson as 'for once, definitely inadequate'. The 'Norman' rolls, are, Jenkinson argues not the 'homogenous series' that Thomas Duffus' edition presents them as, and his introduction fails to seriously question why these rolls should all be considered as a single series.<sup>301</sup> It may well have been an invention of early scholarship or

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<sup>299</sup> *General Report* (1837), 45-46.

<sup>300</sup> Richardson, *Memoranda Roll*, 88.

<sup>301</sup> H. Jenkinson, 'Financial Records of the Reign of King John', in *Magna Carta Commemoration Essays*, ed. by H.E. Malden (London, The Royal Historical Society, 1917), 263 (244-300).

archival practice that the 'Norman' rolls should be considered a single series, whilst the 'English' rolls of John's reign have been split into the close, patent, charter and fine rolls, as well as the miss-classification of the liberate rolls. The decision to publish the 'Norman' rolls in a single volume must have been primarily based on the availability of source material. Were it not for the loss of Normandy within five years of the chancery apparently starting enrolment, we may well have been left with a separate series of 'Norman' close and fine rolls today. We can perhaps speculate why Thomas Duffus did not decide to include, say, the Norman patent rolls with the corresponding English rolls. We should, however, focus mostly on the question of the 'liberate rolls', and advance an argument that it was not an individual mistake of Thomas Duffus' that led to the publication of the earliest close rolls in *Rotuli de Liberate*.

The roots of the misclassification go back further than the individual choices that Thomas Duffus made, with several of his contemporaries heavily involved in the plans to produce the editions. In the minutes for a board meeting in December 1831 a note is made that the secretary, Charles Purton Cooper, had made arrangements with 'Mr Hardy one of the clerks at the Tower for commencing printing of the close rolls'.<sup>302</sup> The instructions for the production of these editions made by the commissioners tell us that in 1832 Henry Petrie was directed to arrange for 'transcripts to be made of the early close rolls, for the purpose of publication'. Petrie had then, at the commissioners' direction, selected Thomas Duffus to oversee the work.<sup>303</sup> It is, therefore, more than likely that Petrie, Cooper and the

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<sup>302</sup> TNA, PRO 36/11, 221-2.

<sup>303</sup> TNA, PRO 36/12, 48-49.

commissioners had a considerable influence on the production of the editions. It was not Thomas Duffus' choices alone that influenced modern scholarship through the categorisations of the Record Commission editions of the chancery rolls. The decision appears to have been to simply follow classifications that already existed. In the preface to his *Rotuli de Liberate*, Thomas Duffus acknowledged, that 'the present classification of the Chancery Records is as ancient as the reign of King Richard the Second'.<sup>304</sup> This classification would have been preserved in the calendars and indexes at the Tower, and would have presumably reflected the manner in which the chancery rolls were stored within the archive. A number of the calendars and indexes of the chancery rolls had been printed by the Record Commission in 1801 under the direction of Reverend Ayscouth.<sup>305</sup> Thomas Duffus, it would appear, at the direction of the record commissioners and his superior at the Tower record office, arranged his editions of the chancery rolls according to the existing calendars and indexes of the same. Carpenter, however, was unable to verify Thomas Duffus' claim that the classification which existed in 1800 went back to the reign of Richard II. The earliest Carpenter could trace the division of the early liberate rolls and close rolls, was the seventeenth century.<sup>306</sup>

The most important finding from this first chapter, therefore, is that the Record Commission editions of the chancery rolls are indeed not truly representative of either the manuscripts or the contemporary organisation and classifications of those manuscripts. In

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<sup>304</sup> Hardy, 'Preface', in *Rot. Lib.*, viii, n.1.

<sup>305</sup> TNA, PRO 36/1, 28.

<sup>306</sup> Carpenter, 'In Testimonium', 9, n.46.

addition to exploring the processes and difficulties surrounding the work of the Record Commissions, it was possible to identify that Thomas Duffus was likely directed to compile his editions based around the existing classifications and calendars at the Tower of London. Despite the great achievements and the impressive contributions of the Record Commissions to the study of medieval history, a serious study of King John's chancery must reevaluate the classifications followed by Thomas Duffus Hardy when compiling his editions and engage directly with the manuscripts.

## Chapter Two

### The Chancery Rolls in The National Archives

#### The Archival Context of the Rolls

The original manuscripts of the chancery rolls, including those for the earliest years of John's reign, are currently stored in The National Archives in Kew and are still grouped into separate archival series within the classifications imposed by the PRO in the 1830s. The origins of these archival series can be traced back to the classifications made by those who organised the material in the late medieval and early modern archives in the Tower of London.<sup>307</sup> The extant rolls with which this thesis is concerned are found within the following series: the Norman Rolls (TNA, C 64), the Close Rolls (TNA, C 54), the Patent Rolls (TNA, C 66), the Charter Rolls (TNA, C 53), the Fine Rolls (TNA, C 60), the Liberate Rolls (TNA, C 62).<sup>308</sup>

For some of these rolls both an 'English' and 'Norman' counterpart were created, whilst for others only a single comprehensive roll was produced. It is only from the earliest

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<sup>307</sup> Hallam, 'Nine Centuries of Keeping the Public Records', 23-42.

<sup>308</sup> Some other rolls, produced in the chancery in this period (such as the scutage rolls, forest rolls and various court rolls) have survived. Most of these were either judicial rolls and, therefore, outside the scope of this thesis, or were sent to either the exchequer or other administrative departments instead of being retained by the chancery and, therefore, cannot be included within the definition of chancery roll being used in this thesis. The most important class of such documents for this thesis are the *originalia* rolls (TNA E 371), which were copied from the fine rolls and sent to the exchequer. We must also expect that other rolls and rotulets were being produced by the chancery in this period but have not survived. Some of these have left signs of their existence on the extant rolls and records, whilst others have vanished without trace.

years of King John's reign, before the loss of Normandy in 1204, that both 'English' and 'Norman' chancery rolls are thought to survive. As noted above, when talking about the 'English' and 'Norman' chancery rolls, we are not referring to rolls created by separate Norman and English chanceries, but by a single itinerant royal chancery. The chancery rolls should not, therefore, simply be grouped into either an 'English' or 'Norman' series in the manner in which the Norman and English pipe rolls are divided.<sup>309</sup> Instead the terms 'English roll' and 'Norman roll' will be used throughout this thesis to refer to the relevant counterpart roll. These terms are shorthand labels for rolls, which, in the case of the 'English' rolls, often include writs and other entries pertaining not only to England, but also to John's Irish and Welsh lands, whilst the 'Norman' rolls include entries for all of John's continental possessions, including Normandy, Anjou, Poitou and Gascony, as well as other continental territories John had an interest in, such as Angoulême and Brittany.<sup>310</sup>

This thesis will, therefore, need to define several additional terms to account for the apparent division of John's domains on either side of the English Channel. Although it is

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<sup>309</sup> Any pipe roll can be clearly classed as either English or Norman depending on which exchequer produced them and so the English pipe rolls are today found in TNA series E 372 and the Norman pipe rolls in E 373. Numerous different rolls were also created, and have survived from, both the Caen and Westminster exchequers from the twelfth and early thirteenth century. These are stored under various labels, sometimes in miscellaneous exchequer collections, sometimes within the relevant series of pipe rolls, and occasionally, incorrectly, within series of chancery enrolments, as will be considered later in this chapter.

<sup>310</sup> See below, 121-122. This is once again worth contrasting with the pipe rolls, which where they have survived, pertain only to the region over which the relevant exchequer held jurisdiction. The Norman pipe rolls, therefore, contain only entries pertaining to Normandy; the English pipe rolls contain only entries for the English and Welsh lands and subjects which relate to the Westminster exchequer, and the Dublin exchequer produced Irish pipe rolls containing entries pertaining to Ireland. There are some exceptions where, for example, what appear to be Irish revenues are collected at the English exchequer, but in these cases the revenue would have been assigned to an English land held by the man owing the debt.

somewhat of an anachronism, John's continental lands will be referred to as his 'French' lands, and entries or writs found in the 'Norman' rolls (when not clearly defined as either Norman, Angevin or Poitiven) will be referred to as 'French' writs or entries.<sup>311</sup> John's possessions in England and Wales will be referred to as his 'English' lands, with John's lands in Ireland referred to separately when required. Entries and writs in the 'English' rolls will be referred to as 'English' writs or entries unless clearly defined as Irish entries.

For the purposes of this thesis each entry on the roll has, where possible, been assigned to one of the regions under John's control, so that writs or memoranda can be considered to pertain to either England, Ireland, or one of the French lands as described above. Entries have been assigned primarily based on the identity of the person to whom the relevant writ or order was sent and the capacity in which they were acting. Thus, an enrolled copy of a writ sent to vicomte of Caen would be considered a 'Norman' entry, whilst a memorandum of an order sent to a man who held lands in Anjou to do homage for his fee to a new lord would be considered an 'Angevin' entry.<sup>312</sup> Although both these entries could also be considered 'French' entries and would be expected to be entered in the 'Norman' roll.

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<sup>311</sup> An entry in the roll is defined as either a copy of a writ (*contrabrevia*) copied out in full (except for the usual short form address and witness clauses and other contractions) or any simple memorandum that is not clearly marginalia. Entries of memoranda could be either directly recording that a writ had been sent to a certain person or other notes not directly related to any writ, such as a list of pledges (counted as a single entry) or a record of a financial account or transaction.

<sup>312</sup> Where it is unclear who the subject of an entry is I have relied on the context of the entry where possible to assign as accurately as possible. In some of these rolls many entries were assigned to the relevant region by one of the chancery clerks in the marginalia.

Finally, throughout this thesis, the term 'rate of enrolment' is used to refer to the number of entries which have been entered on the rolls within a period of time. These rates of enrolment have been calculated by using the dating clauses to identify when entries were enrolled and then counting the number of entries, including in the count both entries of writs and other memoranda, dated to the time when John was itinerant in a particular region, again using the dating clauses to identify the dates and locations of the itinerant king and chancery.<sup>313</sup> The total number of entries was then divided by the number of months or weeks which John had spent in that region to provide a 'rate of enrolment' for the period.

In order to calculate these 'rates of enrolment' several reasonable assumptions have been made about the dating clauses and process of enrolment. The first, is that the dating clauses within the entries on the chancery rolls would have matched the dating clauses on the engrossments that were sent out.<sup>314</sup> The second, is that any entries where the dating clause has been abbreviated to, 'T[este] [e]tc', can be dated to the closest preceding entry with a full dating clause and any entries where there is no visible dating clause, either because it has been lost to damage to the membrane or no dating clause was included in the

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<sup>313</sup> In general, I have identified each separate entry by the presence of a pilcrow or similar mark at the start of the entry. As such, entries where a full writ is copied onto the roll have been given the same weighting as a short memoranda summary. In addition, several instances where a note is made below a writ, that 'the same' was sent to a certain official or officials, will have been counted as multiple entries. Here I must also echo Professor Carpenter's warning that whilst 'counting writs is easier than counting sheep because they are static', some errors in my figures are certainly a possibility and although they have been double and triple checked, I have counted well into ten-thousand writs in the course of this thesis, and these figures and calculation should be considered as approximations only. Carpenter, 'In Testimonium', 14, n.69.

<sup>314</sup> It is believed that the chancery rolls are mostly copies of the *contrabrevia* or rough drafts of the documents that were actually sealed and sent out to royal officials, and so there may have been some minor changes between the writs that were issued and the copies entered on the rolls. In her study, although focusing mostly on the charter rolls, Edwards demonstrated that both engrossments and drafts were used for copying onto the rolls. Edwards, *Chamber and Chancery*, 73-76, 82-89.



entry at all, can be dated to the period between the closest entries with a clear dating clause above and below. The third and more significant assumption, is that writs were mostly enrolled soon after the dates given on the dating clause. We can be confident this is true as changes in hand and ink colour throughout the rolls allow us to observe that entries were copied onto the rolls in small batches. These small batches tend to include writs dated within a few days of each other and often at the same place, with the next batch of writs then dated a short time later, but again that group is also dated within a few days of each other. Furthermore, where there are periods of very limited enrolment and only two or three writs are enrolled over several months, each dated many weeks apart, these writs are not entered in a single batch, but each appears to have been written using a different ink and sometimes with changes in the hand.<sup>315</sup> Finally we have evidence of entries being made on the wrong roll, which are then deleted and entered in almost perfect chronological order on the correct roll, demonstrating that these were indeed working documents being compiled throughout the year on an ongoing basis and, therefore, that writs must have been entered shortly after the dates given.<sup>316</sup>

The concept of rates of enrolment is used throughout the thesis to show how enrolment occurred more or less frequently in certain rolls when John and his chancery were

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<sup>315</sup> A good example is the final membrane of the 'Norman' close roll 2 John, in particular three writs, each dated about a month apart (19 December 1200, 16 January 1201, 11 February 1201) and all written in either a different hand or ink, suggesting each was enrolled separately rather than the chancery clerks waiting to have a batch of writs to enter. There then follow two entries dated on 6 March 1201, written in a different hand and ink to the final entry above (dated 11 February 1201) but both in a similar hand and ink, suggesting these two entries were indeed enrolled together, before several entries dated towards the end of March (between 19 March and 25 March) which all appear to have also been enrolled together, but not at the same time as the 6 March entries. TNA, C 64/4, m. 1.

<sup>316</sup> See Edwards, *Chamber and Chancery*, 99-107.

in different areas. These rates are also used to show how more or fewer entries were made on the rolls at different times in John's reign. In general, these rates of enrolment can be compared without any concerns about the validity of the data, although it is worth noting that as they have been typically calculated on a monthly basis, the rate of enrolment does not necessarily show the exact number of writs being enrolled each month, but an average of the total writs enrolled in a certain period.

### Re-Classifying the Rolls

It is likely that the existing classifications of the rolls would have had little meaning to the contemporary medieval creators and keepers of the rolls. The current archival organisation of the chancery rolls groups all the extant 'Norman' chancery rolls within a single independent series.<sup>317</sup> As this chapter will go on to argue, several of the documents within this Norman rolls series should in fact be grouped within the some of the other chancery rolls series. Moreover, as noted in the preceding chapters, the liberate rolls for the early years of John's reign are the earliest extant close rolls.<sup>318</sup> As such, the chancery rolls for this early part of John's reign should be more accurately grouped within only four of the existing series, namely: the close rolls, the fine rolls, the patent rolls and the charter rolls. Some of the documents in the current series called the Norman Rolls fit neatly within these categories, but as this chapter will go on to argue some do not and have been mistakenly included within the series. The following table, therefore, displays the extant chancery rolls

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<sup>317</sup> Titled: 'Chancery: Norman Rolls', TNA, C 64.

<sup>318</sup> See above, 30, 33, 45-47.

surviving for the first seven years of John's reign, grouped within the said four series and indicates whether both an English and Norman roll, or just a single roll, survives for each year.

Table 3: The Chancery Rolls 1199-1206 with 'contemporary' classifications

	<b>John 1</b> (1199 – 1200)	<b>John 2</b> (1200 – 1201)	<b>John 3</b> (1201 – 1202)	<b>John 4</b> (1202 – 1203)	<b>John 5</b> (1203 – 1204)	<b>John 6</b> (1204 – 1205)	<b>John 7</b> (1205 – 1206)
<b><u>Close Roll</u></b>	No extant rolls.	English + Norman roll.	English roll only.	Norman roll only.	English + Norman roll.	Single royal roll.	Single royal roll.
<b><u>Patent Roll</u></b>	No extant rolls.	No extant rolls.	Single royal roll.	Single royal roll.	Single royal roll.	Single royal roll.	Single royal roll.
<b><u>Charter Roll</u></b>	Single royal roll.	Single royal chancery roll <sup>319</sup>	No extant rolls.	No extant rolls.	Single royal roll.	Single royal roll.	Single royal roll.
<b><u>Fine Roll</u></b>	English roll only.	English + Norman roll.	English roll only.	No extant rolls.	No extant rolls.	Single royal roll.	Single royal roll.

<sup>319</sup> There is also a roll of charters produced in the Norman exchequer which is labelled as 'from the second year of John's reign', see below, 126-133.

To explain why the Norman rolls were incorrectly grouped within a separate series to the various 'English' chancery rolls, it is worth considering the origins of the terms given to the various groups of chancery rolls. Outside the documents themselves, contemporary references to the chancery rolls are limited. A passage from the chronicle written by Jocelin of Brakelond records that in 1201 King John had ordered a search, 'per registrum suum', to determine what sort of charter he had granted the monks of Ely.<sup>320</sup> The register which Jocelin refers to must have been the document we now know of as the charter roll for 2 John, on which the disputed charter for the monks of Ely can be found on membrane seven.<sup>321</sup> The term *rotulus*, used on the rolls themselves, seems not, to have been commonly used by contemporaries outside the administration.<sup>322</sup> The term was at the time a fairly recent innovation, appearing within the text of several writs or charters in the twelfth century.<sup>323</sup> Rolls described as *rotuli* of various kinds can also be found in the *Dialogus*, with various types of rolls given the labels by which Richard fitzNigel had known them.<sup>324</sup> The variety of rolls which Richard named compared with the more limited term, 'my roll', used in the surviving charters and writs from the same period, show the difference in how the

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<sup>320</sup> *The chronicle of Jocelin of Brakelond concerning the acts of Samson, abbot of the Monastery of St. Edmund*, ed. and tr. by H.E. Butler (London, Nelson, 1949), 133.

<sup>321</sup> *Rot. Chart.*, 91.

<sup>322</sup> Clanchy, *Memory*, 137-140.

<sup>323</sup> Two of the earliest references to rolls use the phrase '*rotulo meo*' and '*rotulorum meorum*' and are found in two writs from the reign of Henry II. One from before 1158 likely refers to an English exchequer roll and the other from the 1160s to a Norman exchequer roll, and are illustrative of how all of these administrative rolls were considered the king's personal records. Vincent, 'Why 1199?', 38, n.106 and n.107.

<sup>324</sup> Richard fitzNigel refers to the pipe roll, simply as, the roll, '*rotulus*', throughout much of the *Dialogus*, but uses the term '*magni annales compotorum rotuli*' when discussing the storage of the pipe rolls and '*rotulus annalis de tempore regis illius*' to refer to a pipe roll from the reign of Henry I. Some of the various other rolls Richard names include: '*rotulus de thesauro*', '*rotulus qui exactorius dicitur*' and '*rotuli receptarum*'. He also mentions the '*rotulus de cancellaria*', which is not a 'chancery roll' as the term applies today but was a duplicate of the pipe roll drawn up by a chancery scribe sitting at the exchequer and is now known as the chancellor's roll. *Dialogus*, 26-27, 88-89, 94-95.

exchequer mind understood the rolls compared to how those outside the exchequer may have.<sup>325</sup> For those working within the institution every roll had its own particular label, but for those outside it every roll was the king's personal document. Distinguishing between them was unnecessary.

How then did the chancery clerks distinguish between the chancery rolls? The terms used today, such as close roll, patent roll, charter roll and fine roll, are all based on contemporary Latin titles which reference the contents of the roll. For example, the close rolls, *Rotuli Litterarum Clausarum*, were rolls containing copies of letters sent sealed closed. These terms were used at the medieval Tower archive and were then adopted by the PRO in the nineteenth century along with the existing organisation of the records.<sup>326</sup> The archival terminology, therefore, certainly has some similarities with contemporary labels given to the rolls, which are almost entirely restricted to the titles and annotations the clerks left on the rolls themselves. In the early years of John's reign, however, there is a great deal of inconsistency in the titles given to the rolls and a number of the surviving rolls do not have a contemporary title.<sup>327</sup>

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<sup>325</sup> As '*rotulo meo*' or '*rotulorum meorum*'.

<sup>326</sup> We know these labels were used for the rolls in the medieval record office because most of the chancery rolls have non-contemporary outer covers with large titles. Where the roll has a contemporary title, it does not always match the title on the cover, which is normally shorter and less descriptive. The covers appear to date from the sixteenth or seventeenth century. Carpenter, 'In Testimonium', 9, n.46.

<sup>327</sup> On some of the rolls a contemporary title may have been lost. On others no contemporary title was ever given to the roll.

The contemporary titles of the earliest close rolls, especially those from before the fall of Normandy, for example, are not at all standardised.<sup>328</sup> The 'Norman' close roll for 2 John is simply titled, 'Rotulus de Contrabrevibus Anno II in Normannia'.<sup>329</sup> The first membrane from the 'English' roll for that year has been lost and so we do not know what the contemporary title of that roll might have been. The only surviving counterpart for 3 John, an 'English' close roll, has no contemporary heading, although a generous space is left at the top of the first membrane in which a title was perhaps expected to be written.<sup>330</sup> A contemporary title was given to both the 'Norman' roll from the fourth year of the reign and the 'English' roll for the fifth year of the reign. The title of the 'Norman' roll for 4 John reads, 'Rotulus terrarum liberatarum et contrabreuium de Norm(annia), Andeg(auia) et Pict(auia) inceptus die Ascensionis Domini xxiii. die Maii anno regni illustris regis Ioh(ann)is iiiii.'. <sup>331</sup> The first entry on the same membrane starts 40mm down from the top, with the title only using about half of this space, suggesting that, like the 'English' roll for 3 John, these titles were written later than the entries were enrolled. Unfortunately, the 'Norman' roll for 5 John, which was repaired from fragments in the 1830s, does not have a surviving title. The 'English' roll for that year is titled as, 'Rotulus Terrarum [e]t Denarior[um] Liberatar[um] in Anglia anno regni d[omi]ni Regis Johannis Quinto'.<sup>332</sup> As we can see from this title, although the later 'Norman' roll explicitly stated that the roll contained Norman, Angevin and

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<sup>328</sup> As previously noted, this was one of the reasons it was unclear whether the rolls should be considered close rolls or liberate rolls. See above, 94-95.

<sup>329</sup> 'Roll of *Contrabrevia* from the Second Year in Normandy'. It is of some interest that this title proclaims the roll to be for the 'second year in Normandy' as opposed to the 'second year of the reign of king John', the style which is found in the extant contemporary titles from the charter rolls, and the close and patent rolls for the following years in both England and Normandy. TNA, C 64/4, m. 6.

<sup>330</sup> TNA, C 62/2, m. 6.

<sup>331</sup> 'A roll of lands released and of *contrabrevia* for Normandy, Anjou and Poitou begun at Ascension Day, 23 May in the 4th year of the reign of King John'. TNA, C 64/5, m. 11.

<sup>332</sup> 'A roll of lands and moneys released in England in the fifth year of the reign of King John'. TNA, C 62/3, m. 13.

Poitivien business, the 'English' roll makes no mention of Ireland, despite writs relating to Ireland continuing to be made on the roll. There is a reference to '*contrabrevia*' in both Norman rolls, and the common phrase '*terrarum liberatarum*' is found in the Norman roll for 4 John and English roll for 5 John, but little that would point to a label of close roll in these earliest extant rolls.

Despite the current consensus that the extant series of close rolls begins with the two rolls for the second year of John's reign, none of the close rolls are given a main title using the phrase '*Rotuli Litterarum Clausarum*', until the roll for 8 John in 1206.<sup>333</sup> The close roll for 6 John, the roll for the year after the loss of Normandy, has a similar title to the 'English' roll for the previous regnal year, which reads: '*Rotulus T[er]raru[m] datar[um] [e]t co[m]missaru[m] [e]t denar[iorum] [e]t q[ui]etanc[i]onu[m] anno regni Regis Joh[ann]is Sexto*'.<sup>334</sup> Finally, the roll for 7 John has no contemporary title, but, like the 'English' roll for 3 John, space was left for it to be entered. The inconsistency in the titles given to these rolls likely caused the incorrect identification of the earliest close rolls as 'liberate rolls' by the medieval Tower archivist responsible for their first classification.<sup>335</sup>

Like the close rolls, the contemporary headings of the fine rolls, do not find a consistent form until later in John's reign. Although they come to be known as the fine rolls, from the Latin *finis*, in the earlier part of the reign the term *oblata*, or offering, is also used a

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<sup>333</sup> '*Rotulus Litterar[um] Clausar[um] Anni Regni Regis Joh[ann]is Octavis*'. TNA, C 54/3, m. 7.

<sup>334</sup> TNA, C 54/1, m. 21.

<sup>335</sup> See above, 94-95.

number of times to describe the rolls.<sup>336</sup> The title of the ‘English’ fine roll for 1 John is partially obscured, but what remains reads: ‘[...]cepta anno regni Regis Joh[ann]is primo xxix die Maii’.<sup>337</sup> In Hardy’s edition the first part of the title is transcribed as ‘.... de Recepta’, although Carpenter has argued it would have originally read ‘*oblata recepta*’ based on a similar label seen on the final membrane of the roll for 9 John.<sup>338</sup> The ‘English’ roll from the second year of the reign does not have a contemporary title and unlike some of the close rolls no space was originally left for the title to be entered. The ‘Norman’ fine roll for the second year, however, does carry a contemporary title, reading: ‘Rotulus Norm[annie] incept[us] die Ascensionis D[omi]ni de oblat[is] recept[is] anno regni Reg[is] J. s[e]c[un]do’.<sup>339</sup> The English roll for the third year of the reign is: ‘Rotulus Oblato[rum] receptor[um] anno regni d[omi]ni Reg[is] Joh[annis] t[er]cio’.<sup>340</sup> The roll for the sixth year of the reign, the first currently extant to certainly use the term *finium* in the title, reads: ‘Rotulus Finium receptor[um] de Anglia anni regni Regis Joh[ann]is sexti’.<sup>341</sup> The roll for 7 John does not have a contemporary title. The next surviving roll, for 9 John, returns to using *oblata* with the unique title: ‘Oblata Curie anno regni Regis Joh[ann]is nono’.<sup>342</sup> Several rolls are then lost until 15 John, which is titled: ‘Rotulus Finium de anno r[eg]ni J[ohannis] Regis quinto

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<sup>336</sup> The interchangeable use of *oblata* and *finium* never caused the same archival degree of confusion at the Tower record office as that which led to the misclassification of the early close rolls. The rolls, excepting the Norman fine roll, were retained within the same series, and were published in the same volume for Hardy’s edition for the Record Commission. The rolls were still considered to have been indiscriminately known by the contemporary clerks as both *oblata* rolls or fine rolls and Hardy’s edition was consequently titled: *Rotuli de Oblatis et Finibus in Turri Londinensi Asservati, Tempore Regis Johannis*. Carpenter, ‘Historical Introduction’, in *Fine Rolls of the Reign of Henry III*, i, viii.

<sup>337</sup> TNA, C 60/1A, m. 23.

<sup>338</sup> Carpenter, ‘Historical Introduction’, in *Fine Rolls of the Reign of Henry III*, i, viii-ix.

<sup>339</sup> TNA, C 64/2, m. 4. [Tr. Roll of Normandy having been started on Ascension Day of offerings received for the second year of the reign of King John].

<sup>340</sup> TNA, C 60/1C, m. 15.

<sup>341</sup> TNA, C 60/2, m. 17.

<sup>342</sup> TNA, C 60/4, m. 13.



decimo', and after this regnal year every extant roll includes some form of *finis* in the title.<sup>343</sup>

The use of the term 'oblata' in numerous titles, similar to the various labels used in the titles of the early close rolls, is likely evidence for the recent emergence of the fine rolls, at least in the form they survive from John's reign.<sup>344</sup>

The other two series of rolls which survive for John's reign, the patent rolls and charter rolls, were not divided into an 'English' and 'Norman' roll at any point during his reign itself. Instead, for these rolls, only a single comprehensive royal roll was created for every year of the reign that they were produced.<sup>345</sup> Within the series of Norman rolls there is a roll which is currently labelled as a 'Norman charter roll' in current and past archive classifications. This so-called 'Norman' charter roll, however, is not a counterpart of any 'English' charter roll. Indeed, the concept of 'English' and 'Norman' charter rolls is misleading. As this chapter will discuss in more detail later, the roll known as the 'Norman charter roll' is not a chancery roll but an exchequer document.<sup>346</sup> It is an entirely different document to the chancery charter rolls, of which, as noted, a single royal roll was created for each regnal year, in which, most, but not all, of the charters the chancery issued that year were enrolled in chronological order.

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<sup>343</sup> TNA, C 60/5A, m. 6; Carpenter, 'Historical Introduction', in *Fine Rolls of the Reign of Henry III*, i, viii-ix.

<sup>344</sup> David Carpenter has repeatedly argued that the fine rolls, or some version of them, were in existence long before 1199, perhaps even dating back to the reign of Henry I. His hypothesis is very convincing, but as this chapter will go on to argue, the form of the extant fine rolls only emerged in John's reign, along with the beginnings of other chancery rolls which survive after 1199. Carpenter, 'Historical Introduction', in *Fine Rolls of the Reign of Henry III*, i, vi-ix; Carpenter, 'In Testimonium', 6-9.

<sup>345</sup> For a number of the rolls from later years in the reign a duplicate roll also survives and so we have two physical rolls for these years. If any duplicate rolls were made between 1199 and 1206, however, none have survived.

<sup>346</sup> See below, 126-135.

Neither of the earliest extant chancery charter rolls, from the first and second year of John's reign, have contemporary headings and the rolls for the following two years are missing.<sup>347</sup> The charter roll for 5 John is the first to carry a contemporary title: 'Rotulus Cartar[um] Anno Regni D[omi]ni Regis Johannis Quinto'.<sup>348</sup> The roll for 6 John is similarly titled: 'Rotulus Carta[rum] Anno Regni Regis Joh[ann]is Sexto'.<sup>349</sup> There is no contemporary title on the roll for 7 John and the roll for the following year has been lost, so the roll for 9 John is the next to carry a contemporary title: 'Rotulus Cartar[um] anno regni Regis Johannis nono'.<sup>350</sup> The roll for 10 John is lacking a contemporary title and there is then a break in the survival of the rolls, with the next extant roll being for 14 John, which is also missing a title. The roll for 15 John has a slightly different contemporary title, reading: 'Carte d[omi]ni J[ohannis] Reg[is] anno xv'.<sup>351</sup> The same style of title is given to the roll for 16 John: 'Carte de anno regni Joh[ann]is Reg[is] Angl[iae] xvj', 17 John: 'Carte Inrotulate anno regni Regis xvij', and 18 John: 'Carte de anno regni Regis Joh[ann]is octavo decimo'.<sup>352</sup> The term charter roll, *rotulus cartarum*, therefore, is found in the title of only three of the rolls from John's

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<sup>347</sup> The charter roll for the first year of John's reign now survives in three parts. The first part running from July 1199 to November 1199, and the second part from December 1199 to May 1200. The third part contains several membranes with charters enrolled dating from November and December, and at one time must have been connected to either the end of the first part or start of the second part. The roll would have originally been created and stored as two physical objects but would still have functioned as a single document. There is no contemporary title on any of the surviving sections of the roll. For the second year of John's reign the roll is a single document and again has no contemporary title, with charters again enrolled chronologically, here running from May 1200 to May 1201. TNA C 53/1-4.

<sup>348</sup> TNA, C 53/5, m. 26.

<sup>349</sup> TNA, C 53/6, m. 12.

<sup>350</sup> TNA, C 53/8, m. 8.

<sup>351</sup> TNA, C 53/11, m. 4.

<sup>352</sup> TNA, C 53/12, m.11; C 53/14, m. 10; C 53/16, m. 1.

reign, but every roll carrying a contemporary heading identifies it as a roll of charters – a contrast to the more inventive and diverse titles seen in the close and fine rolls.

The patent rolls were also never divided into counterpart ‘English’ and ‘Norman’ rolls and were labelled as *Rotuli Litterarum Patentium*. The contemporary headings consistently use the term letters patent, clearly identifying how the chancery clerks labelled these rolls. The first surviving roll for 3 John does not have a contemporary title, but the roll for the following year is titled: ‘Rotulus Litt[er]ar[um] Patentiu[m] incept[us] die Ascensionis D[omi]ni xxiiij die Maii Anno Regni Illust[r]is Regis Joh[ann]is iiiijto’.<sup>353</sup> The next roll in the series, for 5 John, has the title: ‘Rotulus Litter[arum] Patentium Anno Regni D[omi]ni Regis Johannis Quinto’.<sup>354</sup> The roll for 6 John is titled: ‘Rotulus Litter[arum] Patentium anni [sic] regni Regis Joh[ann]is Sexti [sic]’.<sup>355</sup> Some slight deviation from this style follows, as the roll for 7 John does not have a contemporary title and the roll for 8 John has the title: ‘Litere Patentis Anno Regni Regis VIIIto’.<sup>356</sup> The following roll, 9 John, reverts to: ‘Rotulus Litt[er]ar[um] Patentiu[m] Anno Regni Regis Joh[ann]is Nono’, and this style remains the standard until the end of the reign.<sup>357</sup> The more standardised titles seen on the patent rolls may reflect the fact that unlike the other chancery rolls, which are commonly accepted to have existed from at least the first year of John’s reign, the earliest extant patent roll for 3 John is thought to be the first of that series to have ever existed.<sup>358</sup>

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<sup>353</sup> TNA, C 66/2, m. 14.

<sup>354</sup> TNA, C 66/3, m. 10.

<sup>355</sup> TNA, C 66/4, m. 11.

<sup>356</sup> TNA, C 66/6, m. 4.

<sup>357</sup> TNA, C 66/7, m. 6.

<sup>358</sup> Vincent, *Norman Charters*, 15-16.

Although the labels of 'close roll' and 'fine roll' did not become standard in the contemporary headings until later in John's reign, these terms were being used to refer to these rolls by the chancery clerks from much earlier in John's reign. The term *rotuli finium* is found at least as early as 1203 and the term *Rotuli Litterarum Clausarum* is found from around the same time.<sup>359</sup> In fact, there are a number of uses of the term 'close roll' by chancery clerks as a label for the earliest close rolls from John's reign, before it started being used as the standard title. The 'English' roll for 5 John has a contemporary label on the dorse of the last membrane of that roll which gives the roll the title of: 'Rotulus litt[er]aru[m] clausaru[m] anni Regni Reg[is] Joh[ann]is Quinti'.<sup>360</sup> Carpenter has identified this hand as the same as that which provided the main title of the roll for the following year, although that title itself makes no mention of 'letters close' or 'close roll'.<sup>361</sup> He also notes two other contemporary references to a 'close roll', one in the patent roll for 4 John and the other in the 'English' fine roll for 3 John.<sup>362</sup> The reference in the fine roll is an annotation made against a fine paid by the abbot of St. Thomas' abbey in Dublin for confirmation of his charter. The annotation notes that he has letters from the king quitting him, 'which are enrolled in the roll of letters close'.<sup>363</sup> These letters appear to be found enrolled in the 'English' close roll for 5 John and not the roll for 3 John, suggesting that the fine roll would have been retrospectively annotated to make this note, dating this reference to around 1203 rather than 1201.<sup>364</sup> The label can, however, also be found in an annotation which can be dated to

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<sup>359</sup> *Rot. Lib.*, 54; *Rot. Ob. et Fin.*, 188.

<sup>360</sup> TNA, C 62/3, m. 1d.

<sup>361</sup> Carpenter, 'In Testimonium', 15-16, n.75, n.80.

<sup>362</sup> *Ibid.*, 14-15, n. 72, n.75.

<sup>363</sup> *Rot. Ob. et Fin.*, 188.

<sup>364</sup> *Rot. Lib.*, 71.

slightly earlier. In the patent roll for 4 John, against an entry noting that one writ had been sent to Geoffrey fitzPeter and another to the custodians of the Jews, this annotation reads, 'note that these letters close are found in the roll of letters close'.<sup>365</sup> These two writs cannot now be found in any surviving close roll. They likely would have been entered on the 'English' close roll for 4 John which is no longer extant.<sup>366</sup> On both these occasions it is clearly referring to the 'English' close roll.<sup>367</sup> The sample size is too small, however, to conclude that the 'English' roll specifically was identified as the 'close roll', and that the 'Norman' close rolls were considered something explicitly different. Instead, the absence of any effort to differentiate between the 'English' and 'Norman' rolls, shows us that the chancery clerks did not feel the need to explicitly identify in which rolls those particular letters were enrolled.

Two main explanations can be given for the absence of any similar annotations using the term 'close roll' in reference to the Norman rolls. First, the fact that there is only a single extant 'Norman' fine roll and such a reference is most likely to have been made in a 'Norman' fine roll. Second, because the patent rolls were begun later than the close rolls there are only two or three years where the patent rolls and 'Norman' close rolls were both in existence. In addition, it should be noted that letters patent were enrolled in both the 'English' and 'Norman' close rolls throughout the early years of John's reign. These entries were often noted by marginalia commenting '*patentes*' or '*littere patentes*', without any

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<sup>365</sup> *RLP*, 24b.

<sup>366</sup> Writs sent to the justiciar and the custodians of the Jews were regularly entered on the 'English' roll and not the 'Norman' roll.

<sup>367</sup> On both occasions the singular form *rotulo* is used.

annotation noting that the writ should be enrolled in the patent roll, both in the years before and after the patent rolls began. In fact, there is only a single annotation which explicitly states that a letter patent in a close roll has been enrolled incorrectly, as was fairly common when letters close or fines were enrolled in the wrong place. The annotation is made against three entries in the 'English' close roll for 5 John and reads, 'Deb[er]nt i[n]rotulari int[er] Litt[er]as Patentes'. One of these writs is addressed to William Crassus the seneschal of Normandy, another to the lord of Rouen, and the other uses the standard address of *omnibus*.<sup>368</sup> Two of these writs were, therefore, clearly concerned with 'Norman' business and so would have been incorrectly enrolled in the 'English' roll in any case.

The annotation also brings attention to another apparent use of the term 'close roll', which Carpenter did not comment on, found in the patent roll for 5 John, apparently referring to those same writs. There is a partially readable annotation on membrane six, now badly obscured by use of galls, but which Hardy's transcription allows us to read as: '[...] i[n]cipiend[um] [...] i[n] memoria. [...] Litt[er]e pat[entes] [...] Sagien [e]t Alb[r]am [...] Muriel s[i]t [...] in rot[u]lo [...] Clausar[um] [e]t deb[er]nt [...] [inrotu]lari i[n] h[ic] a[nn]o'. The annotation is referring to those three letters patent incorrectly enrolled in the 'English' close roll for 5 John.<sup>369</sup> Once again, the annotation referencing a close roll is referring to the 'English' roll, but it is notable that the annotation also appears to state that 'this ought to be enrolled in this year'.<sup>370</sup> In most of the other annotations found on the roll, however, the

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<sup>368</sup> *Rot. Lib.*, 72.

<sup>369</sup> *RLP*, 35. One of the writs in the close roll concerns the election of the archdeacon of Sées and another the sale of the houses and lands of a certain Abraham son of Muriel showing that these are clearly the writs referenced in the annotation.

<sup>370</sup> 'deb[er]nt [...] [inrotu]lari i[n] h[ic] a[nn]o'. *RLP*, 35.

clerks appear to consider there to have been no more difference between the 'English' and 'Norman' close rolls than between the rolls for each year. With the above annotation, although not discerning between the 'English' and 'Norman' rolls, the year of the roll is explicitly referenced.<sup>371</sup> At no point, however, when the chancery clerks use the term 'close roll' in these annotations do they attempt to separate or distinguish between an 'English' and 'Norman' roll, or even between 'English' and 'Norman' writs. The failure to distinguish between the two counterpart rolls demonstrates a particular chancery viewpoint of both the 'English' and 'Norman' close rolls. In short, that every one of these rolls was a close roll.

Further support for the argument that the clerks did not consider the 'English' and 'Norman' close rolls to have come from separate series, as they are currently classified, can be found in annotations which function as cross references between the close rolls themselves, which routinely use the terms *rotulo Norm[anniae]* or *rotulo Angl[iae]*.<sup>372</sup> In the 'Norman' roll for 4 John, for example, there is an annotation besides an Irish writ reading, '[E]t notand' q[uo]d debuit sc[r]ibi i[n] rotulo Angl[iae]'.<sup>373</sup> The 'English roll' referred to would have been that for 4 John, which is no longer extant. An unfinished writ in the 'Norman' roll for 5 John is accompanied by the annotation, 'In rotulo Angl[iae] totu[m]

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<sup>371</sup> A potential reason for this may be because of an attempt to ensure writs were being enrolled in the correct order. The letters were not ever enrolled in full in the patent roll, although the annotation is made beside a writ in the patent roll dated to 11 October, whilst the writs mistakenly entered in the close roll are dated to 11 and 12 October, showing an effort to place the writs in the correct place. As the following six or seven writs entered in the close roll are all dated to 13 November it suggests that these writs were enrolled a month after the writs dated to 11 and 12 October. *Rot. Lib.*, 72-74; Edwards, *Chamber and Chancery*, 89-97.

<sup>372</sup> *Rot. Lib.*, 16, 68; *Rot. Norm.*, 77, 107.

<sup>373</sup> *Rot. Norm.*, 77.

breve'.<sup>374</sup> The unfinished writ can be found written in full in the 'English' roll for 5 John, with its own annotation reading, 'Deb[eru]nt i[n]rotulari i[n] Rotulo Norm[anniae]'.<sup>375</sup> Another such annotation is made by a writ in the 'English' roll for 3 John, reading 'Cancella[n]t[u]r q' in Rotulo Norm[anniae]', although once again unfortunately the counterpart roll in question has not survived.<sup>376</sup> In these annotations we can again see the clerks writing notes which would have been understood by other chancery clerks, without the need to explicitly refer to the roll as a close roll or to the year of the roll. In the chancery mind, therefore, it is possible that there was a single close roll for each year, divided into two parts, one the *rotulo Normanniae Andegevaniae [et] Pictaviae* and the other the *rotulo Angliae*.<sup>377</sup>

Unfortunately, the survival of only a single 'Norman' fine roll, for the second year of the reign, leaves little evidence to work with and no references to an 'English roll' can be found on the single surviving 'Norman' fine roll. There is, however, a single reference to a 'Norman roll' in the 'English' fine roll for the first year of the reign, similar to those annotations in the close rolls. This annotation on the second membrane of the roll reads, 'Deb[et] sc[r]ibi i[n] rot[u]lo Norm[anniae], [et] scribitur' next to a fine which was to paid 'in disposit[i]one senescall[us] Norm[anniae]'.<sup>378</sup> As well as providing additional evidence that a 'Norman' fine roll would have existed for the first year of John's reign, this annotation shows that the clerks were utilising a consistent method of referring to counterpart 'English'

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<sup>374</sup> *Rot. Norm.*, 107.

<sup>375</sup> *Rot. Lib.*, 68.

<sup>376</sup> *Rot. Lib.*, 16.

<sup>377</sup> Or perhaps the *rotulo Angliae et Hiberniae*, although unlike the example in the 'Norman' roll for 4 John we never see a contemporary label using this longer style.

<sup>378</sup> *Rot. Ob. et Fin.*, 6. [tr. 'with the orderly arrangement of the seneschal of Normandy'].



and 'Norman' rolls in both the fine and close rolls. The annotation is, however, unique to these rolls. As noted, no references are made to a *rotulus Angliae* on the 'Norman' fine roll for 2 John.

Although two additional 'English' fine rolls having survived for the period before the loss of Normandy, for 2 John and 3 John, no further reference is made to a *rotulus Normanniae* on either of those. There is, however, another interesting entry on the 'English' fine roll for 1 John which is worth mentioning here. On membrane eleven, what appears to be the start of a letter close has been entered and then left unfinished. As it is a writ addressed to William fitzRalph as seneschal of Normandy, it can be confidently dated to the first year of John's reign.<sup>379</sup> What this partially enrolled writ could show is that a now lost 'Norman' close roll for 1 John was being drawn up at the same time and the writ was intended for that roll. Although the start of the writ was mistakenly entered on the 'English' fine roll, the clerk noticed the mistake before finishing the writ and copied the writ onto the correct roll which has now been lost.

There is, however, no reference to a 'fine roll' in any of the surviving 'Norman' close rolls. It is not until the 'English' close roll for 5 John that we find a number of references to the fine rolls on the close rolls. The first is against a writ notifying Geoffrey fitzPeter that a William Ruffus had made a fine with the king for having the marriage of Isabella daughter

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<sup>379</sup> *Rot. Ob. et Fin.*, 6. The part of the writ which has been entered is: *Rex [e]tc. Will[elmo] fil[io] Rad[ulfi] sen[escallo] Norm[anniae] [e]tc. Mandam[us] vob[is] q[uo]d dil[le]c[t]o [e]t fidei n[ost]ro Gaufr[ido] de Bosco s[i]n[e] dil[ati]one [...].*

of Gilbert de Archis, which has an annotation reading, 'In rotulo finiu[m]'.<sup>380</sup> The other is against a different writ on that roll regarding a fine made by the countess of Le Perche, which has an annotation reading, 'I[n] Rotulo Finiu[m] deb[et] rotulari'.<sup>381</sup> The fine rolls for that year have not survived and neither fine is found in any of the other surviving fine rolls for John's reign. Similar to the references to the close rolls discussed above it is again noticeable that no distinction is made between the 'English' and 'Norman' fine rolls within these annotations.

It is worth considering what the terms *rotulus Angliae* and *rotulus Normanniae* meant to the chancery clerks. As discussed above, the use of the terms 'English' and 'Norman' roll are themselves misleading as these rolls do not only contain entries for England and Normandy respectively. The presence of entries pertaining to Ireland, Anjou, Poitou and Gascony within these rolls shows that these were not only English or Norman documents. 'French' writs for Anjou, Poitou and Aquitaine were all consistently entered on the 'Norman' rolls and Irish business was enrolled in the 'English' rolls. An Irish writ mistakenly entered on the 'Norman' roll and corrected by an annotation has already been mentioned.<sup>382</sup> Despite the common use of *rotulo Angliae* and *rotulo Normanniae* it is clear that the chancery clerks did not consider these terms to be accurate descriptions of the regions covered by the rolls. Instead, these terms appear to be office short hands for the more complicated geographical division made in these rolls. The best evidence for the terms as shorthand references is seen in the two surviving titles of the 'Norman' close rolls. Although

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<sup>380</sup> *Rot. Lib.*, 54.

<sup>381</sup> *Rot. Lib.*, 74.

<sup>382</sup> *Rot. Norm.*, 77. See above, 118.

the roll for 2 John is titled a 'roll of copies of writs for second year in Normandy', the contemporary title for 4 John explicitly states that it is a roll for 'Normandy, Anjou and Poitou'.<sup>383</sup> The division of these rolls is, therefore, between the Angevin lands on the French side of the channel and the lands under John's control in the British Isles on the other side of the channel. There is some evidence in the acta of Henry II that such a divide of the Angevin lands was not an invention of the chancery in John's reign. The phrase *citra mare et ultra [mare]*, is found in several charters issued by Henry II, referring to both lands and men, in the address clause and in relation to grants within the text of the charter.<sup>384</sup> These charters were issued from locations throughout the Angevin lands, on both sides of the channel. Amongst the charters within which the phrase is used are several charters directly concerned with the Angevin lands as a single polity, such as the King's will and testament made in 1182, a treaty of reconciliation with Henry the Young King made in 1175, and the treaty Henry II made with Philip Augustus and Richard in 1189.<sup>385</sup> The same phrase was also used in a small number of John's charters both before and after the loss of Normandy.<sup>386</sup> Despite the use of such terminology dividing the Angevin lands on one side of the sea and the other, there is no evidence of this being an administrative divide, but once again was primarily a useful descriptive shorthand.

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<sup>383</sup> TNA, C 64/4, m. 6; C 64/6, m. 11.

<sup>384</sup> *The letters and charters of Henry II: King of England 1154-1189*, ed. by N. Vincent, 7 vols. (Oxford, Oxford University Press, 2020-2021), i-v, nos. 45, 240, 277, 1053, 1079, 1260, 1262, 1769, 1851, 1869, 1901, 2002, 2020, 2050, 2278, 2388, 2391, 2393, 2394, 2544, 2748 and 2877 [tr. 'on this side of the sea and on the other'].

<sup>385</sup> *Ibid.*, nos. 1260, 1262 and 2050.

<sup>386</sup> *Rot. Chart.*, 7a, 14b, 70b, 72b, 83b, 128a, 130b, 153b and 219b.

The division of the close and fine rolls between 'English' and 'Norman', in reality a division of the Angevin lands on the respective sides of the Channel, is also mostly useful as evidence of the clerical mindset concerning the Angevin lands. One important question to ask is if the creation of the separate 'English' and 'Norman' rolls for only certain series of the chancery rolls was the result of an active decision made within the itinerant chancery? Why did the clerks divide the close and fine rolls between the two sides of the channel but not the charter and patent rolls? It has been argued that the division reflected the financial administrative uses of the close and fine rolls, compared to more simple archival motives behind the charter and patent rolls.<sup>387</sup> There are several critical flaws in this reasoning, however, most significantly that the difference in the division of the financial and judicial systems used by the varying Angevin lands does not match the division of the chancery rolls.<sup>388</sup> Furthermore, it is unlikely that the close rolls were in fact used, or even useful, as financial records. The *contrabrevia* enrolled were neither a comprehensive record of the financial business of the king, nor limited to financial records. Finally, whilst the fine rolls were used as part of the communication of fine to the exchequer, the actual business of sending these records was accomplished through the distribution of the *originalia* rolls to the exchequer. The fine rolls, the one series of rolls amongst the chancery rolls that we know to have been used in the financial administrative system of the Angevin kings, therefore, would not have been essential to the practice of financial administration. Instead, they provided an additional aid for the distribution of the *originalia* rolls.<sup>389</sup> As such the division

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<sup>387</sup> Richardson, *Memoranda Roll*, xi-xxxv.

<sup>388</sup> We know that there were separate exchequers for England, Ireland and Normandy; and Gillingham has speculated separate accounting centres existed for Anjou, Poitou and Gascony. See above, 24-25; Gillingham, 'Bureaucracy', 214.

<sup>389</sup> See below, 208-213.

of the chancery rolls into 'Norman' and 'English' is not a clear reflection of these rolls being used for financial administration and that perhaps there is no clear reason for the creation of the rolls beyond 'bureaucracy'. Furthermore, the division of some of these series into 'English' and 'Norman' rolls was still clearly one made by the chancery clerks themselves, not one imposed later at the Tower archives. The current archival separation of the Norman rolls into an isolated series immediately removes a modern user of the rolls from the contemporary reality of a single trans-Angevin chancery. It is, therefore, perhaps worth taking a closer look at the said archival series of Norman Rolls in isolation which will allow a better explanation of how this archival separation occurred.

### The Norman Rolls

Several aspects of the series of Norman Rolls (TNA, C 64) must be considered in isolation before this study returns to a comparison of the 'English' and 'Norman' rolls.<sup>390</sup> The series contains seven rolls from the reign of John and ten rolls from the reign of Henry V, created during Henry V's military campaigns in France.<sup>391</sup> The rolls from Henry's reign are often considered a revival of the series that began under John, but there is no clear evidence that Henry or his clerks would have considered the rolls anything other than a new administrative tool, most likely modelled on the Gascon rolls. Henry's 'Norman' rolls are written in the style of chancery enrolments but otherwise have little in common with the 'Norman' rolls created in John's reign and are more comparable with the earliest patent and

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<sup>390</sup> The most recent study of the series of Norman rolls is found in: Vincent, *Norman Charters*, 6-23.

<sup>391</sup> TNA, C 64/8-17; A. Curry, 'The Norman Rolls of Henry V', in *People, Power and Identity in the Late Middle Ages: Essays in Memory of W. Mark Ormrod*, ed. by G. Dodd, H. Lacey and A. Musson (Abingdon, Routledge, 2021), 265-282.

charter rolls.<sup>392</sup> Although there were contemporary references to the ducal past and Henry's right as a descendant of William the Conqueror, his claim to Normandy was also based around his claims to the French crown, inclusive of Normandy. Henry's campaign was not, therefore, aiming to recover the lands lost in 1204, with the English king's having subsequently abandoned their claims to Normandy in the treaty of Paris, in 1259, and again in the treaty of Bretigny, in 1360.<sup>393</sup> Henry does not appear to have made any effort to actively recall the Angevin duchy administratively, and there was no attempt to consciously match grants in his rolls to his supporters to the landholdings of their Norman ancestors, or to revive lapsed titles or peerages from the old duchy, and it was not until after his death that the old Angevin office of seneschal was re-established in 1423.<sup>394</sup> If there was truly a distinct archival series of 'Norman Rolls', then it should start with the first roll created in Henry's reign in 1417, whilst each of the rolls from John's reign would be more appropriately classified elsewhere.

