Chapter III

THE KING'S SERVANTS

As a feudal monarch could not rule without the acquiescence, however unenthusiastic, of his barons, his relations with them were his chief political concern. But given this acquiescence his power depended very largely on the efficiency of the royal government, the extent of the king's control over it, and his success in obtaining the funds necessary for its support. Hence John desired an administrative staff that was both efficient and devoted to him, an effective governmental organization, and a military force adequate to maintain the extent of his domains and his authority within them. If he could attain this, his dependence on his barons would be greatly reduced. The English baronage fully realized this. Moreover the funds required to support the royal government and its professional army would have to come, to some extent, from them. The offices that would be filled by men devoted to the king's interests were ones that they desired for themselves, their friends, and their relatives. In short, while clarity and order demand that John's relations with his barons and his governmental policy be discussed in separate chapters, both were in reality closely interrelated aspects of the same problem.

A realistic discussion of the government of England in John's reign from the point of view of personnel is extremely complicated for a number of reasons. The early kings of England like other feudal monarchs obtained much of the assistance they needed in carrying on their government by granting hereditary offices to their vassals. As the business to be done grew greater, the actual functions of these offices were more and more performed by other men who might or might not be the appointed deputies of the titular holders of the dignities. The question as to whether or not the men who did the work for an official whose position had become largely honorary were his appointees was extremely important because of the contemporary conceptions of the fidelity owed by a vassal to his lord and by an ecclesiastic to his superior. If the
honorary officer appointed deputies to perform his duties, he could exercise control over their actions and thus enjoy political authority. Otherwise his position had little practical importance. This consideration was, of course, of equal weight in the case of non-hereditary offices that were held by men who clearly did not perform the functions in person.

The three chief hereditary officers of the English crown were the seneschal, the constable, and the master marshal. The seneschalship was in a most peculiar position—it was an office without functions to perform. In most feudal states the seneschal was the head of the administration, the king or lord’s immediate deputy, but in England this function belonged to the non-hereditary justiciar. Thus the seneschalship had no real meaning except when the seneschal was also justiciar as Earl Robert of Leicester had been in the early years of Henry II. There is no evidence that Earl Robert’s grandson, the Earl Robert of Leicester of John’s reign, performed any governmental functions. Certainly none were entrusted to his titular successor, Simon de Montfort. Many years later when the justiciarship had decayed, Simon’s son was to make the seneschalship into an important office. Under John it was purely honorary. The seneschals of the royal household were the king’s appointees. As to the constableship and the marshalship there is no evidence that either Henry de Bohun, earl of Hereford, or William Marshal, earl of Pembroke, performed the functions of these offices during John’s reign. But here an argument from silence is dangerous. In the latter part of the thirteenth century we find the constable and marshal inspecting the feudal levy gathered at the king’s summons and accepting or rejecting the contingents offered. Henry de Bohun and William Marshal could have done this in John’s time without any evidence of it having survived. I am, however, inclined to doubt that they did. While there is some reason for believing that William Marshal appointed the marshal of the exchequer, there is no indication that Earl Henry appointed the constables of that body.¹

short Henry de Bohun seems to have had no connection with John's government. While William Marshal did at times play an active part in both civil and military administration, there seems no ground for maintaining that he owed his position to his hereditary office.

In striking contrast to these three great offices that had become largely honorary were two whose holders at times performed their functions in person and at other times were represented by their own deputies—the two chamberlainships of the exchequer. These were held in John's reign by a great baron, Warin fitz Gerold, and a minor one, Robert Mauduit. The fact that all writs ordering the payment of money out of the royal treasury were addressed to the treasurer and the two chamberlains by name seems to indicate that the latter or their men were carrying out the duties of their office. In addition there is clear evidence of Robert Mauduit's active interest in the exchequer and its affairs.

Little need be said about the minor hereditary offices. Two hereditary constableships of royal castles, those of the Beauchamps at Bedford and of the Canvilles at Lincoln, were consistently recognized during John's reign. Several other claims were briefly accepted under strong pressure from the claimants. The only claimant to a hereditary shrievalty who held office during John's reign was William, earl of Salisbury, in Wiltshire, and the king refused to recognize his hereditary right to the office. There were a number of hereditary chamberlains holding lands by right of their offices, but there is no evidence that they performed other

2 See all writs ordering payments from exchequer in Rot. liberate and Rot. claus.
3 Richardson, "William of Ely," p. 63 and appendix IV.
4 King Richard confirmed the constableship of Lincoln to Gerard de Canville and Nichola de la Haye his wife in 1189. Round, Ancient charters, p. 91. Nichola held it during the revolt against John in 1215-1216. In 1190 Simon de Beauchamp paid £100 for possession of Bedford castle. Pipe roll 2 Richard I, p. 144. His son William held it at the outbreak of the civil war. Wendover II, 116, 163.
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than ceremonial functions. The same can be said of the minor marshals. On the other hand the majority of the hereditary foresters or foresters-in-fee as they were called seem to have carried out the duties of their offices or at least to have been expected to.

The central government of England was headed by four non-hereditary active officials: the justiciar, the chancellor, the treasurer, and the chief forester. Below them was a group of important royal servants whose functions were varied. They sat at the exchequer as barons of the exchequer, performed judicial duties as royal justices, acted as household officers, and served as sheriffs and constables of castles. In short they were men whom the king used as he saw fit in many different capacities often simultaneously. They held no great office but numerous minor ones. As a body they were the backbone of the king's government. Below them were men who were more, though by no means completely, specialized in their functions such as the clerks of the chancery and exchequer. These men performed routine functions and were of comparatively little importance politically. All these royal servants made their living to a greater or lesser extent from the king's service. The higher ones could aspire to build up a landed position—even to become barons. The lesser men had to be content with smaller and less permanent fortunes. But in general the king's service was profitable and was the best means by which a man of ability and modest fortune could rise in the world.

As we have seen, the justiciar, Geoffrey fitz Peter, was an old and tried servant of the Plantagenet kings. He had used his position as a protégé of Ranulf de Glanvill to obtain a minor heiress whom fortune and Geoffrey's political influence made into a major one. When Hubert Walter resigned the office of justiciar, King Richard gave it to Geoffrey. The power of the justiciar varied greatly according to whether the king was in England or absent from the realm. In the king's absence he ruled as viceroy. While the king would send him orders on major questions, the whole routine of government was in his hands. His writs bearing his

seal had the full authority of the king's writs. When the king was in England his power was more limited, and it is extremely difficult to discover its real extent. He was the king's deputy as head of the entire administration. But as all orders were issued in the king's name over the royal seal, there is little clear evidence as to what the justiciar was doing. Many members of the king's entourage issued executive writs in his name. While there is some reason for believing that Geoffrey occasionally issued such writs when absent from court, it is difficult to prove conclusively. It seems probable that he authorized the more important writs controlling the conduct of judicial business, but again there is no clear proof. The justiciar often, perhaps usually, presided over the sessions of the exchequer and the court of common pleas. He went on eyre with his fellow justices. But in general his functions were so closely related to those of the king that no clear line can be drawn between them. When Geoffrey died, John is reported to have remarked, "When he comes to hell, may he greet Hubert archbishop of Canterbury whom he will without doubt find there. By the feet of God now for the first time am I king and lord of England." While this may indicate that Geoffrey had the power and inclination to interfere with John's desires, it may simply represent John's jealousy of any powerful subject. There is no shred of evidence that Geoffrey ever differed from his master on questions of policy or failed to carry out his will. I am inclined to believe that Geoffrey was an efficient, loyal, industrious, and unimaginative servant who carried out John's policy with singular fidelity. While he profited to a reasonable extent from his royal master's generosity as we have seen in the last chapter, when one considers the possibilities of his office he does not appear as inordinately greedy.