Of the seven Norman Rolls from John's reign, one roll (C 64/1), is in fact a fragment from the 'English' close roll for the second year of the reign. It can, hypothetically, be reclassified alongside the other misplaced rolls of John's reign and in spirit, if not in practice,

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<sup>392</sup> These later rolls have a notably different content to the 'Norman' rolls of John's reign and consist primarily of military documents and records of Norman lands being confiscated and granted. In truth the rolls of John and Henry V are of two distinct series, which both have some relevance to Normandy. Even the title *Rotulus Normanniae* given to Henry's rolls is slightly but meaningfully different to the titles of John's rolls, which have the titles *Rotulus [...] in Normannis* or *Rotulus [...] de Normanniae*.

<sup>393</sup> C.T. Allmand, *Henry V*, 2nd edn. (New Haven, Yale University Press, 1997), 185-190, 361-162; A. Curry, 'Lancastrian Normandy: The Jewel in the Ground?', in *England and Normandy in the Middle Ages*, ed. by D. Bates and A. Curry (London, Hambledon Press, 1994), 235-252.

<sup>394</sup> Curry, 'Lancastrian Normandy', 247-249.

be moved, along with the three 'liberate' rolls of John's reign, into the archival series of close rolls.<sup>395</sup> From the remaining six Norman Rolls, five have survived in their entirety, and one partially.<sup>396</sup> As has already been discussed above, several of these rolls have, or would have had, an English counterpart. These are, the 'Norman' fine roll for 2 John (C 64/2), and three 'Norman' close rolls, for the second, fourth and fifth years of the reign (C 64/4-6). As these 'Norman' counterpart rolls do not appear to have been considered as entirely separate from the corresponding 'English' roll, each 'Norman' counterpart roll can theoretically, therefore, be re-grouped within the same series as their 'English' equivalents.

Although it is possible to question the inclusion of the aforesaid 'Norman' close and fine rolls within the series of Norman Rolls, all of these documents are still undeniably chancery rolls. The remaining two rolls currently classified within the same series, however, cannot be said with certainty to be products of the Angevin chancery. One of these rolls, which has been briefly mentioned already, is known as a 'Norman charter roll' (C 64/3), which is described as a roll for 2 John. As noted above, it is not an equivalent of the charter rolls produced by the chancery and was in fact created at the exchequer at Caen. As such, it is not the counterpart to the chancery charter roll for 2 John.<sup>397</sup> The other roll is a unique document, known as '*Rotulus de Valore Terrarum Normannorum*' or the 'roll of valuations' (C 64/7), which was produced either at the exchequer at Westminster or in the chancery after

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<sup>395</sup> The other fragment of this roll is catalogued with the liberate rolls at The National Archives as C 62/1, as noted above the earliest close rolls were, and still are, misclassified as liberate rolls. The scale of confusion is again shown here, with these two separate fragments from the close roll for 2 John both being wrongly classified but within different series!

<sup>396</sup> The partial roll, the 'Norman' close roll for John 5 was repaired and resewn from five separated membranes, not entirely in the correct order, in the nineteenth century.

<sup>397</sup> See above, 112.

the loss of Normandy.<sup>398</sup> To determine where these rolls should be best classified a more detailed review of the contents and character of each roll is worth undertaking.

The so-called 'Norman charter roll' is better defined by the contemporary title written at the top of the first membrane which reads:

Hic est Rot[ulu]s Cartar[um] et Cyrog[r]afor[um] Normann' factus tempore Guar[in]  
de Glapion tunc Senesc[allus] Normann'. Anno secundo regni Reg[is] Johannis.  
Assistentib[us] ad scac[carium] Sansone Abb[at]e Cadom et Rad[ulfus] Labe. Petro  
de Lions cl[er]ico d[omi]ni Regis.<sup>399</sup>

This title indicates that the roll is a record of charters and chirographs given to, or made between, the King's Norman subjects at the time when Guérin de Glapion was the seneschal of Normandy, with Samson, abbot of Caen, Ralph l'Abbe, and Peter de Lions, the king's clerk, serving at the exchequer in Caen. Not all of the enrolled entries appear to fit with the description given in the title, with numerous documents which do not date to the second year of John's reign when Guérin de Glapion was the seneschal of Normandy.<sup>400</sup> Indeed, out of the forty-three documents enrolled only eight are directly dated to the second year of

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<sup>398</sup> TNA, C 64/7, m. 4 [tr. 'Roll of the values of the lands of the Normans'].

<sup>399</sup> TNA, C 64/3, m. 7; *Rot Norm.*, 1 [tr. 'This is the roll of charters and cyrographs of the Normans, made in the time Guérin de Glapion then seneschal of Normandy. In the second year of the reign of King John. With Abbot Samson of Caen and Ralph l'Abbe attending at the exchequer. With Peter de Lions being the clerk of the king'].

<sup>400</sup> Guérin de Glapion succeeded William fitzRalph as seneschal on 6 June 1200 and held the post until 6 November 1201. Powicke, *Normandy*, 173. For more on the careers of Guérin de Glapion and William fitzRalph as seneschal, see: J. Le Patourel, 'Guillaume Fils-Raoul, sénéchal de Normandie, 1178-1200', *Annales de Normandie*, 30 (1980), 321-322; D. Power, 'Guérin de Glapion, Seneschal of Normandy (1200-1): Service and Ambition under the Plantagenet and Capetian Kings', in *Records, Administration and Aristocratic Society in the Anglo-Norman World* (Woodbridge, Boydell, 2009), 153-192; C.H. Haskins, *Norman Institutions* (Cambridge, Harvard University Press, 1918), 183-4.



John's reign and Guérin de Glapion's time as seneschal.<sup>401</sup> Another four charters are undated but, as Vincent has shown, these are also enrolled on the chancery charter roll for 2 John.<sup>402</sup> The remaining thirty-one documents include twelve which can be positively dated to a year other than the second of John's reign, at a time when Guérin de Glapion was not seneschal and nineteen documents which cannot be certainly dated either way.<sup>403</sup> A number of the charters in the roll are not even dated to John's reign, with two of Henry II's charters and three of Richard I's enrolled.<sup>404</sup> Three of these charters are immediately followed by a charter of King John confirming his predecessors' grants and, although one of John's confirmations can be dated to the second year of his reign, another is definitely dated to the first year of the reign.<sup>405</sup> There does not appear to be any clear reasoning for the enrolment of the other two charters from previous reigns, one of Henry and the other Richard, with no obvious links between the two charters, even though both contain grants relating to ecclesiastical property in Bayeux.<sup>406</sup> As well as those charters from Richard and Henry's reign, there are five charters of King John which can be dated to a year other than the second of the reign, two to the first year of the reign, two to the third year of the reign and one to the fifth year of the

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<sup>401</sup> *Rot. Norm.*, 4, 6-7, 12-14, nos. 3, 7, 8, 21, 22, 23, 24 and 26 (charters numbered starting from first enrolled).

<sup>402</sup> *Rot. Norm.*, 2-3, 11, 14, 15, nos. 2, 18, 25 and 27. See: Vincent, *Norman Charters*, 8; but note that the charters (nos. 2 and 27) found on page 91 of *Rot. Chart.* and pages 2-3 and 15 of *Rot. Norm.* are for Walter archbishop of Rouen and the canons of Falaise, not, 'Walter archbishop of Rouen and to the abbey of Ardenne' as stated in footnote 22.

<sup>403</sup> *Rot. Norm.*, 1, 4, 6-7, 15-18, 20-22, nos. 1, 4, 6, 10, 30, 31, 32, 33, 34, 36, 40, 42 (The twelve charters which can be certainly dated outside the second year of John's reign).

<sup>404</sup> Vincent, *Norman Charters*, 8.

<sup>405</sup> Charter no. 1 is a grant by Richard to Walter de Coutances, confirmed by John in no. 2 which can be dated to 7 June 1200 [2 John] (*Rot. Norm.*, 1-3); charter no. 4 is a grant by Henry II to the abbey of Bec, confirmed by John in no. 5 [undated] (*Rot. Norm.*, 4-5); and charter no. 30 is a grant by Richard I to the abbey of St. Mary of the Ardenne confirmed by John in no. 31 dated to 6 February 1200 [1 John] (*Rot. Norm.*, 15-16).

<sup>406</sup> *Rot. Norm.*, 7, 17, nos. 10 and 34.

reign.<sup>407</sup> In addition, there is also a private charter dated to the third year of John's reign and another to 1198, when William fitzRalph was seneschal of Normandy.<sup>408</sup> The private charter dating to the third year of the reign is a final concord made between Ralph Tesson and Fulk de Pratis. As the same Ralph, who had succeeded Guérin de Glapion as seneschal by 23 November 1201, is not identified as seneschal in the charter it is possible that it dates to the first six months of John's third regnal year when Guérin de Glapion was still seneschal.<sup>409</sup> One of the royal charters dated to the third year of John's reign is an *inspeximus* of the same charter made between Ralph Tesson and Fulk. It is precisely dated to 1 April 1202, during the time when Ralph was seneschal, although, again, his title is not given in the text of charter.<sup>410</sup> Daniel Power has suggested that as seneschal Ralph Tesson would have been well placed to ensure the enrolment of his own final concord and its subsequent confirmation, perhaps dating the writing of these entries to his time as seneschal.<sup>411</sup> It is worth noting, however, that three unrelated charters, a new membrane and at least two different hands separate the two charters of Ralph Tesson.<sup>412</sup>

It is clear from those charters that can be dated that the roll is not only a record of charters issued to or made between Normans in the time period stated in the contemporary title. Instead, it would appear to be a collection of charters more loosely relevant to the time

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<sup>407</sup> *Rot. Norm.*, 15-22, nos. 31, 33, 36, 40 and 42.

<sup>408</sup> Vincent, *Norman Charters*, 7-8. Charter no. 6 dated to 1198 (*Rot. Norm.*, 6) and charter no. 32 dated to 3 John (*Rot. Norm.*, 16).

<sup>409</sup> *Rot. Norm.*, 16, no.32); Powicke, *Normandy*, 173.

<sup>410</sup> *Rot. Norm.*, 16, 18, nos. 32 and 36.

<sup>411</sup> D. Power, 'En Quête de sécurité juridique dans la Normandie angevine: concorde finale et inscription au rouleau', *Bibliothèque de l'École des Chartes*, 168, (2010), 327-371 (350).

<sup>412</sup> TNA, C 64/3, m. 2-3.

when Guérin de Glapion was seneschal, in some way connected to the Caen exchequer, as only twenty-four out of the forty-three charters on the roll are royal charters. The remaining nineteen include thirteen private charters in the form of chirographs or final concords and six private charters issued by various individuals.<sup>413</sup> Fifteen of these private charters explicitly state that they were made before the court at the exchequer of Caen.<sup>414</sup> Considering the central position of the Caen exchequer to these private charters and the explicit description of the roll as having been made ‘with Abbot Samson of Caen and Ralph l’Abbe attending at the exchequer’, it seems probable that royal charters enrolled would also have been in some way connected to the Caen exchequer. The roll is, therefore, better described as the Caen exchequer charter roll, rather than a ‘Norman’ charter roll.

What then, is the Caen charter roll? It is clearly not comparable with the chancery charter rolls. The chancery charter rolls only included writs and charters issued in that year, enrolled in chronological order, and, only contain writs or charters made by the king. By contrast, the Caen charter roll includes both royal and private charters, not enrolled in any discernible order, and contains documents dated to, at the very least, six separate regnal years, spread over three kings' reigns. Vincent has described the roll as ‘in some ways [more] analogous to the English *Cartae Antiquae* Rolls’ or ‘semi-private ‘cartulary rolls’, such as, ‘the so-called ‘Chester Domesday’: a roll of fines and charters made before the exchequer of the earldom of Chester from the 1190s onwards’. The roll, he consequently argued, was a record maintained at the Caen exchequer from a selection of concords which were made before that

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<sup>413</sup> *Rot. Norm.*, 4, 6-14, 16, 19, nos. 3, 6, 7, 8, 11, 12, 13, 15, 16, 17, 19, 20, 21, 22, 23, 24, 26, 32 and 37.

<sup>414</sup> *Rot. Norm.*, 8-11, 19, nos. 11, 17, 19 and 37. None of which explicitly state that they were made at Caen.

same exchequer, in place of a continental equivalent to the feet of fines or tripartite cyrographs of the English judicial system. He proposed that the roll is the outcome of the process identified by Daniel Power where final concords made before the Caen exchequer were being enrolled from as early as 1186.<sup>415</sup> Power has identified several references to enrolment of final concords at the Norman exchequer from the reigns of Henry II, Richard and John, including payments being made for enrolment by beneficiaries and petitioners at the Caen exchequer, similar, although not linked, to the process of enrolment at the Westminster exchequer which produced the *Cartae Antiquae* rolls.<sup>416</sup>

It is almost certain that the production of the Caen charter roll was a part of a larger bureaucratic endeavour at the Caen exchequer. The membranes of the Caen charter roll carry similar codicological traits as the other extant documents known to have been produced at the Caen exchequer. Most significantly, each membrane of the Caen charter roll was ruled, before entries were written. As well as setting it apart from the 'English' charter roll, the ruling of membranes was unique to the Caen charter roll in this series of Norman Rolls (including the 'roll of valuations') and the other chancery rolls of the same period.<sup>417</sup> On each of the other Norman Rolls, as on the 'English' charter rolls, the entries are made straight onto the plain parchment, with only the margins being lined on occasion. The other documents produced at the Caen exchequer, and now stored in The National Archives (E 373), however, are all horizontally lined. This includes the Norman pipe rolls as well as

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<sup>415</sup> Vincent, *Norman Charters*, 7-9; citing: Power, 'En Quête de sécurité juridique dans la Normandie angevine', 346-352.

<sup>416</sup> Power, 'En Quête de sécurité juridique dans la Normandie angevine', 346-357.

<sup>417</sup> The *Cartae Antiquae* rolls are on occasion lined horizontally, but not always as evenly or consistently as the Caen charter roll.

several 'miscellaneous' documents from the Caen exchequer, such as accounts of the seneschals retained by the exchequer.<sup>418</sup> As well as the horizontal lines, a marginal line is also marked on the Caen charter roll, indicating a left side margin of about 20mm width on each membrane, in which marginalia are entered, indicating the location or region to which the entry pertains. No right margin is marked and most of the entries use all the space available, right up to the edge of the parchment. Moreover, most entries, or groups of entries, also have a sub-title written directly above, generally aligned in the centre of the membrane, and often referencing the beneficiary or participants of the following entries. The chancery produced charter rolls, in contrast, reference the beneficiary of the entry in the marginalia and do not give a location or region for the charter. Additionally, the Caen charter roll is consistently written in several fine chancery hands, giving the appearance of having been carefully and meticulously written. The same is true of the 'valuation roll', perhaps also an exchequer document, whereas the chancery charter, close, patent and fine rolls are all written in rougher, more informal chancery hands.

Finally, from its size alone, it appears that the Caen charter roll was a more selective and restricted record than the chancery charter rolls. The Caen charter roll is made up of seven membranes. It has a total length of c. 4460mm with each individual membrane consistently measuring close to 270mm in width.<sup>419</sup> The size of the Caen charter roll compared with the surviving chancery charter rolls from the start of John's reign further

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<sup>418</sup> As well as numerous pipe rolls there is a roll of account of receipts and expenses from Guérin de Glapion's time as seneschal (TNA, E 373/5); a roll of account of receipts and expenses of Robert de Vieuxpont (TNA, E 373/13), both of which are lined horizontally throughout.

<sup>419</sup> TNA, C 63/3. The lengths of each membrane are as follows; m. 7. = 770mm; m. 6. = 610 mm; m. 5. = 840mm; m. 4. = 410mm; m. 3. = 730mm; m. 2. = 600mm; m. 1. = 500mm.

underlines the differences between the documents. All three chancery-produced charter rolls which survive from before the loss of Normandy are much larger than the Caen roll. The chancery charter rolls are, in their size, appearance and contents, markedly different from the Caen charter roll. As such, the Caen charter roll, unlike the 'Norman' close and fine rolls, should not be stored alongside the chancery produced charter rolls. It is clearly not a chancery document. Despite having relevance to Normandy, its storage within the series of Norman chancery rolls is erroneous. Instead, it would appear that the documents with which the Caen charter roll has most similarities are those other rolls produced at the Caen exchequer: now classified within the series 'Exchequer of Normandy: Pipe Rolls (E 373)'.

It is less obvious where the roll of valuations is best fitted within the existing archival series, and it is also less clear where it was produced. The roll itself contains values assigned to lands and estates in England seized from 'Norman' landholders who were believed to have sided with Philip Augustus; it was these lands which became known collectively as the

*terrae Normannorum*.<sup>420</sup> Vincent, in *Norman Charters*, made a passing comment that the roll of valuations, like the Caen charter roll, was issued from the exchequer, rather than the chancery, but unlike with the charter roll, he did not provide any further evidence for this theory.<sup>421</sup> A more detailed examination of the document was made by Tony Moore in a 2010 article where he argued that, whilst the roll of valuations may have been produced in the chancery, it was subsequently sent to the exchequer after October 1204.<sup>422</sup> In addition, Moore stated that the roll was compiled in two separate stages. The first and larger part was enrolled between July and early August of 1204, and then the second part at the very end of October of the same year. The first stage of enrolment identified by Moore, involved copies of the results of a series of valuations of estates, apparently made in front of royal justices in the relevant counties, undertaken in the first weeks of June. The second stage involved the enrolment, again organised by counties, of valuations made directly in response to letters close, sent concerning individual properties, which can be identified throughout August,

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<sup>420</sup> For discussions about the seizure of *terre Normannorum* and the subsequent impact in both France and England, see: D. Power, "'Terra Regis Anglie et Terra Normannorum Sibi Invicem Adversantur': les Héritages Anglo-Normands entre 1204 et 1244", in *La Normandie et l'Angleterre au Moyen Âge*, ed. by V. Gazeau and M. Bouet (Caen, Publications du CRAHAM, 2003), 189-209; idem, *The Norman Frontier in the Twelfth and Early Thirteenth Centuries* (Cambridge, Cambridge University Press, 2004), 447-453; idem, 'L'établissement du régime capétien en Normandie', in *1204: La Normandie entre Plantagenêts et Capétiens*, ed. by A. Flambard-Héricher and V. Gazeau (Caen, Publications du CRAHAM, 2007), 319-344; idem, 'The Treaty of Paris (1259) and the Aristocracy of England and Normandy', in *Thirteenth Century England XIII*, ed. by J. Burton, F. Lachaud and P. Schofield (Woodbridge, Boydell, 2011), 141-158; idem, 'The "Loss of Normandy" and Northamptonshire', in *Rulership and Rebellion in the Anglo-Norman World, c. 1066-c. 1216*, ed. P. Dalton and D. Luscombe (London, Routledge, 2015), 213-230; idem, 'Les Français en Normandie après 1204', in *911-2011: Penser les Mondes Normands Médiévaux*, ed. D. Bates and V. Gazeau (Caen, Publications du CRAHAM, 2016), 245-261; N. Vincent, 'Twynford under the Bretons 1066-1250', in *Nottingham Medieval Studies*, 41 (1997), 80-99; D.A. Carpenter, 'A Noble in Politics: Roger Mortimer in the Period of Baronial Reform and Rebellion, 1258-1265', in *Nobles and Nobility in Medieval Europe*, ed. A. Duggan (Woodbridge, Boydell, 2000), 183-204; D. Crook, 'The "Lands of the Normans" in Thirteenth Century Nottinghamshire: Bingham and Wheatley', in *Transactions of the Thoroton Society of Nottinghamshire*, 108 (2004), 101-107.

<sup>421</sup> Vincent, *Norman Charters*, 10.

<sup>422</sup> T.K. Moore, 'The Loss of Normandy and the Invention of "Terre Normannorum", 1204', *EHR*, 125 (2010), 1071-1109 (1080); Moore's research and a renewed study of the valuation roll were a result of Daniel Power's 'Lands of the Normans' research project in 2006 and 2007.

September and October.<sup>423</sup> The roll was not, therefore, being written throughout the four or five months during which the confiscations and valuations recorded in the roll occurred. Instead, it was written up in two phases after the fact, and, as such, was unlike the close, fine, patent and charter rolls into which entries were constantly and assiduously copied throughout the year.

There are also noticeable differences between the roll of valuations and the close, fine, patent and charter rolls in their codicological layout. The roll of valuations is made up of four membranes, sewn head to foot in a chancery style, with each of the first three membranes twice the length of the final membrane.<sup>424</sup> Moore argued that the sizes of the membranes indicate two phases of enrolment, with the first stage using the first two and a half membranes. The final smaller membrane was, therefore, the only new membrane added to the roll for the second stage of enrolment.<sup>425</sup> Moreover, the roll appears to be finished, with over half of the final membrane mostly unused, apart from two short sentences spaced slightly apart in the middle of this empty space.<sup>426</sup> A contemporary title is written at the top of the first membrane, reading: 'ROTUL[US] DE VALORE T[er]ra[rum] Normanno[rum] Incept[us] Anno Regni Reg[is] Joh[ann]is Sexto'.<sup>427</sup>

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<sup>423</sup> Moore, 'Terre Noramannorum', 1076-1079.

<sup>424</sup> TNA, C 64/7. The lengths of each membrane are as follows; m. 4. = 650mm; m. 3. = 620mm; m. 2. = 620mm; m. 1. = 370mm.

<sup>425</sup> Moore, 'Terre Noramannorum', 1072.

<sup>426</sup> Although the roll appears to be a completed document it does not contain all, or even a significant percentage, of the *terre Normanorum* seized and only covers about half the counties ruled by John in 1204. Moore has argued that this is partially a result of the short period of time the roll of valuations covers, and for example, the roll does not include lands already seized before May 1204. It is unclear whether records were made of the *terre Normanorum* from those other counties not covered in the roll of valuations. Moore, 'Terre Noramannorum', 1074, 1088-1091.

<sup>427</sup> TNA, C 64/7, m. 4.



Perhaps the most noticeable takeaway from a codicological review of the valuation roll is that each membrane is well written with very few corrections. One entry on membrane three is crossed out, but no other annotations or insertions have been made on the roll.<sup>428</sup> The lack of mistakes and annotations on the roll indicates not only that the roll was meticulously and carefully produced, but also suggests that it was not used as a working document, which was reviewed and corrected by other clerks, as the chancery documents often were. The entries were written by several clerks in fine chancery hands, which further sets it apart from the chancery rolls, within and without the series of Norman Rolls, which are written in more uneven hands and inconsistent layouts. Finally, no margins are marked on the roll of valuations, even though by the sixth year of John's reign drawing marginal lines had become standard practice in the production of the chancery rolls.<sup>429</sup>

Despite the numerous differences with the rolls known to be chancery productions, it is still very possible that the roll of valuations was produced in the chancery.<sup>430</sup> As noted, Moore argued that the roll was drawn up in the chancery but then sent to the exchequer.<sup>431</sup> There are several references to lost 'account roll[s] for the lands of the Normans' in the pipe

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<sup>428</sup> TNA, C 64/7, m. 3.

<sup>429</sup> On the roll of valuations a space for a margin is still left and used for entering the names of counties and custodians of the properties.

<sup>430</sup> The best evidence for the roll having been produced in the chancery are the entries from the second stage of enrolment, many of which Moore has matched to letters close found in the close roll 6 John. In addition, there are a number of entries in the fine and close rolls for 6 John which can be dated to August and September 1204, in which valuations of *terre Normannorum* match the values given in the roll of valuations. There are also, however, several similar entries from the same period in which valuations of *terre Normannorum* are explicitly different to those in the roll of valuation; see: Moore, 'Terre Noramannorum', 1078-1080.

<sup>431</sup> Moore, 'Terre Noramannorum', 1080.

rolls for 1204 and 1205.<sup>432</sup> These references are not to the roll of valuation itself, but indicate that *terrae Normannorum* was accounted separately at the exchequer and raises the possibility that the roll of valuations was drawn up to assist this process.<sup>433</sup> The roll of valuations could, therefore, perhaps be comparable to the *originalia* rolls, in that the roll would have been a record made in the chancery and sent to the exchequer.

If the roll of valuations was indeed drawn up in or sent to the exchequer, it must be noted that the exchequer at Caen was no longer under the control of John at the time of the roll's creation. It would have been the Westminster exchequer which produced or received the roll. Why then, we might ask, was this roll considered a Norman chancery roll when this archival series was put together? It is much more understandable how the Caen charter roll, which was drawn up in Normandy and was likely evacuated from Caen in early 1204, could have been mistakenly classed in the series of Norman Rolls. It is harder, however, to understand how the roll of valuations was classified within that series. The roll is clearly different in both its physical characteristics and contents from every other roll in the series. It is not possible to entirely rule out the possibility that the roll of valuations was both produced and then archived by the chancery in 1204, but, even if we do accept that was the case, there are still numerous differences between the roll of valuations and the 'Norman' close and fine rolls which suggest that the roll of valuations should not have been classed within the same series as these 'Norman' rolls. For example, the roll of valuations is concerned geographically only with lands in England. There is no clear answer to the

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<sup>432</sup> *In compoto rotuli de terris Normannorum*. PR 6 John, 186.

<sup>433</sup> Moore, *'Terre Normannorum'*, 1080.

question of where the roll of valuations should best be stored in the archives today, but it appears to be a unique document which should fit better within one of the chancery or exchequer 'miscellanea' collections or even alongside other inquisitions or surveys of lands in medieval England, such as *Domesday Book*.<sup>434</sup>

After reviewing each roll, it has become clear that the six 'Norman' rolls from John's reign do not have any single uniform characteristic which necessitates the classification of these rolls together. For each roll, with the possible exception of the roll of valuations, there is a more logical alternative classification within the current archival catalogue. As such the series of Norman rolls should only contain the rolls from the reign of Henry V. The 'Norman' close and fine rolls are better classed alongside the 'English' close and fine roll series. The Caen charter roll and roll of valuations on the other hand may not be best classed as chancery documents. The Caen charter roll is certainly better classed as a Norman exchequer document. The roll of valuations causes the most complications in proposing a conclusive alternative classification, but nevertheless has very little in common with any other document currently stored in the series of Norman rolls, and would be better placed in the series containing the Norman pipe rolls and other products of the Caen exchequer.

To further underline the misclassification of the Caen charter roll and roll of valuations, it is worth providing a clearer definition of what the term 'chancery roll' meant

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<sup>434</sup> Potential destinations could include: Chancery Miscellanea (C 47), Exchequer [Treasury of the Receipt]: Domesday Book etc (E 31) Exchequer [King's Remembrancer]: Extents, Inquisitions and Valors of Forfeited Lands (E 142), Exchequer: Inventories of Goods and Chattels (E 154), Exchequer [King's Remembrancer]: Miscellanea of the Exchequer (E 163).

in context of the earliest years of John's reign. The chancery rolls all have several defining characteristics which sets them apart from other similar records created at the same time, but which were not created as part of the unique bureaucratic process of chancery enrolment which appears to begin from 1199. Firstly, the chancery rolls were records produced in the chancery. This, of course, immediately rules out the Caen charter roll as a document which could be defined as a chancery roll. Secondly, the chancery rolls were then retained and stored in the chancery archives. The *originalia* rolls being documents drafted in the chancery but then sent to the exchequer, were not strictly chancery rolls, though produced by the chancery clerks for the use of the exchequer clerks. The same may be true of the roll of valuations, if indeed the roll was sent to the exchequer. Thirdly, the chancery rolls were being constantly updated throughout the year of their use, mostly in a chronological order. The roll of valuations, and indeed the *originalia* rolls, however, were not updated throughout the year, but were drawn up at irregular intervals to be sent to the exchequer and are not in a chronological order. Fourth, the chancery rolls were produced each regnal year as part of an ongoing series, not as one-off documents. It is difficult to state that the Caen roll or the roll of valuations were definitively one-off productions, although it is worth noting that the Caen charter roll appears to have been in production for at least three years and not for the single regnal year specified in the contemporary title. In addition, whilst we cannot rule out the possibility that other rolls were produced to record the process of seizing and redistributing the *terrae Normannorum*, the surviving roll was very certainly not part of a long running series in the style of the close rolls. As a result, when reviewing the so-called *Norman Rolls* of King John's reign, it is only the 'Norman' close and fine rolls which were a part of the bureaucratic endeavour of routine enrolment by which the documents we describe as chancery rolls were created. Indeed, when we are talking about the chancery

rolls in the period between 1199 and 1206, the term chancery roll should strictly be applied only to the close, fine, patent and charter rolls.

This chapter, therefore, allows several conclusions to be made about the chancery rolls in the earliest years of King John's reign. First, that we are discussing rolls created by a single itinerant royal chancery, produced to assist the administration of all of John's lands, whether English, Irish or 'French'. Second, that our classifications of these rolls should reflect the contemporary labels and understanding of the rolls, as the chancery clerks would have used them in the administration of the Angevin 'empire'. The various rolls included in Hardy's edition of the 'Norman rolls', therefore, should be classified according to the unique characteristics of each roll and that the 'Norman' close and fine rolls should not be considered separate series to their 'English' counterparts. Whilst the division of these rolls between John's English and 'French' lands reflects an administrative choice made by the chancery clerks, it does not appear to be a division based on the financial administration of John's various lands. This chapter's final significant finding, therefore, is that all of these chancery rolls, used to administer all of John's diverse lands throughout France and the British Isles, were compiled alongside each other by the same group of chancery clerks working within the same administrative 'department'.

## Chapter Three

### Rolls, Membranes and Margins

#### A Growing Enrolment Operation

Although Hardy's editions of the chancery rolls are not responsible for the misclassifications of the rolls, it is perhaps an unintended consequence of the editions that they have upheld the incorrect classifications. Another consequence of the availability of these editions is that many scholars have been able to access the contents of the rolls without having seen the original manuscripts. The manuscript's layout and physical appearance, which can tell us so much about the creation and contemporary use of the rolls, are not well represented by Hardy's editions, not through any fault of the editor, but because of the limitations of faithfully transcribing the contents of a roll into print. To understand the chancery rolls, we must examine their layout and physical characteristics. We should consider those rolls and membranes which have been lost and to what degree the extant rolls represent the full extent of record making and record keeping in John's chancery. The charter rolls are vast documents, recording what would appear to be the majority, although not all, of the charters issued by King John.<sup>435</sup> The table below shows the changing sizes of the surviving charter rolls throughout John's reign.

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<sup>435</sup> Edwards, *Chamber and Chancery*, 73-76.

Table 4: Sizes of the Charter Rolls

Regnal Year	TNA Reference	Number of Membranes	Number of entries	Total Length	Membrane Width
1 John (incomplete)	C 53/1-3 <sup>436</sup>	69	460 (106)	c. 37 metres	c. 270mm
2 John	C 53/4	35	274 (211)	c. 21 metres	c. 300mm
Lacuna – Charter Rolls Missing For Two Years					
5 John	C 53/5	26	241	c. 13.7 metres	c. 270mm
6 John	C 53/6	12	118	c. 6.3 metres	c. 310mm
7 John	C 53/7	13	117	c. 6.5 metres	c. 310mm
Lacuna – Charter Rolls Missing For Two Years					
9 John	C 53/8	8	91	c. 3.9 metres	c. 300mm
10 John	C 53/9	5	43	c. 2.4 metres	c. 280mm
Lacuna – Charter Rolls Missing For Three Years					
14 John	C 53/10	7	43	c. 3.2 metres	c. 320mm
15 John	C 53/11	4	46	c. 1.4 metres	c. 320mm
16 John	C 53/12	11	77	c. 5.2 metres	c. 300mm
17 John	C 53/14	10	66	c. 4.6 metres	c. 300mm
18 John (incomplete)	C 53/16	2	12	c. 670mm	c. 320mm

<sup>436</sup> The roll for first year of John's reign was initially created in two sections, the second apparently started around December of 1199 as the first part grew too large for more membranes to be easily added. Today the roll is stored in three separate parts, with the third a small section which was likely initially attached to the beginning of the second section. There may well be some membranes missing where the second and third section would have been connected and it is not certain the first membrane of the first section was not preceded by some missing membranes. The earliest dated entry is 18 June several weeks after John's coronation on 27 May. TNA, C 53/1: Thirty-five membranes each measuring on average at 240mm in width; TNA, C 53/2: Thirty membranes, measuring on average 270mm in width; TNA, C 53/3: Four membranes in poor condition, at least 220mm in width.

It is worth remarking here that the charter rolls for the first few years of the reign are unsurprisingly much larger than those from later in the reign. The new king issued a greater volume of charters in his earlier years than later in the reign, confirming grants by his brother and father with his new seal, as well as making new endowments of his own.<sup>437</sup> The loss of Normandy and Anjou must have had an impact from 1204 onwards, with the roll before then serving as a record for charters pertaining to those areas as well as England. From around the sixth year of John's reign onwards, however, the number of membranes used in the roll remains fairly constant until the end his rule, although the rolls are reduced in size in the years before and after the interdict.

The patent rolls are slightly different, more than doubling in size between their introduction midway through John's third regnal year and the last years of the reign. As with the charter rolls there is a drop in size in the years before and after the interdict. There is what may be a slight reduction in size in the fifth and sixth year of John's reign, which could be considered a result of the loss of the continental lands.

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<sup>437</sup> Vincent, 'Why 1199?', 43.



Table 5: Sizes of the Patent Rolls

Regnal Year	TNA Reference	Number of Membranes	Number of entries	Total Length	Width
3 John (incomplete)	C 66/1	9	248	c. 5.3 metres	c. 320mm
4 John	C 66/2	14	439	c. 8 metres	c. 300mm
5 John	C 66/3	10	343	c. 5.8 metres	c. 270mm
6 John	C 66/4	11	268	c. 5.4 metres	c. 300mm
7 John (incomplete)	C 66/5	7	185	c. 3.8 metres	c. 320mm
8 John	C 66/6	4	170	c. 2.2 metres	c. 340mm
9 John	C 66/7	6	225	3.6 metres	c. 320mm
10 John	C 66/8	5	178	2.6 metres	c. 290mm
Lacuna – Patent Rolls Missing For Three Years					
14 John	C 66/9	6	135	3.4 metres	c. 300mm
15 John	C 66/10	12	340	6.6 metres	c. 300mm
16 John	C 66/12	17	c. 590	c. 9.3 metres	c. 320mm
17 John	C 66/14	24	c.955	c. 12 metres	c. 320mm
18 John [short year]	C 66/15	9	392	c. 5.5 metres	c. 310mm

Before the emergence of the first patent roll in 3 John, letters patent are found in both the charter rolls and close rolls in the first two years of John's reign. They do not stop being enrolled in the close or charter rolls after the beginnings of the patent rolls, although it is difficult to ascertain how dramatic this drop off was. The loss of the charter rolls for the third and fourth years of reign prevents an exact comparison of the reduction in how many letters patent were being enrolled at the crucial point in time. A count of the entries regarding letters patent in the charter rolls for the second and fifth year of the reign reveals 203 entries in the charter roll for 2 John (35 membranes), but only 14 in the charter roll for 5

John (26 membranes), whilst the patent roll for 5 John has 321 entries.<sup>438</sup> For comparison, the patent roll for 3 John has 246 entries and the patent roll for 4 John has 439 entries.<sup>439</sup> The letters patent enrolled in both the charter rolls for the first two years of the reign, and in the earliest patent rolls, included writs sent throughout the Angevin lands. Even though this central enrolment system existed for letters patent from the very start of the reign, a small number of letters patent are still found in both the 'Norman' and 'English' close rolls between 1199 and 1204. It is unclear why these few letters patent were enrolled in the close rolls, but is too regular an occurrence to be a mistake both before and after the establishment of the patent rolls as a distinct series. As noted above, there is only one occurrence of an annotation in the close rolls noting that some letters patent should instead be enrolled in the patent rolls. In that case the writs were enrolled in the English roll but had been sent to Norman administrators and so would have been incorrectly entered on those grounds.<sup>440</sup> The decision to enrol a small number of letters patent on the close rolls and not in the charter rolls or patent rolls appears to have been an active one. The decision made by the chancery, with which this study is primarily concerned, not to separate the patent rolls into English and Norman rolls as the close and fine rolls were, therefore becomes slightly more pronounced. Did the chancery clerks consider it necessary to enrol some letters patent and not others in the rolls separated into English and Norman?

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<sup>438</sup> *Rot. Chart.*, 64-134; *RLP*, 29-42. About two thirds of the entries in the roll for 2 John are entered on the dorse of the roll.

<sup>439</sup> *RLP*, 1-11.

<sup>440</sup> See above, 116-117.

The increasing sizes of both the charter and patent rolls at the end of John's reign reflects a growing enrolment operation, that was to continue to slowly expand over the longer term in the reign of Henry III and his successors, despite the breakdown in many administrative functions during the civil war at the very end of John's reign. The massive size of the charter rolls for the very first years of John's reign, is a reminder that the process of enrolment could be very dependent on external factors, such as the need for beneficiaries to have their charters confirmed and re-issued whenever there was a new king. The fine rolls are similar, in that they represent the enrolment of fines agreed with the king, often made according to the needs of those offering fines. In addition, we must also consider the division of the fine rolls into 'English' and 'Norman' rolls before 1204. The table below shows the sizes of the extant 'English' fine rolls until 1204 and the extant chancery fine rolls after 1204.

*Table 6: Sizes of the Fine Rolls*

Regnal Year	TNA Reference	Number of Membranes	Number of Entries	Total Length	Width
1 John	C 60/1A	23	c. 600	11.7 metres	270mm
2 John	C 60/1B	22	c. 544	10.3 metres	270mm
3 John	C 60/1C	15	c. 520	7.2 metres	270mm
Lacuna – Fine Rolls Missing For Two Years					
6 John	C 60/2	17	c. 710	8.5 metres	310mm
7 John	C 60/3A	17	c. 665	9.0 metres	320mm
Lacuna – Fine Rolls Missing For One Year					
9 John	C 60/4	13	c. 745	7.1 metres	320mm
Lacuna – Patent Rolls Missing For Five Years					
15 John	C 60/5A	6	c. 395	4.8 metres	c. 370mm
17 & 18 John	C 60/	9	c. 430	5.8 metres	c. 340mm

The only extant 'Norman' counterpart of a fine roll, is for 2 John, and is made up of four membranes measuring c. 1.35 metres in total length whilst each membrane is c. 280mm in width.<sup>441</sup> A contributing factor to the short length of the oblata roll for 2 John is the unusual third membrane, which measures no more than 100mm in length.<sup>442</sup> Another 100mm is left unused at the bottom of the fourth membrane, which suggests the extant roll is complete despite its small size.<sup>443</sup> One significant difference between the rolls from the first half of the reign and these final two rolls that should be noted is the size of the membranes. The roll for 15 John is only made up of six membranes, but each is c. 370mm in width, whilst the roll for 17 John has only five membranes, with each around c. 340mm in width. The rolls surviving from the first nine years of the reign all contain more smaller membranes which measure around c. 270–290mm in width. Despite this, these later rolls are somewhat smaller than the rolls for the start of the reign.

Unlike the fine rolls, which declined slightly in size from the start of the reign onwards, the close rolls steadily grew much larger by the end of the reign. This growth continued in Henry III's reign until they reached such a size that the enrolment of writs of *liberate* was separated and the true series of liberate rolls begun.<sup>444</sup> This growth is inconsistent throughout John's reign, never more so than in the years before the loss of Normandy. The loss of entire rolls and fragments also prevents us from fully understanding how the size of the rolls developed year on year, whilst the loss of Normandy in 1204

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<sup>441</sup> TNA, C 64/2. The lengths of each membrane are as follows: m. 4. = 470mm; m. 3. = 430mm; m. 2. = 100mm; m. 1. = 350mm.

<sup>442</sup> TNA, C 64/2, m. 2.

<sup>443</sup> TNA, C 64/2, m. 1.

<sup>444</sup> Carpenter, 'The English Royal Chancery in the Thirteenth Century', 50-54.

changed not only the chancery's approach to enrolment but also the volume of royal business upon which enrolment was based.

The survival of several 'Norman' close rolls allows us to observe the inconsistent sizes of the 'English' and 'Norman' counterpart rolls before the loss of Normandy. As both Vincent and Carpenter have shown, this inconsistency was because the number of writs and size of the 'Norman' and 'English' close rolls varied according to whether the king spent more of the year in England or France.<sup>445</sup> It is possible the same was true of the fine rolls with the smaller size of the 'Norman' fine for 2 John comparable with the smaller size of the 'Norman' close roll for the same year.

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<sup>445</sup> Carpenter, 'In Testimonium', 13-17; Vincent, *Norman Charters*, 13-16.

Table 7: Sizes of the Close Rolls 1199-1204

'Norman Close Rolls'				'English' Close Rolls			
Regnal Year	No. of Mems.	No. of Entries	Size (Length X Width)	Regnal Year	No. of Mems.	No. of Entries	Size (Length X Width)
1 John				1 John			
2 John	6	106	c. 2,725 X 270mm <sup>446</sup>	2 John	9	136 <sup>447</sup>	> 3,400 X c. 270mm <sup>448</sup>
3 John				3 John	5/6 <sup>449</sup>	127	c. 2,835 X 300mm <sup>450</sup>
4 John	11	435	c. 6,290 X 290mm <sup>451</sup>	4 John			
5 John	5	216	> 2,600 X c. 290mm	5 John	13	497	c. 7, 330 X 290mm <sup>452</sup>

There is a clear change in the physical character of the rolls after the second or third year of the reign, when we see both the number of entries being enrolled and average size of membranes start to grow. Significantly less space is left between each entry throughout the close roll for 3 John, compared to the small evenly spaced gaps of around a centimetre found

<sup>446</sup> TNA, C 64/4. The lengths of each individual membranes are: m. 1. = 340mm; m. 2. = 390mm; m. 3. = 540mm; m. 4. = 300mm; m. 5. = 595mm; m. 6. = 560mm.

<sup>447</sup> 77 entries on C 62/1 and 59 entries on C 64/1.

<sup>448</sup> The lengths of each individual membranes stored in C 62/1 are: m. 1. = 250mm; m. 2. = 530mm; m. 3. = 260mm; m. 4. = 250mm; m. 5. = [c.]250mm; m. 6. = [c.]460mm. The lengths of each membrane stored in C 64/1 are: m. 1. = 520mm; m. 2. = 420mm; m. 3. = 540mm. Several of these membranes have been badly damaged and their original sizes, especially in relation to width, can be hard to ascertain for sure.

<sup>449</sup> The roll is theoretically made up of six membranes, although one of these is very small with only two entries and Hardy's transcription of the roll combines the entries on this short membrane with those on the preceding membrane. There is no indication that these two 'separate' membranes were a single membrane in Hardy's time, or at the time the roll was created, with space having been left above and below entries for both membranes to be sewn together.

<sup>450</sup> TNA, C 62/2. The lengths of each individual membranes are: m. 1. = 740mm; m. 2. = 600mm; m. 3. = 420mm; m. 4. = 90mm; m. 5. = 480mm; m. 6. = 505mm.

<sup>451</sup> TNA, C 64/5. The lengths of each individual membranes are: m. 1. = 680mm; m. 2. = 540mm; m. 3. = 620mm; m. 4. = 620mm; m. 5. = 520mm; m. 6. = 570mm; m. 7. = 650mm; m. 8. = 490mm; m. 9. = 470mm; m. 10. = 500mm; m. 11. = 630mm.

<sup>452</sup> TNA, C 62/3. The lengths of each individual membranes are: m. 1. = 620mm; m. 2. = 430mm; m. 3. = 410mm; m. 4. = 690mm; m. 5. = 550mm; m. 6. = 470mm; m. 7. = 680mm; m. 8. = 610mm; m. 9. = 540mm; m. 10. = 580mm; m. 11. = 590mm; m. 12. = 670mm; m. 13. = 490mm.

on both rolls for 2 John. The result is that more writs are enrolled but on fewer and on average larger membranes.

*Table 8: Sizes of the Close Rolls after 1204*

Regnal Year	No. of Membranes	No. of Entries	Length	Width
6 John	21	941	c. 13.5 metres	330mm
7 John	26	1042	c. 15.4 metres	310mm
8 John	9	387 (12)	c. 4.6 metres	330mm
9 John	18	765 (12)	c. 10.4 metres	320mm
Close Rolls Missing For the Next Four Years				
14 John	9	295	c. 5.4 metres	370mm
15 John	> 6	533 (45)	c. 3.6 metres	370mm
16 John	24	818 (45)	c. 15.6 metres	350mm
17 John	32	1350 (36)	c. 20 metres	350mm
18 John [short year]	9	520	c. 5 metres	330mm

Once again, the impact of the interdict on chancery enrolment is seen in the short roll for 14 John and the lacuna in the immediately preceding years and so is the increasing width of the membranes in the later years of the reign. The changing size of the ‘English’ and ‘Norman’ close rolls depending on which side of the channel the king was on before 1204, is repeated in the slightly smaller size of the rolls for 8 John and 15 John, which both cover periods when John was subsequently campaigning in France.<sup>453</sup> The impact of John’s itinerary will be explored more fully in a later chapter, but it clearly had an impact on the sizes of the close rolls. The same may be true of the charter rolls, patent rolls and fine rolls to a lesser extent, although perhaps for a different reason.<sup>454</sup> The main conclusion regarding the

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<sup>453</sup> John was in southern France between June and December 1206 during his eighth regnal year and again from February to October 1214, spanning both his fifteenth (23 May 1213-7 May 1214) and the sixteenth (8 May 1214-27 May 1215) regnal years. As a result the roll for 16 John is also shorter than it would otherwise have been, with nineteen membranes of the twenty-four membranes compiled for the seven months John was in England, compared to just five for membranes for five months in France.

<sup>454</sup> See below, 273-279.

size of the rolls in John's reign is that the close rolls and patent rolls both grow in size between the beginning and end of the reign, whilst the charter and fine rolls do not. A simplified explanation for this difference is enrolment in the charter and fine rolls is partially dependent on the actions and needs of the king's subjects, whilst enrolment in the close and patent rolls is more dependent on the actions of the royal administration and the resultant output of the chancery. That is to say, charters were issued, or fines offered, mostly at the behest of the supplicant, whereas letters close and letters patent were more likely to be sent as part of the day-to-day needs of the royal administration.<sup>455</sup> The size of the charter and fine rolls are heavily dependent on the number of beneficiaries who required charters or offered fines at any time. In contrast, the size of the close rolls, and to a lesser extent the patent rolls, theoretically depended on the amount of administrative business required at any time. A complication to this theory is that we know not every charter, writ or fine which could be recorded on the rolls was in fact enrolled. It is likely many writs are missing from the smaller close rolls for the very earliest years of John's reign and the growth in the close rolls does not so much represent a growth in the administrative system, as it does an expansion in the enrolment of the existing administrative system. Similarly, although the fine and charter rolls are somewhat dependent on beneficiaries requiring the fines and charters being made, there is still a degree of choice in whether the chancery choose to record these on the rolls. As such, the increasing size of the close and patent rolls compared to the charter and fine rolls throughout the reign represents a choice by the chancery clerks to put their initial

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<sup>455</sup> There were numerous letters patent issued, like charters, at the petition of the beneficiary. For example, many letters of safe conduct are enrolled in the patent rolls. This mix of beneficiary-led and administrative-led enrolments may explain why the size of the patent rolls are less dramatically influenced by the king's location. In addition, it is possible for charters to be issued solely at the king's discretion, such as those connected to royal initiatives, but again these would be the minority of those enrolled.



energies in record making during the first few years of the reign towards recording charters and fines.

### Lost Membranes and Missing Material in the Close Rolls

A difficulty with comparing the sizes of the close rolls, particularly those from the earliest part of John's reign, is that two of the six rolls surviving from before the loss of Normandy are missing several membranes. The 'English' roll for 2 John survives in two separate sections, one of which includes two fragmented membranes which were re-attached in 1923 and 1931 and so were not transcribed in Hardy's edition but were printed in Richardson's *Memoranda Roll 1 John*.<sup>456</sup> The 'Norman' roll 5 John had been lost for some time at the start of the nineteenth century and the membranes had become separated when they were found. A note below the title on the outer cover of the roll documents the rediscovery and rebuilding of the roll, explaining that fragments were found at the Tower 'at different' times in a search of the 'miscellaneous collections' and ordered to be repaired and placed with the regular series of rolls by Henry Petrie on 18 July 1831.<sup>457</sup> A later addition to the note adds that another fragment was added to the roll in 1838, after Hardy's *Rotuli Normanniae* had been printed.<sup>458</sup> This fragment does not, therefore, appear in the edition, but was also printed in *Memoranda Roll 1 John*, alongside the rediscovered membranes from the 'English' close roll 2 John.<sup>459</sup>

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<sup>456</sup> See above, 29-30; Richardson, *Memoranda Roll*, 88.

<sup>457</sup> TNA, C 64/6, title cover.

<sup>458</sup> Hardy's edition was published in 1835.

<sup>459</sup> Richardson, *Memoranda Roll*, 97-98. Also printed in this volume is the single extant membrane from the earliest *originalia* roll, for 7 Richard I, and the titular Memoranda Roll.

The true extent of what has been lost from these two fragmentary chancery rolls is not clear and several assumptions made by Richardson about how much has been lost may not be entirely correct. The extant membranes of the 'English' close roll for 2 John, for example, are believed to cover three distinct periods: first from the start of the regnal year, 19 May 1200, to 30 August 1200; then from 10 October 1200 to 27 November 1200; and finally from 31 March 1201 to the end of the regnal year, 2 May 1201.<sup>460</sup> The missing sections of the 'English' roll should cover one period of 40 days and another of 125 days, meaning nearly half the regnal year is missing in this roll. Despite this lacuna, the roll remains longer and contains more entries than the corresponding 'Norman' roll. There is a notable correlation between the first missing section of the 'English' roll and a high frequency of enrolment in the Norman roll at the same time: 40 of the 106 entries on the 'Norman' roll are dated within the forty-day period where a membrane appears to be missing in the 'English' roll.

The membranes covering the first section of this roll, immediately preceding the forty-day lacuna from 30 August to 10 October 1200, were published by Richardson, whose comments at the end of his transcription of membrane five require some consideration. It is possible Richardson somewhat overstated the loss of material between membranes five and four of the roll, when he said:

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<sup>460</sup> The extant membranes which appear to have been the first (C 62/1, m. 6) and last (C 64/1, m. 3) from the original roll are both badly damaged, with a number of illegible entries obscuring the dates of the first and last group of entries and as previously noted there is no clear contemporary title. The exact dates legible entries run from then is from 26 May to 30 August 1200, from 10 October to 27 November 1200, and finally from 31 March to 27 April 1201.

The membrane is torn and the greater part is missing. Thereafter a membrane or more is lost. Then follow the membranes printed in *Rotuli de Liberate* covering 10 October - 27 November 1200.<sup>461</sup>

It is not immediately clear whether any additional entries to what currently survives were ever made on membrane five. The final legible entry can be dated to 30 August and it is still possible to identify at least one additional subsequent entry, from which the dating clause has been lost.<sup>462</sup> The membrane has certainly suffered from extensive damage. It is difficult to identify how much of the membrane has been lost to damage, but evidence suggests no more entries have been lost and that only a small section of parchment is missing from where it was sewn onto the following membrane.<sup>463</sup> Firstly, a single stitching-hole appears to have survived in the bottom right corner of the membrane, which if contemporary would indicate that this was always the foot of the membrane.<sup>464</sup> Secondly, if less persuasively, a section of parchment clear of ink below the final incomplete entry measures around 20-30mm. No other gap this large was left between entries on the rest of the membrane, with the majority of entries separated by a gap of just 10mm.<sup>465</sup> If a 'greater part' of the membrane had been lost, as per Richardson's assertion, then we might expect evidence of an entry no more than 10mm below the mostly illegible and undated final entry.<sup>466</sup> As only a small section on the very right-hand side of the membrane has survived, it would be unwise to

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<sup>461</sup> Richardson, *Memoranda Roll*, 91.

<sup>462</sup> TNA, C 62/1, m. 5. The undated and incomplete entry is included in the edition; Richardson, *Memoranda Roll*, 91.