10 For an excellent discussion of this subject see Richardson's introduction to Memoranda roll I John, pp. lxv-lxxxvii. The index under Geoffrey fitz Peter will show many of his writs.

11 In 1210 the abbot of St. Albans objected to being summoned by Geoffrey's writ when the king was in England. Curia regis rolls, VI, 80-81.

12 For instance on October 22, 1204, Geoffrey appears to have issued letters close at Dunstaple while John was at Brill. Rot. claus., I, 12. There are other similar cases, but all may be simply errors on the roll.

One thing, of course, must be remembered in connection with Geoffrey—his possession of the great Mandeville barony was never entirely secure. His rival, Geoffrey de Say, never gave up his claim, and after the justiciar's death, pressed it against his son.14 Hence John always had one weapon he could use against his chief servant.

Geoffrey fitz Peter died on October 14, 1213.15 John may well have wanted to rule without a justiciar, but his prospective expedition against Philip Augustus made it necessary to provide a viceroy for England during the king's absence. On February 1, 1214, Peter des Roches, bishop of Winchester, was appointed justiciar.16 Peter's origins are unknown. He was probably a relative of William des Roches who was seneschal of Anjou for both John and Philip. He had become a prime favorite of King Richard and may have been his chamberlain. While Peter seems to have held no court office during John's early years, he was one of the king's intimates and took an active part in the business of both the chamber and the exchequer.17 He was made precentor of Lincoln and later bishop of Winchester. Peter was avid for both money and power, but he was an able and devoted royal servant. His greed and arrogance added to his foreign birth and his close connection with John's policy made him unpopular with the barons. On the day Magna Carta was issued, he was replaced by Hubert de Burgh who will be discussed in connection with his earlier office of chamberlain.18 Hubert clearly was a compromise between king and barons. The activities of both these men as justiciar belong to a later chapter.

King John had three chancellors. On the day of his coronation he gave this great office to Hubert Walter, archbishop of Canterbury.19 As long as Hubert lived, he was a dominant figure in English politics, but it is difficult to say whether he owed his power to his personal influence, his office, or his position as primate.

15 Wendover, II, 91.
16 *Rot. pat.*, p. 110.
19 Hovedon, IV, 90.
Hubert had started his career as a clerk of Ranulf de Glanvill. He and Geoffrey fitz Peter worked closely together, and there is no evidence of any conflict between them. One finds Geoffrey postponing important cases until he can have Hubert’s advice. Moreover the primate of England was by tradition the chief adviser of the king in all matters remotely connected with religion. Hence even without the chancellorship Hubert would have had immense power and prestige. It is extremely difficult to assess the actual power of the chancellor. The chancellor was the king’s chief spiritual adviser and also the bearer of the royal seal and responsible for the writing of royal letters. But by John’s time these functions were performed by well-staffed departments. The king had an almoner and several chaplains to perform the chancellor’s spiritual duties. All that remained to the chancellor of his former duties as almoner was an income of £33 a year consisting of payments due on every important church holiday. While Hubert acted as John’s private spiritual adviser on important occasions, it is hard to say whether he did so as chancellor or as primate. The chancery proper, the secretarial branch of the government, had a large staff of clerks. For the first few months of John’s reign Hubert Walter bore the royal seal and personally directed the operations of the chancery, but in September 1199 he relinquished the seal to the senior clerks of the chancery and from then on only on rare occasions did he act in person. Now the actual bearer of the seal had the opportunity to exercise enormous influence on royal policy. He was always closely associated with the king and supervised the drawing up of all documents issued by the court. Giralda,Cambrensis accused Hubert Walter of persuading the senior clerks of the chancery to alter royal letters for his benefit. Be that as it may,

20 Richardson, Introduction to Memoranda roll 1 John, p. lxxxix.
22 Rot. claus., I, 34, 85, 100.
23 Migne, Patrologia, ccxiv, 972-973.
25 Giraldus Cambrensis, Opera, III, 302.
the office was clearly an important one. The chancellor shared with
the justiciar the duty of supervising the functions of the administra-
tion as a whole. A copy of the pipe roll was provided for his use.

Hubert Walter was thoroughly secular in his interests. His
ecclesiastical interests were limited almost entirely to a deep affec-
tion for the Cistercian order. He loved wealth and power and
was a past master at acquiring both. The lushest custodies in
England were nearly always in his hands. His particular delight
was to rival if not to surpass the king in lavishness of entertain-
ment and magnificence of life. This did not increase his popu-
ularity with his jealous master. Gervase of Canterbury suggests
that his departure from court in 1199 was the result of a quarrel
with John, but I can find no other evidence for this. Whatever
John's real feelings toward Hubert may have been, the two men
seem to have worked together effectively as long as the archbishop
lived.

Hubert Walter died on July 13, 1205. Early in October Walter
de Grey offered the king 5,000 marks for the grant of the office for
life. Walter was a nephew of John's favorite, John de Grey, bishop of Norwich. He seems to have had no experience in the
government service, and he rarely acted in person during his ten-
ure of the office. While Walter de Gray was active as a royal emis-
sary and general agent, there is little indication that he was active
in the duties properly belonging to the chancellor's office. He seems
to have bought it as a business matter. The chancellor received
ten marks for every new charter issued by the king, one mark for
every confirmation without additions, and two shillings for every
letter patent of protection. The income from this source obviously

28 He had six at the time of his death. Rot. claus., I, 42-43.
31 Ibid., p. 413.
32 Rymer, Foedera, I, 93; Rot. chart., p. 159; Rot. oblatis, p. 368.
34 Rymer, Foedera, I, 75-76.
would vary greatly—it must have been very large during the first two years of the reign when everyone was seeking the new king's confirmation of charters. We have a figure for the chancellor's income from this source for the three months of 1205 that the office was vacant. If this be taken as representative, the chancellor had an income of about £350 a year from fees in addition to the £33 a year from royal alms. In short it would take something over eight years for this revenue to equal the 5,000 marks that Walter de Grey paid for the office. But in all probability an ingenious chancellor could find other sources of profit, and the prestige, dignity, and power attached to the office could not be entirely neglected even by one whose chief interest in it was financial.

Another strong attraction of the chancellorship to a man who was not a bishop was that it practically gave him his choice of mitres as they fell vacant. While Walter's activities in this respect are rather confusing, there is no doubt of his enthusiasm for ecclesiastical preferment. Geoffrey Muscamp, bishop of Chester, died in October 1208. By 1210 Walter is called bishop-elect. But as a royal favorite at the very height of John's contest with the papacy he could not be consecrated, and his election may well have been dubious. At any rate he was apparently elected again in August 1213. But by this time Walter had sighted a more attractive plum. In January 1214 he was elected bishop of Worcester and was consecrated on October 5 of that year. Shortly after his consecration he resigned the chancellorship. His later activities belong in another chapter.

Walter de Grey was succeeded as chancellor by Richard Marsh. Richard had started his career as a clerk of the chamber. By 1209 he was a senior clerk of the chancery acting as keeper of the seal. He was one of John's most trusted private agents with apparently an unusual capacity for extorting money from monastic establish-

35 Rot. pat., p. 70.
36 Pipe roll 12 John, Public Record Office.
37 Rot. pat., p. 103.
38 Ibid., p. 109.
40 Rot. claus., I, 111; Rot. pat., p. 74.
41 Calendar of charter rolls, I, 281-282.
ments. By the time he became chancellor he was archdeacon of Northumberland and Richmond, a canon in several cathedral chapters, and had a number of other benefices. His activities as chancellor belong to the latter part of the reign.