<sup>463</sup> The surviving portion of the membrane is c. 250mm in length. Although most membranes in the chancery rolls are longer than this, there are still numerous examples of membranes of the same length, including membrane three in the same roll which is 260mm in length.

<sup>464</sup> TNA, C 62/1, m. 5.

<sup>465</sup> *Ibid.*

<sup>466</sup> Richardson, *Memoranda Roll*, 91.

rule out the possibility a shorter entry which did not extend the width of the membrane was entirely lost. Whether or not a single additional entry has been lost, the slightly larger section of unused parchment alongside the markings of theoretically original stitching, is consistent with the expected appearance of the foot of the membrane. If true, then what has survived of membrane five today is close to the original size of the membrane and multiple lost entries from the forty-day lacuna were not originally enrolled on this membrane.

Where, then, would entries from the period between 30 August and 10 October 1200 have been enrolled? Richardson stated 'a membrane or more is lost' from this period and, if he is correct, then an unknown number of entries from this time have also been lost.<sup>467</sup> Once again, Richardson might be overestimating the extent of the loss. Even if no further entries were enrolled on membrane four, it is not necessarily certain that a membrane, let alone multiple membranes, have been lost. As the king was in France for at least the first thirty of the forty days spanning the lacuna and considering the tendency for writs to be enrolled in the 'English' roll less frequently whilst the king was in his French lands, it is likely only a small number of writs, if any, were enrolled in the 'English' roll during those forty days. If no additional entries were added to the 'English' roll within the forty-days in question, then no membranes have been lost from this section of the roll.

The likelihood of no entries having been enrolled can be explored by comparing the rate of enrolment around the same time in other chancery rolls. As expected, there is a high

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<sup>467</sup> Richardson, *Memoranda Roll*, 91.

frequency of enrolment in the Norman close roll 2 John whilst the king was in France at the start of the regnal year. 89 of 106 entries are dated in France between 17 May and 1 October, before John crossed to England between 2 and 5 October 1200.<sup>468</sup> Indeed, 40 entries are dated within the forty-day period under discussion, thirty-nine of them in the first thirty days whilst John was still in Normandy.<sup>469</sup> The last entry dated in France is on 1 October at Valognes and it is followed in the roll by an entry dated 10 October at Westminster.<sup>470</sup> The rate of enrolment in the 'Norman' roll then declines immediately. Only three more entries from 1200 are subsequently enrolled, one is dated 15 October, the next 7 December, and the last 19 December.<sup>471</sup> A similar, limited rate of enrolment can be seen in the 'English' close roll at the start of the year. The unknown quantity of lost entries makes it more difficult to provide exact context to the figures, but there are at least twenty-three entries legible on the first two membranes, dated before 30 August 1200, from the first three and a half months of the year.<sup>472</sup> There are more than 125 entries from the three months covered by surviving membranes dated after 1 October 1200.<sup>473</sup> As with the 'Norman' roll, the rate of enrolment was significantly reduced whilst John was the other side of the sea. The key question is whether this reduced rate of enrolment was significant enough that no, or very few, entries could have feasibly been made in the forty days between 30 August and 10 October. From

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<sup>468</sup> Hardy's itinerary places King John at Valognes on 1 October, at Freemantle on 6 October, and then at Westminster on 10 October. It is unclear what evidence Hardy has used for the Freemantle reference, but it is certainly not from an entry in any chancery enrolment. Roger of Howden and several other chroniclers record that John was at Westminster on 8 October for a coronation ceremony with his new bride Isabella, although Hardy does not include that date in his own itinerary. T.D. Hardy, 'Itinerary of King John', in *RLP*; Roger of Howden, *Chronica*, ed. by W. Stubbs, 4 vols. (London, Rolls Series, 1868-71), iv (1871), 139.

<sup>469</sup> *Rot. Norm.*, 28-34.

<sup>470</sup> *Rot. Norm.*, 34.

<sup>471</sup> *Ibid.*

<sup>472</sup> Richardson, *Memoranda Roll*, 89-91. Not including the final entry on membrane five which is missing the dating clause.

<sup>473</sup> *Rot. Lib.*, 1-11; Richardson, *Memoranda Roll*, 91-97.

the legible entries entered on membrane 5, the first two are dated 6 July, three are then dated 14 July, the next entry is undated, and the final three are dated 27, 25 and 30 August respectively.<sup>474</sup> The longest gap between dates is the forty-one days between 14 July and 25 August, which demonstrates that such a break in enrolment was not unheard of.

Although a gap of forty-days is not unprecedented in the 'English' rolls whilst John was in Normandy, it should be acknowledged that he crossed the channel at the start of October and spent several days in England before the break in enrolment ended. As shown by the first five entries entered on membrane four the rate of enrolment was significantly quicker when John was in England. The first is undated, two are dated at Westminster 10 October, one is dated 11 October and one 12 October (both at Guildford).<sup>475</sup> It is not until the tenth and eleventh entries on the membrane, dated 13 and 19 October respectively, that any break in enrolment more than a single day appears.<sup>476</sup> It is less likely no entries would have been made in the 'English' close roll before 10 October, in the few days after John returned to England. Although around the same time in the charter roll for 2 John, although several charters dated throughout September are enrolled, there is a comparable short gap in enrolment spanning the time around John's crossing to England. The final charter from September is dated at Cherbourg on 26 September and it is followed in the roll by a charter dated at Clarendon on 16 October. A charter dated to 9 October at Guildford is enrolled shortly after these, slightly out of sequence, but no entries are made between 26 September

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<sup>474</sup> Richardson, *Memoranda Roll*, 91.

<sup>475</sup> *Rot. Lib.*, 1-2.

<sup>476</sup> *Ibid.*, 3.

and 9 October.<sup>477</sup> On the 'Norman' close roll, the first entry dated after John crossed to England was at Westminster on 10 October, followed by an entry dated 15 October at Clarendon.<sup>478</sup> As such, a possible pause in enrolment in the charter roll and 'Norman' close roll indicates enrolment in the 'English' close roll beginning on 10 October after a lengthy break in enrolment is possible, despite John's return to England several days earlier in October. Some significance here falls on the final, undated, mostly illegible entry at the bottom of membrane five. It is possible this entry is dated within the forty-one days where no entries were enrolled, even though it was dated after John crossed the channel to England but before 10 October.

It remains possible entries on membrane five extended no further than they currently do and that there is no membrane missing between membranes five and four. Moreover, if the 'greater part' of membrane five has been destroyed, the chances of an additional entire lost membrane is, if anything, less likely. As with any speculation into the mysteries of lost evidence, no certain conclusion should be made. Richardson's assertion that a significant section of the roll has unquestionably been lost, however, should be challenged. If he was incorrect, the 'English' roll for 2 John has only a single section missing, incorporating the 125 days from 27 November 1200 until 31 March 1201. Throughout this time John was in

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<sup>477</sup> *Rot. Chart.*, 76.

<sup>478</sup> *Rot. Norm.*, 34.

England and so it is likely a substantial number of entries were enrolled and so several membranes can be presumed to be missing from this section of the roll.<sup>479</sup>

The other close roll which has survived in a fragmentary state is the 'Norman' roll for 5 John, the last 'Norman' roll to be produced by John's chancery. This roll is missing, as Richardson noted, at least one or two membranes from the beginning of the roll, where entries dating between 15 May 1203 and late June would have been enrolled.<sup>480</sup> For the general rate of enrolment for the rest of the extant membranes, we would expect another c. 58 entries in that time, which would require another two membranes as Richardson believed.<sup>481</sup> Richardson further suggested that the last extant membrane of the 'Norman' roll 5 John was the last membrane of that roll ever created and here his conclusion might be questioned. He noted the last entry with a readable dating clause on that membrane can be dated to 5 December 1203, just before John left for England on 6 or 7 December that year and that very few entries were added below.<sup>482</sup> In fact, there are then only three additional entries, the dating clauses of which are no longer readable or somewhat unclear. The penultimate entry also likely dates to 5 December, as the dating clause reads: *T[este] P[etrus] de Stok' [et] c[etera]* and although the entry immediately above has no legible dating clause, the entry is written as a simple memoranda, rather than a full writ being enrolled; as such it,

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<sup>479</sup> From the little over a month John spent in England at the end of the regnal year (31 March 1201 to 2 May 1201), there are three full membranes. From the almost two months spent in England between 10 October and 27 November 1200, there are four full membranes. If the rate of enrolment between 27 November and 30 March was comparable to either of these other periods spent in England in the same regnal year, then between eight and twelve membranes could have been lost from this period.

<sup>480</sup> The first readable entry on the extant membranes is dated to 24 June 1203. Richardson, *Memoranda Roll*, 97-98.

<sup>481</sup> Around 39 entries a month are enrolled in the surviving membranes of the Norman roll 5 John.

<sup>482</sup> Richardson, *Memoranda Roll*, 97.



was unlikely to have ever included a dating clause in the enrolment and so we can date the writ to the next writ above, which itself carries the dating clause: '*T[este] [e]t c[etera]*', but clearly refers to the entry immediately above dated to 5 December.<sup>483</sup> All of these entries are now so heavily obscured by galls and other damages that it is all but impossible to confirm whether they were made in the same hand or in the same ink as the other entries on the membrane dated to 5 December.<sup>484</sup> Richardson also noted that four entries dated to 15 May 1204 were made on the dorse of that membrane, 'dispatched in ignorance of the imminent collapse of John's power in Normandy'. As the close and fine roll for 6 John include both 'English' and 'French' entries, he concluded, that 'after the fifth year there was no longer need for the separate enrolment of items relating to the king's French dominions and that one series of rolls was suppressed'. It is on this basis that Richardson argues we can be 'practically certain' that no membrane is missing from the 'Norman' roll for 5 John after the final membrane in Hardy's edition.<sup>485</sup> If we accept Richardson's conclusions, then it is implied the chancery decided to discontinue the 'Norman' rolls before 15 May 1204, as these entries were added to the dorse rather than a new membrane added in the intervening months.

Moreover, following Richardson's argument, we must consider that at most a single entry – the final entry on the extant roll without a legible dating clause – was enrolled between when John left Normandy after 5 December 1203 and the enrolment of the four

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<sup>483</sup> In addition, the penultimate entry and the last entry dated to 5 December both involve orders concerning Robert de Appeville, an official at the Caen exchequer. *Rot. Norm.*, 119-120.

<sup>484</sup> TNA, C 64/6, m. 2.

<sup>485</sup> Richardson, *Memoranda Roll*, 97.

entries dated to 15 May 1204. Richardson's suggestion that only a few 'Norman' writs needed to be enrolled on the 'Norman' roll after December 1203 is not without merit as Carpenter and Vincent previously argued that more writs were enrolled in the 'Norman' roll whilst the king was in France, and vice versa for the 'English' roll.<sup>486</sup> That being said, the enrolment of only four or five writs, almost all dated to a single day, for the final six months of the regnal year missing from 5 John, looks to be significantly less than might be expected. For comparison, the 'Norman' roll for 2 John includes 14 writs, covering 12 different dates, spread across the seven months that John was in England. Unfortunately, a similar assessment cannot be made of the other extant 'Norman' roll, for 4 John, as the king spent that entire year in his French domains. As fewer writs were enrolled on the earlier rolls in general, perhaps slightly more enrolled writs would be expected from the six months after John left Normandy in early December 1203. Indeed, the 'Norman' roll for 2 John contains 88 entries for the five months which John spent in France, whilst the fragments of the 'Norman' roll for 5 John, which cover five and a half months of time in which John was in Normandy, contain at the very least 154 entries, as well as likely another 26 entries, which have illegible dating clauses but must also pertain to the same time. The 'Norman' roll for 5 John, therefore, contains more than double the writs enrolled in 2 John, over a shorter period, for the time John spent overseas.<sup>487</sup>

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<sup>486</sup> Vincent, *Norman Charters*, 15-16; Carpenter, 'In Testimonium', 13-17.

<sup>487</sup> The roll for 2 John was compiled at a time when it was possible for writs to be freely sent to any of the French domains under John's control, whereas the roll for 5 John was compiled at a time of war, when the roads from Normandy to Gascony, Poitou and much of Anjou were closed to John's messengers.

Although the 'Norman' rolls do not provide a great deal of data, it is possible to ask the same question of the 'English' close rolls. The 'English' roll for 2 John contains twenty-four entries in the extant membranes, covering the three and a half months John was in Normandy that year, and 112 entries in the three months covered by the extant membranes during which John was in England; although the missing fragments from this roll stops any firm conclusions from being made.<sup>488</sup> Even more significantly, the 'English' roll for 3 John also contains 109 writs enrolled whilst John was in Normandy. This was a result of the king spending only a single month at the start of the regnal year in England, with only 18 out of 127 writs dated to that month.<sup>489</sup> Unfortunately, there is no extant 'English' roll for the fourth year of the reign, when John did not spend any time in England, so it is also impossible to know what quantity of English writs were enrolled. The roll for the fifth year of the reign contains 239 writs for the seventh months John spent in France out of the total of 475.<sup>490</sup>

The rates of enrolment in the early 'English' rolls suggests that, although enrolment in the second half of the 'Norman' roll for 5 John would have been less than seen in the first part of the roll, the especially small number of writs enrolled whilst the king was in England on the 'Norman' roll 2 John is not typical. More writs would be expected to have been

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<sup>488</sup> The missing membranes cover about a month and half of time when John was in France and four months of time when John was in England. A rough estimate allows us to calculate that 17% of entries were made in the 42% of the year John was in France and 83% of entries were made in the 58% of the year John was in England.

<sup>489</sup> As 15% of the writs enrolled in 3 John are dated within the 8% of the year John spent in England, writs were enrolled more regularly whilst the king was in the region corresponding to the roll, if not to the same extent observed in the Norman rolls.

<sup>490</sup> For this year 49% of writs enrolled in 5 John are dated within the 42% of the year John spent in England, with writs being enrolled just slightly more regularly whilst the king was in the region corresponding to the roll. As will be discussed in more detail, this roll is something of an outlier and in an average year we would expect a slightly higher rate of enrolment whilst John was in England. See below, 231-239.

enrolled at the end of the 'Norman' roll for 5 John, on perhaps several lost membranes. Even if the roll for 2 John is representative of the general level of enrolment made in the 'Norman' roll when the king was in England, however, then adjusting for the growth of the rolls in the intervening years, enough entries were still made that we should expect a rate of enrolment of around 8 writs each month in the 'Norman' roll for 5 John, for the four to five months before Chateau Gaillard fell.<sup>491</sup> The thirty or forty additional entries enrolled at this rate would, therefore, have required at least one additional membrane.<sup>492</sup> It seems even more unlikely only three or four writs would have been considered worthwhile enrolling on the 'Norman' roll after John left Normandy in December. However, if we consider the volume of business enrolled on the 'English' roll for 5 John did not increase after John returned to England, alongside the absence of any explicitly 'French' writs, there is no evidence that writs relating to 'Norman' business were being sent to the English exchequer instead of the Caen exchequer, again underlining that, up until May 1204, there was no expectation that the Norman financial and administrative system served by the 'Norman' rolls was about to end.

The membrane Richardson believed to be the end of the roll is, unfortunately, badly damaged and the final entries obscured by use of galls, preventing any conclusive codicological study from showing whether any missing membranes may once have been included in the roll. It certainly appears that the entire membrane has survived and was

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<sup>491</sup> This is calculated based on an average rate of enrolment in the 'Norman' roll for 2 John of 2 writs a month when John was in France, compared with 17 writs a month in England. As the 'Norman' rolls for 4 and 5 John are both four times the size of the roll for 2 John, we should expect a rate of enrolment to be similarly greater.

<sup>492</sup> Each full extant membrane on the roll contains between 40 and 50 entries.

used, with entries made down the entire extant parchment.<sup>493</sup> Furthermore, the membrane in question [mem. 2] is now sewn at the bottom onto the fragmentary membrane [mem. 1] discovered in 1838, which should in fact directly precede the first membrane of the roll in its current form [mem. 5].<sup>494</sup> It is clear the 'Norman' roll 5 John has been repeatedly dissembled, re-arranged and re-assembled over the last 200 years, above and beyond the requirements of conservation, further complicating any codicological assessment.<sup>495</sup> Despite these shortcomings, there are impressions at the bottom of membrane two of contemporary arrow shaped stitching holes, with some faint impressions of diagonal stitching in addition to the single straight line of modern stitching.<sup>496</sup> Finally, the very fact that the roll was found in separate fragments and only reassembled out of sequence in the nineteenth century, must raise the probability that a membrane has been lost.

Although we cannot be certain a membrane is missing or that a significant number of entries were made onto it after 5 December 1203, the mere absence of evidence is not a strong argument for enrolment to have ceased almost entirely after that date. There is little

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<sup>493</sup> TNA, C 64/6, m. 2.

<sup>494</sup> TNA, C 64/6, mm. 1-2. Entirely different membrane numbers are used in Hardy's edition.

<sup>495</sup> A note on the outer cover explains that the roll was discovered and repaired from fragments in 1831, with an additional fragment added in 1838, but it is almost impossible to say when roll was first lost and divided. The roll does not appear have been available to Thomas Carte around 1743, when he published the oldest surviving catalogue of the Norman rolls, as he does not provide any entries from the roll for 5 John. A solid conclusion cannot be made from Carte's catalogue, which includes only a limited selection of entries from the Norman rolls, and also excludes the roll for 4 John. A more confident conclusion that can be made, is that the roll was almost certainly lost at the time the current outer covers were fitted to the other Norman rolls, thought to date from the seventeenth century, as an outer cover of a different style was fitted to the roll in 1831, with the title 'Rot: Normann: a:o 5 R:s Johis' alongside the aforementioned note that the membranes had been discovered and reassembled. TNA, C 64/6; T. Carte, *Catalogue des Rolles Gascons, Normans et Francois: Conserve dans le Archives de la Tour de Londres*, 2 vols. (Paris, Barois, 1743), i, 241-246.

<sup>496</sup> TNA C 64/6, mm. 1-2.

reason for John or his clerks to actively stop the use of the 'Norman' roll before Normandy was believed to have been lost. When John returned to England in December 1203 it was with every intention of returning to Normandy. It was not until shortly before 21 May 1204 that John instructed Peter de Lions to evacuate records from the exchequer at Caen.<sup>497</sup> Many writs must have been sent to his Norman officers, both at the Norman exchequer and around Normandy in the intervening months. If there are no missing membranes, then a decision must have been taken to enrol only a very small number of these – just those found on the dorse and dated 15<sup>t</sup> May 1204. As these writs form part of Richardson's argument that no subsequent membranes have been lost, it might be worth looking at them in more detail, as there may be more reasons for their enrolment on the dorse, aside from that being the last bit of available space the clerks found on an obsolete roll.

The four writs enrolled on the dorse of the 'Norman' roll are found below thirteen entries of memoranda related to payments for, and inspections of, military garrisons. These entries are not place-dated, although several refer to preparations made in the summer of 1203 and were entered at an entirely different time to the writs from May 1204. The first entry on the face of the same membrane is dated to 27 November 1203 and so the earliest

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<sup>497</sup> *Rot. Lib.*, 102-103.

these entries on the dorse could have been made is also late November 1203.<sup>498</sup> It is likely the entries were entered in the short period before John left Normandy at the end of November or start of December, at the time this membrane was being compiled. The reference to Ralph Tesson as seneschal of Normandy would date the writs these entries are concerned with to before 19 August, when William Crassus was appointed as seneschal.<sup>499</sup> Furthermore, some of these expenses are included in Richard de Fontenay's account in the Norman pipe roll for 1203, namely those for the garrisons at Mont-Saint-Michel, Mortain, Tinchebray and Vire.<sup>500</sup> These entries were entered out of sequence, perhaps explaining why they are entered on the dorse, undated, and in the form of memoranda.

The other writs on the dorse must date from after John returned to England. These writs at the very least indicate the 'Norman' roll was still accessible to the chancery clerks at the end of the regnal year, perhaps showing it was still a working document at that time. The first two writs from 1204, directly dated to 15 May at Southampton, both concern the exchange of land in Normandy between John and Hugh de Montfort. One sent to William Crassus the seneschal and the other to Peter de Préaux, at that time commanding the

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<sup>498</sup> The first entry on the face of the roll dated to 27 November is a writ of *computate* for the prevost of Caen given at Montfarville. The first few entries of memoranda on the dorse involve payments to Richard de Fontenay for fortifications and garrisons at Mont-Saint-Michael on 3 June [1203]. See also: Power, *The Norman Frontier*, 441, n. 163. Several of the following entries also refer to past garrisons placed by Richard de Fontenay, including from the second and third years of John's reign and inspections made by the seneschal and constable of Normandy on 3 June [1203]. The final entry refers to garrisons placed by Richard de Fontenay at Tinchebray on 16 June [1203]. In addition, these entries appear to have been written in a single block under the heading, '*In memoria*', and are set about 3 centimetres in from the left margin of the roll, whereas the writs for 1204 are entered directly next to the margin. TNA, C 64/6, m. 2d; *Rot. Norm.*, 115, 120-121.

<sup>499</sup> *RLP*, 33b.

<sup>500</sup> These expenses are found in Richard de Fontenay's account for the bailiwick of Mortain. *Magni Rotuli Scaccarii Normanniae sub regibus Angliae*, ed. by T. Stapleton, 2 vols. (London, Sumptibus Society, 1840-1844), ii, 547-548; TNA, E 373/7, m. 4d.

garrison at Rouen.<sup>501</sup> The other two, with the dating clauses; ‘T[este] [e]t c[etera]. P[er] P. de Rup[ibus]. Ap[ud] Suhamt’, and ‘T[este] ut s[upe]ri[us]’ also both refer to 15 May. These two writs are concerned with various payments to Hugh de Neville and were sent to the ‘barons of the exchequer’.<sup>502</sup> It is not implied this was the Norman exchequer at Caen and, despite being enrolled on the ‘Norman’ roll, these writs must have been sent to Westminster.

It is fairly likely that by this time plans were already underway for the evacuation of the Caen exchequer, and it had ceased to be a working department. We know that Philip Augustus entered Normandy on 2 May, was at Argentan on 7 May, and then soon after spent no more than a week besieging the fortress at Falaise.<sup>503</sup> These writs dated to 15 May must have been sent during or even just after the siege of Falaise, when Philip had a clear path to Caen.<sup>504</sup> Within a week of the writs being sent, Peter de Lions was expected at Southampton with the ‘rolls and charters’ of the Norman exchequer. Although the two writs we have as evidence of this evacuation are dated to 21 May, they are both sent to English officials informing them Peter was en-route to England, implying the archives of the Caen exchequer had already been emptied. We do not have any orders sent to Peter himself or the barons of that exchequer ordering the evacuation, or any orders sent to Norman officials to find transport across the sea, so cannot confirm when exactly the evacuation occurred. The writs record payments made to Hugh de Neville, one for money received in the chamber

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<sup>501</sup> *Rot. Norm.*, p. 121.

<sup>502</sup> *Rot. Norm.*, pp. 121-122.

<sup>503</sup> Powicke, *Normandy*, 256-257.

<sup>504</sup> Caen is no more than a single day’s march from Falaise. It is even possible that Caen had already fallen before 15 May, with a charter of Philip issued at Liseux in May dated from the 13 to 31 of that month by Delisle. *Catalogue des actes de Philippe-Auguste*, ed. by L. Delisle (Paris, Durand, 1856), 186, no. 818.



and various payments for wages, robes and 'two hunting dogs sent to [the king] at Hereford'; and the other for payments to two of the king's hunter.<sup>505</sup> These are all very clearly payments for 'English' business and almost all of them can be found in the pipe roll for 6 John, when Hugh accounted for the farm of Marlborough.<sup>506</sup> Indeed, Hugh does not appear in the 'Norman' close rolls, either as the recipient or receiving payments or orders, but regularly does so in the 'English' rolls as the chief forester.<sup>507</sup>

It is worth noting at this point the enrolment of another writ dated to 15 May 1204 at Southampton, entered on the dorse of the second from last membrane of the 'English' close roll for the same year. That writ was sent to the 'barons of the exchequer' concerning grants of land in London to a Geoffrey, the king's saucerer [*salsaria*].<sup>508</sup> If the writ was to be enrolled chronologically it should have been entered towards the middle of final membrane of the roll. Around 100mm of the extant parchment of this final membrane is unused, so the reasons for the writ being entered on the dorse of the previous membrane cannot be linked

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<sup>505</sup> *Rot. Norm.*, 121-122.

<sup>506</sup> For example, Hugh accounts for eighteen marks for 'Rogero Rastel [...] pro vadiis suis acquietandis' which can be matched to eighteen marks Hugh was ordered to pay to 'Rog[er]o Bristoll' p[ro] vad[iis] suis' in the first entry on the Norman roll, as well as accounting ten shillings for 'duobus vealtrariis' which matches the same sum in the Norman roll for the dogs sent to Hereford. The other expenses Hugh was required to cover, for robes and wages can also be found in this account. He also accounts for twelve marks for 'Widoni venatori' and 100 shillings for 'Willelmo le oiselur' who must be the 'Gwidoni venatori' and 'Will[elm]o Aucupi' recorded in the second entry in the 'Norman' roll. Hugh de Nevill only appears in the extant Norman exchequer rolls acting as a pledge, for two fines made by Geoffrey son of Richard fitzLandry, which are also found in the Norman fine roll. *PR 6 John*, 187; *Rot. Norm.*, 37, 43, 121-122; *Magni Rotuli Scaccarii Normaniae*, 558.

<sup>507</sup> The only other times Hugh de Nevill's name appears in the Norman close rolls is in a crossed out and unfinished entry, which had been entered in the wrong roll, and once in a writ ordering Robert de Tregoz to send stone roofing slabs to Southampton which were to be given to 'Hug[onis] de Nevill[e] v[er]o c[er]to Ball[iv]o suo' for work on the king's house in the New Forest. *Rot. Norm.*, 28, 112.

<sup>508</sup> *Rot. Lib.*, 108.

to a lack of space.<sup>509</sup> There is a single charter dated to 15 May at Southampton entered on the charter roll, although that dating clause was added later so the entry is significantly out of sequence amongst other entries dated around mid-February, with at least sixty-two entries and six membranes before the first entry originally dated in May.<sup>510</sup> The entry is made at the very bottom of membrane thirteen and was initially dated as '*Dat[um] ut supra*' with reference to the entry above dated to 24 February. The first charter granted the church of Lugwardine and chapel of Erchinfield to Joscelin of Wells and the second granted the vicarage of the same, 'at Joscelin's petition', to master Alard. The teste clause giving the date of 15 May was entered along with a note referring to the above entry and reading, '*Idem h[abe]nt litt[er]as pat[entes] de eod[em] de p[re]sentat[i]o[n]e*'.<sup>511</sup> These letters patent do not appear on the patent roll, which does not contain any entries dated after 9 May and so no entries from the 15 May.<sup>512</sup>

The enrolment of a writ dated 15 May on the dorse of the 'English' close roll suggests there were other reasons for these writs being entered on the dorse of the 'Norman' roll, other than the lack of space at the bottom of the final extant membrane as Richardson suggested. Furthermore, the last two or three membranes of the 'English' close roll for 5 John are chaotic; many entries are made without clear dating clauses and writs are regularly

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<sup>509</sup> TNA, C 62/3, m. 1.

<sup>510</sup> *Rot. Chart.*, 119-127; TNA, C 53/5, mm. 13-7.

<sup>511</sup> TNA, C 53/5, m. 13.

<sup>512</sup> *RLP*, 29-42.

enrolled out of chronological order.<sup>513</sup> Several of these writs were entered again, with full dating clauses, at the start of the close roll for 6 John, including the writs concerning Peter de Lions' evacuation of the Norman exchequer.<sup>514</sup> All of these entries enrolled in the 'wrong' places or without dating clauses point towards a chancery in a state of confusion towards the end of the fifth regnal year. As two of the writs on the dorse of the 'Norman' roll are for 'English' business and entered on the wrong roll, it is possible these writs dated 15 May represent a breakdown in the process of enrolment. Perhaps the *contrabrevia* from which these writs were copied were not correctly sorted and entered onto the rolls in the relevant place at the time they were drawn up, but were entered out of sequence on the most convenient section of parchment. Unfortunately, without knowing the exact process of enrolment in John's chancery, it is impossible to say what really happened.

What does start to look more likely, is that the presence of those writs dated to 15 May 1204 is not clear evidence the chancery had already decided to discontinue the series of 'Norman' rolls before those entries were made. The remaining portion of Richardson's argument, that there is an absence of physical evidence for additional missing membranes, ignores the fact that the business of enrolment appears to have continued as normal, as far as it could, at the start of 1204. It is probable that a membrane is now lost from the end of the

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<sup>513</sup> The last six or seven membranes of the charter roll are similar, with the more consistent chronological order of enrolment disappearing. The final two membranes of the patent rolls are similarly inconsistent and like the close roll include a greater number of entries without full dating clauses.

<sup>514</sup> *Rot. Lib.*, 102-103; *RLC*, 3.

'Norman' close roll for 5 John, in addition to the membranes missing from the beginning of the roll.<sup>515</sup>

In addition to the two partial rolls, several years at the start of John's reign, are missing at least one of the counterpart close rolls. Having considered the missing membranes, it is worth accounting for the lost rolls from the same period. Neither an 'English' nor 'Norman' close roll is extant for 1 John, but there is evidence these rolls were made, with the beginning of a writ which appears to be a letter close sent to William fitzRalph as seneschal of Normandy, partially entered on the 'English' fine roll for 1 John.<sup>516</sup> This writ was likely meant for the lost 'Norman' close roll for 1 John and we can expect a counterpart 'English' roll was also produced. The sizes of these lost rolls are very difficult to estimate. We know that John spent just three months in England and eight and a half months in France in his first regnal year.<sup>517</sup> If the rolls were compiled at the same rate and entries spaced similarly to the extant rolls for the following year we could expect the 'Norman' roll to have around 167 entries and the 'English' roll about 179 entries, with both requiring at least nine membranes.<sup>518</sup>

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<sup>515</sup> Richardson, *Memoranda Roll*, 97.

<sup>516</sup> *Rot. Ob. et Fin.*, 6; see above, 120.

<sup>517</sup> John was crowned in England on 27 May 1199 and was in France by 29 June 1199. He returned to England between 27 February and 2 May 1200, then remained in France until the regnal year ended on 18 May 1200. Before John's coronation as king of England, there was an interregnum of almost two months after Richard's death on 6 April 1199, during which time he was invested as duke of Normandy and mostly based in France. It is unclear if the close rolls, especially the 'Norman' roll, would have been started before John was formally crowned as king of England.

<sup>518</sup> The 'Norman' close roll 2 John has ~19 entries per month when John was in France and ~2 per month when he was in England. The 'English' counterpart has ~7 per month in France and ~40 per month in England. See below, 286.

The next missing roll is the 'Norman' close roll for 3 John, with the existence of the roll at one time attested by three 'French' writs mistakenly entered in the extant 'English' roll for that year, two bearing annotations they should be enrolled '*in Rotulo Normanniae*'.<sup>519</sup> At most John spent a single month in England in the third year of his reign, so we could expect the lost 'Norman' roll to have been larger than the surviving 'Norman' roll from the second year of the reign.<sup>520</sup> It is possible this roll was similar in scope to the eleven membranes and over 400 entries found in the surviving 'Norman' close for 4 John, when the king spent the entire year in France. Although it is likely more, but smaller, membranes would have been used.

Finally, an annotation against an Irish writ, mistakenly enrolled on the 'Norman' close roll for 4 John, corroborates the existence of an 'English' roll for that year.<sup>521</sup> The size of this roll is difficult to estimate as the rate of enrolment when the king was in France is significantly lower on the 'English' close roll for 3 John, with c. 10 entries a month, than it is on the 'English' close roll for 5 John, which has c. 40 entries a month.<sup>522</sup> If we take a median estimate of 20 entries a month, then we would expect around 240 entries and seven or eight membranes. Using these rough figures alongside the earlier conclusions on missing

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<sup>519</sup> *Rot. Lib.*, 11, 15, 16.

<sup>520</sup> The rate of enrolment in France in 2 John of c. 19 entries per month extrapolated across twelve months gives an estimated 228 entries. When compared to the 424 entries from the fourth year of the reign when John did indeed spend the entire year in France the rate of enrolment has almost doubled.

<sup>521</sup> *Rot. Norm.*, 77.

<sup>522</sup> For a possible explanation for this beyond simply the organic growth of the rolls see below, 236-239.

membranes in the fragmentary rolls, we can provide a rough estimate of the sizes for each of the earliest close rolls of John's reign at the time they were produced:

*Table 9: Estimated sizes of the missing Close Rolls 1199-1204*

Lost and Extant 'Norman' Close Rolls (Estimated)			Lost and Extant 'English' Close Rolls (Estimated)		
Regnal Year	No. of Mems.	No. of Entries	Regnal Year	No. of Mems.	No. of Entries
1 John	c. 9	c. 167	1 John	c. 14	c. 179
2 John	6	106	2 John	c. 19	c. 208
3 John	c. 12/13	c. 400	3 John	5/6	127
4 John	11	424	4 John	c. 7/8	c. 240
5 John	c. 8	c. 308	5 John	13	475

The discussion of lost rolls raises the question which has dominated historical debate about the close rolls in recent years: when were these rolls first introduced and are there lost rolls from before 1199?<sup>523</sup> The final section of this chapter seeks to provide additional context to this debate by considering some other physical characteristics of the rolls.

### Evolution in the Layout and Design of the Chancery Rolls

A noticeable feature of the earliest chancery rolls is the degree of freedom to innovate which the clerks had in the layout of the rolls. We are not presented with a form which is fixed. The layout of the rolls evolves during the time that we have both 'English' and 'Norman' rolls. At times in this evolution, experimental changes are seen on all the extant

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<sup>523</sup> See above, 43-48.

rolls, some of which are then abandoned whilst others become more widespread. A standardised format establishes itself around the sixth year of John's reign, from which point there is remarkable consistency throughout the remainder of the reign. These changes in format can be best tracked in the layout of the margins of the membranes. There are two, or perhaps three, identifiable marginal layouts on the rolls. These marginal layouts are discussed here separately from the marginalia often found beside entries because of what this tells us about the evolution of the chancery roll form. The most common marginal layout is a single-lined marginal style, where the left-hand margin is marked by a single line, separating entries from any marginalia or marginal annotations.<sup>524</sup> On membranes with the single-lined margin style each new entry is usually denoted by a paragraph mark, or pilcrow, at the start of each entry, often drawn over or just to the right of the line marking the margin.<sup>525</sup> On some occasions, although a single-lined margin style is clearly being used, there is no visible line marking the margin. Several of these unlined margins are certainly the result of the margin not having been physically delineated at any point, but it is also possible some were at one time delineated but the effects can no longer be seen, either due to damage to the parchment or because of the method used for drawing the margins.<sup>526</sup> It is a form of this single-lined margin style that was to become the standard format of the close, fine, and patent rolls by the end of John's reign. In addition, a double-lined margin style is

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<sup>524</sup> On occasion across the chancery rolls the right-hand margins are also lined. There are no clear trends, separate to the development of the left-hand margin, which can be identified where the right-hand margin has been drawn. In addition, due to damage to the rolls, it is difficult to identify where the right-hand margin definitively has or has not been lined so conclusions based on the right margin have not been made in this study.

<sup>525</sup> The paragraph mark is drawn in several different styles throughout the chancery rolls, always to denote a new entry, as either; a pilcrow ( ¶ ); a capital gamma ( Γ ); or a capitulum ( ¶ ).

<sup>526</sup> The method of ruling these margins in the earliest chancery rolls switches between ruling with drypoint and plummet, sometimes within the same roll. For a more detailed description of how the parchment would have been lined, see: R. Clemens and T. Graham, *Introduction to Manuscript Studies* (Ithaca, Cornell University Press, 2007), 16-17.

seen regularly in the earlier years of John's reign. Membranes with a double-lined style have an outer margin in which marginalia is entered and a smaller inner margin in which the first letter of entries is entered, separated from the rest of the text, to denote the beginning of a new entry. The inner margin is occasionally also used for the entry of the paragraph mark to denote a new entry.<sup>527</sup> Finally, the charter rolls are very consistent in the use of a double-lined margin style throughout the reign, with the first letter, usually the 'J', entered within the margin to denote a new entry. The margins of the charter rolls are also distinctive in their use of the outer margin to enter the names of the beneficiary rather than other marginalia from the start of the reign.

The lack of consistency in the marginal layout between 1199 and 1204 likely reflects the administrative mindset of the chancery with regards to the process of enrolment which, the following chapter will argue, is indicative of an 1199 date for the beginnings of chancery enrolment for the purposes of record making and keeping. It will also be proposed that these processes were impacted by a collective 'chancery mind', rather than individual clerks making entirely personal choices. This mix of formats cannot be attributed to a single clerk experimenting with styles when writing entries, with numerous hands writing entries using each style. The lack of consistency itself suggests that, in the first years of John's reign, there was no one way of doing things and the chancery clerks were not expected to follow any single convention or instructed in how to set out these rolls. Furthermore, the style being used was very occasionally switched part way down a membrane, removing the possibility

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<sup>527</sup> This double-lined marginal style is like the scribal conventions used for the layout and punctuation of verse. Clemens and Graham, *Introduction to Manuscript Studies*, 87-88.



the clerks were simply copying the style used in the entry above or following the layout of a pre-lined membrane.<sup>528</sup> The evolution of the rolls from an inconsistent mix of the different styles into a more standardised approach can be seen by tracing the changes, across all four different series of chancery rolls – the close, fine, patent and charter rolls – throughout John's reign, as well as in both the 'English' and 'Norman' counterparts of the close and fine rolls between 1199 and 1204.

### The Charter Rolls

The marginal layout of the charter rolls is certainly the most consistent, with a clear 'double-lined' style used on most extant membranes. The charter roll for 1 John, for example, is consistently laid out, over sixty membranes and two separate rolls, in the double-lined 'charter style' with the first letter entered separately to denote new entries.<sup>529</sup> These margins are not always clearly visible today and on occasion may not have been physically delineated, including some membranes where only a single line is visible. Even on such membranes, however, the standard 'charter style' marginal layout is used, with the first letter of the entry, almost always the capital 'J', entered within the margin. The roll for 2 John is similar, with a consistent standard 'charter style' layout, but not every membrane clearly physically delineated. It is the roll for 5 John where the double-lined margins can be

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<sup>528</sup> There are several instances where the margins of the final membrane of a roll were only lined down to the final entry, or where the margins were lined in an uneven, and piecemeal manner, suggesting that the clerks would not always delineate an entire membrane before beginning enrolment.

<sup>529</sup> TNA, C 53/1-3.

visibly identified on every membrane. The rolls for nearly every following year have the same 'charter style', although not on every occasion are these marginal lines clearly visible.

Table 10: Marginal Styles of the Charter Rolls

Regnal Year	TNA Reference	No. of Mem.	Marginal Style	New entries denoted by ...
1 John	C 53/1-3 <sup>530</sup>	69	Consistent double-lined style, not always visible.	First letter 'J' in margin
2 John	C 53/4	35	Consistent double-lined style, not always visible.	First letter 'J' in margin
Lacuna – Charter Rolls Missing For Two Years				
5 John	C 53/5	26	Always visibly double-lined	First letter 'J' in inner margin
6 John	C 53/6	12	Always visibly double-lined	First letter 'J' in inner margin
7 John	C 53/7	13	Always visibly double-lined	First letter 'J' in inner margin
Lacuna – Charter Rolls Missing For Two Rolls				
9 John	C 53/8	8	Always visibly double-lined	First letter 'J' in inner margin
10 John	C 53/9	6	Always double-lined style, nearly all visible	First letter 'J' in margin
Lacuna – Charter Rolls Missing For Three Years				
14 John	C 53/10	7	Always double-lined style, nearly all visible <sup>531</sup>	First letter 'J' left of margin
15 John	C 53/11	4	Mixed style, mostly visible <sup>532</sup>	First letter 'J' left of margin
16 John	C 53/12	11	Double-lined style, almost always visible	First letter 'J' in margin
17 John	C 53/14	10	Double-lined style not always visible	First letter 'J' in margin
18 John	C 53/16	2	Single-lined style, not clearly 'charter style'	First letter 'J' left of margin

<sup>530</sup> The charter roll for 1 John is stored in three parts, see above, 113, n.347.

<sup>531</sup> TNA C 53/10, mm. 7-4 visibly double-lined, mm. 3-1 double-lined style, but with only a single line visible.

<sup>532</sup> TNA C 53/11. The first membrane is double-lined, but later membranes are single-lined. Although not all laid out in the standard double-lined 'charter style', this roll is believed to be a duplicate of the lost original.

The rolls for 14, 16 and 17 John are notable for not including the beneficiary of the charter separate from the entry in the left-hand margin. That practice is seen regularly in the charter rolls of Henry III's reign, so the absence of this practice in the final years of John's reign was just a short break in the standard method. There is no major development in the physical layout of the charter rolls in John's reign and nearly every roll sticks to the same style used at the start of the reign.

### The Patent Rolls

The marginal layout of the patent rolls, however, show signs of development in John's reign. The rolls for 7 John onwards all consistently use the same single-lined marginal style, with most new entries denoted by a pilcrow; although a capital gamma or capitulum is used for the same purpose, with the capitulum becoming more common towards the end of the reign. The first four extant rolls, for the third, fourth, fifth and sixth regnal year are less consistent in their marginal layout. The margins of the rolls for 3 John and 4 John show the most variety, with both the single-lined style and double-lined style used on multiple membranes. With this we see the development of a standard marginal style over the first years of John's reign. By the reign of Henry III, the patent rolls are consistently set out in the same single-lined marginal style which develops as the standard style in John's reign.<sup>533</sup>

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<sup>533</sup> TNA C 66/17-91. The practice of including the name of the beneficiary of each entry in the margin, seen in the charter rolls, does appear in the patent rolls of Henry's reign.

Table 11: Marginal Styles of the Patent Rolls

Regnal Year	No. of Mem.	Marginal Style	New entries denoted by ...
Patent Rolls for the First Two Years Not Extant			
3 John	9	Mixed, visible (see table below)	Depends on style of each membrane
4 John	14	Mixed, visible (see table below)	Depends on style of each membrane
5 John	10	Mostly single-lined, except membrane seven which is mixed. All visible	All use pilcrow or capital gamma including double-lined style section of membrane seven <sup>534</sup>
6 John	11	Mostly single-lined and visible, although first two membranes are mixed	First two membranes mixed, next nine either the pilcrow/capitulum <sup>535</sup>
7 John	7	All single-lined and visible	Capital gamma/pilcrow
8 John	4	All single-lined and visible	Pilcrow/capital gamma
9 John	6	All single-lined and visible	Pilcrow/capital gamma
10 John	5	All single-lined and visible	Pilcrow/capital gamma
Patent Rolls Missing For Three Years			
14 John	6	All single-lined and visible	Pilcrow or capitulum
15 John	12	All single-lined and visible	Pilcrow
16 John	17	Most single-lined and visible <sup>536</sup>	Pilcrow
17 John	24	All single-lined and visible	Pilcrow or capitulum
18 John	9	All single-lined and visible	Pilcrow or capitulum

<sup>534</sup> TNA C 66/3, m. 7. The top third of membrane seven is set out in what appears to be a 'double-lined' marginal style, although new entries are denoted by a pilcrow within the inner margin space separate from the entry rather than the first letter. This style is not used throughout the membrane and the rest has a simple single-lined marginal style.

<sup>535</sup> TNA C 66/4, mm. 11-10. Although all physically single-lined, the first two membranes use the first letter ['R'] separate from the entry in a 'double-lined' style for half of each membrane.

<sup>536</sup> TNA C 66/12, mm. 6-5 have been double-lined but still use the single-lined style of denoting new entries with a pilcrow next to the entry.

Table 12: Marginal Styles of the Patent Roll for 3 John

<b>3 John (TNA C 66/1)</b>		
<b>Membrane</b>	<b>Marginal Style</b>	<b>New entries denoted by ...</b>
Nine	Double-lined style	First letter separate in the inner margin
Eight	Double-lined style	First letter separate in the inner margin
Seven	Double-lined style	First letter separate in the inner margin
Six	Double-lined style	First letter separate in the inner margin
Five	Single-lined style, possible double-lined delineation visible	Pilcrow/capital gamma
Four	Double-lined	First letter separate in the inner margin
Three	Single-lined style, possible double-lined delineation visible	Pilcrow/capital gamma
Two	Single-lined style	Pilcrow/capital gamma
One	Single-lined style	Pilcrow/capital gamma

Table 13: Marginal Styles of the Patent Roll for 4 John

<b>4 John (TNA C 66/2)</b>		
<b>Membrane</b>	<b>Marginal Style</b>	<b>New entries denoted by ...</b>
Fourteen	Single-lined style, but double-lined	Pilcrow/capital gamma
Thirteen	Double-lined style	First letter separate in the inner margin
Twelve	Double-lined style	First letter separate in the inner margin
Eleven	Double-lined style	First letter separate in the inner margin
Ten	Double-lined style	First letter separate in the inner margin
Nine	Double-lined style	First letter separate in the inner margin
Eight	Single-lined style	Pilcrow/capital gamma
Seven	Single-lined style	Pilcrow/capital gamma
Six	Single-lined style	Pilcrow/capital gamma
Five	Single-lined style	Pilcrow/capital gamma
Four	Single-lined style	Pilcrow/capital gamma
Three	Single-lined style	Pilcrow/capital gamma
Two	Single-lined style	Pilcrow/capital gamma
One	Single-lined style	Pilcrow/capital gamma

There is slightly less variation in the rolls for 5 John and 6 John, with both dominated by the single-lined style. The roll for 5 John never uses an embellished first letter of the entry entered in the margin to denote a new entry, even where the rolls have been set out as if double-lined. The roll for 6 John includes one of the latest examples of the double-lined style outside the charter rolls, although only on the bottom half of membrane eleven [the first membrane of the roll] and the top third of membrane ten [the second of the roll]. The other sections of both these membranes use the standard single-lined style and the 'double-lined' section of membrane eleven only appears to have a single physical delineation. Unlike previous examples, nearly all these entries using a double-lined style do appear to be the work of a single scribe, with just one entry in this run, the second from last on membrane eleven, perhaps in a different hand.<sup>537</sup>

### Close Rolls

The same evolution of marginal styles apparent in the patent rolls is found in the close rolls, where it is possible to follow this development across both the 'English' and 'Norman' counterpart rolls in the years before the loss of Normandy.

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<sup>537</sup> TNA, C 66/4, m. 11.

Table 14: Marginal Styles of the Close Rolls

Regnal Year	No. of Membranes	Marginal Layout	New entries denoted by ...
Close Roll Missing For First Year of The Reign			
2 John (English)	9 (extant)	Single-lined	Pilcrow/capital gamma
2 John (Norman)	6	Single-lined	Pilcrow/capital gamma
3 John (English)	6/5	Mixed	Depends on style of each membrane
4 John (Norman)	11	Mixed	Depends on style of each membrane
5 John (English)	13	Single-lined	Pilcrow/capital gamma
5 John (Norman)	5	Mixed*	Pilcrow/capital gamma or capitulum
6 John	21	Single-lined	Pilcrow/ capital gamma or capitulum
7 John	26	Single-lined	Pilcrow/capital gamma
8 John	9	Single-lined	Pilcrow/capital gamma
9 John	18	Single-lined	Pilcrow/capital gamma
Close Rolls Missing For the Next Four Years			
14 John	9	Single-lined	Pilcrow/capital gamma
15 John	9	Single-lined	Pilcrow/capital gamma or capitulum
16 John	24	Single-lined	Pilcrow/capital gamma or capitulum
17 John	32	Single-lined	Pilcrow/capital gamma or capitulum
18 John	9	Single-lined	Pilcrow/capital gamma or capitulum

\* Physically this roll is only delineated with a single-lined margin, but still uses a form of the double-lined style on some membranes.

Just as it can be observed in the patent rolls, there is evidence of experimentation, with both the double-lined and single-lined styles of marginal layout used throughout the first six years of the reign. From the seventh year of the reign onwards, however, the rolls settle into a consistent use of a standard single-lined style, which was to become the typical marginal style used across the chancery.

The 'English' and 'Norman' close roll for 2 John both consistently use the single-lined style. Unlike the later closer rolls and extant patent rolls, which start only in the third year of the reign, no marginal lines appear to have ever been physically present. There are several instances where entries are not uniformly aligned in comparison to later rolls. This can be

compared to the charter rolls for 1 John and 2 John, which are less consistently physically delineated than those rolls from later in the reign. The fine rolls, which will be considered in more detail below, are also physically delineated irregularly in the first three years of the reign and it is only the extant fine rolls for the later years of the reign on which marginal lines are physically present on most membranes.<sup>538</sup>

Although the rolls for 2 John are very consistent, it is worth noting we are missing at least two membranes from the 'English' roll, and we cannot discount the possibility that any missing membrane would have introduced inconsistencies in the marginal layout. The absence of any inconsistency in the 'Norman' counterpart does not necessarily point towards an analogous absence in the lost membranes from the 'English' roll. Firstly, inconsistently styled membranes in the 'English' and 'Norman' counterparts of the fine rolls can be shown to have been added at different times of the year.<sup>539</sup> A single-lined membrane in the 'Norman' close roll does not demonstrate that a single-lined membrane was used in the corresponding 'English' roll around the same time of the year. Secondly, although both rolls are consistent in their marginal layout and style of denoting new entries, there is alternative evidence of scribal freedom and innovation in the 'English' roll, which is not consistent across both counterpart rolls. On the 'English' counterpart alone, several entries were written with the recipient of the writ entered within the margin and not within the body of the entry. The majority of these are found on the first membrane from the

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<sup>538</sup> See the extant fine rolls for 6, 7 and 9 John (TNA C 60/2, C 60/3A and C 60/4). Although the extant rolls for the very last few years of John's reign (15/16 John and 17/18 John) are not always as clearly physically delineated, some of these surviving rolls may be duplicates rather than originals, and the rolls throughout Henry III's reign are consistently physically delineated and use the single-lined style.

<sup>539</sup> See below, 192-195.



second section of the roll, on which membrane every entry is written in that manner, with eighteen entries dating from 31 March to 7 April.<sup>540</sup> The same style is also used for the first two entries and the sixth, seventh and eighth entries of the following membrane, dating to either 8 or 9 April.<sup>541</sup> The remainder of the roll, the final one and a half membranes, returns to the standard method of entering the writs in full, with the margins reserved for marginalia noting the type of writ and location associated with the writ.<sup>542</sup> There is a single and final re-occurrence on the first membrane of the 'English' close roll for 3 John of the name of the recipient being entered in the margin rather than the writ itself.<sup>543</sup>

No entries on the 'Norman' close roll for 2 John included the recipient in the margin, even though the two final entries on the roll are dated within the same date range as those entries on the 'English' rolls which have the recipient in the margins. One entry on the 'Norman' roll is dated 5 April and the other 9 April, each in a different hand suggesting they were not enrolled simultaneously. It is not certain these entries in the 'Norman' roll were entered at the same time as the entries on the 'English' roll where recipients were entered in the margin.<sup>544</sup> It is almost certain, however, that the experimentation had already started on

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<sup>540</sup> The 18 entries are dated as follows: 31 March, [Teste clause unreadable], 2 April, 3 April, [Teste clause unreadable], 3 April, [Teste clause unreadable], 5 April, [Teste clause unreadable], 6 April, 6 April, 5 April, 6 April, 6 April, 6 April, [Teste clause unreadable], 5 April, 7 April. TNA, C 64/1, m. 1; Richardson, *Memoranda Roll*, 91-93.

<sup>541</sup> These entries are dated as follows: 8 April, 8 April, [three entries entered using the standard close roll style follow, all dated to 9 April], 9 April, 9 April, 9 April. The other fifteen the entries on that membrane, all using the standard style, are either undated or dated to the 9, 10 and 11 April. TNA, C 64/1, m. 2; Richardson, *Memoranda Roll*, 93-94.

<sup>542</sup> TNA, C 64/1, mm. 1-2.

<sup>543</sup> TNA, C 62/2, m. 6.

<sup>544</sup> If every missing membrane was styled with the recipients in the margin, then most of membrane one of the 'Norman' close roll 2 John, twelve entries in total, would have been enrolled within the expected date range covered by those missing membranes between November and March.

the 'English' close roll before the final two entries were enrolled on the 'Norman' roll and no effort appears to have been made to replicate the practice on the counterpart roll.