Since the reign of Henry I the office of treasurer had been in the same family. In 1166 Nigel, bishop of Ely, who had worked out the complicated financial system that we know through the pipe roll of 31 Henry I and those of the early years of his grandson's reign, was replaced as treasurer by his illegitimate son, Richard fitz Nigel. Richard improved and refined the system and described its operations in his *Dialogue of the exchequer.* Sometime before August 1197 Richard, who had been elevated to the dignity of bishop of London, was succeeded by William of Ely. All that is known about William is that he was a relative of Richard and hence presumably a descendant of bishop Nigel.

As the chief professional official of the exchequer the treasurer was responsible for the mechanical details of the financial system. He worked out the accounting system that is reflected in the pipe rolls, directed the drawing up of these rolls, and controlled the procedures by which money was paid out of the treasury. He arranged for the transportation of the king's treasure from place to place. He must have formulated with the chancellor and the chamberlains of the household the methods of liaison between chancery, chamber, and exchequer. But he can have had little independent authority beyond mechanical details. The chancellor kept a close eye on the whole financial administration. His clerk sat at the sessions of the exchequer and made a copy of the pipe roll for his use. Then a number of royal servants attended the meetings as barons of the exchequer and supervised the drawing up of the accounts. In short in the formal sessions of the exchequer the treasurer was simply the secretary of a large committee of which the chairman was the justiciar or even the king. Then in the operation of the exchequer between formal sessions the treasurer was under

42 *Rot. pat.*, pp. 86, 87, 93, 103, 105.
44 I owe my material on William of Ely to Richardson's excellent article "William of Ely."
The supervision of the two hereditary chamberlains or their deputies. The chancellor, the royal servants who sat as barons of the exchequer, and the two chamberlains were all men of greater power and prestige than the treasurer. He was the man of business—the chief clerk. But as the financial business of the realm was a matter of prime importance, the chief clerk who ran it was a great official of the realm.

Like most of the officials of the Plantagenet kings William of Ely was well paid for his services. About the time he became treasurer he was made a canon of St. Paul's. 45 When John came to the throne, William was given the Hertfordshire manors of Essendon and Bayford that had been held by Richard fitz Nigel. 46 In 1201 he was made archdeacon of Cleveland. This office had been vacated the year before by the elevation of John de Grey to the bishopric of Norwich and had been the subject of a fierce dispute between Geoffrey Plantagenet, archbishop of York, and his chapter. Apparently when Geoffrey was unable to install his first choice, Ralph de Kyme, because of the opposition of the chapter, he chose as his second nominee a man who was sure to have the support of the crown. In a letter entered on the pipe roll of 1201 the archbishop assured Geoffrey fitz Peter then ruling as viceroy that William of Ely was the rightful archdeacon of Cleveland. 47 Then in 1207 when the see of Lincoln was vacant, John gave William the prebend of Leighton Buzzard. 48 William of Ely served as treasurer until the exchequer suspended operations during the baronial revolt. 49 He was a partisan of the rebels, but his activities in the revolt belong to another chapter.

A strong argument could be advanced for the thesis that the royal official who wielded the most actual power during John's reign was the chief forester, Hugh de Neville. Hugh's uncle, Alan de Neville, had been chief forester in the reign of Henry II. Hugh himself had been custodian of the baronies of Wark and Muscamp

46 Pipe roll 1 John, p. 58.
47 Hovedon, IV, 158; Pipe roll 3 John, p. 243.
48 Rot. pat., p. 73.
in Northumberland before Henry's death.\textsuperscript{50} He was a companion of King Richard on the crusade and received the office of forester.\textsuperscript{51} Richard also gave him an heiress, Joan daughter of Henry de Cornhill, who would eventually share the barony of Courcy with her younger sister.\textsuperscript{52} Actually for the time being Hugh got only the modest possessions of Henry de Cornhill. His wife's mother, Alice de Courcy, married Warin fitz Gerold the chamberlain and carried her extensive fiefs to him.\textsuperscript{53} When John came to the throne, Hugh retained his office of forester and received numerous marks of the king's good will. In 1199 he was given custody of the Waec barony of Bourn and in 1203 that of the lands of Hamo de Valognes.\textsuperscript{54} In 1204 he was granted two royal manors with extensive franchises.\textsuperscript{55} He was one of John's most intimate companions. He gambled freely with the king, and as we shall see there is some reason for believing that his wife was even more intimate with John.\textsuperscript{56}

As chief forester Hugh was practically the absolute master of all lands included in the bounds of the royal forests. Alone or with a colleague he held the forest courts and punished offenders against the forest laws.\textsuperscript{57} He had the power to permit or to forbid clearing of new farm land.\textsuperscript{58} When anyone wanted to buy a privilege connected with the forest such as to enclose a deer park, keep hunting dogs, or build a fence, he usually negotiated the arrangement with Hugh. Even when such deals were made directly with the king, Hugh collected the fines offered.\textsuperscript{59} The hereditary foresters were responsible to him, and he appointed the non-hereditary forest of-

\textsuperscript{50} Pipe roll 33 Henry II, p. 20.
\textsuperscript{51} Landon, Itinerary, p. 68; Pipe roll 10 Richard I, pp. 16, 63, 72, 104, 136, 149, 159, 164, 186, 222, 227.
\textsuperscript{52} Pipe roll 7 Richard I, pp. 252-253.
\textsuperscript{53} Farrer, Honours and knights' fees, I, 108.
\textsuperscript{54} Memoranda roll 1 John, p. 33; Rot. chart., pp. 27, 104; Pipe roll 5 John, p. 132.
\textsuperscript{55} Rot. chart., p. 128.
\textsuperscript{56} See below, p. 231.
\textsuperscript{57} See under heading Placita foresta in Pipe rolls.
\textsuperscript{58} The earliest Northamptonshire assize rolls (ed. Doris M. Stenton, Northamptonshire Record Society, 1930), p. 125; Rot. pat., p. 31.
\textsuperscript{59} Rot. oblatis, pp. 183, 221, 224, 326.
ficials. Except for a few cases where the revenues from particular forests were paid directly into the exchequer, Hugh collected them. He usually had in his care a number of the king’s hunting lodges. The great castle of Rockingham was essentially a hunting lodge, and Hugh had its custody whenever it was not in the possession of the baron who claimed to be its hereditary constable, Robert Mauduit. Except for the penalties assessed in the forest courts and a few other items, the revenues of the forest were not accounted for at the exchequer. Hugh had his own exchequer of the forest and accounted directly to the king. As a matter of fact he seems to have rendered no accounts whatever before 1207. Thus he was entirely free from the meticulous supervision that the barons of the exchequer exercised over most royal officials. Occasionally the king would intervene in forest affairs, usually to punish a forester for poor administration, but in general Hugh was entirely independent. The large sums he sent the king from the forest revenues show clearly the importance of his office.