A comparable style of entering the names of the recipient within the margin can be found throughout the charter rolls, which consistently identify the benefactor of a charter within the margin. In the charter roll, however, the names of the benefactors were not removed from the body of entries. The process of enrolling on the charter rolls involved a clerk copying out the charter or writ in full, before, or possibly after, a note was made in the margins of the relevant beneficiary. The process of enrolment in the close roll, where the apparently comparable style was used, would have required the clerk copying the writ to actively edit out the recipient whilst copying the writ onto the roll, entering the recipient within the margins instead. The slight differences in the process of enrolment, and additional complications introduced by removing the benefactor from the writs, suggests it is unlikely this innovation was the result of a clerk more used to writing the charter roll also working on the close roll. Furthermore, there are at least two different hands which can be identified using the style working on the first membrane of the second section of the 'English' close roll for 2 John.<sup>545</sup>

Carpenter considered the discontinuation of this 'ingenious' style unfortunate, considering the advantages it presented for anyone searching the rolls, certainly a rational reaction for the modern scholar.<sup>546</sup> For the contemporary clerks it may have been a more

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<sup>545</sup> TNA, C 64/1, m. 1.

<sup>546</sup> Carpenter, *In Testimonium*, 12 n.61.

complicated decision; whatever benefits were gained for searching the rolls would have been lost in the additional time required to enrol writs in this manner. Alongside the practice of writing out charters nearly in full in the charter rolls, compared to the heavily abbreviated entries in the close rolls, the decision to not continue including these additional finding aids in the close rolls suggests a difference in the intended purposes of these rolls: the charter rolls were intended to be a more accurate and useable record, to be checked against when needed, whereas, the close rolls were perhaps a rougher record, likely for the use of those who did not need finding aids and already had a good working knowledge of their contents. The close rolls, therefore, should be seen more as office working documents, made by and for the chancery clerks. In contrast, the charter rolls had something of an external purpose; an official place for beneficiaries to have a record of their charters enrolled and for the king and his servants to consult when needed, made by the chancery clerks, but perhaps not only for their use.

Returning to the marginal layout of the close rolls, the extant rolls for the third, fourth, fifth and sixth years of the reign are more mixed in their marginal layout and are worth more detailed examination.

Table 15: Marginal Styles of the 'English' Close Roll for 3 John

<b>'English' Close Roll 3 John (TNA C 62/2)</b>		
<b>Membrane</b>	<b>Marginal Style</b>	<b>New entries denoted by ...</b>
Six	Double-lined style visible	First letter separate in the inner margin
Five	Mixed style, not physically lined <sup>547</sup>	Mixed (see footnote 539)
Four	Single-lined style, not physically lined	Pilcrow/capital gamma
Three	Single-lined style, not physically lined	Pilcrow/capital gamma
Two	Single-lined style visible	Pilcrow/capital gamma
One	Single-lined style visible	Pilcrow/capital gamma

Table 16: Marginal Styles of the 'Norman' Close Roll for 4 John

<b>'Norman' Close Roll 4 John (TNA C 64/5)</b>		
<b>Membrane</b>	<b>Marginal Style</b>	<b>New entries denoted by ...</b>
Eleven	Single-lined style, visible lines	Pilcrow/capital gamma
Ten	Double-lined style, visible lines	First letter separate in the inner margin <sup>548</sup>
Nine	Single-lined style, but visibly double-lined	Pilcrow/capital gamma
Eight	Double-lined style, visible lines	First letter separate in the inner margin
Seven	Double-lined style, visible lines	First letter separate in the inner margin (three entries just pilcrow in inner margin)
Six	Mixed, but visibly double-lined	Mixed <sup>549</sup>
Five	Single-lined style, visible lines	Pilcrow/capital gamma
Four	Single-lined style, visible lines	Pilcrow/capital gamma
Three	Single-lined style, visible lines	Pilcrow/capital gamma
Two	Single-lined style, visible lines	Pilcrow/capital gamma
One	Single-lined style, visible lines	Pilcrow/capital gamma

<sup>547</sup> The first four entries are still set out in the double-lined style of membrane six. The remainder of the membrane is then formatted in a single-lined margin style, with most entries not denoted by any symbol, except for five or six of the final ten entries which are denoted by a pilcrow/capital gamma. TNA, C 62/2, m. 5.

<sup>548</sup> The only exception to this is the very first entry on membrane ten, which is denoted by a pilcrow in a single-lined style and the inner section of the left margin is completely ignored. TNA, C 64/5, m. 10.

<sup>549</sup> The first six entries are marked by a pilcrow and first letter separated from the rest of entry within the inner left margin. The following six entries are denoted by a pilcrow alone within the inner margin separate from the rest of the entry. The remaining entries are all denoted by a pilcrow in a single-lined style, although the double-lined margin remains. The division of how new entries are denoted on this membrane also mostly matches a change in the hand, with the first six entries also evenly spaced, with c. 5mm gaps between them. Little or no space is left between the remaining entries. TNA, C 64/5, m. 6.

The roll for 4 John, a 'Norman' counterpart, marks a move towards the margins being consistently physically delineated. Throughout this roll there are around four or five notably different styles for denoting new entries. As these rolls became larger there appear to have been more clerks working on the rolls, with each clerk being allowed to exercise a degree of innovation and independence in how they approached enrolment. One such change in how entries were denoted on this roll occurs in the middle of several entries all place dated to the same location, which suggests not all entries dated to the same place and time were being entered onto the roll at the same time or even by the same scribe. The change in format from membrane eleven to membrane ten, for example, occurs in the middle of the enrolment of eleven entries from the same three days. All of the first seven entries on membrane ten are place dated at '*Aurivall*' between the 14 and 16 June and four of the last five entries on membrane eleven are also place dated at '*Aurivall*' on 15 June.<sup>550</sup> The final five entries on membrane eleven and the first entry on membrane ten were entered by clerks who chose to start each entry with a pilcrow, although these entries do not appear to all be in the same hand. The next six entries on membrane ten are denoted by the first letter in the double-lined margin style and again are not definitely in the same hand.<sup>551</sup> Even after a decision was made to either double-line or single-line a membrane, or even leave the margins unlined, the clerks at this time still appeared to be given the freedom to choose how to denote entries.

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<sup>550</sup> The one entry not at '*Aurivall*' is still dated 14 June, but with the location given as '*Ponte Arch*'. TNA, C 64/5, m. 10.

<sup>551</sup> TNA, C 64/5, mm. 11-10.

The 'English' close roll for 5 John has a single-lined margin physically delineated on every membrane. The style of denoting new entries is also much more consistent across every membrane of the roll, with a pilcrow or capital gamma used throughout the roll.<sup>552</sup> There is a single occurrence, at the top of membrane eleven, where it appears someone began drawing a second marginal line, but this is almost immediately drawn to intersect with the first marginal line after and becomes a single line. This abandoned second line is then ignored by the clerks' making entries on the roll.<sup>553</sup> Similarly, single-lined margins are seen on each of the surviving fragments of the 'Norman' roll for the same year, although one membrane briefly denotes entries with a pilcrow or capitulum entered separate from the entry, in a manner reminiscent of the double-lined style.

*Table 17: Marginal Styles of the 'Norman' Close Roll for 5 John*

<b>'Norman' Close Roll 5 John (TNA C 64/6)</b>		
<b>Membrane</b>	<b>Marginal Style</b>	<b>New entries denoted by ...</b>
At Least One Membrane Missing		
One	Single-lined style, visibly lined	Pilcrow/capital gamma
At Least One Membrane Missing		
Five	Mixed style, but visibly single-lined	Pilcrow/capital gamma
Four	Single-lined style, visibly lined	Pilcrow/capital gamma
Three	Single-lined style, visibly lined	Pilcrow/capital gamma
Two	Single-lined style, visibly lined	Pilcrow/capital gamma

It appears from the margins of both the English and Norman roll for 5 John that more consistency is beginning to be applied to the layout of these rolls. A standard method of denoting new entries emerged, with the pilcrow or capital gamma entered over the marginal line and connected to the entry, although some small variations on this shows that clerks still had a degree of autonomy in how they chose to interpret this style.

<sup>552</sup> TNA, C 62/3.

<sup>553</sup> TNA, C 62/3, m. 11.

The roll for 6 John is visibly single-lined, with both margins clearly and carefully delineated from top to bottom, suggesting that each sheet parchment had been neatly prepared before entries were made. There are five membranes in the middle of the roll, on which, although physically delineated with single-lined margins, entries are often denoted by a pilcrow or similar symbol slightly separate from the entry, to the left of the delineation rather than written across it. This minor deviation from a standard style is the only difference in marginal layout to be seen on any of the rolls from 6 John onwards. For perhaps the first time there is no sign of the more drastic and individual styles seen on the earliest rolls. Throughout the close rolls in the first five or six years of John's reign we can see innovation and freedom in the styles used by the clerks, from which a standard layout emerges and is consistently used in the subsequent rolls.

### The Fine Rolls

The same marginal development can be observed in the fine rolls, which also show some additional evidence of innovation in their layout and creation during the earlier years of John's reign. Once again, from at least the seventh year of the reign, a standard marginal layout emerges, matching the style identified in both the close and patent rolls.

Table 18: Marginal Styles of the Fine Rolls

Regnal Year	Number of Membranes	Marginal Style	New entries denoted by ...
1 John	23	Mixed	Depends on style of membrane
2 John (English)	22	Mostly single-lined, one membrane double-lined	Depends on style of membrane
2 John (Norman)	4	Mostly single-lined, one membrane mixed	Depends on style of membrane
3 John	15	Mixed	Depends on style of membrane
<i>Fine Rolls Missing For Two Years</i>			
6 John	17	Mostly single-lined, one membrane double-lined	Pilcrow/capital gamma
7 John	17	Single-lined	Pilcrow/capital gamma
<i>Fine Roll For 8 John Missing</i>			
9 John	13	Single-lined	Pilcrow/capital gamma
<i>Fine Rolls Missing For Five Years</i>			
15 John	6	Single-lined	Pilcrow/capital gamma
17 & 18 John	9	Single-lined	Pilcrow/capital gamma

The format of the margins on the sole surviving ‘English’ fine roll for 1 John have perhaps the most variety of any other chancery roll. The first thirteen membranes of the roll are set out as if double-lined, although on many of these membranes the lines are not physically delineated.<sup>554</sup>

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<sup>554</sup> TNA, C 60/1A.



Table 19: Marginal Styles of the 'English' Fine Roll for 1 John

<b>Fine Roll 1 John (TNA C 60/1A)</b>		
<b>Membrane</b>	<b>Marginal Style</b>	<b>New entries denoted by ...</b>
Twenty-Three	Double-lined style, not visible	First letter separated from entry
Twenty-Two	Double-lined style, not visible <sup>555</sup>	Pilcrow/capital gamma
Twenty-One to Eleven	Double-lined style, not visible <sup>556</sup>	First letter separated from entry
Ten to Four	Single-lined style, not visible	Pilcrow/capital gamma
Three	Double-lined style, not visible	First letter separated from entry
Two & One	Single-lined style, not visible	Pilcrow/capital gamma

For the second year of John's reign, we are able to compare a 'Norman' and 'English' fine roll, with the only surviving 'Norman' fine roll the roll for 2 John. On both rolls, the majority of membranes have a single-lined margin style, although, there is a common irregularity in the appearance of a double-lined margin style on a single membrane of each roll. On the 'Norman' roll the top half of the first membrane has a double-lined margin style, with entries denoted by the first letter separate within the inner margin, and the margins are visibly lined. The bottom half of the same membrane is set up with a single-lined style, with entries denoted by a pilcrow or capital gamma and the marginal lines do not appear to have been drawn further down the membrane.<sup>557</sup> The remaining three membranes are not physically delineated and have a consistent standard single-lined style.<sup>558</sup> In the 'English' roll for the same year, membrane seven has a double-lined margin style throughout, including

<sup>555</sup> The only exception is the very first entry, where the symbol is connected to the start of the entry in the single-lined style and not entered separately within the inner margin. TNA, C 60/1A.

<sup>556</sup> The first entry alone is denoted by the use of a symbol connected to the entry as if it were a single-lined margin. TNA, C 60/1A, m. 11.

<sup>557</sup> TNA, C 64/2, m. 4.

<sup>558</sup> TNA, C 64/2, m. 1-3.

the entries being denoted by a separate first letter, whilst the marginal lines are not physically delineated.<sup>559</sup> On each of the other twenty-one membranes, however, a single-lined margin style is used consistently with only membrane nine visibly lined.<sup>560</sup>

Although there is a common occurrence of a double-lined margin on both rolls, it does not occur in an equivalent section of each roll. The double-lined margin was only used on the very first membrane of the 'Norman' roll, whereas it is not found until over halfway through in the 'English' roll. Moreover, the final entries added to the bottom of the first membrane [four] of the 'Norman' fine roll - which is double-lined at the head - appear to have been written by August 1200 at the latest. These fines include a comment that they should be paid 'when the king shall come to Normandy'.<sup>561</sup> John was in Aquitaine and Anjou from mid-June until the end of August before returning to Normandy at the beginning of September, indicating that these fines were made and enrolled whilst John was in the south. Indeed, the preparation and lining of the section of the roll at the head with a double-lined margin must have been completed even earlier.<sup>562</sup> Several fines on the double-lined membrane from the 'English' roll can also be dated to several months later in early 1201. A fine offered by Richard of Russhale to have a charter granting him the lands held by

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<sup>559</sup> TNA, C 60/1B, m. 7.

<sup>560</sup> On some membranes, the entries are rather unevenly indented, suggesting that no margins were ever drawn, whilst others are more evenly spaced, and it is difficult to draw firm conclusions. TNA, C60/1B, m. 9.

<sup>561</sup> '*Cu[m] d[omi]n[u]s Rex ven[er]it in Norm[anniae]*'. *Rot. Norm.*, 40.

<sup>562</sup> It is possible to more exactly date the completion of the writing of membrane three, from a fine paid by William de Merle entered at the very bottom of membrane. The fine was made for a charter confirming his lands in Normandy and England, which can be found on the charter roll 2 John and is dated 26 September 1200. There can, therefore, have been no other time when John was away from Normandy in his second regnal year being referred to in those fines at the bottom of membrane four. *Rot. Norm.*, 41; *Rot. Chart.*, 76a.

his father can be matched to a charter enrolled on the charter roll dated 10 March 1201.<sup>563</sup> Similarly, a fine offered by the men of Grimsby for a charter of liberties, similar to those held by the burgesses of Northampton, can be matched to another charter on that roll dated 11 March 1201.<sup>564</sup> Consequently, the common occurrence of double-lined margins on both the 'English' and 'Norman' fine rolls does not appear to have been the result of a collective effort within the chancery to revert to using double-lined marginal styles at a particular point in time during the second year of John's reign. Indeed, the margins of the close rolls for 2 John do not utilise a double-lined style in either the 'English' or 'Norman' counterpart, although we are missing several membranes from the 'English' roll between 27 November 1200 and 31 March 1201. The end of this date range would overlap with the dates identified above, when the double-lined membrane of the fine roll must have been produced.

The marginal layout of the fine roll for 3 John, where again only an 'English' roll survives, switches between double-lined and single-lined styles a number of times; like the previous rolls only a small number of membranes are physically delineated.

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<sup>563</sup> *Rot. Ob. et Fin.*, 122; *Rot. Chart.*, 90a.

<sup>564</sup> *Rot. Ob. et Fin.*, 123; *Rot. Chart.*, 91.

Table 20: Marginal Styles of the 'English' Fine Roll for 3 John

<b>Fine Roll 3 John (TNA C 60/1C)</b>		
<b>Membrane</b>	<b>Marginal Style</b>	<b>New entries denoted by ...</b>
Fifteen to Thirteen	Double-lined, not visible	First letter separate from entry
Twelve	Single-lined, not visible	Pilcrow/capital gamma
Eleven to Ten	Double-lined, not visible	First letter separate from entry
Nine	Double-lined, visible	First letter separate from entry
Eight to Six	Double-lined, not visible	First letter separate from entry
Five	Single-lined, not visible	Pilcrow/capital gamma
Four	Double-lined, visible	First letter separate from entry <sup>565</sup>
Three to One	Double-lined, visible	First letter separate from entry

The roll displays some additional significant diversions from the format of the extant rolls from both the first and second years of the reign, mostly caused by the enrolment of a large number of fines associated with fundraising for John's military campaign in 1201.<sup>566</sup> These were generally sums to be paid in lieu of, or even in addition to, the more traditional military service taxation known as scutage.<sup>567</sup> The practice of accepting fines based on the knights' fees held by royal tenants began towards the end of Richard I's reign and continued

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<sup>565</sup> There are three or four entries which start without any method of denotation and the inner margin, although present, is ignored. Finally, the last entry of the membrane is denoted by a pilcrow alone in the inner margin. With the exception of the final entry these different styles of denoting new entries appear to follow changes in the hand, showing that despite the membrane having been formatted in the double-lined style, the clerk writing the two entries in the middle of the membrane was not strictly required to follow the format. TNA, C 60/1C, m. 4.

<sup>566</sup> John had negotiated many of the fines at the start of May, when he had summoned the whole knight service of England at Portsmouth before crossing with a smaller host. Powicke, *Normandy*, 317-318.

<sup>567</sup> For more on scutage, see: *The Red Book of the Exchequer*, ed. H. Hall, 3 vols. (London, Rolls Series, 1896), i, 1-186; and Round's various criticisms of the same: J.H. Round, *Studies on the Red Book of the Exchequer* (London, Spottiswoode, 1898), 1-16; idem, *Commune of London*, 125-136, 261-272. The other main authorities on scutage are: T. Madox, *The History and Antiquities of the Exchequer* (London, Mathews, 1711), 431-474; J.H. Round, *Feudal England: Historical Studies on the XIth and XIIth Centuries* (London, Sonnenschein, 1895), 225-314; J.F. Baldwin, *The Scutage and Knight Service in England* (Chicago, University of Chicago Press, 1897), 1-17; H.M. Chew, 'Scutage under Edward I', in *EHR*, 37 (1922), 321-336.

for no more than half of John's reign, before re-emerging later in the reign of Henry III.<sup>568</sup> In the fine rolls and pipe rolls, these fines are described variously as *pro licentia remanendi*, *ne transfretet*, *pro transfretacione*, *pro passagio*, or *pro servicio*, although the most common form is *ne transfretet*, which will be used to refer to any such fine offered in the place of scutage.<sup>569</sup> These fines appear to have led to a change in layout because they are entered on the roll in two parts, the first giving an account of the fine itself and the second recording the knights' fees held by the tenant making the offer, with each part denoted by a paragraph mark.<sup>570</sup> To accommodate these entries, it appears that a new and unique format was trialled on this roll, that involved the vertical division of several membranes into two or more columns. The first part, the fine itself, is entered on the left side of the membrane in the first column, and the second part, recording the fee, on the right side of the membrane in the second column.<sup>571</sup> When the membrane is divided into more columns, the first part of the fine tends to have been split into various sections, covering: the name of the tenant making the offer, the *dat*; the value of the offer; and the reason for the fine – typically the phrase *pro transfretatione sua* or *pro eodem*. These multiple columns appear to have allowed the clerks to quickly write out

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<sup>568</sup> These fines and their appearances in John and Richard's reigns are discussed in: S.N. Mitchell, *Studies on Taxation under John and Henry III* (Newhaven, Yale University Press, 1914), 22-28, 35, 49 52-53; J.H. Ramsey, *A History of the Revenues of the Kings of England 1066-1399* (Oxford, Clarendon Press, 1925), 214, 217, 219, 224, 227, 229, 232-237, 241-243, 248-249, 253-254; Powicke, *Normandy*, 318-323; and C.W. Hollister, *The Military Organization of Norman England* (Oxford, Clarendon Press, 1965), 192, 214.

<sup>569</sup> The difficulty in defining these fines, their relationship with scutage and the differences between them is explored briefly in: Chew, 'Scutage under Edward I', 321-325.

<sup>570</sup> For example, see a fine made by Ralph of Sudeley, followed by a note that he holds the fee of three knights from the king: *Radulfus de Sudlei dat xx. m. pro transfretatione sua. Tenet feodem iij. militis in capite de domino Regis et non plus ut dicit. Rot. Ob. et Fin.*, 143.

<sup>571</sup> TNA, C 60/1C, m. 15.

the more formulaic sections of the fines, changing the names and values of the offers as necessary.<sup>572</sup>

The column style described above is only seen on the first nine membranes of the roll, where 372 out of 408 entries are for fines *ne transfretent*. In contrast, on the final six membranes there is only a single fine *ne transfretet* amongst the 112 entries, entered at the very top of membrane six.<sup>573</sup> The format of the final six membranes then reverts back to the standard style of enrolment seen throughout the chancery rolls, with each entry written out across the width of the membrane in paragraph form. Although fines *ne transfretent* do appear within other fine rolls of John's reign, it is never with the same frequency and always without using the column style. There are a number of fines *ne transfretent* on the fine roll for 2 John, all of which are connected to the same scutage as those on the roll for 3 John, although these must have been negotiated before John gathered his host at Portsmouth in May 1201.<sup>574</sup> In fact, we are able to date the first fine *ne transfretet* entered on the roll for 2 John to February 1201. This fine is entered on membrane ten and is an offer by Nicholas of Morwick, who held lands in Northumberland, which can also be found on the pipe roll for 3 John alongside the other fines connected to the scutage of 1201.<sup>575</sup> The fine recorded

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<sup>572</sup> This style must have also been easier for the clerk who was checking the roll and calculating the totals raised to identify the values of the fines without reading through sections of text before finding the values of the offers.

<sup>573</sup> TNA, C 60/1C, m. 6; *Rot. Ob. et Fin.*, 174. A note is made just after this that, '*Hic venit dominus Rex in Normanniae*', which shows John had embarked on the campaign and allows us to date the membrane to the start of June 1201, only a month into the regnal year.

<sup>574</sup> There are 51 entries in the fine roll for 2 John which can be described as fines *ne transfretent*. The first to appear in the roll occurs on membrane ten, but most are on the final five membranes of the roll, with 32 on membranes three and two. TNA, C60/1B, mm. 10-1; *Rot. Ob. et Fin.*, 115-138.

<sup>575</sup> *Rot. Ob. et Fin.*, 115; *PR 3 John*, 250.

immediately above on membrane 10 was made by the canons of Alnwick for letters of simple protection, and a related memorandum on the dorse of the charter roll was made between two entries dated 13 and 25 February. Another fine, three entries above, on the same membrane, also by the canons of Alnwick, to have their charter confirmed is directly dated to 9 February 1201.<sup>576</sup> These dates allow us to estimate a date of mid-February for that first fine *ne transfretet*, which certainly makes sense, as John was in Northumberland, where Nicholas of Morwick held his lands, from 11 to 18 February. It is then possible to track many of the following fines *ne transfretent* on the fine roll for 2 John against the king's itinerary over the next two months, suggesting that local tenants-in-chief were agreeing fines with John whilst he was near to their lands.<sup>577</sup> A number of the fines *ne transfretent* entered on the roll for 2 John, therefore, appear to have been agreed before the host gathered at Portsmouth, whereas many of the fines on the roll for 3 John must have been agreed in the first two or three weeks of May before the king crossed to Normandy.<sup>578</sup> This perhaps explains why the first fines *ne transfretet* entered on 2 John are written in a longer form and

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<sup>576</sup> *Rot. Chart.*, 87, 101.

<sup>577</sup> The next two fines on membrane nine are for tenants whose lands were in Westmoreland and York respectively. These are followed by a single fine on membrane six pertaining to a Cumbrian landholder. At the start of February John was in north Yorkshire. He then spent the first few weeks of the month in Northumberland, before moving through Cumberland around the 20 and 25 before making his way back down to Durham and York for the start of March. In March he travelled down through Nottinghamshire and Cambridgeshire, and then into Essex and onto Kent by the end of the month. The fines *ne transfretent* entered on membrane five are for the knights of the honour of Berkhamsted, two tenants from Nottinghamshire, and then tenants with lands in Northampton, Westmoreland, Northumberland, Essex and Derby respectively. After this membrane, the next three begin to see tenants with lands mostly across southern England as well as a small number from the midlands and further north. Membrane two is dominated by fines from tenants in Gloucester and Somerset, which account for 17 of those 25 entries. Through April John had travelled across the south coast to Devon, before heading back through Gloucester to meet his host at Portsmouth. *Rot. Ob. et Fin.*, 116-137.

<sup>578</sup> The exact dates of the crossing are unclear; John can be placed in Portsmouth up to 14 May and had arrived in Normandy by 2 June.

at first do not include the second part noting the number of knights' fees the tenant held.<sup>579</sup> It was only once the host had begun to gather and an exceptionally large number of similar fines were being enrolled that the chancery clerks choose to employ the columned style. In addition, most of the earlier fines tend to be written as *fines pro licencia remandi ne transfretet*, rather than as *fines pro transfretatione sua* or *pro passagio*.<sup>580</sup> There is no real difference between these various fines, all were for relief from military service and scutage – with some also obtaining the right to collect scutage from their own tenants. It may have been that those who negotiated fines before John gathered his host at Portsmouth were able to obtain consent not to muster, whilst those who joined the host at Portsmouth then simply fined not to serve. Whether this is true or not, there definitely seems to be a slight divide in the fines *ne transfretent* entered on the roll for 2 John. Those enrolled earlier, typically on membranes ten to membranes five or four, were of a slightly different character than those enrolled at the very end of the year, mostly on membranes three and two.<sup>581</sup> It is perhaps not entirely surprising, then, that membrane two and three show some development of the column layout that would dominate the fine roll for 3 John. The enrolment of fines *ne trasfretent*

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<sup>579</sup> The first fine to include the second section recording the knights' fees is found towards the bottom of membrane five, immediately after a note that the fines before then had been sent to the exchequer, with the second part separately denoted by a second paragraph mark. From here onwards nearly every fine *ne transfretet* gives an account of the knights' fees held by the tenant, either through a separately denoted note, such as: ¶ *Robertus filius Ricardus dat v. marcas pro transfretacione sua ¶ Tenet feudo ij. militis ut dicit*; or within the text of the entry such as: ¶ *Abbatissa de Sancto Eadward dat domino Regis xx. marcas pro se et vij militis quos tenet de domino Regis in capite ne transfretent*. TNA, C 60/1B, mm. 5-3.

<sup>580</sup> The majority of fines up to membrane four are given as, '*licencia remandendi et ne transfretet*' or '*ut milites sui remaneant ne transfretet*'; whereas the fines on membranes three and two appear as plainly *pro transfretatione* or *pro passagio*.

<sup>581</sup> The fines *ne transfretent* on membranes five and four can fit into both categories, as the compilers of the fine roll began to start recording the associated knights' fees slightly earlier in the roll.



which resulted in the column style seen in the fine roll 3 John had clearly begun towards the end of the second year of the reign.

It is also certain that the appearance of the column style is linked to the scutage of 1201 and the muster at Portsmouth. Nine membranes were filled, almost exclusively with fines *ne transfretent* within less than a month, whereas the remaining eleven months of that year created less than six membranes of entries.<sup>582</sup> The column style does not, however, reappear in any of the fine rolls of John's reign after 3 John. There is also no similar layout in the fine roll for 1 John, despite the first scutage of John's reign being taken in 1199. Only seven fines *ne transfretent* are entered in the fine roll for 1 John, although another two fines were made after the fact by tenants who did not join the king in Normandy for service they owed.<sup>583</sup> The fines associated with this scutage in the pipe rolls are spread across the accounts for 1 John and 2 John, so it is difficult to ascertain exactly how many fines *ne transfretent* were not entered on the fine roll for that year, but rough calculations suggest around 54 additional fines were accounted for at the exchequer than can be found in the fine

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<sup>582</sup> As demonstrated by the note that the King had arrived in France on membrane six. TNA C 60/1C, m. 6.

<sup>583</sup> *Rot. Ob. et Fin.*, 2, 6, 11, 14, 24, 27, 32, 40, 52.

roll.<sup>584</sup> When compared to the 418 fines entered on the fine rolls for 2 and 3 John connected to the scutage of 1201, it seems likely that even had every one of the additional 54 fines *ne transfretent* been enrolled in the fine roll for 1 John, then there would still have been little reason for experimentation with the layout to emerge as it did in the fine roll for 3 John. The pipe roll for 3 John itself includes at least 414 fines *ne transfretent*, which Sydney Mitchell has noted includes all but 30 of the tenants whose fines connected with the scutage are found in the fine roll.<sup>585</sup> Indeed, the first scutage of John's reign is believed to have been levied and paid with some inconsistency, making it a poor comparison for the well documented operation for 1201. Perhaps the troubles encountered collecting the first scutage may go some way to explaining the unique layout of the fine roll for 3 John.

The loss of the fine rolls from the fourth and fifth years of the reign prevents us from being able to continue following the development of the relationship between fines *ne*

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<sup>584</sup> As the first fine *ne transfretent* on the fine roll 2 John can be found in the pipe roll for 3 John (*PR 3 John*, 250) we can be fairly sure that most fines *ne transfretent* in the pipe roll for 2 John should be connected to the first scutage of the reign and the fine roll for 1 John, rather than the fine roll for 2 John. If we discount any fines that can be linked to the scutages of King Richard's reign, then it is possible to identify 45 fines *ne transfretent* from the pipe roll for 1 John (*PR 1 John*, 18, 28, 37-38, 75, 102-103, 121, 151, 179, 186-187, 209, 219 229, 238, 290), three of which can be identified on the fine roll for 1 John (*Rot. Ob. et Fin.*, 2, 11, 14), and, another nine fines from the pipe roll for 2 John (*PR 2 John*, 5, 20, 161, 215), two of which can also be found on the fine roll for 1 John (*Rot. Ob. et Fin.*, 32, 52). If we include the three fines *ne transfretent* in the fine roll which cannot be found on either pipe roll (*Rot. Ob. et Fin.*, 6, 24, 40), then there are only 57 fines *ne transfretent* from the scutage of 1199 in any of the relevant the pipe rolls and fine rolls. These figures also do not, however, include any of those who are listed in the pipe rolls as having writs of quittance from scutage, which may have included some of those who negotiated fines as well as those who fulfilled their obligations through service. It is also important to remember that neither the pipe rolls nor the fine rolls are comprehensive records of the financial affairs of the Angevin kings of England. All these figures allow us is a basis with which to roughly compare the different years of the reign.

<sup>585</sup> Mitchell, *Studies in Taxation*, 38 n.111.

*transfretent* and the fine rolls.<sup>586</sup> However, once we reach the next surviving fine roll, for 6 John, no fines *ne transfretent* are found anywhere on the roll.<sup>587</sup> The fine roll for the following year does include a small number of fines *ne transfretent* from just seven tenants.<sup>588</sup> Although the roll for 8 John has been lost, the fine roll for 9 John contains only a single fine with a reference to avoiding knight service, in Poitou.<sup>589</sup> After the ninth year of the reign the fine rolls are missing for another six years.<sup>590</sup> As Mitchell has identified that numerous accompanying fines *ne transfretent* were a characteristic of John's scutages until around 1209, we can perhaps expect that a theoretical fine roll for those years would not include any such fines.<sup>591</sup> It is, therefore, unsurprising that the remaining extant rolls from John's reign; for 15 John, 16 John and 17-18 John, contain no fines *ne transfretent*.<sup>592</sup> There are, however, at least thirty entries in the fine roll for 15 John which reference military service or knight service, and all appear to be connected to the 1214 campaign in Poitou, for which a scutage was

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<sup>586</sup> Although we are unable to account for whether or not fines *ne transfretent* would have been entered on these rolls in anything like the number or manner they were in 1201, we do know that John levied a further two scutages in 1202 and 1203, both accompanied by fines *ne transfretent*. Mitchell provides a rough estimate of the value of fines which accompanied both of these scutages, which when compared against his same estimates for 1201 allows us to theorise that a similar quantity of fines *ne transfretent* would have needed to be recorded somewhere, whether or not that was in the lost fine rolls for these years. The figures provided by Mitchell are as follows: in 1199 fines accompanying the scutage totalling 1,478 marks were imposed on 252 knights fees; in 1201 fines totalling 4,794 marks were imposed on 1282 fees; in 1202 fines totalling 4,189 marks were imposed on 970 fees; in 1203 fines totalling 4200 marks were imposed on 1121 fees. As a caveat, Mitchell was working from same imperfect data set available now, but we can at least be sure that the scutages for 1202 and 1203 were more similar in scale to the scutage of 1201 than that of 1199. Mitchell, *Studies on Taxation*, 23, 36, 48, 55.

<sup>587</sup> *Rot. Ob. et Fin.*, 197-286.

<sup>588</sup> *Rot. Ob. et Fin.*, 287-370.

<sup>589</sup> 'Thom' de Burgo dat sexaginta marcas ut sit quietus de mittendo j militem in Pictav'. *Rot. Ob. et Fin.*, 383.

<sup>590</sup> It is possible that the interdict, March 1208 to May 1213, had some impact on the creation of the rolls in this time. There is, however, a reference in the roll for 9 John to the roll of fines for the eighth year of the reign; 'rotulo finium anni regni R. viij', confirming the existence of a roll for 8 John. *Rot. Ob. et Fin.*, 378.

<sup>591</sup> Mitchell, *Studies on Taxation*, 35.

<sup>592</sup> These rolls include a surviving *originalia* roll from 16 John and several duplicate rolls for each year. *Rot. Ob. et Fin.*, 464-605.

levied.<sup>593</sup> Most of these entries are writs or fines in which a petitioner is offering to provide the king with a period of military service, either themselves or sending others, in place of or in addition to, a financial offer. In addition, there are several entries pardoning or quitting debts in return for service in Poitou.<sup>594</sup> None of these entries, however, are directly linked to the scutage itself and there are no signs of any changes to the layout in the rolls.

Although it is possible that the rolls from the fourth and fifth years of the reign also utilised the column structure seen in the roll for 3 John, it does not reappear in the rolls from later in John's reign. It is more significant, however, that neither the roll for 6 John nor 7 John contains any evidence of large scale enrolment of fines *ne transfretet*, despite the relevant scutages of these years having been accompanied by a comparable number of such fines as found in the scutage of 1201 which had such a dramatic impact on the fine roll 3 John.<sup>595</sup> The column style, therefore, briefly appeared and then disappeared from the fine rolls in the very earliest years of John's reign. That rapid evolution demonstrates, perhaps, the fact that the chancery clerks were willing and able at this stage in the rolls' development to experiment with innovative formats to accommodate such particular entries as the fines *ne*

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<sup>593</sup> For the scutage of 1214, which was levied at an unprecedentedly high rate of 3 marks per fee and was subject to much opposition from the barons, see: Mitchell, *Studies in Taxation*, 109-116.

<sup>594</sup> *Rot. Ob. et Fin.*, 468-9, 473, 476-8, 484-5, 490, 501, 503-505, 515, 519 and 521.

<sup>595</sup> The scutage of 1204 was levied as early as January and so relevant fines may have been recorded in the lost fine roll for 5 John, although the force did not cross to France until April, so perhaps some should be found in 6 John. Moreover, any fines from the scutage of 1205, levied in June, would certainly have to have been entered on the roll for 7 John, whilst, the scutage of 1206 was levied at the latest in May and so fines would also have been entered on the roll for 7 John. Mitchell, *Studies in Taxation*, 63-80.

*transfretent*. It also appears that the column style was an innovation that was refined in the roll itself and not a pre-existing layout.<sup>596</sup>

The fine roll for 3 John, therefore, has two distinct stages. In the first part, from membranes fifteen to seven, there is evidence of innovation as the column style described above is developed over the first two membranes and becomes more standard and structured throughout the succeeding membranes. Then in the second part, from membranes six to one, the format reverts to the standard chancery style, with entries written across the width of the membrane and each new entry started on a new line, at times leaving a space in between each entry. As shown above, both the single and double-lined marginal styles are used in both these sections of the roll, demonstrating that a truly standardised format had not yet developed in the earliest years of John's reign. In addition, the format of the double-lined marginal style is itself much more inconsistent, as the manner of denoting new entries changes between the inner margin being used for a capital letter alone and a capital letter and a pilcrow or capital gamma numerous times throughout the roll. In so many ways, the fine roll for 3 John, is an excellent single example of the innovation and evolution occurring in the chancery rolls in the earliest years of the reign.

Unfortunately, no fine rolls have survived from either the fourth or fifth years of the reign, during which time John lost control of his Norman and Angevin lands. The marginal

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<sup>596</sup> The column style can be described as an innovation in the context of King John's chancery rolls, although the use of two or more columns in other administrative and liturgical rolls was not unprecedented. It is, however, an extremely exceptional layout when compared with any other fine roll, close roll, patent roll or charter roll from John's reign.

layout of the roll for 6 John, however, shows a remarkable degree of consistency. Except for membrane five, the roll is clearly formatted with a single-lined margin, with most - although not all - membranes visibly lined. Meanwhile, every entry on these membranes is denoted by a pilcrow or capital gamma on the marginal line.<sup>597</sup> Even on membrane five, where a double-lined margin has been drawn onto the membrane, each entry is denoted by a pilcrow or capital gamma, entered separate from the entry within the inner margin. Nearly all the entries on this membrane, however, also have a second paragraph mark drawn over the inner marginal line in the same style as the entries on other membranes.<sup>598</sup> Although clerks were often working within a standardised marginal layout on each membrane of the rolls for the first three years of the reign, they were still able to exercise a degree of independence in how they choose to denote new entries. In the roll for 6 John, however, clerks no longer appear to make use of such a degree of freedom, with every entry denoted by a paragraph mark.

The fine rolls have survived from only four of the remaining twelve years of John's reign.<sup>599</sup> Each of these extant rolls from the later years of the reign, however, has a noticeably more consistent format than any of the rolls from the first six years of the reign and appear to stick to the standardised marginal style identified above. The margins of the roll for 7 John are visibly single-lined on all seventeen membranes, with each also consistently using a single paragraph mark to denote new entries.<sup>600</sup> The roll for 9 John is also consistently set out

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<sup>597</sup> TNA, C 60/2, mm. 17-6, 4-1.

<sup>598</sup> TNA, C 60/2, m. 5.

<sup>599</sup> For several of the later years of John's reign where there is a surviving fine roll, either duplicate rolls or an *originalia* roll have also survived. TNA, C 60/3-7.

<sup>600</sup> TNA, C 60/3A. An *originalia* roll also survives for this year. TNA, C 60/3B.

in a single-lined style with visible margins on all thirteen membranes.<sup>601</sup> The next year for which a roll survives is 15 John, which once again is set out in a single-lined margin style, although the margins are not visibly lined.<sup>602</sup> Finally, the roll for 17 John is set out in the same style as the roll for 15 John, with a single-lined margin style without having been visibly lined.<sup>603</sup>

Although a significant number of rolls have been lost from the second half of John's reign, the marginal styles and written layout of the rolls which have survived remain consistent with the standard style identified as emerging in the rolls for the sixth and seventh years of the reign. It is also worth noting that this standard single-lined marginal style remains consistent throughout Henry III's reign.<sup>604</sup> Even where a large number of fines *ne transfretent* appear in the rolls in Henry's reign they do not re-use the double column style found in roll for 3 John.<sup>605</sup> The fine rolls of Henry's reign are not, however, devoid of any innovation. In fact, starting with the roll for 15 John, the clerks had begun to include notes of the writs sent to sheriffs ordering them to take sureties for the fine, including, to the relief of

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<sup>601</sup> TNA, C 60/4.

<sup>602</sup> TNA, C 60/5A. The main roll for the year, it is titled, '*Rotulus de finibus de anno domini [[Johannis] Regis quind[ic]le[s]cimo*', but also appears to include some entries from the sixteenth year of John's reign. There are also two additional extant fine rolls categorised as 15-16 John, one is considered to share much of the same material but is not a duplicate of the first roll (TNA, C 60/5B) and the other appears to be a duplicate of both rolls (TNA, C 60/5D). All of the duplicate rolls are set out with single-lined margins. In addition, two fragments of an *originalia* roll survive for that same period: TNA, C 60/5C and E 371/1C.

<sup>603</sup> TNA, C 60/6. This roll is titled, '*Rotulus finium de anno domini regis Johannis septimo decimo*' and also contains some material from the final months of the reign in John's eighteenth year. There is a duplicate of the roll (TNA C 60/7A) which is also set out with single-lined margins.

<sup>604</sup> TNA, C 60/8–69.

<sup>605</sup> Fines *ne transfretent* start to appear regularly in the fine roll for 13 Henry III (1228-1229), at the time when Henry was preparing for his invasion of France and a campaign in Wales. They are especially noticeable on membrane four, where fines *ne transfretent* take up at least half the membrane, but even here the column style does not reappear. TNA, C 60/28, m. 4.

many scholars, the place-date clauses. In addition, the rolls began to regularly include fines introduced by the formula *finem fecit* as well as the more traditional *dat*.<sup>606</sup> From the start of Henry's reign an ever-increasing number of writs and memoranda, unrelated to fines but apparently relevant enough for the exchequer, began being enrolled in the fine roll rather than in the close rolls.<sup>607</sup> Then, around the eighth and ninth years of Henry's reign, the marginalia of the fine rolls changed from noting the county to which the entry belonged and started providing the name of the beneficiary and subject matter for the entry. The change to name and subject marginalia followed similar changes made to the close and patent rolls in the earlier years of Henry's reign, which had also adopted marginalia giving names and subject matter, presumably to speed up the process of searching the rolls.<sup>608</sup> Throughout all of these changes, however, even those concerned with marginalia, the rolls from the later part of John's reign and Henry's reign retained a consistent single-lined marginal style.

The consistent marginal style seen in the fine rolls that survive from the second half of the reign is comparable to the same development in both the close and patent rolls, which supports the theory that the chancery clerks exercised a greater degree of freedom in the production of the earliest chancery rolls, before settling into a standardised style around 1205 or 1206. The charter rolls settled into their own standard style from the very start of the reign, although we do see a comparable development around the third year of John's reign,

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<sup>606</sup> Carpenter, 'Historical Introduction', in *Fine Rolls of the Reign of Henry III*, i, xiii-xxii. The distinction between fines entered as *finem fecit* rather than *dat* largely appears to be where fines were for all intents and purposes involuntary, such as for relief for an heir to inherit their lands; whilst entries given as *dat* were those voluntary offerings made for an immediate or future benefit.

<sup>607</sup> P. Dryburgh and B. Hartland, 'The Development of the Fine Rolls', in *Thirteenth Century England XII*, ed. by J. Burton, P. Schofield and B. Weiler (Woodbridge, Boydell, 2009), 193-206 (200-201).

<sup>608</sup> Carpenter, 'Historical Introduction', in *Fine Rolls of the Reign of Henry III*, i, xiii-xxii.



where the marginal lines are more consistently physically delineated on all four series of chancery rolls. The simultaneous changes in the format of the margins and styles of denotation support the theory that the same clerks were working across multiple chancery rolls, whether the 'English' and 'Norman' counterparts or on the close, patent, fine and charter rolls.<sup>609</sup> One possible explanation for the innovative styles and their rapid evolution is that the rolls from those early years were indeed newly introduced at the start of John's reign. If the rolls were introduced in 1199, it would make sense that the chancery did not have a standard format for enrolment but would have taken some time to settle on a usual layout. The incredible consistency that is in place from around 6 or 7 John onwards was then retained for hundreds of years and cannot have occurred by chance. At the very least these rolls were formalised to some extent during John's reign.

### The Fine Rolls and the *Originalia* Rolls

The fine rolls, although filled with evidence of innovation and a clear evolution in their layout and marginal styles, also provide the greatest stumbling block to the idea that enrolment began exclusively in 1199. Even those scholars who have recently argued in favour of an 1199 date for the beginning of enrolment have accepted that the fine rolls would have existed in some form at an earlier date.<sup>610</sup> The argument that the fine rolls, and indeed the other chancery enrolments, had originated in either the reign of Henry II or

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<sup>609</sup> Vincent and Carpenter have both previously suggested that a group of the same clerks may have been working across the chancery rolls. Vincent, *Norman Charters*, 12; Carpenter, 'In Testimonium', 5.

<sup>610</sup> Vincent, 'Why 1199?', 22.

Richard I was first made by H.G Richardson and has been more recently supported by Carpenter.<sup>611</sup> In the case of the fine rolls, Richardson based his argument around the indisputable presence of the *originalia* rolls from earlier than 1199.<sup>612</sup> The *originalia* rolls, at least from John's reign, were lists of new fines copied from the fine roll in the chancery and sent several times each year to the exchequer, where the fines were copied onto the pipe roll so that debts could be collected.<sup>613</sup>

The earliest surviving *originalia* roll is a fragment from the seventh year of Richard's reign, the fines within which can be traced onto the pipe roll for 8 Richard I, and surviving fragments appear to have been sent in the first half of the financial year, before Easter 1196.<sup>614</sup> In addition to this *originalia* roll, which he nevertheless describes as, 'conclusive evidence that a Fine roll was in existence at that date', Richardson also notes several references in the pipe rolls of Richard's reign to various rolls of fines.<sup>615</sup> The first of these are two separate entries in the pipe roll for 7 Richard I that pledges were written 'in rotulo finium', and the second also notes that the same roll of fines was delivered into the treasury by Hubert archbishop of Canterbury.<sup>616</sup> Richardson, observing that both notes accompanied fines entered under headings for new fines made by Hubert archbishop of Canterbury, argued that these rolls must be analogous with the surviving *originalia* roll for 7 Richard I,

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<sup>611</sup> Richardson, *Memoranda Roll*, xvi-xxxiii; Richardson and Sayles, *Governance of Medieval England*, 170; Carpenter, 'In Testimonium', 1-28.

<sup>612</sup> Richardson, *Memoranda Roll*, xxii-xxiii.

<sup>613</sup> P. Dryburgh, 'The Form and Function of the Originalia Rolls', in *The Growth of Royal Government under Henry III*, ed. by D. Crook and L.J. Wilkinson (Woodbridge, Boydell, 2015), 30-43.

<sup>614</sup> TNA, E 163/1/3; Richardson, *Memoranda Roll*, 85-88.

<sup>615</sup> Richardson, *Memoranda Roll*, xxj.

<sup>616</sup> *PR 7 Richard I*, 179, 225.

within which are also entered under similar headings in the pipe roll for 8 Richard I.<sup>617</sup> As well as these two early references there are several notes in the rolls from John's reign to fine rolls from Richard's reign. In the memoranda roll for 1 John there are references to a 'rotulus de oblatiis anno regis Ricardi x', and a 'rotulus de novis finibus'.<sup>618</sup> Richardson believes that as these rolls were available to the barons at the exchequer, these must be references to an *originalia* roll, that is the *originalia* roll for 10 Richard I, and the *originalia* roll for 1 John. He also identifies other references to these same rolls which describe the 'rotulus de oblatiis anno regis Ricardi x' as simply 'rotulus de oblatiis' or 'rotulus finium', and the 'rotulus de novis finibus' also as 'rotulus de oblatiis'.<sup>619</sup> Just as found in the titles of John's chancery fine rolls, there appears to be no distinction between the use of the terms *oblata* and *finium*. More significantly, there is no clear distinction being made between an *originalia* roll and fine roll by the exchequer clerks. At no point, therefore, do references to rolls of fines at the exchequer directly point to the existence of a chancery fine roll. Instead, Richardson relies on the presence of *originalia* rolls to prove the existence of fine rolls from 1195.

As well as presenting the evidence for the presence of *originalia* rolls for several years of Richard I's reign, Richardson argued that the financial system of fine rolls and *originalia* rolls can be traced back to the 1170s through the pipe rolls. Richardson observed that from 1175, there were headings analogous to the phrase, *nova oblata*, under which new fines were recorded in the pipe rolls of Richard and John's reign.<sup>620</sup> Furthermore, he suggested that a

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<sup>617</sup> PR 7 Richard I, 'De Novis Oblatis factis per Hubertum archiepiscopum Cantuariensem' and 'Nova Oblata per H. archiepiscopum Cantuariensem'.

<sup>618</sup> Richardson, *Memoranda Roll*, 13, 61.

<sup>619</sup> Richardson, *Memoranda Roll*, xxix-xxx, 40, 47.

<sup>620</sup> Richardson, *Memoranda Roll*, xxij-xxiv.

proliferation of different headings in the first half of Richard's reign, showing fines agreed with various leading administrators were a sign that multiple *originalia* rolls were being sent to the exchequer each year by different royal officials, as opposed to multiple parts of a single *originalia* roll being sent to the exchequer from a single source – the chancery.<sup>621</sup>

Carpenter, in a 2009 article, arguing against the significance of 1199, followed most of Richardson's ideas but further suggested that the system of fine rolls and *originalia* rolls can be traced back to earlier in the twelfth century, to the reign of Henry I.<sup>622</sup> Carpenter does, however, acknowledge that there was 'no straight line through to the rolls of Henry II [from those of Henry I], any more than Henry [II]'s [...] run straight through to those of John'.<sup>623</sup> Likewise, Richardson, concluded that, 'from 1200 onwards the information before the [exchequer] clerks who prepared the pipe roll was derived, not from separate rolls transmitted by those who negotiated fines, but from a single series of *originalia* rolls sent in instalments from the chancery'.<sup>624</sup> These arguments, therefore, both contend that a long tradition of enrolment of fines existed at the chancery prior to 1199 and that the complicated and well established financial system required for the transmission of fines to the exchequer could not have been established in 1199. Although it is certainly true that the process of

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<sup>621</sup> Richardson, *Memoranda Roll*, xxv-xxvij.

<sup>622</sup> Carpenter, 'In Testimonium', 5-9. Carpenter suggests that Richardson has overstated the haphazard nature of the 'fines' entered under the heading 'Nova placita et nove conventiones' in the fine roll for 31 Henry I and understated the quantity of offers that would have needed to be conveyed to the exchequer. He suggests that the existence of an *originalia* roll and therefore a fine roll would likely have been used to communicate with the exchequer. A major drawback for his argument is the very conspicuous lack of any mention of such a process in the *Dialogus*. Carpenter also raises the legitimate question of how the royal chancery would have coped with the sudden increase in work after 1199, but without knowing for sure how many and which clerks were working before and after John's accession, little more can be added to such a discussion.

<sup>623</sup> Carpenter, 'In Testimonium', 8.

<sup>624</sup> Richardson, *Memoranda Roll*, xxx.

communicating fines through *originalia* rolls was definitively in place before 1199, it does not necessarily follow that the fine rolls were also already being enrolled. All the references to fine rolls in the pipe rolls of Richard's reign are to rolls that had been sent to the exchequer, that is to *originalia* rolls. We know that the fine rolls in John's reign were drawn up to be kept in the chancery.

In fact, Richardson himself concluded that at the start of John's reign there is a significant change in the process of communicating fines. A move towards centralisation apparently occurred so that multiple *originalia* rolls were not being sent to the exchequer and instead all fines were sent first to the chancery, whence a single *originalia* roll was transmitted in its separate parts throughout the year. There is, therefore, an obvious reason why the chancery may have begun to compile its own fine roll in 1199, from which the *originalia* roll could then be copied. There is not any direct evidence that any of the *originalia* rolls of Richard's reign were in fact copied from a chancery fine roll. Instead, it is possible that many of those rolls compiled by the various administrators of Richard's were not being duplicated, for if they had been then it is unlikely John would have felt the need to re-centre the system around his person. Furthermore, Richardson has shown that when the same fine was agreed, at different values, with both the king and another administrator in Richard's reign, it was at the exchequer that the discrepancy was resolved.<sup>625</sup> There was no indication that any chancery fine roll could be consulted to confirm the correct value of a fine. Combined with the experimental layout of the surviving fine rolls from John's reign explored at the start of this chapter, it is surely worth considering that the chancery was not

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<sup>625</sup> Richardson, *Memoranda Roll*, xxxj-xxxij.

producing an annual fine roll in Richard's reign. That is not to say that records of fines were not being kept in some form before 1199. For example, as the final years of Richard's reign saw the majority of fines being sent to the exchequer by Hubert Walter as justiciar, it is certainly possible that forerunners to the fine rolls of John's reign were kept by Walter and then adopted by the royal chancery in 1199. It is clear from the chancery rolls of John's reign and the twelfth-century pipe rolls that many different *rotuli* were being drawn up in the chancery and exchequer which have not survived the intervening years, such as early scutage rolls and records of amercements.<sup>626</sup> These, however, appear to be created for particular purposes, to record or communicate specific actions or information, rather than the more holistic record keeping implied by the chronological year by year process seen in the chancery rolls.