As in the case of most of John’s servants it is hard to say when Hugh was acting as chief forester and when as a general royal agent. From 1199 to 1200 and again in 1203-1204 he was sheriff of Essex and Hertfordshire and in 1210-1213 he held the same office in Cumberland. Until the latter part of the reign he was custodian of the castles of Marlborough and Ludgershall and of the town and manor of Marlborough. As his uncle Alan had held Marlborough while he was chief forester, it may have been considered an appurtenance of the office. John fitz Gilbert Marshal, father of the earl of Pembroke, had held Marlborough and Ludgershall in Stephen’s reign, and while there is no evidence that William Marshal ever pressed a claim against Hugh, he took posses-

60 Ibid., p. 437; Rot. pat., pp. 72, 88.
61 Pipe roll 1 John, p. 174; Pipe roll 7 John, p. 170; Pipe roll 8 John, p. 171; Pipe roll 9 John, p. 130.
62 Rot. oblatis, pp. 183, 221, 224, 326; Rot. pat., p. 70.
63 Cartae antiquae rolls, no. 286; Rot. pat., p. 78. An account of Hugh de Neville for forest revenues appears on the memoranda roll 10 John.
64 Rot. oblatis, p. 437.
65 Rot. liberate, p. 23; Rot. pat., pp. 13, 18, 22, 27, 29, 35; Rot. claus., I, 15, 19, 35, 38, 71. Hugh’s account in 1208 seems to indicate a revenue from the forests of over £2,000 a year.
sion of it when it was recovered from Louis of France in 1217. Besides holding shrivealties and the custody of royal fortresses, Hugh was often called on to act for the king. When Ruald fitz Alan, hereditary constable of Richmond castle fell into disfavor in 1207, Hugh was directed to seize Richmond. In 1212 John's suspicion of the loyalty of David, earl of Huntingdon, brought an order to Hugh to take over by force if necessary his castle of Fotheringay. A man of power and prestige who controlled a large organization Hugh was a very useful man for tasks that might be beyond the powers of the local sheriff.

Thus when John came to the throne he found the offices of justiciar, treasurer, and chief forester filled by men who had served his father and brother and who were devoted to the crown rather than to him personally. He had felt obliged to appoint as chancellor another man of the same stamp. Only one of these four officials, Hugh de Neville, seems to have become a personal intimate of the king though Geoffrey fitz Peter's duties kept him at court a large part of the time. When Hubert Walter and Geoffrey fitz Peter died, they were replaced by favorites of John. Hugh de Neville and William of Ely remained in office until they joined the baronial revolt against their master. Whatever one may think of John's policy as a king and however convinced one may be that these tried servants of the crown had better judgment than their master, it is hard to blame a king for chafing at finding the chief offices of his realm filled by men who were not essentially of his choice.

Below the four great administrative officials came a small group of men who were almost their equals in importance in John's government. They were the king's trusted agents and were employed by him in many varied capacities. The two most influential of these men during the early years of the reign, William Marshal and William de Briouse, have already been discussed at some length. While both were men of the sword rather than of the pen, William Marshal had at some time in his career served in most of

67 *Rot. pat.*, p. 72.
68 *Rot. claus.*, I, 122.
the offices of the Angevin government. He had been baron of the exchequer, sheriff, royal justice, and associate justiciar. In John's early years he was sheriff of two shires, custodian of a number of royal castles, and an intimate counselor and agent of the king. William de Briouze's political experience was much more limited, but he was a highly trusted royal agent and a regular member of John's entourage. A third member of this group was Peter des Roches who succeeded Geoffrey fitz Peter as justiciar. He was apparently one of John's most trusted financial agents. He is regularly found at the exchequer, and while he seems never to have held the office of chamberlain under John, he performed the functions of that position.

The two other members of this group, Hugh Bardolf and William Brewer, deserve more extensive discussion here because neither ever held any high office. Both of them started their careers under Henry II. William Brewer was sheriff of Devonshire for the last ten years of Henry's reign, and Hugh Bardolf appeared in 1187 as custodian of the great honor of Gloucester. Both were members of the group of associate justiciars that played so important a part in the government of England during Richard's absence in Palestine. Both are excellent examples of men who found the royal service highly profitable. Henry II gave Hugh Bardolf the barony of Bampton in Devonshire and Somersetshire, but later allowed another claimant to offer a large fine for the fief. Richard gave Hugh the valuable manor of Ho in Kent as an exchange. He also gave Hugh one of the sisters and heirs of John de Limesi and thus half of that barony. As the other sister was apparently unmarried, Hugh seems actually to have had all the Limesi lands. He also had custody of his young relative, Doun Bardolf, and his lands. John gave him two royal manors at fee farm. Hugh died toward the end of 1203. Between the beginning of John's reign and his own death he was sheriff of Cornwall,
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Devon, and Westmoreland for one year each, of Cumberland and Northumberland for one and a half years each, and of Nottinghamshire and Derbyshire for three and a half years. While he was sheriff of these last two counties, he was also custodian of the honor of Peverel of Nottingham. When Hugh died, a distinguished group of ecclesiastics and laymen owed him considerable sums of money.\(^74\) There is no evidence to indicate whether Hugh was a man of unusual generosity or one who had no objection to a little usury on the side. Certainly at his death he was an important figure in English politics.

Death cut short Hugh Bardolf's career as a servant of John, but William Brewer was active throughout the entire reign. He was sheriff of Berkshire for a year, of Cornwall twice for a total of a year and a half, of Devonshire twice for a total of seven and a half years, of Dorset and Somerset for two years, of Hampshire three times for a total of four years, of Nottinghamshire and Derbyshire twice for a total of three years, of Oxfordshire for one year, of Sussex for two years, and of Wiltshire for two years. He was clearly not beloved by the people of the shires that he administered. At Michaelmas 1209 he was sheriff of six counties. He was deprived of one at that time. Then early in 1210 he was removed from the shrievalties of Dorset and Somerset, Hampshire, and Wiltshire. The men of Dorset and Somerset paid 1,200 marks to get rid of him.\(^75\) With rare delicacy John ordered that William's daughter should not be obliged to contribute toward this fine.\(^76\) It is possible that the other shires made similar offers. In addition to his services as sheriff William was in regular attendance at the exchequer, but he seems to have considered this duty an unwelcome burden. William's son was captured while taking part in the defense of John's continental lands. On June 21, 1204, the king loaned William 1,000 marks to pay his son's ransom on condition that he sit at the exchequer for two weeks every year.\(^77\) In July he added 700 marks to the loan. These loans were soon transformed into gifts. During 1206 and 1207 William was forgiven 2,000

\(^{74}\) Rot. pat., pp. 50-51.
\(^{75}\) Pipe roll 12 John, Public Record Office.
\(^{76}\) Rot. claus., I, 204.
\(^{77}\) Rot. pat., p. 55.
marks of debts due to the crown. But William continued to be a prominent figure at the sessions of the exchequer.

The dearest ambition of most lay servants of the crown was to build up a barony that would enable them and their descendants to take their places among the magnates of the realm. It was comparatively easy for an influential official to acquire extensive temporary landed power through custodies, but it was far more difficult to raise one's family to permanent baronial rank. The easiest way was to marry the heiress to a barony. William Marshal and Geoffrey fitz Peter had placed themselves among the great lords of the realm by this means. Henry I's justiciar, Ralph Basset, Hugh Bardolf, Robert de Turnham, and Hugh de Neville had married the heiresses to smaller baronies. But the supply of heiresses was limited, and many ambitious officials were obliged to undertake the extremely difficult task of creating a new barony. Henry II's justiciar, Richard de Lucy, had done this very successfully. William Brewer was to be equally successful. It required consistent loyalty and usefulness to the crown combined with a lack of squeamishness in acquiring demesnes and fees. William Brewer was well supplied with these qualifications.