### Originalia Rolls and Scutage Rolls

Although unconvinced by the assertion that it proves the existence of the fine rolls before 1199, Richardson's argument, being, that many disparate *originalia* rolls were sent to the exchequer in Richard I's reign, may provide some context for the unique layout of the fine roll for 3 John where the numerous fines *ne transfretent* are entered. The links between the scutage of 1201 and the mass enrolment of fines *ne transfretent* in both that fine roll and the pipe rolls has already been noted. The relationship between scutage and fines *ne transfretent* is also visible in the pipe rolls from Richard and John's reigns.<sup>627</sup> As scutage was

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<sup>626</sup> *Dialogus*, 26-27, 88-89, 94-95.

<sup>627</sup> Chew, 'Scutage under Edward I', 321.

collected through the exchequer there was a requirement to inform the institution which tenants-in-chief owed the king a financial contribution. There are numerous headings in the pipe rolls of both Richard and John under which scutages are compiled.

Much like the headings given to the fines and amercements, these appear to suggest that debts owed from scutages were communicated to the exchequer, along with lists of those who had writs of quittance from the scutage. These communications appear to have taken the form of scutage rolls which appear to have been drawn up by the marshal and constable when a force had mustered for a campaign. The series of scutage rolls and rolls of summons at The National Archives, which survive from the thirteenth and early fourteenth centuries, may provide some examples analogous to the scutage rolls from Richard's and John's reigns.<sup>628</sup> In addition to the headings for scutages, however, the pipe rolls from John's reign provide some evidence that fines *ne transfretent* were occasionally sent to the exchequer along with or in the scutage rolls.

The pipe roll for 1 John is particularly revealing, with many counties still accounting for three scutages of Richard's reign and the first scutage of John's reign, including a

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<sup>628</sup> TNA, C 72/1-13. A roll of summons survives from John's reign, but no scutage roll. The scutage rolls in some form must date back to the reign of Henry II, when scutages begin to appear in the pipe rolls. Helena Chew has identified an order for the treasurer and barons of the exchequer to search the scutage rolls from Richard I's reign. *Calendar of Close Rolls, Edward I: Volume 3, 1288-98*, ed. by H.C. Maxwell-Lyte (London, HMSO, 1904), 268; Chew, 'Scutage under Edward I', 330-331. A detailed discussion of the scutage rolls and summons from Henry III's reign is found in: J.S. Critchley, 'Summonses to military service early in the reign of Henry III', in *EHR*, 86 (1971), 79-95.

separate heading listing those who had writs quitting them of scutage.<sup>629</sup> Each of the five fines *ne transfretent* connected with this scutage entered on the fine roll for 1 John are found under the *nova oblata* headings, across the pipe rolls for 1 John and 2 John.<sup>630</sup> In addition, there are the 42 fines *ne transfretent* not entered on the fine rolls which can be found in the pipe roll for 1 John, and 14 of these are found under *nova oblata*.<sup>631</sup> Another five fines are entered alongside the accounts for the scutage of 1199 under the headings '*De Primo Scutagio Post Primam Coronationem Regis Johanni*' or '*Isti Habent Quietantiam Per Brevia*'.<sup>632</sup> These fines, therefore, appear to have been recorded in the scutage rolls for that campaign rather than on the fine roll. There are also two fines *pro passagio* entered under a heading '*De Hiis Qui Finem Fecerunt Pro Passagio Suo*' following the account for scutage in Derbyshire.<sup>633</sup> The other 24 fines *ne transfretent* are all entered under the heading '*De Finibus Militum De Honore De Gloeestr' Ne Transfretarent Ad Regem in Normannia*' in the account for the honour of Gloucester.<sup>634</sup> As a separate heading is also given for the scutage of the knights of the honour within the account for Gloucestershire, the fines may also have been communicated through a scutage roll and then separated when the pipe roll was compiled. It is also possible that a

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<sup>629</sup> For example, the account for Gloucestershire has the following headings: '*De Scutagio Ad Redemptionem Regis*', '*De Secundo Scutagio Regis Ricardi*', '*De Tercio Scutagio Regis Ricardi*', '*De Primo Scutagio Post Primam Coronationem Regis Johannis*', '*Isti Habeant Quietantiam Per Brevia*'. *PR 1 John*, 23-25, 34-35.

<sup>630</sup> See above, 200-201.

<sup>631</sup> It is unclear exactly how these fines would have reached the exchequer. They may have been from the final months of Richard's reign or agreed with the barons of the exchequer. In any case, the exact number of fines made, communicated and enrolled is not particularly significant. We know that none of these records is an exact account of all revenue raised or of all administrative decisions taken, therefore, the presence of such anomalies should be expected and considered whenever approaching these records. *PR 1 John*, 28, 75, 102-103, 121, 151, 179, 186, 238, 290.

<sup>632</sup> The heading '*Isti Habent Quietantiam Per Brevia*' is nearly always entered immediately after the heading for the most recent scutage. *PR 1 John*, 18, 187, 219, 229.

<sup>633</sup> Immediately following the heading '*De Primo Scutagio Post Primam Coronationem Regis Johanni*', there is no list of those quit by writs in the Derbyshire account. *PR 1 John*, 209.

<sup>634</sup> *PR 1 John*, 37-38.



separate scutage roll was compiled for the knights of the honour.<sup>635</sup> Most importantly, however, what we find in the pipe roll for 1 John is a significant proportion of fines *ne transfretent* apparently being communicated to the exchequer through scutage rolls rather than the fine roll. Richardson also noted that one of the several rolls sent to the exchequer in 1194 was a roll of fines made by 'military tenants who did not cross over into Normandy'.<sup>636</sup> At other places in Richard's rolls, fines *ne transfretent* can also be found under different headings, or, as per Richardson's hypothesis, on various different *originalia* rolls, as well as within the accounts of the scutages of Richard's reign.

The remaining pipe rolls from John's reign continue to add new headings for the subsequent scutages of John's reign. In the pipe roll for 2 John no new scutage is accounted for, although the outstanding accounts for the scutage of 1199 from Hampshire and the honour of Brittany are recorded in this roll, although without any fines *ne transfretent*. Several additional fines *ne transfretent* from the scutage of 1199 do appear in this roll, almost all as *nova oblata*, including the two fines found on the fine roll for 1 John.<sup>637</sup> The only new fine *ne transfretent* not found under *nova oblata* is included among a large number of fines in the account for Derbyshire and Nottinghamshire under the heading '*fines facti coram rege*'. None of the fines in this section are recorded in the fine roll, and Stenton suggests that they

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<sup>635</sup> A unique aspect of accounting in the Honor of Gloucester by royal custodians rather than sheriffs may explain the slightly confused writing of this account, see: D. Booker, 'The Custodial Experiment of 1204: Comital Administration and Financial Reform under King John', in *Journal of Medieval History*, 47 (2021), 42-61.

<sup>636</sup> Richardson, *Memoranda Roll*, xxv-xxvj.

<sup>637</sup> As well as the two fines found on the fine roll there are five fines *ne transfretent* under *nova oblata* in the account for Kent. None of those whose fines appear in this roll can be found in the account for the scutage in the Kent account for the previous year. *PR 2 John*, 5, 161, 215.

were made when John was in Yorkshire and Derbyshire at the end of March 1200.<sup>638</sup> It would appear that - for these fines at least - the king was happy for a separate roll to be sent to the exchequer without the involvement of the fine roll.

In the pipe roll for 3 John the scutage for 1201 and the numerous associated fines *ne transfretent* from the fine rolls for 2 and 3 John are accounted for. These are almost all entered under a form of the heading '*De Finibus Militum et Scutagio*' along with the account for the scutage. The exact form this heading takes varies throughout the roll, showing a significant contrast to the other fines on the fine rolls which are entered consistently as *nova oblata*.<sup>639</sup> Throughout that pipe roll a clear distinction is made between fines *ne transfretent* and other fines, despite them all being enrolled in the same chancery fine roll. These headings appear to suggest that even though these fines *ne transfretent* were enrolled on the fine roll, they were still communicated to the exchequer on a scutage roll. Indeed, there are two explicit references to such a roll in the pipe roll. The first is a reference to a roll, '*quem Magister Radulfus de Stoke liberavit in thesauro ex parte justicie de finibus militum ne transfretent*'. The second describes annotations '*in rotulo de finibus pro scutagiis quem magister Radulfus de Stokes liberavit in thesauro*', concerning a fine for 100 marks made by Roger de Beauchamp and Grecia his wife for having custody of the lands and heirs of Thomas fitzGospatrick.<sup>640</sup> The fine in question is entered as *nova oblata* in the pipe roll and can be

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<sup>638</sup> PR 2 John, xvj, 18-20.

<sup>639</sup> A selection of the other forms this heading appears in: '*De Finibus Et Scutagiis Militum*', '*De Secundo Scutagio Regis De Finibus Militum Ne Transfretent*', '*De Finibus Militum Ne Transfretent Et De Scutagio*', '*De Finibus De Secundo Scutagio Et De Scutagio*', '*De Finibus Militum Ne Transfretent*', '*De Finibus Et Scutagiis Baronum in His Comitatus*', '*De Finibus Baronum Ne Transfretent Et De Scutagis Suis*'.

<sup>640</sup> '*Set predicate C marcas non debent exigi ante tercium annum sequentem, sicut annotatur in rotulo de finibus pro scutagiis quem magister Radulfus de Stokes liberavit in thesauro*'. PR 3 John, 82, 257.

found on membrane eleven of the fine roll 3 John, amongst the numerous fines *ne transfretent* that dominate the membrane.<sup>641</sup>

Although it is not clear that the roll of fines for scutage that Ralph of Stoke delivered to the exchequer is entirely analogous with the extant scutage rolls, that label will be used for the purpose of the current study. So where does the roll that Ralph delivered to the exchequer fit within the system of *originalia* rolls and fine rolls? Was the roll simply copied from the fine roll for 3 John and sent to the exchequer, no more than a standard *originalia* roll? There are several reasons to believe this is not the case. First, in the fine roll for 3 John, the first note that the fines ‘up to here’ should be sent to the exchequer was not made until the bottom of membrane six, about a membrane below the point where the large collection of fines *ne transfretet* stop being enrolled.<sup>642</sup> The final five membranes of the roll, however, include a further three notes that the preceding fines should be sent to the exchequer.<sup>643</sup> Either an extremely large section of the *originalia* roll was sent to the exchequer to cover the ten membranes that came before, or perhaps the fines *ne transfretet* were sent separately to the other fines. The pipe roll for 3 John also references a ‘rotuli de oblatis’ delivered into the treasury by a Peter Morin. That roll may have been one of the *originalia* rolls for that same year and so would demonstrate a distinction being made between the rolls by the clerks.<sup>644</sup> Secondly, the clear distinction between *nova oblata* and *de finibus et scutagiis* in the pipe roll is

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<sup>641</sup> *Rot. Ob. et Fin.*, 157.

<sup>642</sup> A form of the phrase ‘*hinc mittendum est ad scaccarium*’ was normally entered for the purpose of identifying where the *originalia* roll had been copied up to on the fine roll. *Rot. Ob. et Fin.*, 176.

<sup>643</sup> *Rot. Ob. et Fin.*, 179, 184, 188. There is also possibly a final fourth reference to fines being sent to the exchequer, but damage to the last membrane means all that can be read is: ‘... *ad scacc[arium] ... de c[us]todia*’, (*Ibid.*, 191).

<sup>644</sup> *PR 3 John*, 254.

itself suggestive of two different rolls. The general fines entered on the first ten membranes of the fine roll, alongside fines *ne transfretent*, are almost all entered under *nova oblata*.<sup>645</sup> Either, these were separated at the exchequer into fines *ne transfretent* and *nova oblata* or separate rolls were sent to the exchequer. A small number of fines *ne transfretent* are, however, entered as *nova oblata*.<sup>646</sup> Most of these are fines from the fine roll for 2 John or do not appear on the fine rolls. Only a single fine *ne transfretet* from the fine roll for 3 John is entered under *nova oblata*. It is a fine by Alan fitzBenedict in the account for Westmorland and is entered alongside another fine *ne transfretet* by Adam of Kirkby which is not on the fine rolls. There is, however, no heading for a scutage in the Westmoreland account, which only uses the headings *de oblatiis* and *nova oblata*.<sup>647</sup> As the two instances of fines from the roll for 3 John being enrolled under the 'incorrect' headings occur where no alternative heading was available, it is possible to explain these as choices by the clerks rather than errors. As such, neither can be considered clear evidence that the exchequer clerks were working off a single *originalia* roll sent from the chancery, and, combined with the other evidence provided, it suggests that a separate *originalia* roll and scutage roll were compiled by the chancery and sent to the exchequer. The four fines *ne transfretent* entered under *nova oblata* which originally appear in the fine roll for 2 John can also be explained. Two of them appear in Westmoreland, which as already noted, does not contain a separate heading for scutage.<sup>648</sup>

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<sup>645</sup> The only exception to this is a fine by Eva de Broc, '*pro transgressione pontium de Geldeford*', on membrane eleven. It is enrolled alongside a large number of fines connected with John's scutage of 1201 and then is copied into the pipe roll for 3 John along with fines for scutage rather than under *nova oblata*. There is, however, no heading for *nova oblata* in the account for Surrey. The only other fine not connected to the 1201 scutage for Surrey on the fine roll is for a confirmation of a charter of King Richard, which is itself annotated as cancelled because it was enrolled in the roll of the forest. It is not unprecedented for general fines to have been entered in the pipe roll under the headings for scutages. *Rot. Ob. et Fin.*, 175; *PR 3 John*, 229.

<sup>646</sup> There are 7 fines *ne transfretent* entered as *nova oblata* and 407 under scutage headings.

<sup>647</sup> *PR 3 John*, 256-258.

<sup>648</sup> *Rot. Ob. et Fin.*, 116, 127; *PR 3 John*, 257.

The other two fines are both for multiple benefits and so appear to have been considered general fines rather than exclusively related to the scutage of 1201.<sup>649</sup>

A few fines that appear on earlier membranes in the fine roll for 2 John being entered under scutage headings in the pipe roll are more problematic, and more specifically two of the first entries on membranes ten and nine of the roll for 2 John.<sup>650</sup> These fines were sent to the exchequer on *originalia* rolls before the muster at Portsmouth, along with five fines *ne transfretent* on membrane five, including one of the aforementioned entries for Westmoreland.<sup>651</sup> All of these fines appear to have been sent to the exchequer for the Easter term, with several including a requirement to be paid in part or full at the approaching Easter term.<sup>652</sup> Some are assigned to be paid at the passage of the king and so could have been recorded on the scutage roll at that time.<sup>653</sup> Unfortunately, without a surviving memoranda roll or *originalia* roll for this year, we can only speculate why a small number of fines are entered below the scutage headings despite having been sent to the exchequer on the *originalia* roll.

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<sup>649</sup> *Rot. Ob. et Fin.*, 125, 132.

<sup>650</sup> *Rot. Ob. et Fin.*, 115, 118; *PR 3 John*, 242, 250.

<sup>651</sup> *Rot. Ob. et Fin.*, 126-128. A note halfway down membrane five, '*hinc mittendum est ad scaccarium*' acknowledges that the *originalia* roll was sent.

<sup>652</sup> The first fine on the roll provides a case study for this point. The fine roll for 2 John records Nicholas of Morwick's proffer of 20 marks and one palfrey for licence to remain, to be paid in instalments, 10 marks and the palfrey at the Easter term and the remaining 10 marks at the following Michaelmas term.

<sup>653</sup> '*Terminus ad passagium Regis*'. *Rot. Ob. et Fin.*, 127.

It is perhaps significant that these fines are sent before the Easter term of the exchequer. Fines enrolled after the note on membrane five that an *originalia* roll had been sent are assigned to the Michaelmas term followed by the Easter term, rather than the other way round, suggesting that as a clear cut-off point. There are three more fines *ne transfretent* on membrane five, below the note that the *originalia* roll had been sent, as well as the other forty fines on membranes four, three, and two, which are all entered under scutage headings. These have more in common with the fines on the roll for 3 John. There is no clear note that these final membranes were sent to the exchequer as an *originalia* roll. Furthermore, it is after that particular note on membrane five that the fines *ne transfretent* begin to carry the additional notification of how many knights' fees each tenant held and shortly after the column style explored above began to be tentatively used. It is at this point, therefore, that the scutage roll was likely being compiled.

As discussed above there is a notable absence of fines *ne transfretent* in the fine rolls for 1 John and 6 John, despite the scutages of those years appearing in the pipe rolls along with fines *ne transfretent*. Scutage rolls may still have been compiled for those years, but the fines they contained were not copied into the fine rolls. Although we have lost the fine rolls for the fourth and fifth years of the reign, and cannot know whether a significant number of fines *ne transfretent* were enrolled in them, it appears a similar scutage roll may have been compiled for the scutages of 1202 and 1203. Indeed, there are headings for '*de finibus et scutagio militum de tercio scutagio*' throughout the pipe roll for 4 John, although no direct references to a roll of fines for scutage.<sup>654</sup> In addition, these scutage rolls likely contained

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<sup>654</sup> PR 4 John.

records of those who paid their scutage instead of a fine or who provided knight service in person.<sup>655</sup> As these details are not included within the fine rolls, the scutage roll surely cannot have been simply a copy of the fines *ne transfretent* recorded on the fine roll. In the context of the development of the fine rolls and associated financial systems, these scutage rolls and fines *ne transfretent* point to another degree of inconsistency at the start of John's reign. Furthermore, if the fines *ne transfretent* were copied on to the fine roll from the scutage roll, then we are seeing the fine roll being used for an archival purpose, like the close rolls, patent rolls and charter rolls.

#### The Fine and *Originalia* Rolls and an Angevin 'Empire'

The consolidation of the fine rolls into a single centralised system from the start of John's reign raises some important questions about the place of chancery enrolment within the context of an Angevin 'empire'. Despite noting that the financial system of the Anglo-Norman and then Angevin kings was developed out of a need to serve several different domains on either side of the channel, Richardson focused almost exclusively on the 'English' fine rolls.<sup>656</sup> Later in his argument he does mention in passing that the fines communicated to the English exchequer at Westminster in Richard's reign via *originalia* rolls were sometimes divided between those compiled on either side of the channel.<sup>657</sup> All of

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<sup>655</sup> As shown by the inclusion of these tenants under the same headings as those who paid fines in the pipe rolls.

<sup>656</sup> Richardson, *Memoranda Roll*, xi.

<sup>657</sup> Richardson, *Memoranda Roll 1*, xxv-xxvj. In the pipe roll for 1197 there was a separate heading for fines made *apud Insulam de Andeli et apud Lundum* and in the roll for 1199 there are separate headings for fines made *in partibus transmarinis et missa Galfrido filio Petri*.

these fines, however, were still those to be accounted for at the English exchequer and must have been made by English tenants.<sup>658</sup> It is, of course, primarily due to the scarcity of surviving sources that Richardson did not devote any attention to how fines made by the Angevin kings' French subjects would have fitted into this system.<sup>659</sup> Whilst acknowledging that the sole surviving 'Norman' fine roll and the limited pipe roll evidence from the Caen exchequer prevents a full investigation, it is vital that we consider the fine rolls in the wider Angevin context. The chancery clerks clearly considered the division between 'English' and 'Norman' fine rolls to be an important one, as shown by the annotation next to a 'Norman' fine on the second membrane of the 'English' roll for 1 John, that it ought to be entered on the 'Norman' roll, as well as other examples of such corrections across the 'English' and 'Norman' close rolls.<sup>660</sup>

The survival of a 'Norman' fine roll may suggest that a 'Norman' or 'French' equivalent of an *originalia* roll would also have been required to communicate the information within to the Caen exchequer.<sup>661</sup> As well as the notably smaller size of the 'Norman' fine roll, it is also conspicuously lacking any annotations signifying that particular sections had been copied and sent to the exchequer, which can be found throughout the

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<sup>658</sup> Beth Hartland has noted that one did not necessarily need to hold lands in England to be required to pay fines at the English exchequer, although this appears to have been a fairly rare occurrence. B. Hartland, 'Administering the Irish Fines', in *The Growth of Royal Government under Henry III*, 72-84 (80-81).

<sup>659</sup> Richardson, *Memoranda Roll*, vij.

<sup>660</sup> See above, 119; *Rot. Ob. et Fin.*, 6, 10, 22. There are also two fines, one with marginalia for 'Normandy' and the other for 'Caen' in the same 'English' fine roll which were not corrected, although neither finds its way into the pipe rolls and the second has a note that it was paid into the chamber.

<sup>661</sup> Although the Caen exchequer pipe rolls have been lost for 1200 and 1201, Nicholas Vincent has shown that fines in the Norman fine roll for 2 John can still be found in the surviving Caen exchequer pipe roll for 1203; see: Vincent, *Norman Charters*, 9, n.29.



'English' fine rolls. There is, however, a note at the bottom of membrane three calculating the sums contained in the fines recorded on the previous two membranes just as found in the 'English' fine rolls.<sup>662</sup> Perhaps only a single copy of the roll was sent at the end of the year due to the smaller size of the roll? As John and his chancery returned to England in October 1200, half-way through the regnal year, it seems it would have been a rather illogical choice not to have sent copies of fines to Caen before crossing in time for the Michaelmas session. As we can roughly date the sums at the bottom of membrane three to around the Michaelmas session, it would make sense that an *originalia* roll or an equivalent was sent to the exchequer at this time.<sup>663</sup>

The most significant similarity between the 'Norman' fine roll and the 'English' rolls is the marginalia assigning fines to a particular location, presumably to assist the collection and documentation process at the exchequer. These marginalia, as well as providing locations within Normandy, also includes three fines which are assigned to Anjou and one fine to Poitou.<sup>664</sup> As with the 'Norman' close rolls, which we have already seen are in fact 'French' rolls, covering all of Normandy, Anjou and Poitou, the 'Norman' fine roll is also a roll for John's French lands. In the same manner, the 'English' fine rolls are also rolls for both

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<sup>662</sup> TNA C 64/2, m. 3. It should be noted that these sums are wildly inaccurate if simply taken as a sum of all the offers made on the above two membranes, both under and over stating the sums of the various currencies and items promised.

<sup>663</sup> We can date two entries at the bottom of membrane three, just before the annotations of expected sums, to before Michaelmas 2 John from a note that payment should be made, '*ad hic festum Sancti Mich~ anno regni domini Regis secundo*' and although none of the entries on membrane two can be accurately dated the first entry on membrane one notes that payment should be made at Easter first and Michaelmas second, allowing us to date it to after November 1200. As the two entries immediately above the sums are careful to refer to the Michaelmas term of the second year of the reign with a directness not seen in any fines before them it appears that these fines were agreed and enrolled close to that time. *Rot. Ob. et Fin.*, 41-42.

<sup>664</sup> *Rot. Ob. et Fin.*, 37, 39, 41.

English and Irish business, with Irish entries identified as such by the marginalia. Another comparison with the close rolls for 2 John is worth raising here. The marginalia of the 'Norman' close roll is also used to label most entries as either Norman, Angevin or Poitevin. The 'English' close roll, in contrast, only labels entries as 'Irish' where necessary and leaves English entries without additional comment. The 'Norman' close rolls for 4 and 5 John also appear to be more similar, giving marginalia for only Anjou and Poitou. As such, the use of more precise marginalia in both the 'Norman' and 'English' fine rolls is significant. The importance of assigning fines to particular locations to assist the accounting processes of the exchequers reflects the fine rolls' place in the financial system, whereas the more general location marginalia in the close roll appears to be provided as a navigational tool within a record, rather than a document used for an ongoing administrative process. The use of less exact marginalia for Irish, Angevin and Poitevin entries in the fine rolls, therefore, sets these entries apart. It must have been more important to clearly identify these entries as relevant to those regions, rather than providing a detailed location. The reason for identifying an entry as Irish, Angevin or Poitevin, it seems, would be so that the entry could be communicated to the relevant financial centre in those regions, which serves to remind us that – in addition to the English and Norman division - we must consider how Anjou, Poitou, Gascony, and Ireland fit into the system of fine and *originalia* rolls.

Although the fine rolls appear at first glance to be closely tied to the two better known exchequers, at Westminster and Caen, there are clearly entries within the rolls that were not related to those exchequers. We have already discussed the small number of entries on the 'Norman' roll assigned to Anjou and Poitou. In addition, there are a small

number of Irish fines entered on the 'English' rolls. There are 18 entries assigned to Ireland in the fine roll for 1 John, of which none appear as *nova oblata* in the pipe rolls.<sup>665</sup> There are a few other fines for 'Irish' matters within the pipe rolls, but these are assigned to be paid at the Westminster exchequer and so not labelled as '*Hibernia*' in the marginalia but assigned to the location where the tenant making the proffer held lands and so could account in the usual manner.<sup>666</sup> All those fines with marginalia marking them as Irish, however, must have been sent to the Ireland to be collected. The small quantity of fines for Ireland, Anjou, Poitou, and Gascony, however, suggests that more fines must have been made but not entered on the fine roll. Irish fines were certainly being agreed with the justiciar, particularly after 1207 when the jurisdiction of the Irish justiciar was formally expanded to issue writs for *novel disseisin* and *mort d'ancestor*.<sup>667</sup> For Anjou and Poitou the limited number of fines in the Norman fine roll for 2 John suggests a much larger scale of business going unreported, with the financial systems of John's southern lands underrepresented in the surviving sources. Despite this the clerks compiling the fine rolls still clearly felt that Irish, Angevin, Poitevin, and Gascon business had their particular place on the rolls and within the financial system.

It is worth briefly describing the practical implications of such a system for the chancery clerks compiling the fine rolls. When a fine was agreed, either with the king or one

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<sup>665</sup> Or indeed anywhere else in the pipe rolls. I have searched the pipe rolls for both 1 John and 2 John for each of the fines labelled as Irish in the marginalia of the fine roll. *Rot. Ob. et Fin.*, 20, 26-28, 30, 36, 38, 40, 66.

<sup>666</sup> For example William de Briouze's fine for Limerick in the fine roll for 2 John assigned to Hereford, although accounted for in Sussex. *Rot. Ob. et Fin.*, 99; *PR 3 John*, 87.

<sup>667</sup> Hartland, 'Administering the Irish Fines', 77.

of his deputies, a notice of that would have had to be sent to the chancery to prepare any necessary writs.<sup>668</sup> At this point the chancery clerks would have had to identify which roll it should be entered on and assign the debt to the relevant county or region. The chancery clerks responsible must have required intimate knowledge of the exchequer and the account to correctly compile these rolls. When the *originalia* rolls were compiled, the clerks would then have had to not only avoid copying fines which had been paid into the chamber or quitted for other reasons, but they would also have had to separate the entries for Ireland, and possibly also for Anjou and Poitou, onto separate rolls to be delivered to the correct exchequer.<sup>669</sup> Every aspect of this system would require the clerks to have a complex understanding of each of John's different lands. Why then were the rolls divided only between England and Normandy, if further sorting was required after the rolls were compiled to match the financial divisions of the Angevin domains? The clerks must have expected less business for the 'other' regions to be enrolled, perhaps suggesting a greater degree of independence or separation of these regions. Or a sense that these regions were so subservient to the others that only rarely would the administration of these regions be considered separate.

Finally, if we return to Richardson's argument that the fine rolls of John's reign represent a return to a centralised system, then the apparent absence of Normandy, Anjou, Poitou, Gascony, and Ireland from that centralisation must be noted. Richardson's argument

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<sup>668</sup> If the fine was made through the justiciar or seneschal, or another administrator it may have needed to be confirmed by the king.

<sup>669</sup> I have not found any entries for Irish fines on the surviving fragments of *originalia* rolls for John's and Richard's reigns.

that a single fine roll was being used in Henry II's reign to transmit fines to the English exchequer, but that this system had given way by Richard's reign to numerous fine and *originalia* rolls from various administrators being compiled and sent throughout each year, must lead us to conclude that when John or his administrators chose to centralise this system, they did not decide to include all of the fines for Ireland, Normandy or the other French lands within this one central roll. Some Irish fines began to be compiled in the roll, but not all. A separate Norman fine roll was being compiled, but even if a similar process of centralisation was attempted for this roll, no efforts were made to include significant numbers of Angevin or Poitiven fines. Whether the fine rolls represent a new system created to record the business already being sent in the *originalia* rolls as this thesis argues, or a centralisation of existing disparate record making as Richardson believed, each of John's lands is still treated as a separate financial entity. Even though all of these funds were owed to John, as king, duke or count, they were still accounted for within the separate financial systems of each region. There were separate 'English' and 'Norman' fine rolls to compile a record of fines sent to those respective exchequers. For fines associated with Ireland, Anjou and Gascony, where it appears financial administration was either more independent, or perhaps were simply too distant, a small number of entries were appended to a relevant roll, but this does not appear to represent any attempt to centralise the financial administration of the 'Angevin empire'.

There are several important conclusions to summarise from the preceding chapter. Firstly, that throughout John's reign there is clearly a growing enrolment operation within the chancery, although there is a great deal of fluctuation in which rolls entries were being

made, particularly in the first years of the reign. Moreover, rates of enrolment were often heavily dependent on John's itinerary and in particular which side of the channel he was on.<sup>670</sup> Despite this fact, and the loss of his lands in France, by the end of John's reign, the chancery was enrolling significantly more material each year. Secondly, there is a large amount of experimentation and a clear evolution in the physical character of the rolls in the earliest year of John's reign, which supports the long-disputed theory that the form of chancery enrolment seen throughout the medieval and early modern period started in 1199. As a result, we can also conclude that the division of certain rolls into 'English' and 'French' counterparts was a choice made by the chancery clerks in 1199. This decision highlights the importance of the English Channel as an administrative divide within the chancery mind, but also suggests some flexibility in how this division was applied. Once less material needed to be enrolled from the lands *citra mare* then the chancery clerks felt it more appropriate to enrol these entries within the same roll as the English and Irish entries.

Finally, this chapter has argued that the existence of *originalia* rolls from before 1199 is not clear proof that fine rolls, as we know them from 1199 onwards, would have also been compiled at that time. A well-established system of communicating financial information from the chancery to the exchequers or other financial institutions, however, was certainly in existence and numerous rolls were regularly produced by the chancery before and after 1199 to be sent to the exchequers. This financial system would have developed to serve the numerous independent financial centres of the 'Angevin empire' and the fine rolls compiled

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<sup>670</sup> There also appears to have been a significant impact on the rate of enrolment from the interdict, which perhaps prevents there being a clear and consistent growth in the rolls throughout the entire reign.

in John's reign, despite being split into 'English' and 'Norman' counterparts into which Irish, Angevin, Poitiven and Gascon entries were also sorted, still appear to have respected the financial independence of these regions. The division of the fine rolls by the English Channel was not an attempt to establish any form of centralised financial administration, but was simply a logical archival division of the lands ruled by John as understood by the chancery mind.

## Chapter Four

### Types of Writs, Rates of Enrolment and Peripatetic Kingship

The final chapter of this thesis will be focused almost exclusively on the close rolls, which provide the most consistent source base to explore how the chancery approached enrolment in the context of the 'Angevin empire'. The fine rolls have already been examined in the context of the existing greater Angevin financial system, but as only a single 'Norman' fine roll exists, our understanding of how enrolment developed between 1199 and 1204 is limited to the wider codicological study, whilst both the charter and patent rolls were never divided into counterpart 'English' and 'Norman' rolls at all and required no real change in practice in 1204. The close rolls, however, provide an exceptional snapshot of the administrative system at the very start of John's reign, including the division of the Angevin lands across the English Channel. Furthermore, as this chapter will argue, the ever-changing location of the king over those lands had a dramatic impact on the process of enrolment, especially where that movement included crossing the channel. Changes in rates of enrolment have been discussed briefly above, including Carpenter and Vincent's previous conclusions that before the loss of Normandy, the rate of enrolment is known to have varied in both the 'Norman' and 'English' counterparts of the close rolls, depending on which side of the channel the king and his chancery were travelling.<sup>671</sup>

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<sup>671</sup> Vincent, *Norman Charters*, 15-16; Carpenter, 'In Testimonium', 13-17; see above, 47-48, 148.



When we discuss rates of enrolment and the types of writs being enrolled, both are heavily although not entirely influenced by the writs that were issued by the chancery. Our conclusions about enrolment, therefore, tell us not only about what the chancery chose to record but also what writs were required for the administration of John's domains. We do know, however, that not every writ issued was enrolled. Judicial writs, of course, were never entered within these records. The process of enrolment was even more selective, however, especially in the earliest years of the reign, when the rolls contained significantly less material. The growth in the size of the rolls does not necessarily reflect an administrative machine that began to issue more and more writs over the course of John's reign. Instead, what appears to have happened, is that the chancery chose to begin enrolling more and more writs into these records. For example, writs concerned with the purchase and provision of wine, game and other gifts were enrolled rather sporadically in the first five or six years of the reign, before becoming more common.<sup>672</sup> Further evidence perhaps of the innovative and original nature of the rolls at the start of John's reign.

The contents of the close rolls have also been occasionally considered in earlier chapters, identifying how entries were divided into 'English' and 'Irish' in the English close rolls and 'Norman', 'Angevin' and 'Poitiven' in the 'Norman' rolls. In addition, it is possible to identify a number of different types of writs being enrolled. Carpenter divided writs into two main 'types', those concerning royal revenues and those concerning the possession of lands which he calculated made up between 70% and 80% of all business enrolled in the

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<sup>672</sup> Carpenter, 'In Testimonium', 16-17.

rolls before 1204.<sup>673</sup> In addition, financial writs can be divided between those writs of *computate* and *liberate* sent to the exchequer ordering money to be paid or allowed and those writs of *computate* sent to various other officials giving what will be described as 'logistical' orders. The following chapter, therefore, will also examine how the proportion of entries concerning each region or different types of writs varied depending on the location of the king.

The enrolment of writs in small batches allows us to roughly date when and where the various entries were made. It is possible to identify 'groupings' of entries which appear to have been made at the same time, through changes in the hand or ink colours.<sup>674</sup> As a result, we can be fairly sure that, although not every entry on the roll was made at the exact time and place directly correlating with the dating clauses of the writs, it is likely that the majority of entries were made shortly after those given dates. Moreover, as Vincent concluded that the 'English' and 'Norman' close rolls appear to have been compiled simultaneously, we can examine and compare rates of enrolment and types of entries across both counterpart rolls.<sup>675</sup> Rates of enrolment can be calculated both on a long term basis, such as for the regnal year or the months at a time spent either in England or France, and also, for shorter periods, which allow us to suggest periods of great productivity or pauses in enrolment.

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<sup>673</sup> Carpenter, 'In Testimonium', 13-17.

<sup>674</sup> Edwards, *Chamber and Chancery*, 89-97; and for the same phenomenon in Henry III's reign: A. Chambers, 'Aspects of Chancery Procedure in the Chancery Rolls of Henry III of England', unpublished PhD thesis (Kings College London, forthcoming).

<sup>675</sup> Vincent, *Norman Charters*, 12.

## Rates of Enrolment 'Ultra et Citra Mare'

King John, like the other Angevin princes was an itinerant ruler, constantly travelling across numerous regions in both the British Isles and on the continent across the English Channel. As discussed above, the importance of the English Channel as a dividing line in the Angevin administration is demonstrated by the phrase *ultra et citra mare*, which had been used as a chancery label for the 'English' and 'French' division of the Angevin domains from Henry II's reign.<sup>676</sup> The side of the channel John was on at any time had a clear impact on the number and type of writs being issued from the chancery and, therefore, on the records being enrolled.

As no close rolls have survived from the first year of John's reign our evidence begins with the rolls for 2 John, which provide us with our best insight into the 'normal' operation of the chancery. John was in perhaps the most secure position of his reign and retained control of every Angevin domain inherited from his brother.<sup>677</sup> The wars with Philip Augustus, which would eventually cut him off from his southern French lands, had been brought to a temporary halt by the treaty of Le Goulet on 22 May 1200.<sup>678</sup> His itinerary

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<sup>676</sup> See above, 122.

<sup>677</sup> Except for much of the Norman Vexin and the county and city of Evreux which had been surrendered to the direct control of the King of France, through the Treaty of Le Goulet, in which John had formally recognised Philip as his liege lord for Normandy, as well as Anjou and Brittany, the last to be held by Arthur. A more detailed discussion of the treaty and the new frontier along the Seine is given in: Powicke, *Normandy*, 134-138.

<sup>678</sup> Powicke, *Normandy*, 134-138; Church, *John*, 86-89.

took him into every corner of his lands with only the exception of Ireland and western Wales.<sup>679</sup> Most significantly we have both a complete 'Norman' close roll and substantial sections from an 'English' close roll surviving from this year.

Table 21: Rates of Enrolment in the Close Rolls for 2 John

Norman Close Roll 2 John			English Close Roll 2 John		
Location and Dates	Number of Entries (dorse)	Estimated Monthly Rate of Enrolment	Location and Dates (covered by surviving membranes)	Number of Entries (dorse)	Estimated Monthly Rate of Enrolment
France (17 May 1200-1 Oct. 1200) 4.5 Months	86 (6)	c. 19 a month	France (extant mems.: 26 May 1200-30 August 1200) 3 months	23	c. 7 a month
England (6 Oct. 1200-2 May 1201) 7 Months	14	c. 2 a month	England (extant mems.: 10 Oct.-27 Nov. 1200 & 31 March-27 April 1201) 2.75 months	109 (4)	c. 40 a month

John spent the majority of his third regnal year in France, including a brief visit to northern Poitou and Angoulême for several weeks in February 1202. Just as the previous year, although he was now dealing with the rebellion of Hugh le Brun and the Lusignans in southern France, John remained on good terms with Philip Augustus, on the surface at least, throughout the year covered by the 'English' roll for 3 John.

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<sup>679</sup> John is found as far south as Saint Sever in Gascony (27 July 1200) and as far north as Bambrough and Alnwick in Northumberland (12 and 13 February 1201).

Table 22: Rates of Enrolment in the 'English' Close Roll for 3 John

English Close Roll 3 John		
Location and Dates	Number of Entries (dorse)	Estimated Monthly Rate of Enrolment
England (3 May–c. 15 May 1201) 0.5 Months	18	c. 36 a month <sup>680</sup>
France (c. 1 June 1201–22 May 1202) 12 Months	106 (3)	c. 9 a month

The fourth year of John's reign, for which only the 'Norman' roll survives, is another year in which John was primarily based in France and the rate of enrolment across the year is c. 35 entries a month.<sup>681</sup> The renewal of hostilities with Philip and Arthur of Brittany, however, meant John spent most of the year in just Normandy and Anjou, going no further south than Chinon, except for dashing to relieve the siege of Mirebeau in early August 1202. Carpenter has argued that the war and the resulting defections of several of John's subjects led to an increase in the number of entries for *terre data* appearing in the rolls for these years.<sup>682</sup> The rolls from 4 John onwards, therefore, were made in a notably different political and territorial situation to the first 3 years of the reign. From early 1203 the loss of Alençon to the treachery of Count Robert of Sees, combined with the French incursions, cut off the roads to Anjou and Poitou and confined John to Normandy.<sup>683</sup> The first half of the roll for 4 John when compared to those for 3 John and 2 John, before the loss of Alençon, has a similar rate of enrolment, before a clear increase in the rate of enrolment in the later section of the

<sup>680</sup> If we combine the start of the English close roll for 3 John with the surviving membranes from the end of the close roll for 2 John, which together cover the period between 31 March and 15 May 1201, there are 58 entries and an estimated rate of enrolment of c. 38 entries a month, suggesting that despite the limited time covered in the 'English' roll 3 John we can be fairly confident that the rate of c. 36 entries a month is a reasonable figure.

<sup>681</sup> There are 429 entries (and 6 on the dorse) made between 23 May 1202 and 14 May 1203. *Rot. Norm.*, 45-98.

<sup>682</sup> Carpenter, 'In Testimonium', 5 (n.18), 15.

<sup>683</sup> Powicke, *Normandy*, 158-160.

roll. The confinement of the king to Normandy does not appear to have reduced the rate of enrolment and we will return to the question of whether this is the result of the increased number of *terre data* entries when we look at the impact of the John's itinerary in France on enrolment in more detail.

Table 23: Rates of enrolment in the 'Norman' Close Roll for 4 John

Norman Close Roll 4 John		
Location and Dates	Number of Entries (dorse)	Estimated Monthly Rate of Enrolment
France (before loss of Alençon) 23 May 1202–21 January 1203 8 Months	219 (2)	c. 27 a month
France (after loss of Alençon) (22 January–14 May 1203) 4 Months	210 (4)	c. 52 a month

In the following regnal year John spent the first 7 months confined to Normandy and then retreated to England for the final 6 months of the regnal year. Throughout the year the war with Philip continued to threaten John's continental domains and control of both Normandy and Anjou was ultimately lost. The rate of enrolment seen whilst John was in Normandy is not significantly different to the overall rate of the previous year, although the increase in entries after the loss of Alençon is not matched in the final months John spent on the continent.

Table 24: Rates of Enrolment in the Close Rolls for 5 John

Norman Close Roll 5 John			English Close Roll 5 John		
Location and Dates (in surviving membranes)	Number of Entries (dorse)	Estimated Monthly Rate of Enrolment	Location and Dates	Number of Entries (dorse)	Estimated Monthly Rate of Enrolment
France (extant mems.: 24 June 1203–5 Dec. 1203) 5.5 months	198 (14)	c. 36 a month	France (15 May 1203–5 Dec. 1203) 7 months	239 (3)	c. 34 a month
England (15 May 1204)	0 (4)	N/A	England (6 Dec. 1203–2 June 1204) 6 months	236 (19)	c. 39 a month

The fifth year of the reign is particularly notable as the only year when enrolment in the ‘English’ roll appears not to have been significantly lower whilst the king was in France and the only year in which that trend identified in those earliest rolls is not followed. The loss of the ‘English’ counterpart for the fourth year of the reign is keenly felt here, with the rate of enrolment having tripled in just over eleven months since the end of the roll for 3 John. We do not, however, see the same increase in the rate of enrolment for the six months John was in England, with the rate remaining on the same level as that seen in the roll for 2 John. Several explanations can be given for this anomaly. One is the significant numbers of *terre data* entries in the close rolls in this year, although this does not explain why the rate of enrolment was not even larger in England.<sup>684</sup> Another may be the short period of disruption to the usual process of enrolment in the months immediately after John returned to England in December 1203.<sup>685</sup> These will be considered in the second part of this chapter through a

<sup>684</sup> One likely explanation for this is that grants being made in late 1203 were for lands confiscated from early deserters, the Angevins and Poitivens, and shoring up the support of Norman landholders. The re-allocation of *terre Normanorum* did not begin to make an impact on the close rolls until around the sixth year of the reign. Moore, ‘Terre Normannorum’, 1071–1109.

<sup>685</sup> See above, 169–170.

more detailed examination of the type of writs being enrolled and the fluctuations in monthly or even weekly rates of enrolment throughout the year.

The main explanation for the changing rates of enrolment is the trend for more 'English' writs to be issued whilst John was in the British Isles and more 'French' writs to be issued whilst he was on the Continent. As we know, however, the 'English' rolls also included Irish entries, whilst 'French' writs could be concerned with any one of the 'French' regions under John's control. It is surely worth, therefore, considering the break down in the type of writs being enrolled at different times during John's itineration.

In the 'English' rolls, there does not appear to be any clear pattern of Irish entries being made more or less regularly depending on which side of the channel John was based. There is a slight but statistically insignificant increase in the first half of the roll for 5 John, which includes three short entries of memoranda on the dorse, and this roll is something of an anomaly anyway with equal rates of enrolment when John was in England and France.<sup>686</sup> We would otherwise expect fewer Irish writs to be enrolled when John was in France as rates of enrolment in the English rolls were lower in general in those months. It could be argued that Irish writs were enrolled at a similar rate whether or not the king was across the sea, but as we are working with such a small data sample, it is perhaps unwise to draw that conclusion.

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<sup>686</sup> *Rot. Lib.*, 105; TNA, C 62/3, m. 12d, m. 9d.



Table 25: Location of Entries in the 'English' Close Rolls 1199-1204

English Rolls Dates and Location	Total Entries	English writs	Irish writs	Other (incorrectly entered/damaged)
2 John (in France) c. 18 weeks	<b>23</b>	22 (95%)	-	1 (5%)
2 John (in England) c. 27 weeks	<b>113</b>	112 (99%)	1 (1%)	-
3 John (in England) c. 4 weeks	<b>18</b>	16 (89%)	1 (5.5%)	1 (5.5%)
3 John (in France) c. 47 weeks	<b>109</b>	104 (95.5%)	1 (1%)	4 (3.5%)
5 John (in France) c. 23 weeks	<b>242</b>	221 (94%)	7 (3%)	7 (3%)
5 John (in England) c. 24 weeks	<b>255</b>	252 (98.75%)	3 (1.25%)	-

In the years immediately after Normandy was lost no clearer trends emerge.<sup>687</sup> In the rolls in which John remained in England throughout the regnal year the percentage of Irish entries was at most 3.5%.<sup>688</sup> In the roll for 8 John, when the king campaigned in southern France for five months, there are 14 Irish entries amongst 348 entries enrolled whilst John was in England (4%), but no Irish writs amongst the 65 entries made whilst John was in France. In the roll for 15 John, when John is in England there are 5 Irish entries out of 488 (1%), and no Irish writs amongst the 45 entries for the time John was in France, although the poor condition and confusing collection of rolls for this year should be noted. The roll for 16 John again raises the possibility that writs were sent to Ireland just as frequently when the king was outside England as when he was in the realm, with 8 Irish writs enrolled out of 158

<sup>687</sup> There is an emerging trend which becomes more apparent later in John's reign, whereby Irish writs are entered in small groups, even where writs are not dated closely together. For example, in the roll 8 John eight of the 15 Irish entries are entered in a single batch, and in the roll for 9 John, there are four batches of three to five writs entered together and two writs entered separately. By the last years of John's reign there is rarely ever a single Irish entry enrolled alone. *RLC*, 78, 96-98, 106.

<sup>688</sup> The roll for 6 John has 8 Irish entries out of 941 (0.8%), the roll for 7 John has 8 of 1042 (0.7%), the roll for 9 John has 15 out of 765 (1.9%), the roll for 14 John has 1 out of 295 (0.3%), the roll for 17 John has 35 out of 1350 (2.5%) and the roll for 18 John has 19 of 520 (3.6%).

entries when John was in France (5%) and 12 Irish writs enrolled out of 660 total entries after he returned to England (1.8%). The number of Irish writs being enrolled after the loss of Normandy, therefore, fluctuates around the same rate as seen before 1204.

What does appear certain, before the loss of Normandy, is that Irish writs were enrolled in the English rolls less regularly than Angevin writs were in the Norman rolls, although perhaps at a similar rate to Poitiven entries, at least until John became confined to Normandy in the latter part of 1203. After 1204 there are similarities in the rate of enrolment of Irish and Gascon entries, which are almost entirely absent from the Norman rolls but do occasionally appear in the later close rolls.<sup>689</sup> It is possible that the chancery had a similar perception of the place of Ireland and Poitou amongst the other Angevin lands.

Table 26: Location of Entries in the 'Norman' Close Rolls 1199-1204

Norman Rolls Dates and Location	Total Entries	Norman writs	Angevin writs	Poitiven writs	Other (incorrectly entered/damaged)
2 John (in France) c. 18 weeks	<b>92</b>	63 (68.5%)	21 (23%)	5 (5.5%)	3
2 John (in England) c. 27 weeks	<b>14</b>	11 (78.5%)	-	2 (14%)	1
4 John (in France) c. 48 weeks	<b>443</b>	385 (86%)	28 (6.5%)	14 (3%)	16
5 John (in France) c. 23 weeks	<b>214</b>	185 (86.5%)	3 (1.5%)	-	26
5 John (in England) c. 24 weeks	<b>4</b>	2	-	-	2

<sup>689</sup> There is only a single entry in the 'Norman' rolls from before 1204 which could be considered a 'Gascon' entry, in the roll for 4 John, which is a writ addressed to: *Sen' Pict' [e]t Wascon'* rather than just to the seneschal of Poitou. There are also three similar 'Gascon' entries in the patent roll for 4 John, addressed to '*om[n]ib[us] ball[ivibus] Pict' [e]t Wascon'* or '*om[n]ibus [e]tc de Wascon' [e]t Pet[r]ago[rum]'*', as well as four entries for the men, burgesses, churchmen and bishop of Guyenne. *Rot. Norm.*, 48; *RLP*, 21, 23, 25.

When we look at the impact of the loss of Alençon in January 1203, after which John was confined to Normandy, we see that the number of both Angevin and Poitiven writs is reduced. In the first half of the roll, covering the time before Alençon was lost, there are 18 Angevin entries and 14 Poitiven entries, accounting for 8% and 6% of all entries made in that time. In the remaining part of the roll, after the roads south were cut off, no Poitiven entries are enrolled and just 10 Angevin entries, which account for 5% of entries in that part of the roll.<sup>690</sup> The extant membranes of the roll for 5 John also includes no Poitiven entries and only a minimal number of Angevin entries.

The 'Norman' rolls also provide some evidence that correspondence with Anjou and Poitou was more limited than that with Normandy when John was in England. Although we must consider that by the fifth year of John's reign much of Anjou and Poitou, although not Gascony, was no longer under John's control and there is very limited evidence from the extant 'Norman' rolls covering time John was in England. As the majority of extant membranes in the Norman rolls cover time when John was in France, it is worth looking into the changes in John's itinerary in France in more detail.

We do not have a surviving close roll from John's first year but can note that he spent the majority of his time in France, mostly in Normandy, whilst making one trip to the south

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<sup>690</sup> There are 220 entries before 22 January 1203, when Powicke dates the loss of Alençon, and about 201 entries after this date. Powicke, *Normandy*, 157-158.

and spending at least a month in Poitou throughout November 1199.<sup>691</sup> In the same regnal year, he made two brief trips to England, first for a month at the start of the year to confirm his succession and be anointed in May 1199 and then two months in March and April of 1200 at the very end of the regnal year, before returning to Normandy for the beginning of the following regnal year on 18 May 1200. After a few weeks in Normandy, John travelled south and was in Anjou throughout June and reached Poitou in early July and then Gascony by late July, going as far south as Saint-Sever Abbey on 27 July. John remained in Gascony throughout August, returning north via Angoulême on 27 August and rapidly traveling through Poitou and Anjou in the first week of September, reaching Alençon on 6 September. He spent September in western Normandy before crossing to England between 1 and 6 October 1200 where he remained for the rest of the regnal year, only returning to Normandy at the start of June 1201 at the beginning of his third regnal year.

We have only an English close roll for 3 John, so can quickly remark that he remained in France for the rest of that year, making three journeys south, twice to Anjou and once to Poitou and Angoulême. John was in Normandy from the start of his fourth regnal year on 23 May 1202 until the very end of July, except for a brief visit to Le Mans around 24 and 25 June. Then on 30 July, John rushed south from Normandy to relieve Arthur of Brittany's siege of Mirebeau in Poitou. He then travelled back north in less haste, remaining for a few days in Anjou, before returning to northern Normandy between 8 and 12 August

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<sup>691</sup> The following description of King John's itinerary in the first five years of John's reign is based on the data provided by Thomas Duffus Hardy in his itinerary tables, drawn from the teste clause of the various chancery rolls and published in his edition of *Rotuli Litterarum Patentium*. The itinerary tables can be found between the introduction and main text of the edition. T.D. Hardy, 'Itinerary of King John', in *RLP*.

and then spending a week at Le Mans. For the rest of 1202 John was constantly moving between Normandy and Anjou. From 20 August until at least 16 September he was in Anjou, between 29 September and 29 October he was back in Normandy, and then from 1 November to 5 December he was again in Anjou. John does not appear to have gone further south than Chinon during these months and did not return to Poitou or Gascony after his victory at Mirebeau until later in his reign after the loss of Normandy. Throughout the next twelve months, encompassing the second half of the fourth regnal year and the first half of the fifth regnal year, except for another brief stay at Le Mans around 21 and 22 January 1203, John remained confined to Normandy, until he crossed the channel to England on 5 December 1203.