While William Brewer was clearly not popular with the men of his shires, he was apparently deeply beloved by various barons—at least they showed great enthusiasm for giving him estates. On October 18, 1199, John confirmed to William a manor in Cornwall given him by Godfrey de Lucy, bishop of Winchester, one in Northamptonshire given by Earl William de Ferrers, and one in Somersetshire given by Fulk Paine, lord of Bampton. The grant by Godfrey de Lucy may have been motivated simply by good will, but the other two look very much like bribes. Blisworth in Northamptonshire was attached to Higham Ferrers that Earl William had acquired by John's gift. One cannot help suspecting that the grant to William Brewer who was sheriff of Nottinghamshire and Derbyshire and custodian of the honor of Peverel of which Higham Ferrers and Blisworth were a part had something to do with John's generosity to Earl William. In the early twelfth century William

78 *Rot. claus.*, I, 2, 3, 78; *Rot. pat.*, p. 62.
79 *Rot. chart.*, p. 28.
Painel who belonged to one of the branches of that fecund Norman house married Juliana, heiress of Bampton. The history of the barony during Henry II's reign is obscure, but in 1180 William's son Fulk offered 1,000 marks for its possession. In 1194 an entry on the pipe roll stated that Fulk Painel owed £359 8s. 9d. of his fine for the barony of Bampton, but that he had fled and William Brewer held the fief, presumably as custodian. As the counties in which the barony of Bampton lay formed part of the region ruled by John during Richard's crusade, it seems likely that Fulk fled because he had been involved in John's revolt. At any rate when John came to the throne, he accepted Fulk's offer of 1,000 marks for the barony. But about this time Fulk gave the important demesne manor of Bridgewater with the service of several knights to William Brewer. Once more a generous gift was required to shake loose lands that William had in his custody. Then on March 28, 1200, the king confirmed another series of gifts to William Brewer. One of these seems to have been essentially a purchase.

In 1198 Henry de Pomeroy, an important baron in Devon and Cornwall, granted William a demesne manor and the service of four and one-half knights' fees to hold for the service of one fee. William gave Henry 70 marks for the grant. Another looks like a bribe.

We have seen that King Richard gave the escheated barony of Bradninch in Devonshire to a Hugh de Curterne and that Hugh made a generous gift to Geoffrey fitz Peter. Apparently Hugh also felt obligated to William Brewer for he gave him too a manor from his demesne. Probably William Brewer's most profitable venture was the custody of the barony of Dover. Fulbert of Dover, lord of a barony of some fourteen fees centering in the castle of Chilham in Kent, died in 1202 leaving young children. In January 1203 Earl Robert of Leicester was given custody of the fief and at his death it passed to William Brewer for a fine of £800. But of far greater interest to William than the young heirs of Fulbert was their grandmother,
Rohese, daughter of Geoffrey, eldest son of the justiciar, Richard de Lucy. According to the usual customs of feudal inheritance Rohese and her sister were the rightful possessors of the Lucy barony. Richard de Lucy had held some thirteen fees in chief in the counties of Kent, Norfolk, Suffolk, and Devon, the castle and barony of Ongar in Essex consisting of twenty fees held of the honors of Boulogne and Gloucester, and nineteen fees and some demesne manors held of the earls of Cornwall.\(^{86}\) In the early years of Richard's reign Godfrey de Lucy, bishop of Winchester, held the barony presumably as custodian for his young nephew Herbert who was Rohese's brother. In 1194 he lost the lands.\(^{87}\) Probably Herbert died, and Richard I took the barony into his own hands. Rohese offered the king £700 for permission to choose her own second husband and to have her half of the Lucy lands.\(^{88}\) By 1199 she had paid all but £250 of this fine, but it is not clear whether or not she got possession of any of the lands.\(^{89}\) In 1195 the barony of Ongar and nine of the Cornish fees came into the possession of a Geoffrey de Lacelles who was probably Rohese's brother-in-law.\(^{90}\) Then in 1201 Godfrey de Lucy is found in possession of the other eleven Cornish fees and some other Lucy lands.\(^{91}\) In short it seems that during the early years of John's reign the barony of Lucy was divided between Geoffrey de Lacelles and the bishop of Winchester.

Rohese made no payments on her fine after 1199. Sometime during these first years of John's reign she committed a major indiscretion. Although she had not paid the fine she had offered to marry whom she pleased, she chose a second husband without the king's leave, and her dower in the barony of Dover was seized into the king's hands. Hence when William Brewer received the custody of this barony it included Rohese's dower.\(^{92}\) Then on September 11, 1204, Godfrey de Lucy died, and William was given possession


\(^{87}\) *Pipe roll 2 Richard I*, pp. 91, 104; *Pipe roll 6 Richard I*, pp. 24, 28, 45.


\(^{89}\) *Pipe roll 1 John*, p. 62.

\(^{90}\) *Pipe roll 7 Richard I*, p. 217; *Pipe roll 1 John*, p. 186.

\(^{91}\) *Pipe roll 3 John*, p. 191; *Rot. claus*, I, 14; *Rot. chart.*, p. 137.

\(^{92}\) *Rot. oblatis*, p. 229; *Pipe roll 7 John*, pp. 117, 195.
of the lands belonging to Rohese that he had held. But he found that he had a formidable competitor. Robert fitz Walter, cousin of Rohese and nephew of Godfrey, asked John for the lands of the late bishop of Winchester. As John was then bent on appeasing Robert he gave him the lands. Rohese offered 100 marks for John's forgiveness for her marriage, and she and William bided their time. In 1207 Rohese offered £100 in addition to the £250 she already owed for one-half the Lucy lands except those held by Robert fitz Walter. William Brewer was her pledge for the payment of this sum. It is difficult to discover what these lands were. Geoffrey de Lacelles had either died or stayed in France in 1204, and Ongar with nine Cornish fees had passed into the custody of Geoffrey fitz Peter. Robert fitz Walter had eleven Cornish fees and some other lands. It looks as if William Brewer had made an alliance with Rohese and hoped that the time would come when he could get the best of Robert fitz Walter. He did not have to wait too long. Late in 1210 John who was beginning his famous quarrel with Robert took away from him the Lucy lands. On November 12, 1212, the king solemnly gave Rohese her half of the Lucy barony. On that same day Rohese granted William Brewer five demesne manors in Cornwall, one in Devon, and one in Kent with the service of eleven knights' fees to hold of her for eleven fees. Thus Rohese recovered her inheritance at the price of giving most of it to William Brewer as a fief.

While William Brewer was extracting demesnes and fees from his fellow barons, John was not niggardly in showing his appreciation for William's services. On April 3, 1200, he gave him the custody of five heirs and the privilege of marrying them to whom he chose. In 1203 he granted William the services of fourteen knights' fees previously held in chief from the crown. In 1204

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92 Rot. claus., I, 8.
93 Ibid., p. 14.
94 Pipe roll 7 John, p. 195.
95 Rot. oblatis, p. 414.
96 Rot. pat., p. 39.
97 Pipe roll 13 John, Public Record Office.
98 Rot. claus., I, 127; Rot. chart., p. 189.
99 Ibid., p. 48.
100 Ibid., p. 110.
the king gave William the escheated barony of Buron except for the castle of Horsley that he kept in his own hands.¹⁰² Later in the same year he granted William the manor of Chesterfield in Derbyshire with two attached manors and the wapentake of Scarsdale, the manor of Sneinton in Nottinghamshire, the manor of Axminster in Devon, and a fishery in Somersetshire to hold for a fee farm of £112 and the service of one knight. Later the fee farm was dropped, and William held these lands for the service of three knights.¹⁰³ This extensive grant included special privileges. Chesterfield was made a borough and its burgheurs were given the same privileges as those of the royal towns of Nottingham and Derby. William was to have at Chesterfield an annual fair to last eight days and a bi-weekly market. He was also granted a weekly market at Axminster. As John had previously granted William permission to create a borough on his manor of Bridgewater in Somerset, he was well supplied with towns, fairs, and markets.¹⁰⁴

Demesne manors, knights’ fees, boroughs, fairs, and markets were all important elements of a barony, but no one could feel that he was really a baron unless he had a castle. Here too John came to William’s aid. In 1200 he gave him license to build three castles—one at Bridgewater, one in Hampshire and one in Devonshire.¹⁰⁵ William had a castle at Bridgewater, but I can find no evidence that he actually built the other two. Another mark of baronial status was the patronage of monastic foundations. Whether his motive was pride, piety, or repentance, William dealt generously with the regular clergy. The earliest monastic foundation ascribed to William, that of the Benedictine nunnery of Polsloe in Devonshire before 1169, may have been made by his father.¹⁰⁶ In 1196 William founded a house of Premonstratensian canons at Torre in Devonshire.¹⁰⁷ In 1201 he made two foundations—a Cistercian

The Abbey at Dunkeswell in Devonshire and a house of Augustinian canons at Mottisfont in Hampshire.\textsuperscript{108} He also endowed a hospital at Bridgewater.

In addition to building up his own barony William Brewer devoted his energy and influence to caring for his children. He married his daughter Isabel to Baldwin Wac, lord of Bourn.\textsuperscript{109} An Alice Brewer who was either his daughter or his sister, was married to a Somersetshire baron named Roger de la Poole.\textsuperscript{110} His eldest son William was married before 1201 to Joan, younger daughter of the earl of Devon who had previously been affianced to Hubert de Burgh.\textsuperscript{111} But William’s true talents came into play in the search for a barony for his second son, Richard. Walter Brito, lord of a barony of fifteen fees, died in 1199. Soon two claimants were quarreling over the barony.\textsuperscript{112} By the end of 1200 one of the claimants had transferred his rights to Richard Brewer.\textsuperscript{113} The other claimant simply disappeared from the case and Richard Brewer emerged as lord of the whole fief. While it is clear that William Brewer paid the cost of the litigation over the barony, it is hard to believe that money alone eliminated the two claimants.

The men in the next lower grade of John’s administration whose work was pretty well confined to specific departments need not detain us long, but they cannot be entirely neglected. Probably the most important members of this group were the senior clerks who ran the chancery when the chancellor was absent from court. Richard’s custom was to have a vice-chancellor and in his absence to appoint a clerk to act as vice-chancellor. A charter issued by John as lord of England was sealed by Master Roscelin “\textit{tunc agentis vices cancellarii nostri.}” Roscelin had borne Richard’s seal at Chaluz. But after his coronation John never appointed a vice-

\textsuperscript{109} \textit{Rot. claus.}, I, 146; \textit{Rot. chart.}, p. 194.
\textsuperscript{110} \textit{Curia regis rolls}, I, 85.
\textsuperscript{111} William had 8 fees of the barony of Plympton in his hands in 1201. \textit{Pipe roll 3 John}, p. 224.
\textsuperscript{112} \textit{Pipe roll 1 John}, pp. 128, 238; \textit{Rot. oblatis}, p. 23.
\textsuperscript{113} \textit{Pipe roll 2 John}, p. 99; \textit{Curia regis rolls}, I, 239.
chancellor and the title was never used in his reign. Charters and royal letters were sealed by the senior clerks. When Hubert Walter left court in September 1199, two clerks took over the custody of the seal—John de Grey and Simon, archdeacon of Welles. John de Grey probably had some connection with John as early as Richard’s absence on the crusade. In 1196 he pledged one of the men who had been penalized for joining John’s revolt. By 1198 he was bearing John’s seal and sealing at least some of his charters. John de Grey rose rapidly in his master’s affections and confidence and as a result his worldly advance was rapid. By March 4, 1200, he was archdeacon of Cleveland, by April 10 archdeacon of Gloucester, and on September 3 he was styled bishop-elect of Norwich. He bore the seal for the last time on June 28. We shall hear a great deal more of John de Grey. He was probably the only man whom John trusted absolutely and without reservation for the entire period of their association.

Simon, archdeacon of Welles, had been a fairly constant member of Richard’s entourage during the last two years of his reign, but seems never to have borne his seal. From June 1200 to June 1204 he shared the duties of senior clerk with Hugh de Welles and John de Branchester, archdeacon of Worcester, who had acted as vice-chancellor in Richard’s reign. By May 1203 Simon had been made provost of Beverley and by April 9, 1204, he was bishop-elect of Chichester. From July 1203 to May 1206 the chancery was in the hands of two brothers, Hugh and Jocelin de Welles. Hugh de Welles had become archdeacon of Welles when Simon vacated that office on his elevation to the bishopric of Chichester. By April 4, 1206, Jocelin de Welles was bishop-elect

114 Richardson, Introduction to Memoranda roll 1 John, p. xxxviii; Round, Calendar, p. 36; Landon, Itinerary, p. 145.
115 Rot. chart., pp. 21-73.
116 Pipe roll & Richard I, p. 75.
117 Calendar of charter rolls, II., 387.
118 Rot. chart., pp. 37, 48, 75.
119 See Landon, Itinerary.
120 Ibid.; Rot. chart., pp. 73-135.
121 Ibid., pp. 104, 125.
122 Ibid., pp. 135-163.
of Bath and Welles. Hugh de Welles was styled bishop-elect of Lincoln by April 14, 1209. Thus all the three senior clerks had passed from the chancery to the episcopate.

Hugh de Welles was succeeded in his office by Richard Marsh, the future chancellor. Richard bore the seal from June 1209 to October 1213. From then until John's departure for Poitou the king's charters were sealed by no less a dignitary than Peter des Roches. While the king was in Poitou, his chancery was headed by Ralph de Neville, another future chancellor. When Richard Marsh became chancellor in October 1214, the day of the senior clerks was over for a time. Richard himself performed the functions of his office. It is interesting to notice that all the clerks who sealed John's charters except John de Branchester became eventually bishops. High office in the chancery was the one sure path to ecclesiastical preferment. While you served you had an archdeaconry or two, and eventually you were rewarded with a bishopric. Hugh de Welles was also granted secular benefits—two royal manors with their attached hundreds and a number of valuable custodies, but the others seem to have been satisfied with ecclesiastical pluralities.

It is extremely difficult to describe the judicial personnel of John's government because specialization of duties was less pronounced in the courts than in the chancery or the exchequer. It was a litigious age and most men of position had a fair knowledge of the law. Joseph Hunter lists some eighty men who were called justices in final concords concluded during John's reign. These included four earls, fifteen barons, twenty-three knights, and four high ecclesiastics. Then there were four who can best be classified as professional servants of the crown, William Brewer, William de

\[123 \text{Ibid.}, \text{p. 163.} \]
\[124 \text{Ibid.}, \text{p. 185.} \] In a number of charters Hugh appears as a witness as elect of Lincoln and seals them as archdeacon of Welles.
\[125 \text{Calendar of charter rolls, I, 281-282.} \]
\[126 \text{Rot. pat.}, \text{p. 105.} \]
\[127 \text{Rot. chart.}, \text{pp. 195-196.} \]
\[128 \text{Ibid.}, \text{pp. 196-201.} \]
\[129 \text{Ibid.}, \text{pp. 99, 129.} \]
\[130 \text{Fines sive pedes finium, pp. lx-lxvi.} \]
Wrotham, archdeacon of Taunton, Reginald de Cornhill, and John fitz Hugh. Four more were officials of the chancery—Jocelin de Welles, Hugh de Welles, Walter de Grey, and Richard Marsh. The treasurer, William of Ely, and William de Cornhill, archdeacon of Huntingdon, can best be described as exchequer officials. Finally there were about a score of men whose chief occupation in the government was to serve as justices. But about half of these served for only a year or two. The men who sat in the courts regularly over an extended period and hence can properly be called professional justices number but twelve.