Table 27: John's Itinerary and Location of Entries in the 'Norman' Close Roll for 2 John

Norman Roll 2 John				
<i>Location and Dates</i>	Total Entries	Norman writs	Angevin writs	Poitiven writs
<i>Normandy (17 May – 7 June)</i> <i>c. 3 weeks</i>	<b>20</b>	17 (85%)	1 (5%)	2 (10%)
<i>Le Mans (8 June)</i> <i>&lt; 1 week</i>	<b>2</b>	2	-	-
<i>Anjou (10 June – 1 July)</i> <i>c. 3 weeks</i>	<b>17</b>	12 (70%)	5 (30%)	
<i>Poitou/Gascony (4 July – 28 Aug.)</i> <i>c. 8 weeks</i>	<b>8</b>	3 (37%)	4 (50%)	1 (13%)
<i>Anjou (1 Sep. – 4 Sep.)</i> <i>&lt; 1 week</i>	<b>4</b>	2 (50%)	1 (25%)	1 (25%)
<i>Normandy (5 Sep. – 1 Oct.)</i> <i>c. 3 weeks</i>	<b>38</b>	28 (74%)	10 (26%)	-
<i>England (10 Oct. – 9 April)</i> <i>c. 27 weeks</i>	<b>13</b>	11 (85%)	-	2 (15%)

Table 28: John's Itinerary and Location of Entries in the 'Norman' Close Roll for 4 John

Norman Roll 4 John				
<i>Location and Dates</i>	Total Entries	Norman writs	Angevin writs	Poitiven writs
<i>Normandy (23 May – 29 July)* c. 9 weeks</i>	<b>131</b>	115 (87%)	8 (6%)	8 (6%)
<i>Chinon [Siege of Mirebeau] (c. 5-6 August)</i>	<b>3</b>	1 (33%)	2 (66%)	-
<i>Maine/Normandy [Falaise, Alencon, Argentan, Le Mans] (c. 7 - 16 August) c. 1 week</i>	<b>20</b>	16 (80%)	2 (10%)	2 (10%)
<i>Anjou (c. 21 August – c. 16 September) c. 3 weeks</i>	<b>12</b>	8 (66%)	3 (25%)	1 (8%)
<i>Normandy/Maine (c. 29 September – 29 October) c. 4 weeks</i>	<b>7</b>	6 (85%)	1 (15%)	-
<i>Anjou (3 November – 5 December) c. 5 weeks</i>	<b>6</b>	3 (50%)	1 (15%)	2 (35%)
<i>Normandy (6 December – 14 May) c. 23 weeks</i>	<b>242</b>	230 (95%)	11 (4%)	1 (1%)

The first notable conclusion to be made from these tables is that even when John was in Anjou and Aquitaine, entries for Norman writs remained the most regularly enrolled.<sup>692</sup> There are, however, certainly fewer Norman writs enrolled when John was elsewhere in France, although not as few as when he was in England. In the roll for 2 John, 46 Norman

<sup>692</sup> Perhaps unsurprising considering the much higher percentage of Norman writs present in the rolls in general.

writs are enrolled in the seven weeks spent in Normandy (6.5 per week), compared to 17 writs in the twelve weeks spent in Anjou and Aquitaine (1.5 per week) and 13 writs in the twenty-seven weeks spent in England (0.5 per week). In the roll for 4 John, 364 Norman writs are enrolled in the thirty-seven weeks spent in Normandy (9.8 per week) compared to 12 writs in the eight weeks John was in Anjou (1.5 per week).

The second conclusion, is that there is not, however, any clear evidence that Angevin and Poitiven writs were enrolled more regularly when John was in either of these regions. During the two months when John was in Aquitaine in his second regnal year, only one of the seven Poitiven writs from that year was enrolled.<sup>693</sup> Unfortunately we do not have any surviving Norman rolls covering any other year when John visited Poitou before 1204, but the very minimal evidence from the roll for 2 John suggests that writs for Poitou were not being enrolled more regularly when the king visited his southern lands.

In his second regnal year John spent just 4 weeks in Anjou and in that time 6 of the 21 total Angevin writs were enrolled (1.5 per week).<sup>694</sup> The other 15 writs were entered either whilst John was in Aquitaine (4 at a rate of 0.5 per week) or Normandy (11 at a rate of 1.8 per week) with no Angevin writs entered when John was in England. The high rate of enrolment in Normandy is mostly caused by an unparalleled high number of entries made in the three weeks John spent in Normandy before crossing to England, just after returning

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<sup>693</sup> In the second regnal year John spent 8 of the 45 weeks in Aquitaine (18%) and in that time only 1 of 7 writs were enrolled (14%).

<sup>694</sup> These four weeks in Anjou account for 9% of the regnal year, whilst the 6 writs enrolled in that time account for 28% of the Angevin writs for that year.



from the South. If we look at the general rate of enrolment, Angevin writs were still enrolled at a greater rate (1.5 per week) when John was in Anjou, compared to when he was elsewhere in France (1.1 per week), but it is not at a particularly notable difference.<sup>695</sup> In the roll for 4 John, 6 of the 22 Angevin writs are enrolled in the eight weeks when John was in Anjou (0.75 per week), whilst the other 16 Angevin writs were entered in the thirty-seven weeks John spent in Normandy (0.43 per week). Unlike the difference in enrolment of Norman writs inside and outside the duchy, where Norman writs are entered at five or ten times the 'external' rate whilst John was in Normandy, Angevin writs are at most enrolled at twice the 'external' rate when John is in Anjou. Partly this is due to the comparatively low level of enrolment of Angevin and indeed Poitiven writs in general, but there is also clearly a suggestion that the role played by the 'Norman' close roll in Anjou and Poitou was different to that it occupied in the Norman bureaucracy.

### The Last Norman Roll

On 7 December 1203, halfway through the fifth year of his reign, King John arrived in England, having crossed the channel from Normandy. This journey has been written into history as the final leg in John's retreat from his continental lands and as such is firmly placed within the context of the loss of Normandy. Indeed, John was not to set foot in Normandy again, only returning to the continent for short lived campaigns in southern

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<sup>695</sup> As no Angevin writs are entered whilst John was in England for the second half of that regnal year, the rate of enrolment for Angevin writs at all times John was not in Anjou can be calculated at c. 0.36 per week.

France in 1206 and 1214. At the time, however, this was not intended to be a permanent absence. When he left for England, John was already making plans to raise new forces and return to Normandy.<sup>696</sup> Even after the fall of Château Gaillard on 6 March 1204, John was still negotiating with Philip Augustus and must have believed that he could retain control of Normandy. These negotiations were ultimately unsuccessful and on 2 May 1204 a French army led by Philip entered Normandy and swiftly captured Argentan and Falaise, before moving on to Caen.<sup>697</sup> It is around this time that John appears to have begun to believe that he would lose control of the duchy and he instructed Peter de Lions to evacuate records from the exchequer at Caen. Two writs dated on 21 May 1204 were sent to the sheriff of Sussex and bailiffs of Shoreham, instructing them to organise transport for Peter and his baggage on to London.<sup>698</sup> Not long after, on 24 June 1204, the leaders of Rouen formally surrendered to Philip. Through the summer Philip consolidated his position in Normandy and then rapidly overran all but a few isolated stubborn pockets of resistance in Anjou and Poitou.<sup>699</sup> Over the next decade John remained hopeful of reclaiming his lost French lands, including Normandy, but in the short term at least he resigned himself to the business of securing his position in England.<sup>700</sup>

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<sup>696</sup> Church, *John*, 114-121; Powicke, *Normandy*, 127-250.

<sup>697</sup> At the same time Guy de Thouars, the regent of Brittany, had led a force of Bretons into western Normandy, burning Mont-Saint-Michael and capturing Avranches before joining King Philip at Caen. Powicke, *Normandy*, 257-259.

<sup>698</sup> *Rot. Lib.*, 102-103; *RLC*, 3. The two writs are enrolled twice as a pair, at the end of the 'English' close roll for 5 John and near the start of the close roll for 6 John.

<sup>699</sup> J. Bradbury, *Philip Augustus: King of France, 1180-1223* (London, Longman, 1998), 153-154.

<sup>700</sup> Church, *John*, 123-139.

An apparent consequence of the loss of Normandy in 1204, was the chancery taking the decision to stop the separate enrolment of 'English' and 'French' writs in the 'English' and 'Norman' close rolls. The same administrative change was also clearly required for the fine rolls. The singular fine roll for 6 John is the first to survive since the third year of John's reign. The roll contains seventeen membranes and 459 entries. There are 426 entries which pertain only to England, as well as six entries for Ireland.<sup>701</sup> In addition, there are also five entries for Gascony and the remaining areas of Poitou under John's control.<sup>702</sup> There is a single use of marginalia assigning an entry to *Wasconia* on the first membrane of the roll, a similar initial one-off use of marginalia for a 'French' entry is also seen in the close roll for 6 John.<sup>703</sup> The fine roll for 6 John, however, is somewhat counterintuitively the only fine roll on which the term *Anglia* is found in the contemporary title. No other extant roll from later in the reign identifies the roll as such. The explicit label of 'English' on the roll for 6 John perhaps indicates that the lost rolls for 4 John and 5 John may have also been labelled as such, or that the fine roll, being directly connected to the Westminster exchequer, was not considered the correct place for Gascon or Poitiven fines to be entered.<sup>704</sup> In any case, the separate 'Norman' fine rolls were clearly discontinued by the beginning of John's sixth year; with the exchequer at Caen having been lost the previous month, these rolls no longer had a role to play in John's administration.

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<sup>701</sup> TNA, C 60/2; *Rot. Ob. et Fin.*, 197-286.

<sup>702</sup> *Rot. Ob. et Fin.*, 200, 267, 269.

<sup>703</sup> TNA, C 60/2, m. 17; *Rot. Ob. et Fin.*, 200.

<sup>704</sup> TNA, C 60/2, m. 17: *Rotulus Finium receptor[rum] de Anglia anni regni Regis Joh[ann]is sexti*. [Tr. Roll of Fines having been received from England in the sixth year of the reign of King John]

As explored in detail in the previous chapters, for the fifth year of John's reign, both an 'English' close roll and fragments of a 'Norman' close roll have survived.<sup>705</sup> From the sixth year of John's reign, only a single close roll has survived. The same is true of the next three years. The single surviving close roll we have for each of the sixth, seventh, eighth and ninth years of John's reign at first appear to be the successors of what have been so far described as the 'English' close rolls from 2 John, 3 John and 5 John, being devoted mainly to the enrolment of writs sent to John's officials in England. The vast majority of entries are for English writs, but there are also Irish entries as seen in previous 'English' rolls and more significantly additional entries which pertain to the French lands still under John's control.

*Table 29: Location of Entries in the Close Rolls for 6 John and 7 John*

Regnal Year	Total Entries	English Entries	Irish Entries	'French' Entries
6 John	941 <sup>706</sup>	926	8	6
7 John	1042 <sup>707</sup>	1,028	8	5

It is worth considering briefly why such a small percentage of the entries in these rolls were for French business. Before 1204, the Norman close rolls consistently matched the size and rate of enrolment of their English counterparts; however, the majority of entries were for Norman or Angevin writs.<sup>708</sup> As those lands were subsequently lost, the close rolls from 6 John onwards were only enrolling entries for John's remaining lands in southern France, which in the Norman rolls accounted for 6.5% of entries in the roll for 2 John and

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<sup>705</sup> See above, 159-169.

<sup>706</sup> Including a letter sent to the Pope. *RLC.*, 1-33.

<sup>707</sup> Including a letter sent to the King of Scotland. *RLC.*, 33-70.

<sup>708</sup> The 'Norman' close roll for 2 John has 106 entries, of which 74 are Norman writs, 21 for Anjou and Maine, and 7 for Poitou and Aquitaine. The roll for 4 John has 434 entries, of which 39 are for Anjou or Maine and 16 for Poitou and Aquitaine. *Rot. Norm.*, 22-37, 45-98.

3.5% of entries in the roll for 4 John and are entirely absent in the surviving membranes of the roll for 5 John.<sup>709</sup> The minimal 'French' business found on the close rolls for 6 John and 7 John is consistent with the small percentage of comparable writs in the 'Norman' close rolls after the collapse of the Angevin heartlands in early 1203, with Philip Augustus or his allies having taken control of Angers, Alençon and Le Mans by April 1203.<sup>710</sup>

The patent roll for 6 John also has only two entries which were sent directly to John's remaining officials in France on the first three membranes of the roll, covering a period of time from the start of the regnal year until the beginning of September 1204, one on 29 July to the seneschal of Loches, and one on 10 August to the mayor and commune of La Rochelle.<sup>711</sup> Likewise, the first three membranes of the close roll, covering the same period of time, before the loss of the remaining loyal regions in Normandy and Anjou, in late August, contain only two 'French' entries, one the aforesaid undated writ for Gerard de Athée and the other a writ dated to 10 August and sent to Robert of Thornham as seneschal of Poitou.<sup>712</sup> When we look at the total number of entries for writs sent to 'French' officials in these two rolls, the proportion on the close roll 6 John is just c. 0.5%, compared to c. 3.5% on the patent roll for that year, although the significant increase in size in the close roll for 6 John goes

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<sup>709</sup> The 'Norman' roll 5 John contain 216 entries, of which only three are not Norman writs and all are for Anjou. Two of these entries were sent to Gerard de Athée who was acting as John's seneschal in Touraine and the other was sent to Hubert de Burgh and Philip Oldcotes who were leading the garrison at Chinon and administering the remaining loyal areas in Anjou as de-facto seneschals. *Rot. Norm.*, 98-122; Richardson, *Memoranda Roll*, 97-98.

<sup>710</sup> Powicke, *Normandy*, 155-160. Angers was lost as early as October 1202.

<sup>711</sup> Another three writs concerning French business are dated 16, 18 and 19 June, although these were sent to the king's English subjects or officials, ordering them to allow certain French merchants and fishermen to have safe conduct in England. *RLP*, 43-45.

<sup>712</sup> *RLC*, 2, 5.

some way to explaining the smaller percentage in that roll.<sup>713</sup> The close roll for 7 John is of a similar size to the previous year and also contains just five 'French' entries out of a total of 1042 entries, just below 0.5%.<sup>714</sup> The patent roll for that year is missing several membranes, with the first extant membrane dated to the end of November and start of December. The proportion of 'French' entries in the extant membranes can still be calculated, at c. 6.5 %, with 12 'French' entries out of a total 181.<sup>715</sup> In the eighth year of his reign John spent the half of the regnal year, from June to November 1206, campaigning in Poitou and Gascony. The rolls from that year are, therefore, not directly comparable with the years John spent in England and so should be excluded for the time being.<sup>716</sup> In the ninth year of the reign, the close roll contains 8 'French' entries out of 777, just over 1%.<sup>717</sup> The patent roll for the same year contains 8 'French' entries out of 229, at around 3.5%.<sup>718</sup> What these calculations for the sixth, seventh and ninth years of the reign can tell us is that the percentage of 'French'

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<sup>713</sup> There are eleven entries in the patent roll for 6 John sent to the king's French subjects, all to officials or towns in Poitou and Gascony, out of a total 286 entries in that roll. Once again, these writs sent to French subjects don't include entries for letters of safe conduct which may be sent to men overseas, including entries for grants to merchants from Ghent, Cologne, Spain and Portugal. The close roll for 6 John, however, has just 6 entries out of 941 entries in that roll. *RLP*, 42-55; *RLC*, 1-33.

<sup>714</sup> *RLC*, 150-166.

<sup>715</sup> *RLP*, 56-64.

<sup>716</sup> As with the rolls for the years before the loss of Normandy, the rolls contain a significant number of entries for writs sent to various 'French' subjects whilst John was in France, notably these were sent to a wider variety of Poitiven and Gascon officials and towns than seen in the rolls for other years. See below, 305-308.

<sup>717</sup> Including three entries for the Channel Islands, which were found in the 'Norman' close rolls before 1204. *RLC*, 166-178.

<sup>718</sup> Including two entries for the Channel Islands. *RLP*, 73-83.

entries in the patent rolls is between 3.5% and 6.5%, and, between 0.5 and 1% in the close rolls.<sup>719</sup>

John's sixth regnal year began on 3 June 1204, with Easter and therefore Ascension Day falling exceptionally late that year. This was only days after Peter de Préaux, leading the garrison at Rouen, had agreed a temporary truce with Philip Augustus on 1 June, stipulating that they would surrender within 30 days if John had not sent assistance to relieve the siege. In fact, Rouen surrendered to Philip just twenty-three days later, on 24 June 1204.<sup>720</sup> The first 'French' writ enrolled on the close roll for that regnal year is found on the first membrane of the roll, and was sent to Gerard de Athée, who was still acting as one of John's officers in Anjou.<sup>721</sup> Although the writ itself is not dated, it is entered amongst several writs dated between 3 and 7 July 1204, shortly after the surrender of Rouen but before the remaining

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<sup>719</sup> Due to the significant changes in enrolment caused by the loss of Normandy and Anjou, as well as the previously documented changes in rates of enrolment caused by John's itineration, comparisons with the years before the loss of Normandy are unreliable for the patent rolls. There are no extant membranes before September 1201 in John's third regnal year. The patent rolls from before the fall of Normandy were therefore created whilst John was only itinerant in France. In the final half of the patent roll for 5 John, covering the time period after his return to England but before the loss of Normandy and Anjou towards the end of that regnal year, only seven out of 119 entries (c. 3.5%) were sent to 'French' officials, no more than we see in the patent rolls for the following years. We would perhaps expect to see more 'French' entries whilst Normandy and parts of Anjou were still under John's control. It is worth noting that this section of the roll includes entries sent to officials in Normandy and Anjou, but none to John's officials in Poitou or Gascony, which may explain the lower-than-expected proportion of 'French' entries, despite confirming that communications with Anjou and Normandy continued. As 'French' entries in the close rolls before 1204 were heavily dominated by 'Norman' entries, it remains likely that enrolment in the 'Norman' close roll for 5 John would have been much greater than seen in the close rolls for the following years. Indeed, the percentage of Poitiven entries was 6.5% in the 'Norman' roll for 2 John and 3.5% in 4 John. Furthermore, as an example of how the king's itineration affected enrolment, the section of the patent roll for 5 John before his return to England contains 196 entries, of which seventy-six, or c. 39% were sent to officials and subjects in France. The overall percentage in the patent roll for 5 John is c. 26.5%, with 83 entries sent to French officials or subjects out of 315 entries.

<sup>720</sup> Powicke, *Normandy*, 262.

<sup>721</sup> TNA, C 54/1, m. 21.

loyal Angevin fortresses were lost to Philip Augustus.<sup>722</sup> Although Gerard himself held out until early in June 1205 at Loches and Hubert de Burgh defended Chinon until 23 June 1205, most of Anjou was lost in the summer of 1204.<sup>723</sup> The entry is indicated by marginalia to pertain to Anjou and is the last entry in the close rolls to have any form of location marginalia, a common feature of the earliest rolls, especially the Norman rolls, until the roll for the eighth year of the reign, when John returned to France.<sup>724</sup> The writ certainly appears to have been deliberately, and not mistakenly, entered onto that particular roll, with marginalia confirming that the writ pertained to Anjou, but no brackets or notes indicating that the entry should be cancelled or enrolled elsewhere. As there was subsequently consistent enrolment of other 'French' writs without such corrections, it feels safe to conclude that this was not simply the result of a writ entered onto the wrong roll without the mistake being noticed.

The next 'French' entry on the roll, sent to Robert of Thornham as seneschal of Poitou, is found on the third membrane and dated to 10 August 1204.<sup>725</sup> Another two entries on the seventh membrane were made for a writ dated 9 October which was sent to both Robert as seneschal and to the mayor and commune of La Rochelle.<sup>726</sup> The final two 'French' entries were for writs sent to the bailiffs, mayor and commune of La Rochelle and to Martin

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<sup>722</sup> *RLC*, 2b. It is perhaps notable that the writ is the only undated entry on this membrane and is one of very few undated entries on the first half of the roll. It is possible that this indicates some confusion where the writ should have been enrolled or that the *contra brevia* of that writ had not been properly stored.

<sup>723</sup> Powicke, *Normandy*, 160, 264.

<sup>724</sup> *RLC*, 73-75.

<sup>725</sup> *RLC*, 5.

<sup>726</sup> *RLC*, 11.



Algaïs seneschal of Gascony, dated 28 February and 30 April respectively.<sup>727</sup> These entries are, therefore, spread across the year, but with the exception of the writ sent to Gerard de Athée, they are confined to correspondence with John's officers in Aquitaine. The reduced communication with Anjou is certainly understandable as both Gerard de Athée and Hubert de Burgh were preoccupied with defending the sieges of Loches and Chinon from late Autumn of 1204.<sup>728</sup> Furthermore, although the lines of communication between England and Aquitaine must have remained through the maritime route to La Rochelle and Bordeaux, southern France and Anjou had become steadily more isolated ever since the fall of Château Gaillard.<sup>729</sup> The deliberate enrolment of 'French' writs alongside English and Irish entries on the first few membranes of the close roll for 6 John, suggests that the chancery had made the decision to start enrolling letters close onto a single roll at the start of John's sixth regnal

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<sup>727</sup> RLC, 21, 30.

<sup>728</sup> Although Powicke declined to explore the 'war in the south' in detail a good account of the correspondence sent to Robert of Thornham, Gerard de Athée and Hugh de Burgh and their movements in 1204 is given in: M.C. Rickaby, 'Girard d'Athée and the Men from the Touraine: Their Roles under King John', unpublished PhD thesis (Durham University, 2011), 25-29.

<sup>729</sup> The overland route from Normandy to southern France appears to have remained closed to John's messengers through the remainder of his reign, as we find Henry III negotiating with Blanche of Castille, then acting as regent in France, for the return of a route to his lands in southern France in circa 1229. In instructions to commissioners employed to negotiate a peace with France, Henry demands the return of all lands overseas except for Normandy and also that '*de Normanniae retineatur ad opus regis unus episcopatus vel duo, ad transitum habendum ad terras praedictas* [i.e. Anjou and Maine]; *scilicet episcopatus Albricensis et Constanciensis*' [Tr. 'One or two bishoprics from Normandy shall be retained for the use of the king, namely the bishoprics of Avranches and Coutances, for having passage to the aforementioned lands']; suggesting that a secure passage from Normandy to southern France was as significant a priority as the return of the Angevin heartlands, see no. 288 in *Royal and other historical letters illustrative of the reign of Henry III: from the originals in the Public Record Office*, 2. vols. ed. by W. Shirley, (London, Longman, 1862-1866), i (1862), 350-351. A reference in the misae roll 14 John rewarding a knight, Alan Hanselin, '*qui fecit capi nuncios Regis Francie cum litteris*' [Tr. 'Who captured a certain messenger with letters of the King of France'], shows us that passage through John's lands was similarly denied to French messengers. *Documents Illustrative of English History in the Thirteenth and Fourteenth Centuries*, ed. by H. Cole (London, Record Commission, 1844), 261. A detailed study of the messengers [*nuncii*] who would have carried most of the writs enrolled within the chancery rolls is given in: M.C. Hill, *The King's Messengers, 1199-1377* (London, Arnold, 1961), 8-13. Unfortunately, the lack of detailed material for John's reign, especially before 1209, does not allow any insight into the use of messengers during or after the fall of Normandy.

year, which began on 3 June 1204. In fact, if we accept that the writ sent to Gerard de Athée can be dated to the first week of June then it indicates that a decision may have already been made to stop the separate enrolment of Norman writs before the surrender of Rouen on 24 June 1204. It is, therefore, likely that the 'Norman' close roll for 6 John was never started and from its inception the chancery clerks considered the 'English' close roll for 6 John to be the proper destination for all 'French' or 'English' entries.

Although it is generally accepted that the separate enrolment of 'French' writs was discontinued at the start of John's sixth regnal year, it has been suggested that this decision was taken some time before that regnal year began, with Richardson's argument discussed above, implying that the 'Norman' close roll 5 John stopped being compiled several months before the end of that regnal year. If we accept our earlier conclusion that a membrane is missing from the 'Norman' roll 5 John, however, we must also conclude that the chancery did not make the decision to stop enrolling 'English' and 'French' letters close separately until near to or at the end of the fifth year of the reign on 2 June 1204.<sup>730</sup>

Indeed, the patent roll for 5 John, contains seven entries sent to John's officials or subjects in France, out of the 119 entries in the section of the roll covering the five months of

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<sup>730</sup> See above, 170-171.

the regnal year after John left Normandy for the last time.<sup>731</sup> The enrolment of these writs indicates that the mechanics of both correspondence with administrators over the channel and enrolment of that correspondence was continuing after 5 December 1203. There is a notable gap of undeniably 'French' entries in the patent roll until the enrolment of a writ sent to the seneschal of Normandy and custodians of the Jews in Normandy dated to 19 February, although this entry is enrolled out of chronological order, following a number of writs dated to the end of March.<sup>732</sup> That entry is immediately followed by an undated entry of memoranda that William Crassus the seneschal was ordered by letters patent to allow anyone bringing supplies to Rouen to be permitted entry to Normandy and that he should guard and protect them.<sup>733</sup> Later in the roll there is an entry for a writ dated 8 April 1204 sent to William Crassus, an undated entry for a writ sent to Hugh de Burgh and Philip Oldcotes at Chinon, and an entry dated 1 May 1204 sent to all the men of the lands of the abbot of Saint-Mont-Michel, ordering them to provide aid to the abbot in defending and garrisoning the Mount. In addition, there are two entries concerning safe conduct which pertain

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<sup>731</sup> *RLP*, 37-42. It is possible that more entries in that section of the roll refer to letters patent sent to France, with around 15 entries made for grants of safe conduct, simple protection or pardoning fugitives where it is not possible to identify the benefactors. There are also entries for letters patent sent to the Knights Templar in France, the Count of Guines, who held lands in England, and the citizens of Cologne. Such letters patent sent to foreigners granting rights in John's lands should, however, be considered separately to entries for letters patent sent to John's officials in Normandy.

<sup>732</sup> *Ibid.* A few entries concerning letters patent for John's subjects who were almost certainly in France, but who cannot be definitively identified as such, are enrolled before the entry in question in the section of the roll after John returned to England. An undated entry is enrolled amongst entries dated at the beginning of March, noting that Brice the Chamberlain who had acted as John's seneschal in Anjou until April 1203 and appears to have defected to Philip in early 1204, had letters patent of safe conduct. An entry dated 18 March 1204 was sent to a *Willelmo Moř* to distraint a Robin fitzRichard. It is possible that this may refer to the William Mortimer who served as one of John's officials in Normandy. Finally, an undated entry is enrolled amongst a large number of entries dated to 26 March 1204, after which the entry dated to 19 February for the seneschal of Normandy and custodian of Jews is entered, noting that the mayor and commune of Niort in Poitou were ordered to obey William Cocus, to whom John had previously granted the farm of that town.

<sup>733</sup> *RLP*, 39b.

specifically to Normandy or the king's French subjects. There is an entry addressed to 'omnibus etc. de Normanniae etc.' which is dated 16 April and grants safe conduct to a Goldewin Gernon in Normandy. Another entry dated 28 April grants safe conduct to Richard Morin to sell wheat from his land in Cahaignes. Finally, the charter roll for 5 John also contains a small number of grants, concerning or for, institutions or lands in France, dated whilst John was in England after 5 December 1203.<sup>734</sup> In those two series of rolls in which English and French business was apparently always entered in tandem, there is no indication of any changes in the process of enrolment.

Furthermore, an undated letter sent to Roger de Lacy and the garrison of Chateau Gaillard which was intercepted by the French king's men and enrolled in Philip Augustus' royal registers, is likely more evidence that correspondence was still being sent to Normandy in early 1204. The letter encouraged the garrison to keep fighting, and if they were unable to continue to hold out, that they should do as ordered by Peter de Préaux, William Mortimer and Hugh of Wells.<sup>735</sup> Powicke has argued that the reference to Hugh of Wells suggests that the letter was sent in January 1204, when Hugh was sent to Normandy as a messenger.<sup>736</sup> Although a more conservative dating of the letter places it between September 1203 and May 1204, Powicke's theory can be supported by a review of Hugh's

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<sup>734</sup> For example, a confirmation of their previous rights and liberties to the monks and monastery of St. Martins of Troarn dated 18 January 1204, a grant of an annual payment at the exchequer to Fontevraud Abbey dated 2 May 1204, a grant to the citizens of Angoulême of the same rights given to the citizens of Rouen dated 18 May 1204. Additionally, the charter confirming the dower granted to Isabella de Angoulême, dated 5 May, grants lands in Falaise, Domfront and Bonneville-sur-Touques alongside the gifts in England. *Rot. Chart.*, 124-125, 127-128, 132.

<sup>735</sup> Vatican Library, Philip Augustus, Register A, Ottobonni Lat. MS 7796, f. 38v, and printed as, no. 46 in *Les Registres de Philippe-Auguste*, ed. by J.W. Baldwin (Paris, Imprimerie nationale, 1992), 493.

<sup>736</sup> Powicke, *Normandy*, 255-256 (n. 5), 259 (n.40).

appearance in the charter rolls. In the fifth year of the reign Hugh of Wells is found acting as the chancery notary on multiple occasions between 4 July 1203 and 4 December 1203, and then witnesses a charter issued 18 December at St Edmunds. He is then entirely absent from the charter rolls until 1 May 1204 when he reappears as the chancery notary and is then once again a constant presence in the household and chancery over the next several years.<sup>737</sup> It is only in the period when he was sent to Normandy in January and February 1204, therefore, that Hugh would likely have been considered a point of contact for the garrison at Château Gaillard. Similarly, the presence of the other men named alongside Hugh, namely, Peter de Préaux and William Mortimer, would support Powicke's argument of the letter being sent in January, as both were left in positions of command after John left for England in December 1203.<sup>738</sup> If we can date the letter to January 1204, then, as well as supporting the continued existence of a system of cross channel administration, it is even possible that this letter was indeed entered in the Norman close roll, on a lost membrane. Further evidence of the survival of a functioning cross channel administration in 1204 is found within the English close roll as late as 3 May. A writ sent to William the treasurer at the exchequer informs him that William Le Gros, the seneschal of Normandy, had sent letters to notify the king that the barons of the Caen exchequer had received money from the English treasury on Easter day, 25 April 1204.<sup>739</sup>

As the final 'French' entries in the patent roll and charter roll for the fifth years of the reign are dated to 1 May and 18 May 1204 respectively, it is likely that normal chancery

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<sup>737</sup> *Rot. Chart.*, 107-115, 127.

<sup>738</sup> Powicke, *Normandy*, 248, 261-263, 347, 350.

<sup>739</sup> *Rot. Lib.*, 96.

processes continued until late May of 1204 at the very least.<sup>740</sup> An earlier date around which a decision may have been taken to suspend that separate enrolment is shortly before 21 May 1204, when Peter de Lions was bringing the charters, rolls, and records of the Caen exchequer to England. It would certainly make some sense that the 'Norman' fine roll was discontinued around this time, although as there were no more than two weeks left in the regnal year at this point there would have been little practical difference if a decision were made to stop enrolling French writs in a separate close roll around 21 May or at the end of the regnal year.

The latest date when the decision must have been made is at the start of June 1204, with the first 'French' writ entered on the close roll for 6 John amongst entries dated between 3 and 7 June.<sup>741</sup> The early appearance of this entry seems to be evidence that the chancery did not begin to draw up a separate 'Norman' counterpart at any time in John's sixth regnal year and so must have decided to enrol 'English' and 'French' letters close together on the same roll at the very start of that regnal year. The typical lower rate of enrolment of 'French' entries whilst the royal household was in England, moreover, would also have provided the chancery with some time to make the decision to stop separate enrolment between May and June of 1204. Although Rouen did not surrender to Philip Augustus until a month into the fifth regnal year, John and his chancery clerks would have been aware that Normandy was practically out of his control from mid or late May, and with it the vast majority of 'French' writs requiring enrolment into the 'Norman' close roll.

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<sup>740</sup> *RLP*, 41b; *Rot. Chart.*, 132b.

<sup>741</sup> *RLC*, 2.

Although the process of enrolment certainly occurred continuously throughout the year, the chancery rolls were still not exactly contemporaneous records, and the place-date of entries does not always match the date of enrolment. It is possible, therefore, that the decision to stop separate enrolment was made at the time the first 'French' entry was entered onto the close roll for 6 John, rather than a more official or formal order being issued on 3 June. After all, it is just a quirk of history that the fall of Normandy happened to overlap with the start of a new regnal year, allowing the chancery to make such a clean break with separate enrolment.

#### Rates of Enrolment after 1204 and Evidence from the Justiciar's Roll

Although the focus of this thesis is on the chancery rolls between 1199 and 1206, greater understanding these rolls can be found in the close rolls from later in the reign. The rate of enrolment and types of writs enrolled in the latter years of John's reign can help us explain the trends identified in the rolls from before the loss of Normandy.

First, the rate of enrolment in the close roll for 6 John, the first year after the loss of Normandy in which the king remained in England, can be calculated at c. 79.5 entries a month.<sup>742</sup> At almost double the rate seen in the roll for 5 John, the influence of the large number of *terre data* entries concerning the gift of *Terre Normannorum* is very clear, although

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<sup>742</sup> 916 (25) entries made between 3 June 1204 and 18 May 1205. *RLC*, 1-33.

such a sudden increase demonstrates again why the rate of enrolment seen in 5 John after John's return to England needs to be looked at in more detail.<sup>743</sup> The following year, when John again remained confined to England, sees a similar rate of enrolment of c. 85.5 entries a month.<sup>744</sup>

In the eighth year of his reign John returned to France, campaigning briefly in Anjou and Poitou. After the loss of Normandy, John left England on just five occasions, once to Scotland in 1209, to Ireland in 1210, to Wales in 1211 and twice for campaigns in Poitou.<sup>745</sup> No close rolls have survived covering John's campaigns elsewhere in the British Isles but both trips to France can be found in the rolls, allowing us to observe the impact of leaving England on the rate of enrolment in the close rolls after 1204. As Normandy and much of Poitou remained outside his control, this period cannot be directly compared to the previous years when John's itinerary took him into France, especially considering the vast differences seen in the enrolment of Norman and Poitiven business. They will, however, allow us to observe whether enrolment of English entries still decreased when the king was out of England despite there no longer being a Norman counterpart to take over as the dominant roll. The average rate of enrolment throughout the roll for 8 John does notably drop to c. 32 entries a month, heavily driven apparently by a reduction in the months John spent in France.

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<sup>743</sup> Moore, 'Terre Normannorum', 1081.

<sup>744</sup> 1028 (14) entries made between 19 May 1205 and 10 May 1206. *RLC.*, 33 -70.

<sup>745</sup> Church, *John*, 175-188.



Table 30: Rates of Enrolment in the Close Roll for 8 John

Close Roll 8 John		
Location and Dates	Number of Entries (dorse)	Estimated Monthly Rate of Enrolment
England (11 May – c. 1 June 1206) 0.5 Months	66 (4)	c. 132 a month
France (c. 8 June – c. 14 Nov. 1206) 5 Months	62 (3)	c. 12 a month
England (c. 13 Dec. 1206 – 30 May 1207) 5.5 months	259 (5)	c. 47 a month

A roll for the ninth year of the reign, compiled whilst John remained in England, has a rate of enrolment of c. 70 entries a month, comparable with the new normal level of enrolment in the half a decade after the loss of Normandy.<sup>746</sup> The rolls for the next few years are not extant, perhaps as a result of disruption to chancery activities during the papal interdict placed on the kingdom in March 1208, during which time the expedition to Ireland took place. The next surviving roll, for 14 John, compiled whilst still under the interdict, has a rate of enrolment of just c. 23 entries a month.<sup>747</sup> It is possible that the small size of the roll can be attributed to the impact of the interdict, which was lifted in May 1213 at the very end of that regnal year.

The following two surviving rolls, for 15 John and 16 John, cover John's second campaign in southern France between February and October 1214 and have an average rate of enrolment of c. 46.5 and 65.5 entries a month respectively. The figures for the roll for 15

<sup>746</sup> With c. 765 (12) entries between 13 June 1207 and 14 May 1208. *RLC*, 84-115.

<sup>747</sup> There are 295 (51) entries made between 3 May 1212 and 22 May 1213. *RLC*, 116-133.

John are mostly taken from a roll (C 54/7) that Hardy considered a duplicate or copy of a lost original.<sup>748</sup> Although the roll does appear to be a copy, with minimal marginalia and corrections, the dorse is heavily used for both memoranda and *contrabrevia*, perhaps suggesting that it was a copy made close to the time the original roll was being compiled. Two other rolls survive from the same year and from them the entries on the heavily damaged final membrane of the first roll can be supplied.<sup>749</sup> Although one of these rolls (C 54/6) appears to be an original roll, bearing various marginal annotations, cross references and corrections seen in the original rolls, the roll inexplicably omits a large number of entries between 31 July and 8 November 1213, the skip occurring in the middle of a membrane and without any indication that a part of the roll has been lost. The final roll (C 54/8) appears to be a copy of that surviving original roll (C 54/6), also missing entries between July and November. The presence of a doodle of a head in the margin of membrane three may allow us to date this copy to after John returned from Normandy, when similar doodles begin appearing in the original rolls.<sup>750</sup> It appears then that two original rolls were created in the fifteenth year of John's reign and duplicates made of both, although one of these original rolls for whatever reason was not being compiled in August, September and October, from when around 90 entries are found in the first duplicate roll. As figures are mostly supplied from a duplicate it is worth noting that, as has been shown from studies of other duplicates of John and Henry III's reign, not every entry found on the original roll was copied into the duplicate. Furthermore, all the surviving rolls are lacking a part of the year. There are 148 entries in the original roll (C 54/6) between the start of the year on 23 May and

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<sup>748</sup> TNA, C 54/7.

<sup>749</sup> TNA, C 54/6, 8.

<sup>750</sup> TNA, C 54/8, m. 3.

the entry for 31 July, before the lacuna, whereas the duplicate roll (C 54/7) for that period, starts in late June but still contains 90 entries before the last entry for July. The rate of enrolment calculated for the time John spent in England of c. 57 entries a month is therefore certainly a low estimate.<sup>751</sup> The figures for the roll for 16 John are taken just from the original roll, although a duplicate roll survives from this year as well.<sup>752</sup>

Table 31: Rates of Enrolment in the Close Rolls for 15 and 16 John

Close Roll 15 John <sup>753</sup>		
Location and Dates	Number of Entries (dorse)	Estimated Monthly Rate of Enrolment
England (23 May 1213 – c. 8 Feb. 1214) 8.5 months	c. 488 (45)	c. 57 a month
France (c. 15 Feb. – 7 May 1214) 3 months	c. 45	c. 15 a month
Close Roll 16 John <sup>754</sup>		
France (8 May – c. 2 Oct. 1214) 5 months	158 (15)	c. 31 a month
England (c. 15 Oct. 1214 – 27 May 1215) 7.5 months	660 (30)	c. 88 a month

The roll for 17 John, the last full roll compiled under John, has a rate of enrolment of c. 112 entries a month.<sup>755</sup> Finally, the roll for 18 John, covering the last months of John's reign, has a rate of enrolment of c. 104 entries a month.<sup>756</sup> The substantial rates of enrolment in the final years of the reign can be partially linked to the baronial rebellions and civil war which

<sup>751</sup> Hardy, 'General Introduction to the Close Rolls', in *RLC*, ix-xi

<sup>752</sup> In addition to both the original chancery close roll (TNA C 54/10) and a duplicate roll (TNA C 54/9) for 16 John, a roll kept by Peter des Roches, as justiciar, has survived (TNA C 54/11) covering the period John was absent from England between 19 May and 9 October 1214. This justiciar's roll has 266 (14) entries, with a rate of enrolment of c. 53 entries a month. TNA, C 54/9-11.

<sup>753</sup> TNA, C 54/6-8; *RLC*, 133-166.

<sup>754</sup> TNA, C 54/10; *RLC*, 166-204.

<sup>755</sup> There are c. 1350 (36) entries made between 28 May 1215 and 18 May 1216. *RLC*, 213-270.

<sup>756</sup> There are c. 520 entries made between 19 May 1216 and 17 October 1216. *RLC*, 271-291.

dominated these years as well as the general growth in the rolls which would continue into Henry III's reign.

The rolls compiled whilst John remained in England in the years after the loss of Normandy in June 1204, with the exception of the roll for 14 John made under the interdict, have an average rate of enrolment of c. 81 entries month.<sup>757</sup> In comparison, whenever John was in France after 1204, the rate of enrolment was between 12 and 31 entries a month. As 'English' entries make up the vast majority of business enrolled, these differences demonstrate that the rate of enrolment of 'English' entries was significantly reduced when John was in France. Similarly, it would appear that 'French' entries were also still enrolled at a greater rate whilst John was in France, although the significantly smaller number of 'French' entries enrolled in general led to the overall rate of enrolment remaining lower than that seen in England.<sup>758</sup> If we look at only the 'English' counterpart rolls from before 1204, then the average rate of enrolment when John was in England was c. 38 entries a month, compared to c. 16 entries a month when John was in Normandy. The impact of John's itinerary on enrolment in the close rolls, therefore, did not really change after 1204, although the rolls had grown significantly. To understand what this can tell us about chancery

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<sup>757</sup> A slightly wider range of c. 47 – 132 entries a month is found when including the months spent in England during the years John was at times campaigning in France, although these figures are drawn from shorter periods of time.

<sup>758</sup> In the roll for 8 John, in the five months whilst John was in France, 19 out of the 62 entries were for 'French' business and another 10-15 were for household officials or other men who had joined John on campaign. In comparison, only 1 out of 66 entries made in the preceding half a month when was in England, was for 'French' business. In the roll for 16 John, 64 out of 158 entries made whilst John was in Poitou were for 'French' business, with very few French entries found throughout the remainder of the roll, when John had returned to England.

perceptions of John's various domains in the years before the loss of Normandy, we need to look at another important set of rolls from the latter part of John's reign.

One of these is a roll of letters close issued by Peter des Roches in England whilst John was in France in 1214, from here on referred to as the justiciar's roll.<sup>759</sup> As justiciar, Peter acted as regent whilst the king was abroad, sending and enrolling writs, which he had issued under his own name but under the king's seals, to local and regional officials and the exchequer.<sup>760</sup> His predecessor as justiciar, Geoffrey fitzPeter, had also acted as regent in England on the numerous occasions when John had previously been absent, including before the loss of Normandy and, before him, Hubert Walter had served as Richard I's justiciar and regent for the last 5 years of that reign, nearly all of which Richard had spent in France.<sup>761</sup> On top of the additional duties imposed by the regency, the justiciar oversaw the bench of justices at Westminster as the presiding judge, organised and joined the itinerant justices in eyre, and although not always present, held the presidency of the exchequer.<sup>762</sup>

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<sup>759</sup> TNA, C 54/11; RLC, 204-213. A discussion of the document is given in: *English Episcopal Acta 9: Winchester, 1205-1238*, ed. by N. Vincent (Oxford, Oxford University Press, 1994), 125-126. Although entries on the roll which can be dated cover the period 23 May to 9 October Vincent suggests that missing membranes covering February to May, the first four months of John's campaign in Poitou, may have at one time been sewn to the top of membrane 6, pointing to two possible stitching holes.

<sup>760</sup> For Peter des Roches' time as justiciar and regent, see: Vincent, *Peter des Roches*, 89-113; F.J. West, *The Justiciarship in England 1066-1232* (Cambridge, Cambridge University Press, 1966), 178-211. For the records surviving from Peter des Roches' time as justiciar and regent, see: *English Episcopal Acta 9*, 125-132.

<sup>761</sup> West, *The Justiciarship*, 78-178.

<sup>762</sup> When the king was in England the itinerant royal court provided an alternative judicial authority but the bench at Westminster where the justiciar heard pleas continued to operate without the king's presence. The confinement of John to England from 1204 eventually led to the justiciar's judicial authority diminishing and being superseded by the court *coram rege*. When Peter des Roches was appointed as justiciar, although the Westminster bench was re-established and judicial writs and proceedings operated in Peter's name his legal inexperience meant that many of these duties were carried out by other royal officials, whilst Peter was more active at the exchequer. West, *The Justiciarship*, 110-120, 191-197.

Under such authority, the justiciar issued writs in the king's name (when he was present in England) and in his own name (when the king was overseas). Francis West has shown, however, that Geoffrey fitzPeter continued to issue some writs in his own name even when the king was present in England and so the distinction is not entirely clear-cut.<sup>763</sup> All those writs issued in the course of the justiciar's regular activities, primarily writs of summons to the exchequer and a variety of judicial writs, whether issued in the king or justiciar's name, are absent from the chancery enrolments of John's reign.<sup>764</sup> Likewise, the justiciar's roll is mostly made up of administrative writs sent to royal officials and excludes routine judicial writs or other business related to Peter's regular duties as justiciar.<sup>765</sup> The roll is not, therefore, a roll recording his actions as justiciar but his actions as regent and is for all intents and purposes a close roll.

Although this justiciar's roll has no contemporary title it is referred to as *rotulo litterarum clausarum* on a rotulet of an *originalia* roll.<sup>766</sup> That reference is next to a cancelled entry for a writ issued by Peter, which is indeed enrolled in the correct place on the justiciar's roll and datable to June 1214.<sup>767</sup> There are three other entries on the same rotulet for writs issued by Peter which are cancelled but not entered in the justiciar's roll.<sup>768</sup> Those

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<sup>763</sup> West, *The Justiciarship*, 152-154, 175. There is limited evidence of Peter issuing writs in his name whilst John was in the country, although there is a lack of source material, exacerbated by the short time Peter remained serving as justiciar after John's return from France, before the issue of Magna Carta and Peter's replacement by Hubert de Burgh.

<sup>764</sup> Evidence for them is found throughout the Plea Rolls and exchequer records, especially the two surviving memoranda rolls from John's reign.

<sup>765</sup> RLC, 204-213; *English Episcopal Acta* 9, 125-126. A number of entries on the dorse of the roll do relate to the administration of justice (RLC, 213).

<sup>766</sup> TNA, C 60/5 rot. 6; *Rot. Ob. et Fin.*, 547; and see also: *English Episcopal Acta* 9, 125.

<sup>767</sup> RLC, 207.

<sup>768</sup> *Rot. Ob. et Fin.*, 545, 547.

three entries are concerned with orders to send the king's dogs from various places to Portsmouth into the custody of Richard of Broadmoor and may have been issued between March and early May of 1214, which are not covered by the surviving membranes of the justiciar's roll.<sup>769</sup> Many of the fines on the *originalia* roll relate to offers for writs of *pone, mort d'ancestor* and other legal proceedings at Westminster.<sup>770</sup> The rotulet of the *originalia* roll in question, therefore, was compiled in a writing office working for Peter des Roches, the same writing office which produced the justiciar's roll. It is believed that the justiciar was served by a branch of the royal chancery and so the clerks writing the writs and rolls associated with the work of the justiciar were doing so as royal clerks rather than Peter's own personal clerks – although there were certainly a number of men who served in both offices over the course of their careers.<sup>771</sup> A more permanent branch of the royal chancery was stationed at Westminster from the 1170s or 1180s, responsible for writing and issuing routine judicial writs, sometimes in the justiciar's name, and should not be confused with the justiciar's regency chancery which was itinerant with the justiciar and did not remain at Westminster.<sup>772</sup>

Several other rotulets produced in the justiciar's chancery have also survived, as have several miscellaneous membranes of what appears to have been a fine roll or duplicate

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<sup>769</sup> *Rot. Ob. et Fin.*, 545.

<sup>770</sup> *Rot. Ob. et Fin.*, 540-550.

<sup>771</sup> Richardson, *Memoranda Roll*, lxxv-lxxxvij, esp. lxxxij-lxxxiv; *English Episcopal Acta* 9, xxix, xli, xlv.

<sup>772</sup> Gillingham, 'Bureaucracy', 216.

fine roll from the same year.<sup>773</sup> On one of these rotulets from the *originalia* roll the first entry is a fine for two palfreys, with the first to be accounted for at the Nativity of St John the Baptist 16 John, that is 24 June 1214, suggesting that we should date this rotulet to a similar time frame as the previous rotulet.<sup>774</sup> The other rotulet apparently produced in the justiciar's chancery carried an endorsement noting that it was received in the treasury on 27 November 1214, almost a month after John returned to England in mid-October.<sup>775</sup> Vincent has suggested that the presence of a fine on this rotulet which also appears on the justiciar's roll carrying the annotation that it was cancelled, 'quia in Rotulo de Fine', shows that this roll covers fines agreed with Peter des Roches before the king returned.<sup>776</sup> As the roll was not delivered to the treasury until over a month after John's return, however, it may also include fines made after the king returned. The final entry on the rotulet is concerning a debt owed by Philip de Kyma to the Jews, which he had been allowed to pay partially at the exchequer, which is also found on the fragmentary membrane of a fine roll for 16 John, which appears to have been written whilst John was in Poitou.<sup>777</sup> It is unclear why this entry would not have been entered onto a section of the *originalia* roll sent directly from Poitou, especially as the immediately preceding entry, a fine by Stephen de Haringot for custody of the heir of William de Tregoz, carries a note in the pipe roll that his pledges '*annotatos in originalia de*

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<sup>773</sup> TNA, C 60/5C, rots. 4-6; C 60/5D, mm. 1-3. All three membranes are likely from a fine roll or a duplicate fine roll for 16 John. Membrane one is badly damaged and mostly unreadable but references a fine to be paid first at Michaelmas 16 John and appears to have been created in the royal chancery; membrane two duplicates material on rotulets five and six of the *originalia* roll produced in the justiciar's chancery and must also have been created in the same chancery, a change in hand half-way down the membrane; finally, membrane three was produced in the royal chancery in 1214, it also includes a fine made by Peter de Maulay to marry Isabella of Thornham and several orders sent to Peter des Roches as justiciar of England, so this section of the roll likely dates from the campaign in Poitou.

<sup>774</sup> TNA, C 60/5C, rot. 5; *Rot. Ob. et Fin.*, 540-544.

<sup>775</sup> TNA, C 60/5C, rot. 4; *Rot. Ob. et Fin.*, 533-540, esp. 537, 540; *RLC*, 210.

<sup>776</sup> *English Episcopal Acta* 9, 127.

<sup>777</sup> TNA, C 60/5D, m. 3.



*Pictavia'*.<sup>778</sup> That particular rotulet of the *originalia* roll has now been lost, although two other rotulets which have clearly been issued from the royal chancery do survive.<sup>779</sup> One of these is endorsed with a note that it was received in the treasury on 7 October 1214, several days before John's return to England and so must have been sent ahead.<sup>780</sup> Another note in the pipe roll that pledges for a fine made by Thomas of Erdington for the fitzAlan lands carries a note that his pledges are on the *originalia* and a list of Thomas' pledges are indeed found against his fine on the rotulet.<sup>781</sup> The other rotulet is endorsed with a note that it was received in the treasury on 14 November 1214, a month after John had returned to England, but also includes an entry dated 24 September at Saint Jean D'Angely, showing that at least part of the roll covers fines made in Poitou.<sup>782</sup> The second from last entry can be dated to after John's return and concerns a fine made by a William Ward for mediation between him and the treasurer and archdeacon of York before the king at Westminster on 12 November.<sup>783</sup> The entry also carries a note that he has a writ which is in the roll of fines and a writ in the close roll for the sheriff of York concerning the same case dated around the end of October is cancelled because it is in the roll of fines.<sup>784</sup>

Whilst the king was in Poitou we have evidence of *originalia* rolls being sent from both the justiciar's chancery and from the royal chancery. There is also evidence of fine rolls

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<sup>778</sup> PR 16 John, 7.

<sup>779</sup> TNA, C 60/5C, rots. 2, 3.

<sup>780</sup> TNA, C 60/5C, rot. 2; *Rot. Ob. et Fin.*, 526-532. John is first recorded in England on 15 October at Dartmouth.

<sup>781</sup> PR 16 John, 121.

<sup>782</sup> TNA, C 60/5C, rot. 3.