While in theory Angevin England had only one royal court, the curia regis, that court had several branches. The king’s justices sat at Westminster as the court of common pleas. Then groups of justices rode through the shires on judicial eyres. Finally there was the court that followed the king, the court coram rege that was later to be known as the king’s bench. When the court of common pleas held its sessions at Westminster, exchequer officials and other royal servants often sat with the professional justices. Quite frequently a group of justices on eyre or justices itinerant as they were usually called would be headed by a lay or ecclesiastical dignitary who had no particular training in the law. Thus in the fourth year of John’s reign a group was headed by John de Grey, bishop of Norwich, in the eighth year one by William de Wrotham, archdeacon of Taunton, and one by Robert de Vieuxpont, and in the tenth year one by Adam de Port, lord of Basing, and one by Gerard de Canville. The justices that followed the king on his travels found themselves reinforced by household officials and anyone else who might be in the king’s entourage. A few generalizations seem valid. All sessions of the curia regis whether at Westminster, on eyre, or with the king included some professional justices. Moreover every group of itinerant justices included at least one man who was not a professional justice—usually a baron or knight with little or no connection with the royal administration.

131 For an excellent general discussion of the courts in John’s reign see Sir Cyril T. Flower, Introduction to the curia regis rolls (Selden Society, vol. LXII).
132 Fines sive pedes finium, pp. xlix-lix.
Seven of the twelve professional justices had served King Richard in the same capacity. One of these was the justiciar, Geoffrey fitz Peter. Another was Simon de Pattishall who served continually as a royal justice from the seventh year of King Richard to the end of John's reign. In knowledge of and experience in the law he was second only to Geoffrey. A third was Geoffrey de Buckland who was the brother of Geoffrey fitz Peter's brother-in-law, William de Buckland. While Geoffrey fitz Peter was ruling as viceroy in John's early years, Geoffrey de Buckland seems to have acted as his representative at exchequer sessions. Of the five professional justices who started their careers under John the most notable was Eustace de Fauconberg who eventually succeeded William of Ely as treasurer. Except for James de Poterna who served for a short time as sheriff of Wiltshire, the other eight professional justices are known only for their judicial services. It is also interesting to notice that neither of the two men who served as justiciar after the death of Geoffrey fitz Peter had extensive judicial experience. Peter des Roches sat occasionally in the curia regis, but Hubert de Burgh does not appear on Mr. Hunter's list.

While the professional jurists who carried on the work of the curia regis probably wielded less political power than the senior clerks of the chancery and exchequer, they had a far greater influence on the development of English institutions. The practices of chancery and exchequer were important at the moment but essentially ephemeral. They affected only a tiny segment of the English people. But Geoffrey fitz Peter and his colleagues were molding the common law of England as described by Glanvill into the form known to us in Bracton. Geoffrey had a favorite clerk, Martin de Pattishall, who was to be the justice most admired and most frequently quoted by Bracton. Geoffrey himself had been the clerk of Ranulf de Glanvill. These three generations of jurists constructed the common law of England. Every man, woman, and child in the realm from the king on his throne to

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133 Pipe roll 1 John, p. 264; Memoranda roll 1 John, pp. 17, 67.
134 Martin served both Geoffrey fitz Peter and Simon de Pattishall, Earliest Northamptonshire assize rolls, pp. xviii-xix; Rot. claus., I, 106.
the homeless wanderer in their own day and for centuries thereafter were affected by their work.

Below these officials whom we have discussed there were, of course, a host of minor civil servants. There were the chancery clerks who wrote the charters, letters patent, and letters close and the innumerable writs required in carrying on the business of the exchequer and the courts of justice. There were chancery and exchequer clerks who made the rolls that supply so much of our information about John's reign. There was a spigurnel who saw to the wax for sealing writs and messengers who bore them to their destinations. The exchequer had its constable, its usher, its weigher, and the serjeants who were responsible for transporting treasure around the country. The justices had clerks like Martin de Pattishall who wrote their rolls. But while all these men were important cogs in the wheels of John's government, they require no individual discussion.

The center of the government of England was the king. The chancery and the chief branch of the curia regis, the coram rege, followed him in his travels. Thus the king's entourage formed both a domestic household and an important segment of the administrative machinery of the realm. The two are extremely difficult to separate. While the senior clerks of the chancery were clearly government officials and the keeper of the king's bath very clearly was not, between them lay many officers who cannot be definitely classified. Most important of these were the officials of the chamber. The chamber administered King John's private purse. While its chief source of funds was payments made to it out of the treasury, it could collect money directly from the king's debtors. As the court moved about the country, people who owed the king money paid it into the chamber. The chamber also paid the king's daily expenses. Obviously it had to keep in close contact with the exchequer. When a debtor paid his money into the chamber,

135 Richardson, Introduction to Memoranda roll 1 John and "William of Ely."
136 See the misae and prestito rolls in Rot. liberate.
138 Flower, Introduction to curia regis rolls, pp. 8-10.
the exchequer had to be notified. But in many cases the chamber received funds that never appeared on the pipe roll—such as sums extorted from the Jews and the church. Although most of the time its payments were confined to buying articles for the king's use, paying the costs of transporting and feeding the court and the vast packs of hunting dogs that accompanied it, and making small gifts and loans at the king's order, in times of emergency its functions expanded greatly. When the king was engaged in a military expedition, the pay and provisioning of the troops was the task of the chamber.

In theory the chief officer of the chamber was the chamberlain, but neither of the two men who bore this title during John's reign seems to have spent much time performing the functions of his office. Hubert de Burgh had been Count John's chamberlain during the last years of King Richard's reign. He bore the title until 1205, but only occasionally is he found at court acting as head of the chamber. Only five of the men who are known to have served John as count of Mortain had positions in the English government during the early years of his reign. Gerard de Canville was sheriff of Lincolnshire from 1199 to 1204. Richard Fleming was sheriff of Cornwall for two years. William de Cantilupe who had been seneschal for John as count of Mortain became seneschal of the royal household and sheriff of Worcestershire. John de Grey was senior clerk of the chancery until his elevation to the see of Norwich. Hubert de Burgh was employed far more extensively by his royal master. He was sheriff of Herefordshire and of Dorsetshire and Somersetshire from 1201 to 1204 and sheriff of Berkshire from 1202 to 1204. When John crossed to Normandy in the spring of 1201, he left Hubert with 100 knights to watch the Welsh and perhaps to suppress Fulk fitz Warin and William Marsh. In 1202 he made him custodian of the great fortress of Dover and warden of the Cinque Ports. We have

139 Round, Ancient charters, no. 67.
140 Rot. liberate., p. 14; Rot. oblatis, p. 73; Pipe roll 2 John, p. 241; Rotuli Normanniae (ed. T. D. Hardy, Record commission), pp. 23, 35, 36, 65, 66, 67. I owe many of these references to Mr. Fred Cazel who is writing a biography of Hubert de Burgh.
141 Rot. pat., pp. 7, 9.
already seen that during these years the king was apparently using Hubert and his brother William to contain the ambitions of William de Briouse. In the summer of 1202 John decided that he needed Hubert in Normandy. After the battle of Mirabeau he became the chief custodian of the valuable prisoners taken there. Arthur and the Lusignan brothers were guarded under his own eye in the castle of Falaise while many lesser captives were distributed in the castles of Hubert’s English shires—Corfe, Sherborne, and Wallingford. Contemporary chroniclers carry a dramatic tale of Hubert refusing to mutilate Arthur despite John’s express command.\(^{142}\) Be that as it may the king apparently decided that Hubert was more useful as a captain than as an executioner. Hubert was given command of the castle of Chinon while John himself saw to Arthur.\(^{143}\)

Hubert de Burgh was generously rewarded for his services. Early in 1200 he was affianced to the younger daughter of the earl of Devon. If the earl died without a son, Hubert was to have the Isle of Wight and the barony of Christchurch in Hampshire. If the earl had a son, he would receive land worth £60 a year and the service of ten knights’ fees.\(^{144}\) Presumably Hubert lost interest in the lady when her brother was born, and she married William Brewer the younger. About this same time Hubert was given the Roumar lands in southern England. In 1201 he received the Welsh castles of Grosmont, Skenfrith, and Llantilio and the royal manor of Causton in Norfolk.\(^{145}\) During these years he was custodian of three baronies—Beauchamp of Somersetshire, Dunster, and that of Walter de Windsor.\(^{146}\) In 1205 he fell out of favor temporarily. Perhaps John was troubled by his disobedience in connection with Arthur and the king may have felt that his defense of Chinon was not sufficiently determined. Hubert’s lands were seized into the king’s lands, his shrievalties were given to others, and he lost his office as chamberlain. While he

\(^{142}\) Ibid., pp. 16, 17; Pipe roll 4 John, p. 85; Coggeshall, pp. 139-141.