<sup>783</sup> *Ibid.*,

<sup>784</sup> RLC, 175.

being compiled in both chanceries, from which presumably the *originalia* rolls were compiled.<sup>785</sup> It is worth noting that although *originalia* rolls appear to have been sent both from Poitou and from Peter's chancery, all the new fines entered on the pipe rolls can be found under the heading *nova oblata* in each, this is not a return to the system seen under Richard I where multiple *originalia* rolls were received from various royal officials each year and fines entered in the pipe rolls under different headings for each of these.<sup>786</sup> In the month after the king returned from France in mid-October we appear to have two *originalia* rolls drawn up, one in the royal chancery and one in the justiciar's chancery, although a small amount of cross-over between the two is also seen, particularly with the presence of a fine made in the royal chancery at the end of the rotulet apparently produced in the justiciar's chancery.

The best explanation for the presence of this entry is that at the time the rotulet was drawn up, the clerks of the justiciar's chancery were able to consult not only the fine rolls and *contrabrevia* produced in England before the king returned, but also the fine rolls and *contrabrevia* of the royal chancery. This is because at least some of the clerks working in the justiciar's chancery whilst John was in France would have worked in the royal chancery when the king was in England.<sup>787</sup> We have little evidence regarding the identities of all but the more senior chancery personnel and although we know Ralph de Neville, who took custody of the seal in December 1213, had travelled with John to Poitou as the most senior figure in the chancery, there is no clear evidence that any senior chancery officials remained in

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<sup>785</sup> TNA, C 60/5D.

<sup>786</sup> See above, 209-211.

<sup>787</sup> Richardson, *Memoranda Roll*, lxxv-lxxxvij, esp. lxxxij-lxxxiv; *English Episcopal Acta* 9, 129.

England to lead the justiciar's chancery.<sup>788</sup> There was certainly a great deal of chancery experience amongst the royal officials left in England. Peter himself had been serving as de-facto chancellor between August 1213 and February 1214, whilst Richard Marsh, the senior chancery clerk at the time, was absent in Rome. Richard Marsh, himself, returned to England sometime after 22 May 1214 on the king's command, to assist Peter with the business of government.<sup>789</sup> None of these men, however, was likely intimately involved in the practice of writing the rolls. It is possible to identify a change in practice on the close and patent rolls from 16 John immediately after the return to France, which appears to be driven by a clerk or clerks who had been working in the justiciar's chancery. On both the close and patent roll there is a clear change in hand and new membrane on the roll in between the last entry made in France and the first made in England. After the return to England clerks begin to regularly start adding a superscript 'o' to the numerals when writing the day of the month in the place-date clause.<sup>790</sup> At no point in either roll before the return to England was this done, although occasionally such a superscript was given to numerals giving the year of the reign. Where we find this practice prior to October 1214, however, is in several places in the justiciar's roll, suggesting that some of these clerks working on the justiciar's roll moved into the royal chancery soon after the king returned to England.<sup>791</sup>

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<sup>788</sup> The chancellor at the time was Walter de Gray, who remained in his office until October 1214, but he held the office as a financial venture, and he does not appear to have actively participated in day-to-day chancery business. R.M. Haines, 'Gray, Walter de, d. 1255' in *ODNB*.

<sup>789</sup> Richard Marsh briefly joined John in Poitou after leaving Rome and was then sent to assist Peter in late May 1214. Marsh was appointed chancellor on 29 October 1214, although Ralph de Neville continued to carry out most duties in the chancery itself. *RLP*, 139.

<sup>790</sup> TNA, C 66/12, mm. 12-11; TNA, C 54/10, mm. 20-19.

<sup>791</sup> TNA, C 54/11, mm. 2-3. A more detailed palaeographical analysis of the various rolls from this regnal year may allow more exact identifications of the clerks working in both offices and autographs to be matched across the rolls.

The last entry on the justiciar's roll is dated 9 October 1214 and the first entry in England on the close roll is dated 15 October, whilst a writ issued two days later enrolled just below is given by the hand of Peter des Roches, suggesting that the justiciar and presumably at least a part of his chancery had joined the king within days of his arrival.<sup>792</sup> John's return to England in October appears to have been preceded by the return of the majority of the clerks of the royal chancery. Although John did not leave France himself until early October, the final entry in the close roll made in France is dated to 21 September.<sup>793</sup> No entries at all were made in the patent roll dated between 21 September and 25 October, which like the close rolls restarted in October on a new membrane.<sup>794</sup> In the charter roll between there are no entries between 13 September and 28 October, apart from nine charters entered on a separate piece of parchment later inserted at the appropriate place within the roll.<sup>795</sup> One of these is a charter issued on 2 October at La Rochelle, a grant of the lordship and castle of La Couture in Gascony to the archbishop of Bordeaux, which includes a note that the archbishop should pay his chancery fees when he next came to England.<sup>796</sup> Vincent has argued that this shows that at this point no chancery officials who were able to take these payments had remained in Poitou with the king.<sup>797</sup> This would, therefore, have provided additional time for the chancery to reorganise itself and allow clerks working in

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<sup>792</sup> *RLC*, 173, 213; the date given for the final dated entry in the justiciar's roll is incorrectly transcribed as 20 October and not 9 October as per: *English Episcopal Acta* 9, 125.

<sup>793</sup> *RLC*, 172.

<sup>794</sup> *RLP*, 122.

<sup>795</sup> *Rot. Chart.*, 201.

<sup>796</sup> *Rot. Chart.*, 201.

<sup>797</sup> N. Vincent, 'King John's Diary & Itinerary', *The Magna Carta Project* [[http://magnacarta.cmp.uea.ac.uk/read/itinerary/John\\_demonstrates\\_his\\_willingness\\_to\\_rule\\_according\\_to\\_law](http://magnacarta.cmp.uea.ac.uk/read/itinerary/John_demonstrates_his_willingness_to_rule_according_to_law) accessed 31 March 2022].

the justiciar's chancery to return to the royal chancery. This transfer of duties appears to have caused some confusion in the chancery. A delay in enrolment in both the charter and patent rolls, with no charters issued until late October, several weeks after John landed in England, may have been driven more by the king's reluctance to issue grants. More significant is a degree of confusion, similar to that identified in the rolls in early 1204 after John returned from Normandy, where writs in the close and patent rolls are not entered in a clear chronological order throughout October and early November, and continue to be entered in arrears until the very end of January.<sup>798</sup> The first entries when John returned to England are made on membrane nineteen and entries only return to a clear chronological order on membrane ten.

The extent to which the chronological order had broken down is seen in membranes thirteen through to ten, which appear to all have been written within a short time frame, towards the end of January and start February 1215, despite containing numerous entries from November and December. An entry dated 30 January at the top of membrane thirteen in a different hand to the final group of entries on the previous membrane, numbered fourteen, suggests that membrane thirteen was written some weeks after membrane fourteen, which can be dated to mid-January.<sup>799</sup> The hand starting membrane thirteen writes the majority of entries on the membrane, stopping just before a small break in the text, when an entirely different hand takes over. Most entries on the membrane are for early and mid-

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<sup>798</sup> *RLP*, 122; *RLC*, 173-4.

<sup>799</sup> *TNA*, C 54/10, mm. 14-13 (using the original ink numbering). The flourish on the two clerks' 'M' extends in different directions.

December in chronological order, although the final entry is for 16 November.<sup>800</sup> Membrane twelve which is written in the same hand that finishes off membrane thirteen is mostly a mix of entries from November and December, although the final ten entries are dated to 9 and 11 January, with an entry dated 30 December in amongst these.<sup>801</sup> At least four changes in hand can be seen on membrane eleven. One writes the first ten entries, dated in between 14 and 17 January. The next hand writes 14 entries dated between 22 and 28 January. The third hand writes ten entries all dated on 17 and 18 January and the last hand then begins with an entry dated 30 January and writes eleven entries dated either 18 or 21 January. The roll finishes with a single entry in the third hand, dated 9 February.<sup>802</sup> Membrane ten is written in a single hand, starting with entries dated 21 January and includes entries up to 1 February, almost all in a completely clear chronological order, with only minor overlaps of one or two days.<sup>803</sup>

In many ways the justiciar's chancery operated as a parallel of the royal chancery, compiling rolls which resemble the other extant chancery rolls. The reference to a 'roll of fines' in the justiciar's roll, along with the reference within the *originalia* roll to a 'roll of letters close' demonstrates that these documents must have been compiled alongside each other, much like the rolls in the royal chancery were, with the clerks able to cross-reference and correct mistakes. The clerks in the justiciar's chancery, therefore, likely considered these rolls to be a part of the same series of rolls as the close and fine rolls drawn up in the royal

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<sup>800</sup> RLC, 180-181.

<sup>801</sup> TNA, C 54/10, m. 12.

<sup>802</sup> TNA, C 54/10, m. 11.

<sup>803</sup> TNA, C 54/10, m. 10.

chancery. In the chancery close roll for 16 John, on numerous occasions writs are cancelled because they are in the 'roll of fines' or a note made that a related writ is in the fine roll, although all of these annotations are found after John's return to England, probably indicating that fewer fines were being agreed with the king whilst he was in France.<sup>804</sup> Such marginal annotations cross-referencing the chancery enrolments were commonly used throughout the later chancery enrolments, with a reference to the 'fine rolls' first appearing in the English close roll for 5 John and a reference to the 'close rolls' first appearing in the English fine roll for 3 John and in the patent roll for 4 John.<sup>805</sup> As discussed previously, although these annotations in the earliest fine rolls and patent rolls refer to a close roll as *rotulo litterarum clausarum*, there are references within the close rolls to the counterpart 'English' or 'Norman' roll which use an office shorthand of *rotulo Angliae* or *Normanniae*.<sup>806</sup> In all these annotations we see a form of institutional language being used to link various documents produced in the royal chancery, and, likewise in the documents produced in the justiciar's chancery we see the clerks using the same institutional terminology. Indeed, these clerks may have considered themselves to still be working within the royal chancery and working on the same series of enrolments, despite being physically separated from the king and the clerks who had gone with the king into France.

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<sup>804</sup> These annotations are found next to an entry datable to the end of October on membrane eighteen, a writ dated 5 November on membrane sixteen, a writ dated 5 March on membrane eight, and around twelve entries across the final three membranes dated from late April onwards. *RLC*, 175, 177, 188-189, 196-199.

<sup>805</sup> *Rot. Lib.*, 54, *Rot. Ob. et Fin.*, 188; *RLP*, 24.

<sup>806</sup> See above, 121-122; *RLP*, 24, 35; *Rot. Ob. et Fin.*, 188.

Another indication that the justiciar's roll should be considered a part of the same series of close rolls as those produced in the royal chancery, is the use of the marginal annotation 'c[on]trabrevia' or 'c[om]putate' throughout the roll, against writs which would require an account at the exchequer.<sup>807</sup> These annotations were first introduced into the close rolls part of the way through the roll for 9 John, shortly before periodical notes that *contrabrevia* up to that point should be sent to the exchequer stop appearing until the roll for 2 Henry III.<sup>808</sup> Carpenter has suggested that these annotations were meant to mark which entries required *contrabrevia* to be sent to the exchequer as the rolls became larger and started to include more material unrelated to the exchequer accounts.<sup>809</sup> The presence of these annotations in the justiciar's roll are particularly significant because the only similar annotations on the chancery close rolls for the months that John was in Poitou are two annotations of '9pr', on the first membrane of the roll for 16 John, which likely read as 'c[on]p[utabitu]r'.<sup>810</sup> In that case, the use of the future tense, implies that these annotations were made to remind the clerks to send copies of these writs to the exchequer, perhaps after

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<sup>807</sup> Vincent considered these annotations in the justiciar's roll to read *compute*. Carpenter, however, read the annotations, which appear in the close rolls and the later liberate rolls, as *contrabreve*. The abbreviation '9' found in the justiciar's roll is mostly extended to either 'cont<sup>o</sup>', '9t<sup>o</sup>' or '9<sup>a</sup>' in the close rolls, most commonly as 'ct<sup>o</sup>', and the form 'c<sup>o</sup>br' is used several times in a duplicate roll from 15 John. These extensions suggest that the annotation could be read as either *controbreve* or *computato*, but in either case would have indicated that the exchequer should be notified. Two annotations on the roll 16 John use the form '9pr' which point towards a form of *compute* although as discussed below these annotations are outliers, appearing whilst John was in France. In the rolls from Henry III's reign the annotation is very clearly a form of *contrabreve* and is often extended as such. Hardy, following Madox, believed these annotations to denote *contrabreve*. *English Episcopal Acta* 9, 126, Carpenter, 'In Testimonium', 19, Hardy, 'General Introduction to the Close Rolls', in *RLC*, x.

<sup>808</sup> The first annotation '9<sup>a</sup>' appears on membrane eleven and the final note that *contrabrevia* had been sent to the exchequer, '*hinc mittenda sunt c[on]t[r]obr[e]via ad scacc[ariu]m*', is found on membrane seven. As the close rolls from the four years between 10 and 13 John are not extant we cannot be certain that the notes stating *contrabrevia* 'from here' should be sent to the exchequer were discontinued at this time, but they do not re-appear at any point in the later rolls from John's reign. TNA, C 54/4, mm. 7, 11.

<sup>809</sup> Carpenter, 'In Testimonium', 19.

<sup>810</sup> TNA, C54/10, m. 24.



the return to England. These annotations are next to entries for two writs sent to men who had remained in England, one writ sent to William, archdeacon of Huntington ordering him to have a shield of arms and two tents brought to the king and another sent to Reginald of Cornhill ordering him to send various cloths and other supplies, and both men are advised that their expenses will be accounted at the English exchequer – to be placed on expenses in lands at England.<sup>811</sup> Aside from these two isolated examples, a marginal annotation of *contrabreve* or *computate* does not appear on the close roll until membrane thirteen, some-time after John's return to England in late December.<sup>812</sup> In the roll for 15 John, the usual annotation of '9t<sup>e</sup>' is consistently used throughout the roll except on the last membrane, covering the start of John's campaign in Poitou.<sup>813</sup> It appears that whilst in France the close roll was not required to assist with the transmission of *contrabrevia* to the exchequer. That responsibility lay with the justiciar, who issued his own writs whether under his own discretion or *per breve regis ultra mare* and presumably it was his chancery which was required to send *contrabrevia* to the exchequer.<sup>814</sup> Only in the event of John choosing to communicate directly with other officials remaining in England would the royal chancery need to prepare their own *contrabrevia* and we see a slight alteration in the terminology used in the two annotations placed against those entries. The justiciar's roll, therefore, took over the task of tracking when *contrabrevia* should be sent to the exchequer.<sup>815</sup> The clerks drawing up the roll in the justiciar's chancery clearly had an excellent understanding of chancery

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<sup>811</sup> *RLC*, 166-167. In each writ a king's clerk is named, a John de Ging and a Wido, whose instructions William and Reginald respectively are directed to listen to in carrying out the king's orders. It is likely that these clerks were sent as messengers with these writs and additional instructions.

<sup>812</sup> TNA, C 54/10, m. 13.

<sup>813</sup> TNA, C 54/6, m. 1.

<sup>814</sup> West, *The Justiciarship*, 198-203.

<sup>815</sup> A similar conclusion was reached by Vincent although he believed the clerks were marking the entries as *computate* rather than *contrabrevia*. *English Episcopal Acta* 9, 126.

practices and just as the justiciar's roll is drawn up in chancery fashion and laid out in the same manner as the chancery close rolls, and just as the institutional terminology of *Rotuli Litterarum Clausarum* and *rotuli de finium* were used in both the justiciar's chancery and the royal chancery, the practice of marking which entries required *contrabrevia* to be sent to the exchequer with the annotation 'g' was carried across to the justiciar's roll of letters close.

The survival of a justiciar's roll from 1214, combined with the consistent drop in the rates of enrolment seen in the English close rolls whenever the king was in France and the tendency for the king to almost exclusively communicate directly with the justiciar and the exchequer when not in England, raises the intriguing prospect that there were a series of justiciar's rolls, now lost, created by the previous regency administrations under Geoffrey fitzPeter, both before and after 1204. The majority of 'English' entries made whilst John was abroad in 1214 were either sent to the justiciar or directly to the exchequer.<sup>816</sup> The drop in the rate of enrolment whilst John was in France, therefore, may well be the result of the fact that most correspondence with local English officials was carried out by the justiciar and entered on his roll. Of course, some of this correspondence was done at the instigation of royal orders. Indeed, Vincent showed that about half of the entries on the justiciar's roll from 1214

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<sup>816</sup> *RLC*, 166-173. There were 84 'English' writs which were enrolled in the chancery close roll compiled in France. 62 were sent to Peter des Roches and 4 to the exchequer. Most of the remaining entries were sent to either William Brewer or Hugh de Neville, other senior officials. Indeed, Hugh de Neville as the chief forester was running his own subordinate administration, with a forest exchequer and treasury and likely his own rolls. A forest roll of some sort must have existed from early in John's reign, likely along similar lines to the fine rolls, as shown by several notes in the fine roll for 3 John (*Rot. Ob. et Fin.*, 157, 183). In the same section of the chancery close roll, 8 'Irish' writs were enrolled, all sent to Henry de Loundres, the archbishop of Dublin and justiciar of Ireland. Only a single entry with a connection to Ireland is found in Peter des Roches' roll, which although also sent to the same Henry, is not an order or communication relating to the administration of Ireland, but is instead a request that money should be sent to the exchequer of London to assist the campaign in Poitou.

can be directly linked to writs *de ultra mare*, either recorded in the royal chancery enrolments or carrying a note that they were issued on the order of the king.<sup>817</sup> On the chancery close roll, around twenty of the sixty-one writs addressed to Peter can be directly connected to a writ issued by Peter and enrolled on the justiciar's roll, the majority of these concerning the transfer or custody of land.<sup>818</sup> It is worth noting that none of the writs issued directly as a result of a writ enrolled on the close roll are accompanied by an annotation of 'con[trabreve]' and that almost all the writs on the justiciars roll issued *per breve regis* were for grants of land.

In fact the 'English' entries being made on the close roll whilst the king was in France are mostly concerned with grants of land, with very few writs of *computate* or *liberate* enrolled.<sup>819</sup> When we compare the type of entries made in the time the king was abroad with those made back in England, we see a comparatively smaller percentage of entries were made concerning grants of lands when John returned to England, driven by much greater increases in the number of entries concerning royal revenues and logistics or other business.

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<sup>817</sup> *English Episcopal Acta* 9, 131.

<sup>818</sup> For example, a writ directing Peter to ensure Reginald de Pons had seisin of the manor of Saxton around 6 June led to Peter issuing a writ around 8 July ordering the same to the sheriff of Norfolk. *RLC*, 167, 208.

<sup>819</sup> Four writs of *computate* are found in the roll for this time and all were addressed directly to the barons of the exchequer rather than the justiciar. No writs of *liberate* are entered in this section of the roll.

Table 32: Type of Writs in the Close Roll for 16 John

16 John	Total English Entries	Royal Revenues	Lands Given or Confirmed	Custody of Castles	Forests	Logistics and Other Business
In Poitou	84	19 (22%)	39 (46%)	4	7	15 (17%)
In England	634	181 (28%)	117 (18%)	3	35	298 (47%)

Most entries concerning royal revenues from the time John was in France were either writs sent to the barons of the exchequer or orders for Peter to consult the rolls of the exchequer, with very few direct orders for money to be spent or assigned. When in England orders of *computate* or *liberate* were sent more regularly to the barons of the exchequer or to the treasurer and chamberlains.<sup>820</sup> In addition, many writs were sent to local officials ordering them to allow fees or quit debts. The most notable change in the type of entries made in England is the significantly larger number of writs for logistical concerns, most of which are orders to sheriffs and other local officials, mostly directing them to make various repairs or improvements, to provide supplies or garrisons, and regularly concerning wine or the hunt.<sup>821</sup> A number of these would have required accounts at the exchequer and indeed many of these entries included the phrase '[et] computabitur tibi ad scaccarium'. In comparison, although some of these logistical orders were enrolled whilst John was in France, many requiring supplies or other support to be provided for messengers or officials

<sup>820</sup> There are 33 writs of *liberate* and 30 writs of *computate*. A number of these entries, especially in the first half of the roll, are for writs commanding multiple (i.e. for 20 different people) payments to be made. *RLC*, 173-199.

<sup>821</sup> A few other writs have been included with these, such as those concerned with the taking, holding and release of prisoners; the right to have fairs or markets; the organisation of ecclesiastical elections; and some diplomatic and legal business.

sent back to England, none of these orders sent to Peter included a requirement for an account to be made at the exchequer.<sup>822</sup> The justiciar's roll was also dominated by writs to local officials concerning logistical orders, whilst there are also a reasonable number of writs of *computate* and *liberate* being sent to the exchequer.

Table 33: Type of Writs in the Justiciar's Roll

Total Legible Entries	Royal Revenues	Lands Given or Confirmed	Custody of Castles	Forests	Logistics/ Other Business
236	51 (21%)	76 (32%)	0	5	104 (44%)

The large number of entries concerning grants of land are augmented by a significant number of grants concerned with the custody of ecclesiastical vacancies, likely as a result of the interdict, which had left many ecclesiastical properties in John's possession.<sup>823</sup> There is, therefore, a clear comparison between the justiciar's roll and the section of the chancery close roll from when the king was in England, where almost half of the roll is devoted to recording logistical writs, many of which would require an account at the exchequer.

It has already been shown that when the king was overseas before 1204 the English close roll was almost exclusively used for writs sent to the justiciar or exchequer. This finding fits with the notion that the king communicated directly with his regent, who then presumably corresponded with local officials. When we look at the type of writs being

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<sup>822</sup> A few other entries concerned orders to allow fairs or markets, orders to allow merchants licence to enter England and orders concerning ecclesiastical elections. We have already noted the two entries sent directly to local officials which did require an account at the exchequer and these entries also fit neatly into the category of 'logistics'.

<sup>823</sup> West, *The Justiciarship*, 203-206.

enrolled in the extant rolls from before the loss of Normandy a similar pattern to the rolls from 16 John also emerges.

*Table 34: Type of Writs in the 'English' Close Roll for 2 John*

2 John	Total Entries	Royal Revenues	Lands Given or Confirmed	Custody of Castles	Forests	Logistics/ Other Business
In France	21	11 (52%)	10 (48%)	0	0	0
In England	108	63 (58%)	12 (11%)	2	1	30 (27%)

*Table 35: Type of Writs in the 'English' Close Roll for 3 John*

3 John	Total Entries	Royal Revenues	Lands Given or Confirmed	Custody of Castles	Forests	Logistics/ Other Business
In France	100	56 (56%)	37 (37%)	2	2	3 (3%)
In England	16	9 (56%)	1 (6%)	0	0	6 (37%)

*Table 36: Type of Writs in the 'English' Close Roll for 5 John*

5 John	Total Entries	Royal Revenues	Lands Given or Confirmed	Custody of Castles	Forests	Logistics/ Other Business
In France	225	87 (38%)	108 (48%)	3	13	14 (6%)
In England	233	116 (49%)	48 (20%)	2	2	65 (28%)

The number of writs concerning grants of land continues to depend on the political climate and the varying expanse of the king's gift, whether he was in England or France. The percentage of writs concerning logistics is consistently insignificant when the king was in France but make up at least a third of entries whenever John was in England.<sup>824</sup> Entries concerning royal revenues constitute a larger percentage throughout these rolls than those for 16 John and there are several possible reasons for this. The first is that more logistical orders are being entered in the roll for 16 John, partly due to the unrest John faced on his return from Poitou, which required the provision of supplies and fortifications throughout the country and also partly due to the general development of the rolls throughout John's reign.<sup>825</sup> The second is the presence of numerous large writs of *computate* and *liberate* in the roll for 16 John ordering multiple payments, which although counted as a single entry could cover ten or twenty entries in the rolls from the earlier part of the reign. Finally, the smaller size of the earlier rolls allows experiments in administration or unique events to leave a clear impression on the rolls. For example, a number of writs entered in 1201 relating to money fiefs make up a not insignificant portion of writs concerning royal revenues in the roll for 3 John, but similar writs are only occasionally entered in the rolls for other years.<sup>826</sup> It is reasonable to expect that the justiciar in the years before 1204, Geoffrey fitzPeter, was compiling a roll of *contrabrevia* whilst John was out of the country, a roll that would have included a significant number of writs concerning logistical orders and which has been lost.

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<sup>824</sup> The writs concerning other business in France for 5 John mostly concern grants of fairs, although there are a few logistical orders sent through Geoffrey fitzPeter.

<sup>825</sup> Carpenter, 'In Testimonium', 17. Carpenter calculates that in total 78% of writs in the roll for 2 John were concerned with revenues or lands, compared with 73% in 6 John and 66% in 8 John. Note that Carpenter has included all entries which led to an account at the exchequer as 'royal revenues' in his figures, as well as some grants allowing markets and fairs.

<sup>826</sup> Church, *John*, 96-97.

Geoffrey fitzPeter must also have been served by a branch of the royal chancery whilst he was acting as regent. If the same system proposed in 1214 was in operation in 1204 then we should expect clerks from the justiciar's chancery to have returned to the royal chancery when the king was back in England. Unlike in 1214 there is no clear evidence of John sending the clerks of the chancery back to England ahead of him, with no long pauses in enrolment on the charter and patent rolls. The crossing from Normandy was of course a simpler journey than the voyage from Poitou and it may have been easier for the wider household to cross the channel together. There is a comparison to 1214 in the breakdown in chronological order in the close rolls, with writs throughout December and January entered out of order. The roll did not return to a clear chronology until March that year. Just as we can see Peter des Roches interacting with the chancery in the days after John returned to England, we know Geoffrey fitzPeter met John on his return and was soon witnessing writs in the royal chancery. The second entry dated after John returned to England is witnessed by Geoffrey, although the clerk initially began writing the witness clause as 'teste me ipso' before correcting himself.<sup>827</sup> Several hands can be seen on the membranes around John's return to England, although we have no records of a justiciar's chancery to compare them against and there is no distinctive change in chancery practice after John's return to England. In addition, at least two or three hands can be seen making entries both before and after the king crossed the channel. It should be noted that the patent roll retained a clear chronological order throughout the year and this reflects the nature of the roll as serving the entirety of John's domains. Although fewer orders were sent to his continental officials

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<sup>827</sup> TNA, C 62/3, m. 6. This correction is not noted in Hardy's edition.



whilst John was in England, unlike the close roll which had to take over the task of enrolling *contrabrevia* being sent to the exchequer, the patent roll continued to perform the exact same function whether the king was in England or France.

The proposed hypothesis concerning changes in rates of enrolment within the 'English' close rolls can be summarised as follows. That the main influence on rates of enrolment in the close rolls was the location of the king, that is whether he was in England or his French lands.<sup>828</sup> And that the rate of enrolment of 'English' entries continued to depend on the location of the king after the loss of Normandy and the termination of the separate counterpart 'Norman' close roll. That when the king was in France, writs concerning logistical orders were not generally being sent to local officials in England and that such administration was left almost entirely to the regency administration. As a result, writs which required an account at the exchequer were almost exclusively issued in England, by the justiciar's chancery whilst the king was in France and by the royal chancery when the king was in England. It is these administrative writs issued by the justiciar which are missing from the record either because a justiciar's roll was not made before 1214 or those which were made have been lost. These writs can usually be identified by the final clause 'et computabitur tibi ad scaccarium' and in the later close rolls are given the marginal annotation 'contrabreve', indicating that the counter writ should be sent to the exchequer. It is not that the king was not communicating with the exchequer when in France, but that all

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<sup>828</sup> The next most significant factor was the number of *terre date* entries.

these communications were sent directly to the exchequer or justiciar and so do not appear to have required *contrabreve* to be sent to the exchequer.

The changes in rate of enrolment, therefore, are not showing that enrolment was reduced when the king was in France, but that enrolment of certain writs was occurring in a different place.<sup>829</sup> There is clear evidence of this occurring in 1214 with the roll compiled under Peter des Roches and it is proposed that such rolls were compiled during previous regency administrations under King John, but even if no roll was made, the writs were still issued. Furthermore, it is possible that this is where the origins of the close rolls could be found, beginning with rolls of *contrabrevia* produced by the justiciar during Richard I's long absence. If that were the case then we should look no further than Hubert Walter as the source of the chancery rolls, whose appointment as chancellor followed his five years serving as Richard's justiciar. Without any direct evidence, however, no certain conclusion can be made. The first part of the hypothesis, therefore, simply argues that whenever John was outside England writs that required an account at the exchequer were routinely issued even if they weren't enrolled in a justiciar's roll.

The second main assertion in this hypothesis argues that, although created in a geographically separate chancery, the justiciar's roll was still in effect a close roll produced in the royal chancery. Similar perhaps to how the 'English' and 'Norman' counterparts were

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<sup>829</sup> It is worth observing that although the justiciar would send out writs on the orders of the king *ultra mare*, the majority of these writs tended to be for grants of lands and not the logistical orders, which were not being enrolled in the chancery close roll in any form whilst the king was in France.

both considered close rolls before the loss of Normandy when these rolls were merged into one. In fact, enrolment in the royal chancery and justiciar's chancery was not the work of separate secretariats, but a single writing office temporarily separated by geography. The clerks within these two 'departments' were all king's clerks, writing the king's writs and compiling his rolls, as the justiciar when acting as regent was the king's alter ego. When the king returned to England the justiciar's chancery did not continue to operate separately. Indeed, with the royal chancery returning to enrolling writs sent to local officials, both for grants of land and logistical orders, there would be nothing left for the justiciar's chancery to enrol. The justiciar's chancery was not simply a subordinate branch of the royal chancery. The clerks who formed the justiciar's chancery were a part of the royal chancery who would remain in England and then return to the royal chancery on the king's arrival in England.

What this hypothesis adds to our discussion of the chancery rolls' place within the 'Angevin empire' is to suggest that the chancery clerks, even when working on a very 'English' specific roll in the justiciar's chancery, were still connected to the wider Angevin domains through their role as clerks in the royal chancery. There was not a separate permanent 'English' chancery even when a roll was being drawn up that was concerned purely with 'English' business. In addition, the existence of a justiciar's roll taking over the task of assisting communications with the exchequer suggests that the close rolls were perhaps less connected to the English exchequer than has been previously suggested. Although the rolls clearly played a part in the process of transmitting *contrabrevia* to the exchequer, this task could be left to the justiciar's roll whilst the close roll remained an active document in the administration of both England and the other domains under John's

control. When the king was in England there was no need for any alternative arrangements, but the task of communicating with the exchequer was still only one part of what the close roll was intended to accomplish.

This chapter has so far focused exclusively on the 'English' close rolls or the 'English' entries within the close rolls. Even after 1204, however, the close rolls continue to include entries concerning the Irish and southern French lands under John's control. Indeed, when John was in France in 1214 there is a clear increase in the rate of enrolment of 'French' entries. We have noted that just as the rate of enrolment in the 'English' counterpart rolls depended on the location of the king, the 'Norman' counterpart rolls had a greater rate of enrolment when the king was in France. Having shown that changes in rate of enrolment in the 'English' rolls was closely related to the enrolment of 'logistical orders' and communications with the exchequer we need to examine how these trends compare with the 'Norman' close rolls. Unfortunately we have no documents from Angevin France which compare to the justiciar's roll of 1214 and so must work purely from the limited source base of the three 'Norman' close rolls.<sup>830</sup> It has already been noted that there is a difference in the Norman rolls with writs being sent to the seneschal and barons of the Norman exchequer even when John was in France.<sup>831</sup>

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<sup>830</sup> There are also very few months covered in the surviving Norman close rolls which John spent in England.

<sup>831</sup> Carpenter, 'In Testimonium', 14 n.70. The same appears to have been true in the earlier twelfth century, see: M. Hagger, 'The earliest Norman writs revisited', in *EHR*, 82 (2009) 181-205 (191-192).

## Types of Writs in the Norman Rolls

It appears that the most significant factor determining the rate of enrolment in the 'English' close rolls was which side of the channel the king was on and that this was a result of logistical orders sent to local officials, mostly writs of *computate*, being enrolled almost exclusively in England. A corresponding trend, for the rate enrolment in the Norman rolls to be greater when John was in France, appears to be present, including evidence that this rate was even greater for 'Norman' entries when John was in Normandy. When we examine the type of writs being enrolled 'logistical' orders are on average 25% of business enrolled in France, fairly similar to an average of 30% in the 'English' rolls compiled in England. In the small portion of a 'Norman' roll surviving from a period John spent in England only a single logistical order, out of thirteen, was enrolled.<sup>832</sup>

Table 37: Type of Writs in the 'Norman' Close Roll for 2 John

2 John	Total Entries	Revenues	Lands Given or Confirmed	Custody of Castles	Forests	Logistics/Other Business
In France	<b>89</b>	54 (61%)	9 (10%)	1	2	23 (26%)
In England	<b>13</b>	8 (62%)	4 (31%)	-	-	1

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<sup>832</sup> That order was a writ sent to the mayor and bailiffs of La Rochelle, commanding them to determine and relay the price of a certain ship and its inventory which had been seized by William de Braose and release that ship to William's messenger. *Rot. Norm.*, 35.

Table 38: Type of Writs in the 'Norman' Close Rolls for 4 and 5 John

<i>Roll and Location</i>	Total Entries	Revenues	Lands Given or Confirmed	Custody of Castles	Forests	Logistics/Other Business
<i>4 John (in France)</i>	<b>427</b>	163 (38%)	156 (36%)	5	5	98 (23%)
<i>5 John (in France)</i>	<b>181</b> <i>[+7 unclear]</i>	93 (51%)	38 (21%)	5	1	44 (24%)
<i>5 John (in England)</i>	<b>2</b>	-	2	-	-	-

Unlike the 'English' rolls from which evidence can be drawn concerning the rate of enrolment when the king was in France from multiple rolls, only a single membrane from the 'Norman' rolls survives covering the time that the king was in England. We are working, therefore, with a minimal data sample in the 'Norman' rolls for evidence of the scarcity of logistical orders in the Norman rolls when John was in England. It should be noted that the aforesaid single membrane covers a period of around twenty-seven weeks which John spent in England and the other five membranes of the same role cover just eighteen weeks and include twenty-three writs which can be classed as logistical orders.<sup>833</sup> It might be expected that a similar or even greater number of logistical orders concerning 'French' business would have been made in some form whilst John was in England for those twenty-seven weeks and yet only a single such order was enrolled by the royal chancery. Were these orders being enrolled in France, in a similar manner to the proposed justiciar's rolls in England? No such roll survives and although the trends identified in the 'Norman' roll suggest that something similar is going on when the king was in England, and writ writing and record keeping continued in France in a geographically separate chancery, the

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<sup>833</sup> The Norman roll for 5 John also covers twenty-seven weeks which John spent in France and includes 44 writs which can be classed as logistical orders.

complication here of course is that John's lands in France were not a single entity, either geographically or administratively. There is no single justiciar or proxy for John's French lands, but each of Normandy, Anjou and Aquitaine were governed by one or more seneschal.<sup>834</sup> John's titles and thus his lands in France are best divided into Normandy, Greater Anjou and Aquitaine.<sup>835</sup> Aquitaine, of course, is often geographically, culturally, and administratively divided into Poitou and Gascony; whilst Greater Anjou is comprised of somewhat separate regions in Maine, Touraine and Anjou itself.

If the process of enrolment seen in England was similar in France then we are talking about multiple separate chanceries. It is very likely that each of John's seneschals would have had a writing office of their own, but what this study is interested in, is whether these could be considered departments of John's own chancery, left to assist the process of government when the duke or count was absent from the region or overseas. Here we must raise yet another difficulty in ascribing a similar process of enrolment to the 'Norman' rolls as seen in the 'English' rolls. John's itinerary took him all over his French lands across the various regions under his control, not always remaining in Normandy, but also travelling through Maine and Anjou and occasionally further south into Poitou and Gascony. If he was

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<sup>834</sup> A single seneschal of Normandy was the king's representative in Normandy, but, separate seneschals of Gascony and Poitou were sometimes appointed in place of a single seneschal of Aquitaine, and, in Greater Anjou, various seneschals or seneschals 'in all but name' were in place in Touraine, Maine and Anjou. A list of John's seneschals and other royal officers in his French lands between 1199 and 1204 is attached as Appendix 4.

<sup>835</sup> See the traditional introduction to John's charters in which he is most regularly described as: 'dux Norm[annie] Aquitan[ie] et com[es] Andeg[auie]'. Compare with the division of the 'Norman' close rolls into Normandy, Anjou and Poitou.

in France, but not in Normandy, could we expect the seneschal of Normandy to be acting as duke-regent, just as they would have done when John was in England?

Table 39: John's Itinerary and Type of Writs in the 'Norman' Close Roll for 2 John

Norman Roll 2 John						
<i>Location and Dates</i>	Total Entries	Revenues	Lands Given or Confirmed	Custody of Castles	Forests	Logistics/Other Business
<i>Normandy (17 May – 7 June) c. 3 weeks</i>	<b>20</b>	6 (30%)	5 (25%)	-	1	8 (40%)
<i>Le Mans (8 June) &lt; 1 week</i>	<b>2</b>	1	-	-	-	1
<i>Anjou (10 June – 1 July) c. 3 weeks</i>	<b>17</b>	9 (50%)	2	-	1	5 (31%)
<i>Poitou/Gascony (4 July – 28 Aug.) c. 8 weeks</i>	<b>8</b>	2 (25%)	1	1	-	4 (50%)
<i>Anjou (1 Sep. – 4 Sep.) &lt; 1 week</i>	<b>4</b>	4 (100%)	-	-	-	-
<i>Normandy (5 Sep. – 1 Oct.) c. 3 weeks</i>	<b>38</b>	32 (84%)	1	-	-	5 (13%)
<i>England (10 Oct. – 9 April) c. 27 weeks</i>	<b>13</b>	8 (62%)	4 (31%)	-	-	1



Table 40: John's Itinerary and Type of Writs in the 'Norman' Close Roll for 4 John

Norman Roll 4 John						
<i>Location and Dates</i>	Total Entries	Revenues	Lands Given or Confirmed	Custody of Castles	Forests	Logistics/Other Business
<i>Normandy (23 May – 29 July)* c. 9 weeks</i>	<b>131</b>	55 (42%)	46 (35%)	4	1	25 (19%)
<i>Chinon (c. 5-6 August)</i>	<b>3</b>	1	2	-	-	-
<i>Maine/Normandy [Falaise, Alencon, Argentan, Le Mans] (c. 7 - 18 August) &lt; 2 weeks</i>	<b>20</b>	8 (40%)	8 (40%)	-	-	4 (20%)
<i>Anjou (c. 21 August – 3 Oct.) c. 5 weeks</i>	<b>12</b>	2	8	-	1	1
<i>Normandy/Le Mans (c. 7 – 29 October) c. 3 weeks</i>	<b>7</b>	3	4	-	-	-
<i>Anjou (3 November – 5 December) c. 5 weeks</i>	<b>6</b>	4	1	-	-	1
<i>Normandy (6 December – 14 May)* c. 23 weeks</i>	<b>248</b>	90 (36%)	87 (35%)	1	3	67 (27%)

\* Including a few days at Le Mans around 24 and 25 June 1202 and around 21 and 22 January 1203.

When we examine the type of entries found within the Norman rolls and consider the time John spent in Anjou and Aquitaine separately to Normandy, we can identify a few trends worth remarking on. Firstly, that the two months John spent in Aquitaine in the second year of his reign are an obvious and puzzling outlier. Not only does the rate of enrolment drop substantially, but half of the eight writs enrolled in this time are logistical orders, all but one sent to Norman local officials.<sup>836</sup> Perhaps even more importantly, no writs were sent in these two months to either the seneschal or exchequer in Normandy, as we see almost exclusively when John is in England. More needs to be said about the place of Poitou and Gascony in relation to the chancery in John's earliest years and this will be briefly considered below. For now, we can only note that we do not see a clear parallel in the Norman close roll when John is absent from Normandy in southern France to when John is absent from Normandy in England. Secondly, and more in line with what may be expected if the Norman rolls follow the same trends as the English rolls, logistical orders are most regularly enrolled en masse when John was spending a long period in Normandy. The only point at which John was in Normandy for some time and logistical orders were not being enrolled was between 7 – 29 October and this is likely significant as these three weeks were immediately preceded and followed by John spending more than a month in Anjou. If a regency administration had been left in Normandy when John first went to Anjou then perhaps this demonstrates that administration remained in control for the short time whilst John returned to Normandy before leaving again for Anjou. The times John appears to bring the administration of Normandy truly 'in house' are those when he spent more than a

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<sup>836</sup> These three writs of *computate* sent to Norman officials will be discussed further below but it is worth remarking that all three are concerned with the transport of goods or people across the channel. *Rot. Norm.*, 28.

month in the duchy and was not expecting to leave in the near future. Another example of this may be the month in the second year of his reign when John, having returned from southern France, spent a short period in Normandy between 5 September and c. 1 October, before crossing the channel to England. Although five logistical writs are enrolled in this time, they only account for 13/14% of entries, noticeably lower than the 25-30% seen at other times John is in Normandy. If a regency administration had been left in control of Normandy when John left to go south in June of that year, then it would make sense for John to leave that same structure in place for when he intended to cross the channel.

As the main trends which have emerged so far have concerned how John's absence or presence in relation to Normandy, we should perhaps examine whether any changes emerge in the data if we focus only on 'Norman' writs. It has already been noted above that most of the writs enrolled in the 'Norman' rolls were for Norman business and so we will retain a reasonably substantial database.

Table 41: John's Itinerary and Type of 'Norman' Writs in the 'Norman' Close Roll for 2 John

Norman Roll 2 John – Norman writs only						
<i>Location and Dates</i>	Total Entries	Revenues	Lands Given or Confirmed	Custody of Castles	Forests	Logistics/Other Business
<i>Normandy (17 May – 7 June) c. 3 weeks</i>	<b>18</b>	6 (33%)	3 (16%)	-	1	7 (39%)
<i>Le Mans (8 June) &lt; 1 week</i>	<b>2</b>	1	-	-	-	1
<i>Anjou (10 June – 1 July) c. 3 weeks</i>	<b>12</b>	7 (58%)	1	-	-	4 (33%)
<i>Poitou/Gascony (4 July – 28 Aug.) c. 8 weeks</i>	<b>3</b>	-	-	-	-	3
<i>Anjou (1 Sep. – 4 Sep.) &lt; 1 week</i>	<b>2</b>	2	-	-	-	-
<i>Normandy (5 Sep. – 1 Oct.) c. 3 weeks</i>	<b>28</b>	23 (82%)	1	-	-	4 (14%)
<i>England (10 Oct. – 9 April) c. 27 weeks</i>	<b>10</b>	6 (60%)	4 (40%)	-	-	-

Table 42: John's Itinerary and Type of 'Norman' Writs in the 'Norman' Close Roll for 4 John

Norman Roll 4 John – Norman writs only.						
<i>Location and Dates</i>	Total Entries	Revenues	Lands Given or Confirmed	Custody of Castles	Forests	Logistics/Other Business
<i>Normandy (23 May – 29 July)* c. 9 weeks</i>	<b>115</b>	46 (40%)	42 (36%)	2	1	24 (21%)
<i>Chinon [Siege of Mirebeau] (c. 1 - 6 August)</i>	<b>1</b>	1	-	-	-	-
<i>Maine/Normandy [Falaise, Alencon, Argentan, Le Mans] (c. 7 -16 August) c. 1 week</i>	<b>16</b>	6	6	-	-	4
<i>Anjou (c. 21 August – c. 16 September) c. 3 weeks</i>	<b>8</b>	1	6	-	-	1
<i>Normandy/Maine (c. 29 September – 29 October) c. 4 weeks</i>	<b>6</b>	3	3	-	-	-
<i>Anjou (3 November – 5 December) c. 5 weeks</i>	<b>3</b>	2	1	-	-	-
<i>Normandy (6 December – 14 May) c. 23 weeks</i>	<b>230</b>	83 (36%)	80 (35%)	1	3	63 (28%)

\* Including a few days at Le Mans around 24 and 25 June 1202 and around 21 and 22 January 1203.

What we see if Angevin and Poitiven entries are removed, is that the trends in enrolment of logistical orders already identified become slightly more pronounced. In those longer periods when John remained in Normandy, the average percentage of logistical orders grows from 26.5% to 29%. The same conclusion reached above can be retained, that the Norman rolls functioned as the main administrative roll for Normandy, only when John was well settled in the region, and were likely replaced by some form of record kept by the seneschal when John was in England or elsewhere in France. What remains, is to discuss John's other French lands - Anjou, Poitou and Gascony. Although the data is limited, we must attempt to analyse the small number of 'Angevin' and 'Poitiven' entries that are found in the Norman rolls separately to the 'Norman' entries.

When entries for Anjou and Poitou are looked at in isolation it becomes clear that logistical orders are not enrolled more regularly when John is in either region. There is no indication that the work of regional chanceries in either Anjou or Poitou was ever taken on by the royal chancery in the manner it is proposed that both the English and Norman administrations operated. It is also worth remembering that a similar system was possibly in place in Ireland, where we unfortunately have no surviving close roll from John's single expedition as king. Although there is not any evidence for how the administration of Ireland would have operated when John was in Ireland, the enrolment of Irish writs in the 'English' rolls, as far as it can be ascertained, is comparable with the enrolment of Angevin and Poitiven writs in the 'Norman' roll.

Table 43: John's Itinerary and Type of 'Angevin and Poitiven' Writs in the 'Norman' Close Roll for 2 John

Norman Roll 2 John – Angevin and Poitiven writs.						
<i>Location and Dates</i>	Total Entries	Revenues	Lands Given or Confirmed	Custody of Castles	Forests	Logistics/Other Business
<i>Normandy (17 May – 7 June) c. 3 weeks</i>	<b>2 Poitou</b> (0 Anjou)	-	2 (Poitou)	-	-	-
<i>Le Mans (8 June) &lt; 1 week</i>	-	-	-	-	-	-
<i>Anjou (10 June – 1 July) c. 3 weeks</i>	<b>5 Anjou</b> (0 Poitou)	2 (Anjou)	1 (Anjou)	-	1 (Anjou)	1 (Anjou)
<i>Poitou/Gascony (4 July – 28 Aug.) c. 8 weeks</i>	<b>1 Poitou</b> <b>4 Anjou</b>	2 (Anjou)	1 (Poitou)	<b>1 (Anjou)</b>	-	<b>1 (Anjou)</b>
<i>Anjou (1 Sep. – 4 Sep.) &lt; 1 week</i>	<b>1 Poitou</b> <b>1 Anjou</b>	1 (Poitou) 1 (Anjou)	-	-	-	-
<i>Normandy (5 Sep. – 1 Oct.) c. 3 weeks</i>	<b>10 Anjou</b> (0 Poitou)	9 (Anjou)	-	-	-	1 (Anjou)
<i>England (10 Oct. – 9 April) c. 27 weeks</i>	<b>2 Poitou</b> <b>1 Anjou</b>	1 (Poitou) 1 (Anjo)	-	-	-	1 (Poitou)

Table 44: John's Itinerary and Type of 'Angevin and Poitiven' Writs in the 'Norman' Close Roll for 4 John

Norman Roll 4 John – Angevin and Poitiven writs.						
<i>Location and Dates</i>	Total Entries	Revenues	Lands Given or Confirmed	Custody of Castles	Forests	Logistics/Other Business
<i>Normandy (23 May – 29 July)* c. 9 weeks</i>	<b>8 Poitou 8 Anjou</b>	5 (Poitou) 4 (Anjou)	2 (Poitou) 2 (Anjou)	2 (Anjou)	-	1 (Poitou)
<i>Chinon [Siege of Mirebeau] (c. 1 - 6 August)</i>	<b>2 Anjou (0 Poitou)</b>	-	2 (Anjou)	-	-	-
<i>Maine/Normandy [Falaise, Alencon, Argentan, Le Mans] (c. 7 -16 August) c. 1 week</i>	<b>2 Poitou 2 Anjou</b>	1 (Poitou) 1 (Anjou)	1 (Poitou) 1 (Anjou)	-	-	-
<i>Anjou (c. 21 August – c. 16 September) c. 3 weeks</i>	<b>1 Poitou 3 Anjou</b>	1 (Anjou)	1 (Poitou) 1 (Anjou)	-	1 (Anjou)	-
<i>Normandy/Maine (c. 29 September – 29 October) c. 4 weeks</i>	<b>1 Anjou (0 Poitou)</b>	-	1 (Anjou)	-	-	-
<i>Anjou (3 November – 5 December) c. 5 weeks</i>	<b>2 Poitou 1 Anjou</b>	1 (Poitou) 1 (Anjou)	-	-	-	1 (Poitou)
<i>Normandy (6 December – 14 May) c. 23 weeks</i>	<b>1 Poitou 11 Anjou</b>	2 (Anjou)	6 (Anjou)	-	-	1 (Poitou) 3 (Anjou)

\* Including a few days at Le Mans around 24 and 25 June 1202 and around 21 and 22 January 1203.

Having considered the different types of writs being enrolled, it is important to consider who the writs being enrolled in the close rolls were being sent to:



Table 45: John's Itinerary and Type of Writs in the 'English' Close Rolls 1199-1204

Section of English Close Roll	Total Entries	Justiciar	Barons of the Exchequer (& Treasurer etc.)	Treasurer and Chamberlains of the Exchequer	Local Officials	Other
2 John [in France] c. 18 weeks	24	22 (91%)	1 (4%)	1 (4%)	0 -	0 -
2 John [in England] c. 27 weeks	115	5 (4%)	21 (18%)	32 (28%)	56 (48%)	1 (0.5%)
3 John [in England] c. 4 weeks	18	3 (16%)	5 (28%)	1 (5%)	7 (39%)	2 (10%)
3 John [in France] c. 47 weeks	109	90 (83%)	3 (3%)	4 (4%)	0 -	12 (11%)
5 John [in France] c. 23 weeks	232	162 (70%)	1 (0.5%)	16 (7%)	7 (3%)	46 <sup>837</sup> (20%)
5 John [in England] c. 24 weeks	237	3 (1%)	33 (14%)	48 (20%)	120 (50%)	33 (14%)

In the English counterparts, we can clearly see a significant increase in the number of writs sent to local officials being enrolled when John was in England, comprising almost 50% of entries compared to almost none when John was in France. These writs were often the logistical orders which were discussed above. In the rolls when John was in France, around 75% of writs were sent to the justiciar Geoffrey fitzPeter. The tendency to correspond with the justiciar when the king was abroad, as we have discussed, would then allow the justiciar's chancery to communicate with the exchequer and local officials.

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<sup>837</sup> This rise in 'other' is mostly from writs sent to the justiciar of Ireland, the chief forester or the custodians of the Jews.

Table 46: Officials Writs are Sent to in 'Norman' Close Rolls

Section of Norman Close Roll	Total Entries <sup>838</sup>	Sen. Norm.	Norman Exchequer	Sen. Norm. & Ex. Barons	Norman Local Officials	Other	Sen. Anjou	Angevin Local Officials	Sen. Poitou	Gascon Local Officials
2 John (France) c. 18 weeks	89	2 (2%)	9 (10%)	7 (8%)	24 (27%)	1 (1%)	17 (19%)	4 (4.5%)	1 (1%)	3 (3%)
2 John (England) c. 27 weeks	13	9 (69%)	-	-	1 (7%)	-	1 (7%)	-	1 (7%)	1 (7%)
4 John (France) c. 48 weeks	426	57 (13%)	68 (16%)	6 (1.5%)	218 (41%)	27 (6%)	18 (4%)	19 (4%)	11 (2.5%)	2 (0.5%)
5 John (France) c. 23 weeks	188	28 (15%)	31 (16%)	35 (18%)	82 (44%)	9 (5%)	1 (0.5%)	2 (1%)	-	-
5 John (England) [15 May only]	4	1 (25%)			1 (25%)	2 (50%)				

In the Norman counterpart rolls, it appears that when John was in England the majority of writs were sent to the seneschal of Normandy, a comparable trend to the high percentage of correspondence with the English justiciar when John was in France. There is also some correspondence with the seneschals of Anjou and Poitou, although significantly less than when John was in France. When the king was in France there is increased correspondence with local officials, accounting for almost 50% of entries in the roll. There also appears to be more regular correspondence with local officials in Anjou and Poitou

<sup>838</sup> The damage to various membranes has made it difficult to determine who or where a writ was sent on occasions. In addition, there are numerous occasions where entries of memoranda do not include any indication of who the writ was sent to. Only those writs where the recipient can be certainly identified have entries been counted in these tables, therefore, the total number of writs will often be less than in other counts where writs can be allocated according to context. In the Norman close rolls, especially 2 John, many writs are addressed to recipients by name rather than office, although many of these were clearly being written to in their capacity as local officials in either Normandy, Anjou or Aquitaine.

when the king was in France and it is worth again looking at John's itinerary in France in more detail:

Table 47: Officials Writs are sent to in the 'Norman' Close Roll for 2 John

Norman Close Roll 2 John (18 May 1200 – 2 May 1201)										
Location and Dates	Total Entries	Sen. Norm.	Norman Exchequer	Sen. Norm. & Ex. Barons	Norman Local Officials	Other	Sen. Anjou	Angevin Local Officials	Sen. Poitou	Gascon Local Officials
Normandy (17 May – 7 June) c. 3 weeks	20	1 (5%)	4 (20%)	1 (5%)	10 (50%)	1 (5%)	-	1 (5%)	-	2 (10%)
Maine (Le Mans) 8 June	2		1		1					
Anjou (19 June – 1 July) c. 2 weeks	17	3 (16%)		1	8 (47%)	-	3 (16%)	2 (10%)	-	-
Poitou/ Gascony (7 July – 28 Aug.) c. 8 weeks	8	-	-	-	3 (38%)	-	3 (38%)	1 (13%)	-	1 (13%)
Anjou (1 Sep. – 4 Sep.) < 1 week	4	2 (50%)	-	-	-	-	1 (25%)	-	1 (25%)	-
Normandy (5 Sep. – 1 Oct.) c. 3 weeks	38	17 (47%)	4 (11%)	5 (14%)	2 (5%)	-	10 (24%)	-	-	-
England (10 Oct. – 9 April) c. 27 weeks	13	9 (69%)	-	-	1 (7%)	-	1 (7%)	-	1 (7%)	1 (7%)

Total writs enrolled within the overall time spent in each region over the regnal year:										
Normandy c. 6 weeks	58	18 (32%)	8 (14%)	6 (10%)	12 (21%)	1 (2%)	10 (14%)	1 (2%)	-	2 (4%)
Maine c. 1 week	2	-	1	-	1	-	-	-	-	-
Anjou c. 3 weeks	21	5 (20%)	-	1	8 (40%)	-	4 (20%)	2 (8%)	1	-
Poitou/ Gascony c. 8 weeks	8	-	-	-	3 (38%)	-	3 (38%)	1 (13%)	-	1 (13%)
England c. 27 weeks	13	9 (69%)	-	-	1 (7%)	-	1 (7%)	-	1 (7%)	1 (7%)

Table 48: Officials Writs are sent to in the 'Norman' Close Roll for 4 John

<i>Norman Close Roll 4 John (23 May 1202 – 14 May 1203)</i>										
<i>Location and Dates</i>	<i>Total Entries</i>	<i>Sen. Norm.</i>	<i>Norman Exchequer</i>	<i>Sen. Norm. &amp; Ex. Barons</i>	<i>Norman Local Officials</i>	<i>Other</i>	<i>Sen. Anjou</i>	<i>Angevin Local Officials</i>	<i>Sen. Poitou</i>	<i>Gascon Local Officials</i>
<i>Normandy (23 May – 29 July) c. 9 weeks<sup>839</sup></i>	<b>131</b>	11	21	-	75	8	5	2	7	2
<i>Chinon (c. 5-6 August)</i>	<b>3</b>	1	-	-	-	-	2	-	-	-
<i>Maine/ Normandy [Falaise, Alencon, Argentan, Le Mans] (c. 7-16 August)</i>	<b>20</b>	5	4	-	6	2	1	1	1	-
<i>Anjou (c. 21 August – 3 Oct.) c. 5 weeks</i>	<b>12</b>	2			2	5		2		1
<i>Normandy (7 – 29 October) c. 3 weeks</i>	<b>7</b>	2	1	1	1	1	1	-	-	-
<i>Anjou (3 November – 5 December) c. 5 weeks</i>	<b>6</b>	1	2	-	-	-	1	-	2	-
<i>Normandy (6 December – 14 May) c. 23 weeks</i>	<b>250</b>	34 (14%)	42 (17%)	5 (2%)	138 (55%)	12 (5%)	8 (3%)	10 (5%)	1 (0.5%)	-
<i>Total writs enrolled within the overall time spent in Normand, Maine &amp; Anjou over the regnal year:</i>										
<i>Normandy c. 35 weeks</i>	<b>393</b>	49 (12%)	66 (17%)	5 (1%)	212 (54%)	24 (6%)	15 (4%)	13 (3%)	8 (2%)	1 (0.5%)
<i>Anjou c. 13 weeks</i>	<b>33</b>	8 (24%)	2 (6%)	1 (3%)	6 (18%)	3 (9%)	3 (9%)	6 (18%)	3 (9%)	1 (3%)

<sup>839</sup> Including the few days in Le Mans around 24 and 25 June when two writs were sent to each of the seneschals of Anjou and Poitou.

Table 49: Officials Writs are sent to in the 'Norman' Close Roll for 5 John

Norman Close Roll 5 John (15 May 1203 – 2 June 1204)										
Location and Dates	Total Entries	Sen. Norm.	Norman Exchequer	Sen. Norm. & Barons	Norman Local Officials	Other	Sen. Anjou	Angevin Local Officials	Sen. Poitou	Gascon Local Officials
Norm. (24 June – 5 Dec.) c. 23 weeks	<b>188</b>	28 (15%)	31 (16%)	35 (18%)	82 (44%)	9 (5%)	1 (0.5%)	2 (1%)	-	-
England (15 May only)	<b>4</b>	1	-	-	1	2	-	-	-	-

Table 50: Officials Writs are sent to by Region in the 'Norman' Close Rolls

Norman Rolls Combined (Total writs enrolled in each region throughout the time covered by the extant Norman rolls):										
Location and Dates	Total Entries	Sen. Norm.	Norman Exchequer	Sen. Norm. & Ex. Barons	Norman Local Officials	Other	Sen. Anjou	Angevin Local Officials	Sen. Poitou	Gascon Local Officials
Normandy/ Maine (c. 64 weeks)	<b>639</b>	95 (15%)	106 (16%)	46 (7%)	307 (48%)	34 (6%)	24 (4%)	16 (2.5%)	8 (1%)	3 (n/a)
Anjou (c. 16 weeks)	<b>54</b>	13 (24%)	2 (4%)	2 (4%)	14 (26%)	3 (5%)	7 (13%)	8 (15%)	4 (7%)	1 (2%)
Poitou/ Gascony (c. 8 weeks)	<b>7</b>	-	-	-	3 (42%)	-	3 (42%)	-	-	1 (14%)
England (c. 27 weeks)	<b>15</b>	10 (66%)	-	-	2 (13%)	-	1 (6%)	-	1 (6%)	1 (6%)

There is a clear drop in the number of writs sent to Norman local officials when John left Normandy but remained in France. Furthermore, more writs are being sent directly to the seneschal of Normandy when John is in Anjou, just as they are when he is in England. Writs sent directly to the Norman exchequer are almost exclusively limited to the times when John was in Normandy itself. All of these trends support the theory that enrolment in

Normandy followed the same patterns as enrolment in England. It is also noticeable, that in the two periods identified above, when John was in Normandy for a short time in between trips away and where it is posited that a regency government remained in place, very few writs were sent to local officials and between 5 September and 1 October 1200 around 50% writs enrolled were sent to the seneschal of Normandy.<sup>840</sup>

There is, however, perhaps less support for those previous conclusions in the period when John visited Poitou and Gascony in the second year of his reign. For one thing, very few writs sent to the seneschal of Normandy are enrolled in this period. Very few writs are enrolled in total of course, and in this, John's trip to the very southern tip of his domains is perhaps comparable to when John crossed to England. Another confusing aspect of enrolment in this period, is the comparably large percentage of writs sent to local officials in Normandy.<sup>841</sup> Although there are not a large number of such entries within the roll as a whole, it is surprising that despite so few entries being made at this point, so many of them happen to be sent to local Norman officials. At the same time, very few writs are sent to the seneschal of Normandy, despite the hypothesis that a regency administration would have been in place in Normandy at this time and remained in place when John briefly returned to Normandy before crossing the channel to England.

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<sup>840</sup> In the other period, 7 – 29 October 1202, two of the seven writs enrolled were sent to the seneschal of Normandy, with no other recipient in this period being sent more than a single writ. See above, 307.

<sup>841</sup> There are 11 writs sent to local officials enrolled between 19 June and 29 August 1200, almost half of the 25 writs entered in this period in total.

To understand how significant these entries are a more detailed examination of the writs in question is required. The first three writs for local officials are all dated to either 20 or 21 June at Angers, along with several other writs for Guérin de Glapion the seneschal of Normandy.<sup>842</sup> These writs are not enrolled together as a group but were added to the roll on at least two separate occasions by different scribes.<sup>843</sup> The first of these is a writ of *computate* directing Hugh of Chalcombe to make repairs to the king's house at Bayeux. The next is an order that John de Préaux should allow Robert d'Yorey 50 pounds Angevin from the arears of the bishop of Lisieux.<sup>844</sup>

There is no clear reason that these orders would need to come directly from the king and not the seneschal if a regency administration had been left in Normandy, but we know that even when he was primarily communicating with the seneschal the king would still be issuing his own commands to local officials, although less regularly. It is very important to acknowledge that the presence of a regency administration would not stop John from sending out such writs himself. There were no strict rules or processes, but simply a tendency for the king to leave matters in the hands of his deputy. It is not the existence of these writs that is problematic, but the quantity of them being enrolled. The third writ enrolled from those issued at Angers, dated 20 June, was for Peter de Préaux and for this particular order there may be a reason for the royal chancery issuing the letter themselves.

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<sup>842</sup> *Rot. Norm.*, 25-26.

<sup>843</sup> TNA, C 64/4, mm. 6-5.

<sup>844</sup> *Rot. Norm.*, 25. Around this time John de Préaux is associated with the bailiffs of Rouen and Hugh of Chalcombe was acting as a royal justice at the Caen exchequer. John can last be found with the royal court witnessing a charter on 26 May at Les Andeleys and Hugh was at Falaise in June and at Argentan on 8 September. *Rot. Chart.*, 65, 75.

The writ is concerned with the allowance of revenue from the stallage paid by the men of Guernsey and in a charter dated 21 June, the following day, the Channel Islands were formally granted to Peter.<sup>845</sup> The writ is, therefore, closely linked with that grant which would have had to have come from the king and not through his regent.

Another four writs were sent to local officials from Tours on 27 and 29 June, two to John de Préaux and two to local officers at Barfleur. The writs for the bailiffs and prevost of Barfleur were both writs of *computate* ordering these officers to find passage to England for the king's servants.<sup>846</sup> At least one was certainly carried by an Adam who needed to cross the channel and so there is a clear reason for this writ to have been issued from the royal chancery, as presumably that Adam was itinerant with the king before he was sent to England.<sup>847</sup> One of the writs for John de Préaux, addressed to him and Master Roselin, the custodian of king's escheat in Normandy, notifies John that the heirs and lands of Richard de Lowes have been given to Fulk de Cantilupe and instructs him to ensure that Fulk has free possession of the same. The other is a writ of *computate*, ordering John to pay the merchants of the Seine who provided transport for John's servants to and from the Roman court.<sup>848</sup> A possible answer for several writs being sent to John de Préaux, usually a man engaged in local administrative tasks in Normandy, despite John's absence from the duchy, is found in the teste clause of the writ sent to John and Master Roselin. The writ is witnessed by the king himself at Tours, but given by the hand of Guérin de Glapion, the seneschal of

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<sup>845</sup> *Rot. Norm.*, 26; *Rot. Chart.*, 71.

<sup>846</sup> *Rot. Norm.*, 26-27.

<sup>847</sup> *Invenite passag[ium] s[i]n[e] p[re]alcio Ade latori p[re]als[e]nciu[m] [...]. Rot. Norm.*, 26.

<sup>848</sup> *Rot. Norm.*, 26



Normandy.<sup>849</sup> There are also several charters witnessed by Guérin de Glapion at Chinon on 24 and 25 June, showing that Guerin was with the king for most of that last week in June and not back in Normandy acting as regent.<sup>850</sup> It would appear that Guerin accompanied John on his journey south from Normandy in June and then returned to Normandy when John carried on travelling south in July and August.<sup>851</sup> It is possible, therefore, that John de Préaux had been left in control of Normandy for the brief period when Guerin was in Anjou with the king. There is no direct evidence for this, but it is worth noting that the writs sent to John in this period are concerning a variety of different matters, both revenues and grants of lands, not all of which can be connected to Rouen where John appears to have held a local office.<sup>852</sup> In addition, a letter patent addressed to Guerin as seneschal and the barons of the Caen exchequer issued at Angers on 20 June, instructs them to pay to John de Préaux anything which he 'reasonably uses in the operation of the castles, houses and other things by our order'.<sup>853</sup> The rather open nature of this order may support the theory that John de Préaux was acting as de-facto seneschal in Guérin's short absence. If this is the case, then the four writs sent to John de Préaux and enrolled whilst the king was in Anjou, for the purposes of this section of our study, have more in similarity with the writs sent to the seneschal than writs sent to local officials.

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<sup>849</sup> *Ibid.*, 'T[este] me ip[s]o ap[ud] Turon[ensis] xxvij die Jun[ius]. P[er] G. de Glapion.'

<sup>850</sup> *Rot. Chart.*, 71-72.

<sup>851</sup> We next see Guerin witnessing a charter on 3 September at Suse in northern Anjou a day or two before John returned to Normandy that Autumn and he does not appear in any charters issued in Poitou or Gascony throughout July and August. *Rot. Chart.*, 75.

<sup>852</sup> *Rot. Norm.*, 25; P. Webster, 'King John and Rouen: Royal Itineration, Kingship, and the Norman 'Capital', c. 1199–c. 1204', in *Society and Culture in Medieval Rouen, 911-1300*, ed. by L. Hicks and E. Brenner (Turnhout, Brepols, 2013) 309-337, (324).

<sup>853</sup> *Rot. Norm.*, 25-26.

The remaining writs sent to Norman local officials throughout July and August, whilst John was in Poitou, are also more easily dealt with. A writ of *computate* issued on 1 July at Loches for the bailiffs of Arques is concerned with the work of John's foresters and we have already seen that the forests were administered separately from the system of close rolls.<sup>854</sup> Two writs of *computate* issued on 28 August at Faye and Poitiers were sent to the prevost of Barfleur ordering them to provide transport for John's servants moving his treasure between England and Normandy.<sup>855</sup> Finally a writ of *computate* issued at Bourdeaux on 18 July, was sent to Robert de Tresgoz, orders him to send stone roofing slabs to Southampton.<sup>856</sup> All three of these entries are concerned with the transport of assets across the channel and this perhaps may explain why orders were sent directly to the local officials and given through the seneschal. Although not certain, it is possible the letters were carried from Gascony by the servants involved in the orders.<sup>857</sup> There is reasonable evidence, therefore, for why an unusually large number of writs were sent to 'Norman' local officials in the summer of 1203 when John was away from Normandy.

With this potential complication cleared up we can retain the conclusion that a regency administration was left in Normandy on some occasions when John was in southern France and move on to the more general findings of this chapter. The first of these, is simply that before 1204 English writs were enrolled more regularly in the 'English' close roll when John was in England. Irish writs, however, continued to be enrolled at reasonably similar

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<sup>854</sup> *Rot. Norm.*, 27.

<sup>855</sup> *Rot. Norm.*, 28.

<sup>856</sup> *Ibid.*

<sup>857</sup> Robert de Tresgoz for example was with John at Baugy on 30 August. *Rot. Chart.*, 75.

rates whatever side of the channel John was on. Meanwhile, when John was in France, 'Norman' writs were enrolled more frequently in the 'Norman' roll, and, moreover, these 'Norman' entries were enrolled at a faster rate when John was in Normandy itself, and slightly less frequently when his itinerary took him into his southern French lands. Angevin and Poitiven entries, although rarely enrolled when John was in England, were enrolled at a similar rate whether John was in Normandy, Anjou, Poitou or Gascony.

The second major conclusion from this chapter is that a decision was made in 1204, after the loss of Normandy and Anjou, to stop compiling a separate 'Norman' roll and start including 'French' entries in the 'English' roll or what could be considered the single royal chancery close roll. The 'French' entries being enrolled after 1204 were not regularly being entered and were enrolled at a slower rate than Irish entries, similar to how Angevin and Poitiven entries were entered in the 'Norman' rolls before 1204. On the two occasions that John returned to France after 1204, the rate of enrolment of English entries dropped significantly and 'French' entries were enrolled more frequently in the single remaining close roll. This conclusion is expanded on to argue that many of the expected 'English' entries at this time were instead being made in a justiciar's roll, an example of which survives for part of the time John spent in France in 1214. It is argued that this justiciar's roll was for all intents and purposes another counterpart chancery close roll.

The third main conclusion of this chapter, therefore, is that the changes in the rate of enrolment within both the 'English' and 'Norman' close rolls, before and after 1204, appears

to be linked to the existence of rolls compiled by the justiciars and seneschals, who when acting as regent in the king's absence were compiling their own counterpart close rolls, likely with the support of chancery clerks working in 'regency chanceries'. These rolls were primarily made up of writs which required an account at an exchequer, the *contrabrevia* which were otherwise enrolled in the English chancery close rolls when John was in England. An analysis of the type of writs being enrolled against John's itinerary shows that 'English' writs of *contrabrevia* were rarely enrolled in the 'English' close roll when John was overseas. This chapter suggests that these writs were still being issued and enrolled, but in the regency chancery and not the itinerant royal chancery. Furthermore, it is suggested that the hypothesised regency chanceries would have been considered to be branches of the single royal chancery, staffed by the same clerks who at other times travelled with the itinerant king, with evidence of some disruption within the chancery rolls when John crossed the channel and responsibilities for enrolling writs would have transferred from the main royal chancery to the regency chancery or vice versa. It is also proposed that the regions where John spent less time, in Ireland and southern France, therefore, were left mostly to the administration of these regency administrations, with the king communicating primarily with the seneschal or justiciar, whereas when John was in England or Normandy for extended periods, he would assume full control of the administration, reabsorbing the regency chancery into his own household and communicating directly with his local officials and financial officers.

We do not have evidence of John spending significant time in either Ireland, Anjou or Poitou when he may have taken over the administration of these regions and it is also

possible that the 'regency administrations' in these regions were more or less permanent. When John was in Anjou and Poitou, there is no clear change in the type of Angevin and Poitiven writs being enrolled. Although the relevant chancery close roll played a central role in the administration of England or Normandy when the king was present in the relevant region for a significant amount of time, Angevin and Poitiven writs were enrolled alongside the Norman business in the roll, despite there not being a comparable administrative need for the two southern regions to be included within the roll. The separation of English and Norman business, therefore, may have been a helpful administrative division to avoid confusion when the king crossed the channel. The chancery having chosen to enrol Angevin and Poitiven writs alongside Norman writs suggests that the division of John's realms *ultra mare et citra mare* within the chancery enrolments was also driven by chancery perceptions of the Angevin regions rather than just administrative needs. If practical organisation of records was the most important factor, then we could expect the 'English' and 'Norman' rolls to include only English and Norman business respectively and perhaps a separate roll to have been maintained for the other regions of the 'Angevin empire'.

## Conclusion

The chancery rolls provide a rich source base for historians from the thirteenth century onwards. The importance of the rolls for scholars is never more apparent than in the earliest years of John's reign. When compared with the limited evidence available for the study of John's predecessors, the chancery rolls allow an enviable insight into the workings of the royal administration. It is, therefore, vital that we understand not only the opportunities offered by these sources but also their limitations. These limitations are not only confined to those inherent in the sources, such as apply when using a chronicler who was writing the history of a reign many years after the events described, but are also restrictions imposed on the sources accidentally or maliciously by the keepers or readers of the records. These limitations could be clearly visible, such as the damage caused by poor storage or chemical reagents applied in an ill-fated attempt to read faded writing, or more subtle, such as an incorrectly dated catalogue entry. It is only by understanding what sort of additional limitations have been placed on the chancery rolls in the centuries since their compilation that we can begin to properly understand the creation and purpose of the rolls within the contemporary context of the rolls at the time they were compiled.

This study begins by setting out several of the limitations which have been inadvertently placed on study of the chancery rolls by some of the historical archivists and editors who have worked with these records. The inadequacy of the nineteenth-century editions as exact representations of these documents is a warning that although an excellent

resource, we must not rely on such printed record-type volumes alone. When placed in the context of the wider work of the Record Commissions, we are able to understand why these editions would have been compiled in the manner they were, just as we must place the chancery rolls themselves within the context of John's reign. It is not Hardy's editions alone which present barriers to recreating the contemporary context of the rolls. The archival past of the chancery rolls at the Tower of London has also had a significant impact on how the rolls are accessed and understood today. To fully appreciate how the rolls would have been understood by the clerks who compiled them in John's chancery, therefore, it is important to reorder and re-catalogue the rolls to better represent that contemporary setting. The first two chapters of this thesis have, therefore, explored the environment Thomas Duffus Hardy was working in when compiling his editions and then set out how the contemporary clerks, those 'middling officers' of John's chancery, would have understood and organised the documents they compiled.

When the limitations placed on these records are understood and considered, several conclusions have been made from an analysis of the rolls and the entries within them in the final two chapters of this thesis. The first key conclusion from this thesis regarding the contemporary chancery rolls is that the chancery first began to compile these rolls in 1199, at the start of John's reign. This is not an argument that rolls were not being compiled before 1199, or that records were not being kept before 1199, but that the systematic process of copying writs and charters into rolls throughout each regnal year for the purpose of keeping a record of what had been issued by the chancery did in fact start in 1199. The chancery rolls which have survived from 1199 to 1204 carry numerous signs of being experimental

documents that have recently emerged, especially when compared with those from the later years of John's reign and the beginning of Henry III's reign. The physical consistency of those rolls from the years after 1204 must be understood in the context of several breakdowns in chancery processes, with the papal interdict of John's reign and the civil war and minority government that marked the end of John's reign and succession of Henry III. It was clearly possible for medieval institutions to retain a house style even when they were disrupted by war or dramatic changes in the political landscape. The pipe rolls retained the same layout before and after an apparent breakdown in exchequer processes during the anarchy of King Stephen's reign, with the surviving pipe roll for 31 Henry I conforming to the same general style and layout as the early pipe rolls of Henry II.<sup>858</sup> The significance of the innovation described in the chancery rolls in the earliest years of John's reign, therefore, is not evidence alone for these rolls being an invention of 1199. When set against the consistency of the rolls from the later years of John's reign, however, it becomes much more likely that enrolment started in those early years. Chancery enrolment beginning in 1199 is extremely significant in the context of understanding how the chancery clerks understood the nature of the 'Angevin empire', because it means that the organisation of these administrative documents was a choice made in 1199. The division of the close and fine rolls into an 'English' and 'Norman' counterpart, therefore, was a conscious decision of the chancery clerks. At the same time, those clerks choose to compile a single charter roll to record charters granted throughout the 'Angevin empire'. When letters patent started to be enrolled separately in the third year of John's reign, the chancery clerks once again choose to

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<sup>858</sup> Green, 'Introduction' in *PR 31 Henry I*, xv-xvi; M. Hagger, 'Theory and Practice in the Making of Twelfth-Century Pipe Rolls', in *Records, Administration and Aristocratic Society in the Anglo-Norman Realm*, ed. by N. Vincent (Woodbridge, Boydell, 2009), 45-74.



compile only a single roll. It appears, therefore, that the collective chancery mind did consider the 'Angevin empire' to some extent to be a unified collection of lands, although as the contemporary titles and annotations on these rolls show, these lands were collected around the person of the king. The clerks were making records for the king and not for a political entity such as an empire. The compilation of single central rolls of charters and letters patents is not, therefore, an attempt to centralise the administration of all of John's land but does perhaps demonstrate that the chancery clerks believed that each of these lands could be collected together for the purposes of record keeping. This is seen again after the fall of Normandy in 1204, when the chancery clerks stopped compiling a separate 'Norman' roll for 'French' entries and began enrolling these entries alongside the English and Irish entries in a single roll. Although the division into 'English' and 'Norman' rolls was considered a useful or important split in 1199, the chancery clerks were not reliant on it and so must have been flexible in how they understood the nature of the 'Angevin empire' for the purposes of administration and record making.

The beginning of enrolment in 1199 is attributed by this thesis to Hubert Walter, whose previous role as justiciar is theorised to have been where some form of enrolment of outgoing writs could have first developed. The role of John's justiciars in England and the presence of a regency administration under Geoffrey fitzPeter and later Peter des Roches, who were issuing writs and probably enrolling them whenever John was away from England, is another piece of important contemporary context that is proposed by this thesis as having a significant impact on enrolment. The fact that John held lands in France and Ireland, is also central to the argument in this thesis that John's itinerary must be considered

when analysing the rolls. This thesis proposes the possibility that regency administrations led by John's various seneschals in France and his justiciars in Ireland would have acted in the same manner as the English justiciars. There would therefore have been regency administrations operating in Normandy, Anjou and Poitou before 1204, and in Gascony and Ireland throughout John's reign. All or some of these administrations may have been compiling their own rolls of record, which have now been lost.

This thesis argues that the chancery clerks appear to have considered the extant rolls produced by the justiciars chancery not as a separate type of record, but simply as close and fine rolls and as the same clerks appear to have worked across both the royal and justiciars chancery, it is argued that the regency chanceries would not have been separate institutions, but small sections of the royal chancery temporarily working elsewhere. This is significant, because it shows that the chancery clerks would still have considered themselves to be working directly for the king when they were compiling rolls that were only for English entries, just as they considered themselves to be working for the king when they compiled the rolls in which English, Irish and French entries were all enrolled. Likewise, the clerks in the royal chancery before 1204 did not always differentiate between the English and Norman counterpart when using the label of close roll. Once again, we can see the chancery clerks treating John's lands as a collective, even where they divided them for the purpose of administration.

This division of course was not into each of the independent regions which made up the 'Angevin empire' or even according to the previously existing separate financial systems. Instead the rolls were divided by the English channel, with English and Irish records compiled together and Norman, Angevin, Poitiven and Gascon records all compiled together. This division *ultra et citra mare* appears to show us the chancery clerks perceptions of how the 'Angevin empire' was best organised for the purpose of administration, rather than any true administrative division. We have already discussed how each of the independent kingdoms or duchies would likely have had its own regency administrations and elsewhere in the chancery rolls we see how each of these regions is grouped together as a single collection of lands under John's personal rule. We also know that each of the independent regions appear to have had their own financial centre and separate independent financial administrative systems. Despite which, when dividing the two series of rolls which were certainly linked to the financial administration of the 'Angevin empire', the close rolls and fine rolls, the chancery clerks still choose to divide them into the 'English' and 'Norman' rolls, which both included entries from other regions. This division must, therefore, have come from the chancery clerks, who choose to organise the rolls along the lines they felt best.

The final conclusion from this thesis is that although we can often see the chancery clerks treating the various regions of the 'Angevin empire' either as a single collection of lands under the king's rule, or dividing this collection of lands into two groups either side of the English Channel, the chancery clerks and John himself still respected the administrative independence of each of these regions. Each region appears to have had its own financial

administration and royal representative in a seneschal or justiciar. Ireland, Anjou, Poitou and Gascony are largely left to administer themselves, even if we consider them to have been led by a semi-permanent regency administration, with John communicating primarily with the seneschals or justiciar as the de-facto ruler and John's alter ego. When he was absent from England or Normandy the same is true, with John directing his commands to the regent. The chancery rolls of John's reign allow us to catch a glimpse of how each of these regions within the 'Angevin empire' were likely making records and administered, not under the direct supervision of the central administration, but alongside and with the support of the itinerant royal chancery and household. Although John appeared to be more directly involved in the rule of England and Normandy this appears to be linked to his itinerant travels taking him through these regions more regularly and there was not a single region which had a superior position within the collection of lands sometimes described as the 'Angevin empire'.

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## Appendix 1

### The published scholarly works of Thomas Duffus Hardy in Chronological Order

#### 1. His editions of the Chancery Rolls:

1833

*Rotuli Litterarum Clausarum in Turri Londinensi Asservati Volume 1. 1204-1224* (London, Record Commission).

1835

*Rotuli Litterarum Patentium in Turri Londinensi Asservati* (London, Record Commission).

*Rotuli de Oblatis et Finibus in Turri Londinensi Asservati Tempore Regis Johannis* (London, Record Commission).

*Rotuli Normanniae in Turri Londinensi Asservati, Johanne et Henrico Quinto Angliae Regibus. Vol. I: De annis 1200-1205, necnon de anno 1417* (London, Record Commission).

1837

*Rotuli Chartarum in Turri Londinensi Asservati* (London, Record Commission).

1844

*Rotuli de Liberate ac de Misis et Praestitis, Regnante Johanne* (London, Record Commission).

*Rotuli Litterarum Clausarum in Turri Londinensi Asservati Volume 2. 1224-1227.* (London, Record Commission).

## 2. His other historical or antiquarian works:

1840

*Willelmi Malmesbiriensis monachi gesta regum Anglorum, atque historia novella*, 2 vols. (London, Sumptibus Societatis).

1843

*A Catalogue of Lords Chancellors, Keepers of the Great Seal, Masters of the Rolls and Principal Officers of the High Court of Chancery* (London, Butterworth).

1846

*Modus tenendi parliamentum: an ancient treatise on the mode of holding the Parliament of England*, (London, Evre & Spottiswoode, 1846).

1848

*Monumenta historica Britannica or Materials for the History of Britain, from the Earliest Period; Volume I. (Extending to the Norman Conquest)*, ed. by H. Petrie and J. Sharpe (London, Evre & Spottiswoode, 1848). The volume was not finished by Henry Petrie, and after his death it was completed and the prefatory matter added by Thomas Duffus Hardy,

1852

*Memoirs of the Right Honourable Henry Lord Langdale*, 2 vols. (London, Bentley).

1854

*Fasti ecclesiae Anglicanae, or, A calendar of the principal ecclesiastical dignitaries in England and Wales: and of the chief officers in the Universities of Oxford and Cambridge*, ed. by J. Le Neve, 3 vols. (Oxford, Oxford University Press). First volumes compiled by John Le Neve, corrected and continued from 1715 to 'the present time' by Thomas Duffus Hardy.

1862

*Descriptive catalogue of materials relating to the history of Great Britain and Ireland*, vol. 1 (London, Longman).

1864

*Report to the Right Honorable the Master of the Rolls, upon the Carte and Carew papers in the Bodleian and Lambeth libraries* (London, Longman).

1865

*Descriptive catalogue of materials relating to the history of Great Britain and Ireland*, vol. 2 (London, Longman).

1866

*Report to the Right honourable the master of the rolls upon the documents in the archives and public libraries of Venice* (London, Longman).

1869

*Syllabus (in English) of the documents relating to England and other kingdoms contained in the collection known as "Rymer's Foedera"*, ed. by T. D. Hardy, vol. 1 (London, Longman).

1871

*Descriptive catalogue of materials relating to the history of Great Britain and Ireland*, vol. 3 (London, Longman).

1873

*The register of Richard de Kellawe, lord palatine and bishop of Durham: 1311 – 1316*, vol. 1 (London, HMSO).

*Syllabus (in English) of the documents relating to England and other kingdoms contained in the collection known as "Rymer's Foedera"*, vol. 3 (London, Longman).

1874

*The register of Richard de Kellawe, lord palatine and bishop of Durham: 1311 – 1316*, vol. 2 (London, HMSO).

*Further report on the Utrecht psalter: in answer to the eight reports made to the Trustees of the British museum* (London, HMSO).

1875

*The register of Richard de Kellawe, lord palatine and bishop of Durham: 1311 – 1316, vol. 3*  
(London, HMSO).

1878

*The register of Richard de Kellawe, lord palatine and bishop of Durham: 1311 – 1316, vol. 4*  
(London, HMSO).

1885

*Syllabus (in English) of the documents relating to England and other kingdoms contained in the collection known as "Rymer's Foedera", vol. 3* (London, Longman).

1888 (Posthumously)

*Lestorie des Engles solum la translacion Maistre Geffrei Gaimar, ed. by C. T. Martin, 2 vols.* (London, HMSO).

## Appendix 2

### Chronological List of the Publication Programme of the Record Commissions

#### **The First Record Commission 1800 – 1806:**

##### 1802:

*Taxatio ecclesiastica Angliae et Walliae auctoritate P. Nicholai V, circa A.D. 1291*, ed. by T. Astle, S. Ayscough and J. Caley.

*Calendarium Rotulorum Patentium in Turri Londiniensi*, ed. by T. Astle, S. Ayscough and J. Caley.

##### 1803:

*Calendarium rotulorum chartarum et inquisitionum ad quod damnum*, ed. by J. Caley.

##### 1804:

*The parliamentary records of Scotland in the General register House, Edinburgh*, ed. by W. Robertson.

##### 1805:

*Rotulorum originalium in curia scaccarii abbreviato*, vol. 1, ed. by H. Playford and J. Caley.

##### 1806:

*Calendarium inquisitionum post mortem sive escaetarum*, vol. 1, ed. by J. Caley and J. Bayley.

#### **The Second Record Commission 1806 – 1817:**

##### 1807:

*Nonarum inquisitiones in curia scaccarii, temp. Regis Edwardi III*, ed. by G. Vanderzee.

*Testa de Nevill sive liber feodorum in curia scaccarii, temp Hen III et Edw I*, ed. by J. Caley and W. Illingworth.

##### 1808:



*Calendarium inquisitionum post mortem sive escaetarum: Temporibus regis Edwardi III*, vol. 2, ed. by J. Caley and J. Bayley.

1810:

*Rotulorum originalium in curia scaccarii abbreviato: Temporibus regis Edwardi III*, vol. 2, ed. by H. Playford and J. Caley.

*The statutes of the realm, from original records and authentic manuscripts*, vol. 1, ed. by A. Luders, T. E. Tomlins, W. E. Taunton and J. Raithby.

*Valor ecclesiasticus temp Hen VIII auctoritate regia institutus: Canterbury, Rochester, Bath and Wells, Bristol, Chichester and London*, vol. 1, eds by J. Caley and J. Hunter.

1811:

*Placitorum in dimo capitulari Westmonasteriensi asservatorum, abbreviation, temporibus regum Ric I, Johann, Hen III, Edw I, Edw II*, ed. by W. Illingworth.

*Inquistitionum ad capellam domini Regis retornatarum quae in publicis archivis Scotiae adhuc servantur, abbreviation*, vols. 1 and 2, ed. by T. Thomson.

1812

*Rotuli hundredorum, temp. Hen III & Edw I in Turr' Lond' et in curia receptae scaccarij Westm. Asservati*, vol. 1, ed. by W. Illingworth.

1814:

*Valor ecclesiasticus temp Hen VIII auctoritate regia institutus: Winchester, Salisbury, Oxford, Exeter and Gloucester*, vol. 2, ed. by J. Caley and J. Hunter.

*Rotuli Scotiae in Turri Londinensi et in domo cpitulari West-monasteriensi asservati: Edw I – Edw III*, vol. 1, ed. by D. Macpherson, J. Caley and W. Illingworth.

*The acts of parliament of Scotland*, vols. 2 and 3, ed. by T. Thomson)

1816:

*The statutes of the realm, from original records and authentic manuscripts: Ric II – Hen VII*, vol. 2, ed by A. Luders, T. E. Tomlins, W. E. Taunton and J. Raithby.

*Inquisitionum ad capellam domini Regis retornatarum quae in publicis archivis Scotiae adhuc servantur, abbreviation: Indexes, vol. 3, ed. by T. Thomson.*

*The acts of parliament of Scotland, vol. 4, ed. by T Thomson.*

*Libri censualis, vocati Domesday-book, additamenta ex codic. antiquiss. Exon' domesday, inquisition Eliensis, liver Winton', Boldon Book, ed. by H. Ellis.*

*Libri censualis, vocati Domesday-book, indices. Accesit dissertation generalis de ratione hujusce libri, ed. by H. Ellis.*

*[Rymer's] Foedera, vol. 1, pt. 1 and pt. 2, ed. by A. Clarke and F. Holbrooke.*

1817:

*The statutes of the realm, from original records and authentic manuscripts, vol. 3, ed by. A. Luders, T. E. Tomlins, W. E. Taunton and J. Raithby.*

*Valor ecclesiasticus temp Hen VIII auctoritate regia institutus: Hereford, Coventry and Lichfield, Worcester, Norwich and Ely, vol. 3, ed. by J. Caley and J. Hunter.*

*The acts of parliament of Scotland, vol. 5, ed. by T. Thomson.*

**The Third Record Commission 1817 – 1821:**

1818:

*Rotuli hundredorum, temp. Hen III & Edw I in Turr' Lond' et in curia receptae scaccarij Westm. Asservati, vol. 2, ed. by W. Illingworth.*

*Placita de quo warranto temporibus Edw I, II et III in curia receptae scaccarii Westm. Asservata, ed. by W. Illingworth.*

*[Rymer's] Foedera, vol. 2, pt. 1, ed. by A. Clarke and F. Holbrooke.*

1819:

*The statutes of the realm, from original records and authentic manuscripts, vols. 4, 5 and 6, ed by. A. Luders, T. E. Tomlins, W. E. Taunton and J. Raithby.*

*Rotuli Scotiae in Turri Londinensi et in domo capitulari West-monasteriensi asservati: Rich II – Hen VIII*, vol. 2, ed. by D. Macpherson, J. Caley and W. Illingworth.

*The acts of parliament of Scotland*, vol. 6, ed. by T. Thomson.

1820:

*The statutes of the realm, from original records and authentic manuscripts*, vol. 7, ed. by A. Luders, T. E. Tomlins, W. E. Taunton and J. Raithby.

*The acts of parliament of Scotland*, vols. 7 and 8, ed. by T. Thomson.

1821:

*Calendarium inquisitionum post mortem sive escaetarum: Temporibus regum Ric. II & Hen. IV.*, vol. 3, ed. by J. Caley and J. Bayley.

*The statutes of the realm, from original records and authentic manuscripts*, vol. 8, ed. by A. Luders, T. E. Tomlins, W. E. Taunton and J. Raithby.

*Valor ecclesiasticus temp Hen VIII auctoritate regia institutus: Lincoln, Peterborough, Llandaff, St. Davids, Bangor and St. Asaph*, vol. 4, ed. by J. Caley and J. Hunter.

[Rymer's] *Foedera*, vol. 2, pt. 2, ed. by J. Caley and F. Holbrooke.

**The Fourth Record Commission 1821 – 1825:**

1822:

*The statutes of the realm, from original records and authentic manuscripts*, vol. 9, ed. by A. Luders, T. E. Tomlins, W. E. Taunton and J. Raithby.

*The acts of parliament of Scotland*, vol. 9, ed. by T. Thomson.

1823:

*The acts of parliament of Scotland*, vol. 10, ed. by T. Thomson.

*Ducatus Lancastriae: Calendarium inquisitionum post mortem etc.*, vol. 1, ed. by R. J. Harper, J. Caley and W. Minchin.

*Calendars of the proceedings in chancery in the reign of Queen Elizabeth; to which are prefixed examples of earlier proceedings in that court, namely, from the reign of Richard the Second to that of Queen Elizabeth inclusive*, vol. 1, ed. by J. Bayley.

1824:

*The statutes of the realm, from original records and authentic manuscripts: Alphabetical Index*, vol. 10, ed. by A. Luders, T. E. Tomlins, W. E. Taunton and J. Raithby.

*The acts of parliament of Scotland*, vol. 11, ed. by T. Thomson.

1825:

*Valor ecclesiasticus temp Hen VIII auctoritate regia institutus: York, Chester, Carlisle and Durham*, vol. 5 (ed. by J. Caley and J. Hunter).

[*Rymer's*] *Foedera*, vol. 3, pt. 1, ed. by J. Caley and F. Holbrooke.

**The Fifth Record Commission 1825 – 1830:**

1827:

*Ducatus Lancastriae: Calendar to pleadings, depositions etc.*, vol. 2, ed. by R. J. Harper, J. Caley and W. Minchin.

*Calendars of the proceedings in chancery in the reign of Queen Elizabeth etc.*, vol. 2, ed. by J. Bayley.

*The parliamentary writs and writs of military summons, etc.*, vol. 1, ed. by F. Palgrave.

1828:

*Calendarium inquisitionum post mortem sive escaetarum: Temporibus Hen V – Ric III cum Appendice etc.*, vol. 4, ed. by J. Caley and J. Bayley.

*The statutes of the realm, from original records and authentic manuscripts: Chronological Index*, vol. 11, ed. by A. Luders, T. E. Tomlins, W. E. Taunton and J. Raithby.

1830:

*The parliamentary writs and writs of military summons, etc*, vols. 2 and 3, ed. by F. Palgrave.

[*Rymer's*] *Foedera*, vol. 3, pt. 2, ed. by J. Caley and F. Holbrooke.

#### **The Sixth Record Commission 1831 – 1837:**

##### 1832:

*Calendars of the proceedings in chancery in the reign of Queen Elizabeth etc.*, vol. 3, ed. by J. Bayley.

##### 1833:

*Magnum rotulum scaccarii, vel magnum rotulum pipae, anno tricesimo-primo regni Henrici primi, ut videtur, quem plurimi hactenus laudarunt pro rotulo quinti anni Stephani Regi*, ed. by J. Hunter.

*Rotulus cancellarii, vel antigraphum magni rotuli pipae, de tertio anno regni Regis Johannis*, ed. by J. Hunter.

*Rotuli Litterarum Clausarum in Turri Londinensi Asservati: 1204-1224*, vol. 1, ed. by T. D. Hardy.

##### 1834:

*Valor ecclesiasticus temp Hen VIII auctoritate regia institutus: [Misc Documents etc.] and Indexes*, vol. 6, ed. by J. Caley and J. Hunter.

*Ducatus Lancastriae: Calendar to pleadings, 14 – 45 Eliz. I*, vol. 3, ed. by R. J. Harper, J. Caley and W. Minchin.

*The parliamentary writs and writs of military summons, etc.*, vol. 2 [pt. 3 of 3], ed. by F. Palgrave.

*Rotuli selecti ad res Anglicas et Hibernicas spectantes, ex archivis in domo capitulari Westmonasteriensi deprompti*, ed. by J. Hunter.

*Proceedings and ordinances of the privy council of England*, vols. 1-3, ed. by N. H. Nicolas.

1835:

*Proceedings and ordinances of the privy council of England*, vols. 4 and 5, ed. by N. H. Nicolas.

*Rotuli curiae Regis. Rolls and records of the court held before the king's justiciars or justices*, vols. 1 and 2, ed. by F. Palgrave.

*Rotuli Litterarum Patentium in Turri Londonensi Asservati*, ed. by T. D. Hardy.

*Rotuli Normanniae in Turri Londinensi Asservati, Johanne et Henrico quinto Angliae regibus*, ed. by T. D. Hardy.

*Rotulde Oblatis et Finibus in Turri Londinensi Asservati, Tempore Regis Johanni*, ed. by T. D. Hardy.

*Catalogue of records remaining in the office of the king's remembrancer of the exchequer*, ed. by H. Cole.

*Excerpta e Rotulis Finium in Turri Londinensi Asservatis, Henrico tertio rege*, vol. 1, ed. by C. Roberts.

*Fines sive pedes finium sive finales concordiae in curia domini Regis, ab anno septimo regni Regis Ricardi I ad annum decimum sextum Regis Johannis, A.D. 1195 – A.D.*, vol. 1, ed. by J. Hunter.

1836:

*Excerpta e Rotulis Finium in Turri Londinensi Asservatis, Henrico tertio rege*, vol. 2, ed. by C. Roberts.

*The ancient kalendars and inventories of the treasury of His Majesty's exchequer, together with other documents illustrating the history of that repository*, vols. 1-3, ed. by F. Palgrave.

*Rotuli Vasconiae: Fragmentum rotuli Vasconiae [...] de anno regni Regis Henrici tertii vicesimo sexto* [editor not given – transcripts prepared by T. D. Hardy].

1837:

*Proceedings and ordinances of the privy council of England*, vols. 6 and 7, ed by. N. H. Nicolas.

*Docquets of letters patent and other instruments passed under the great seal of King Charles I in the years 1642, 1643, 1644, 1645 and 1646*, ed. by W. H. Black.

*Rotuli Chartarum in Turri Londinensi Asservati*, ed. by T. D. Hardy.

**Works published after the end of the sixth Record Commission at the direction of the Commissioner before 1837 or the Master of Rolls:**

1838

*Registrum vulgarter nuncupatum 'The record of Caernarvon' a codice msto. Harleiano 696 descriptum*, ed. by H. Ellis.

1839:

*The acts of the lords auditors of causes and complaints, A.D. 1466 - A.D. 1494*, ed. by T. Thomson.

*The acts of the lords of council in civil causes, A.D. 1478 - A.D. 1495*, ed. by T. Thomson.

1840:

*Ancient laws and institutes of England*, vols. 1 and 2, ed. by B. Thorpe.

1841:

*Ancient laws and institutes of Wales*, ed. by A. Owen.

1844:

*The acts of parliament of Scotland*, vol. 1, ed. by T. Thomson and C. Innes.

*Rotuli Litterarum Clausarum in Turri Londinensi Asservati: 1224 - 1227*, vol. 2, ed. by T. D. Hardy.

*Rotuli de Liberate ac de Misis et Praestitis, Regnante Johanne*, ed. by T. D. Hardy.

*Fines sive pedes finium sive finales concordiae in curia domini Regis, ab anno septimo regni Regis Ricardi I ad annum decimum sextum Regis Johannis, A.D. 1195 – A.D.*, vol. 2, ed. by J. Hunter.

*The great rolls of the pipe for the second, third and fourth years of the reign of King Henry the Second, A.D. 1155, 1156, 1157, 1158*, ed. by J. Hunter.

*Documents illustrative of English history in the thirteenth and fourteenth centuries, selected from the records of the queen's remembrancer of the exchequer*, ed. by H. Cole.



### Appendix 3

Tables showing the number of staff employed at the major record offices at the time of the Record Commissions:

All Record Offices

<u>Repository</u>	<u>Number of Staff (Keepers &amp; Clerks)</u>			
	<b>c. 1800</b>	<b>c. 1812-18</b>	<b>c. 1832-3</b>	<b>c. 1840</b>
Tower	2	8	5	4
Rolls Chapel	4	3 or 4	3	3
Chapter House	5	4	4	6
State Paper Office	3 or 4	N/A*	N/A	N/A
Duchy of Lancaster	2	1	1	1
Augmentation Office	1	1	1	1

\* The State Paper Office stopped providing returns regarding staffing after the initial return to the Select Committee of 1800.

<b>Year:</b>	<u>Total Hours of Attendance per Day from all Keepers &amp; Clerks (Sum)</u>			
	<b>c. 1800</b>	<b>c. 1820</b>	<b>c. 1830</b>	<b>c. 1840</b>
Tower	10hrs	35hrs	30hrs	20hrs
Rolls Chapel	32hrs	24-32hrs	24hrs	18hrs
Chapter House	15hrs	12-15hrs	12-15hrs	31hrs

The results in the above table can only be used as rough guide, they don't account for any differences in holidays allowed to staff, or the possibility that clerks, and particularly keepers, were spending some of the time they were expected to be in their own repository working in other record offices for the record commissioners or as sub-contracted clerks.

The Tower Record Office

<b>Year</b>	<b>Keeper</b>	<b>Deputy-Keeper</b>	<b>Permanent Clerks</b>	<b>Supernumerary Clerks</b>	<b>Total Number of Staff</b>
1800	T. Astle	None	1	None	2
1801	T. Astle	None	1	None	2
1802	T. Astle	None	1	None	2
1803	T Astle	None	1	None	2
1804	S. Lysons	None	1 to 3	None	2 to 4
1805	S. Lysons	W. Illingworth	3	None	5
1807	S. Lysons	W. Illingworth	3	None	5
1808	S. Lysons	W. Illingworth	3	None	5
1809	S. Lysons	W. Illingworth	4	2	8
1810	S. Lysons	W. Illingworth	4	2	8
1811	S. Lysons	W. Illingworth	4	2	8
1812	S. Lysons	W. Illingworth	4	2	8
1813	S. Lysons	W. Illingworth	4	2	8
1814	S. Lysons	W. Illingworth	4	2	8
1815	S. Lysons	W. Illingworth	4	2	8
1816	S. Lysons	W. Illingworth	4	2	8
1817	S. Lysons	W. Illingworth	4	2	8
1818	S. Lysons	W. Illingworth	4	2	8

Year	Keeper	Deputy-Keeper	Permanent Clerks	Supernumerary Clerks	Total Number of Staff
1819	S. Lysons /H. Petrie	None	4	2	7
1820	H. Petrie	None	4	2	7
1821	H. Petrie	None	4	2	7
1822	H. Petrie	None	4	2	7
1823	H. Petrie	None	5	2	8
1824	H. Petrie	None	5	2	8
1825	H. Petrie	None	5	2	8
1826	H. Petrie	None	5	2	8
1827	H. Petrie	None	5	1 or 2	7 or 8
1828	H. Petrie	None	5	1 or 2	7 or 8
1829	H. Petrie	None	5	1 or 2	7 or 8
1830	H. Petrie	None	5	None	6
1831	H. Petrie	None	5	None	6
1832	H. Petrie	None	4	None	5
1833	H. Petrie	None	4	None	5
1834	H. Petrie	None	3	None	4
1835	H. Petrie	None	3	None	4
1836	H. Petrie	None	3	None	4
1837	H. Petrie	None	3	None	4
<b>End of Record Commission</b>					
1838	H. Petrie	None	3	None	4
1839	H. Petrie	None	3	None	4
1840	H. Petrie	None	3	None	4

## Appendix 4

### List of John's seneschals in his French lands between 1199 and 1204

<b>Seneschals of Normandy</b>	<b>Entered Office:</b>	<b>In Office Until:</b>
William fitzRalph	c. 1178	at least 14 Jan. 1200
Guérin de Glapion	From 6 June 1200	6 November 1201
Ralph Tesson	From 23 November 1201	18 August 1203
William Crassus/Le Gross	19 August 1203	June 1204

<b>Seneschals of Greater Anjou (Anjou, Maine and Touraine)</b>	<b>Entered Office:</b>	<b>In Office Until:</b>
Robert of Thornham	c. 1196	July 1199
Aimery of Thouars	July 1199	December 1199
William des Roches	December 1199	c. 25 August 1202

William des Roches was acting as Arthur of Brittany's seneschal of Anjou from c. April 1199 until around September 1200. William acted as John's seneschal until around 18 August when he abandoned John.

<b>Seneschal of Touraine</b>	<b>Entered Office:</b>	<b>In Office Until:</b>
Gerard de Athée	24 August 1202	c. 1205

<b>Seneschals of Anjou and Maine</b>	<b>Entered Office:</b>	<b>In Office Until:</b>
Brice the Chamberlain	31 August 1202	c. 18 April 1203
Hubert de Burgh	c. April 1203	c. 1205

Hubert de Burgh was not officially appointed as seneschal but was carrying out the duties of the office by April 1203, when he was commanding the garrison at Chinon alongside Philip of Oldcoates.

<b>Senschals of Poitou</b>	<b>Entered Office:</b>	<b>In Office Until:</b>
Peter Bertin	c. 1187	c. 1197
Geoffrey de la Celle	7 March 1197	29 December 1197
Peter de Bertin	c. 1198	c. June 1199
Geoffrey de la Celle	by December 1199	in December 1199

<b>Seneschals of Gascony and Poitou</b>	<b>Entered Office:</b>	<b>In Office Until:</b>
Ralph de Mauléon	29 Jan. 1200	c. Feb. 1200
Geoffrey de la Celle	22 Feb. 1200	28 October 1201
Robert of Thornham	29 October 1201	4 December 1202

From 4 December 1202 Robert of Thornham was seneschal of just Poitou, until his capture before 3 February 1205, when the men of Poitou were ordered to follow the orders of Sauvary de Mauléon as if he were seneschal.

<b>Seneschals of Gascony</b>	<b>Entered Office:</b>	<b>In Office Until:</b>
Geoffrey de la Celle	before c. 1195	at least c. 1197
Brandin	c. 1199	c. December 1199
Ralph de Mauléon	c. 1199	c. Feb. 1200
Robert of Thornham (with Poitou)	before October 1201	4 December 1202
Martin Algais	4 December 1202	At least 26 April 1205