\(^{143}\) Rot. pat., p. 24.

\(^{144}\) Rot. chart., pp. 52-53; Rot. oblatis, p. 68; Pipe roll 3 John, p. 37.

\(^{145}\) Rot. liberate, pp. 11, 19; Pipe roll 3 John, p. 200.

\(^{146}\) Rot. liberate, p. 23; Pipe roll 3 John, pp. 38, 126; Pipe roll 4 John, p. 96.
never regained that dignity, his eclipse was brief and we shall hear much about him in later chapters.

Hubert's successor as titular chamberlain was Geoffrey de Neville. While the Neville genealogy is too confused to allow one to expound it with any conviction, it seems likely that Geoffrey was the uncle of Hugh de Neville. Geoffrey held important posts during the latter half of John's reign. During the baronial revolt he commanded the great fortress of Scarborough and was John's chief lieutenant in Yorkshire. He also served for a time as seneschal of Poitou and Gascony. But there is no indication that he ever performed the functions of chamberlain for any considerable period.

After Hubert de Burgh gave up all pretense of fulfilling the duties of chamberlain by taking command of Chinon, the functions of the office seem to have been performed by a series of John's intimates. Peter des Roches was obviously serving as an official of the chamber while Hubert still held the office and he continued to do so after Hubert's dismissal. His position is particularly noticeable in the rotulus de prestito for 1209-1210. Later in the reign Peter de Maulay and William de Cornhill, archdeacon of Huntingdon, clearly acted in this capacity. But as in other departments the routine work throughout the reign was done by clerks. Early in the reign there are references to Thomas and Bartholomew, clerks of the chamber. It seems likely that for some years prior to 1207 Philip de Lucy was the senior clerk in actual charge of the chamber. Richard Marsh was a chamber clerk before he became the bearer of the seal. John used his clerks of the chamber for various confidential tasks, but except for Richard Marsh and William de Cornhill none of them seems to have been advanced to a position of great importance.

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147 Rot. claus., I, 93.
148 Rot. pat., pp. 102, 103, 115, 131, 152, 159, 164, 165; Rot. claus., I, 171, 192, 194, 214.
150 P. de Maulay was serving by 1210. Ibid., pp. 111, 113, 141.
151 Rot. claus., I, 2, 3, 23, 35.
152 Rot. pat., p. 74.
153 Ibid.
It seems very likely that King John did not want a resident chamberlain who would be a permanent intermediary between him and the clerks of the chamber. In the absence of such an official the king could deal directly with the minor clerks or act through any of his intimates who might be on hand. No one man of high position would know all that passed through the chamber. Various entries on the rolls indicate the confidential nature of some of the chamber's business. Thus in 1210 a clerk wrote "to a certain messenger going on an errand for the king five marks delivered to Hugh de Neville to give to the messenger whose name we dare not know nor place in this writing." Hugh de Neville clearly knew about this mission, but next time the man entrusted with the confidential information could be Peter des Roches, Peter de Maulay, William Brewer, or anyone else whom the king trusted.

In addition to the chamberlainship there was one other domestic office that conferred on its holder enough power and prestige to make him an important figure in the realm—the seneschalship of the household. Apparently this office could be held by several men at once. While William de Cantilupe was seneschal of the household throughout the entire reign, others bore the title at various times. Peter de Stoke served from 1201 until his death in 1206. During 1207 Geoffrey de Neville, the future chamberlain, appeared several times as seneschal. From 1208 to 1213 William de Harcourt held the office. During the last three years of the reign Brian de Lisle and Fawkes de Bréauté bore the title. All these men with the possible exception of Peter de Stoke were important royal servants with other administrative responsibilities—shrievalties, custodianships, and constablerships. Hence it seems certain that they had deputies to

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155 Ibid., pp. 1, 128; "Rotulus misae 14 John," pp. 232, 266; Rot. pat., p. 45; Rot. claus., I, 85, 100.
156 Rot. liberate, p. 1; Rot. claus., I, 35, 62.
157 Ibid., p. 85; Cartae antiquae rolls, no. 138.
158 Rot. liberate, p. 212; "Rotulus misae 14 John," p. 266; Rot. claus., I, 141.
159 Ibid., p. 139.
serve in their absence. Unfortunately we have little precise information on the seneschal’s duties, but it is probable that he was the executive head of the royal household. We find him authorizing writs of liberate to pay for supplying and transporting the court and he apparently was responsible for the discipline of those attached to the household.\textsuperscript{160}

If the seneschal of the household was actually the administrative head of the king’s entourage, his office cannot have been a sinecure. The household was large and was continually moving about the country. There were carters and pack-horse men to transport the king’s wardrobe from place to place, falconers, huntsmen, and keepers of the hunting dogs, squires and grooms who cared for the horses, laundresses, messengers, watchmen, cooks and a host of other servants.\textsuperscript{161} In addition to those who had actual duties in the royal household the court was apparently followed about by a miscellaneous rabble. There were merchants of the court—probably purveyors for its daily needs.\textsuperscript{162} Henry de la Mare held three estates by serjeancy—one for guarding the door of the king’s hall and two for supervising the prostitutes who followed the court.\textsuperscript{163} While I can find no evidence that Henry performed his duties in John’s reign, the existence of his office is most illuminating.

One more office that was closely connected with the household should be mentioned—the chamberlainship of London. The holder of this post was the chief purchasing agent for the court. As the royal household was undoubtedly the largest single market for luxury goods of all sorts, the chamberlain of London must have had tremendous power over the merchants of the realm. While the title of chamberlain of London is rarely mentioned during John’s reign, it is clear that the office was held for most of the period by Reginald de Cornhill, sheriff of Kent.\textsuperscript{164} As the head of

\textsuperscript{160} Ibid., pp. 84, 85, 87, 89, 91, 93, 101; Curia regis rolls, VI, 27.
\textsuperscript{161} See "Rotulus misae 14 John" for a general view of the household.
\textsuperscript{162} Curia regis rolls, VI, 27.
\textsuperscript{163} Book of fees, I, 103, 251, 253.
The greatest of London merchant families Reginald was peculiarly fitted for the post.

The chief local representatives of the royal government were the sheriffs. The sheriff was primarily a financial officer. The regular royal revenues in a county were valued at a certain sum that was called the farm of the county, and the sheriff was responsible for paying this amount into the exchequer. The items that made up the farm varied from county to county. In every shire there were royal manors and boroughs that contributed to it. In all counties there were the revenues from the shire and hundred courts. Then in some counties the sheriff collected an annual tax called sheriff's aid at a fixed sum per hide. In the counties where the frankpledge system existed the sheriff collected fees when he toured the shire to inspect the functioning of the system—the view of frankpledge. The amounts of the county farms had been set in Henry II's reign and did not vary throughout the reigns of Richard and John. When the king granted a royal manor that had contributed to the farm, the sheriff was credited for it. In theory the same principle applied to royal grants of exemption from sheriff's aid and view of frankpledge, but in practice these seem usually to have been credited for a few years and then forgotten. Thus as time went on there appeared items in the farm that the sheriff could not collect. At the same time the general rise in prices and in the returns from agriculture increased the revenues from the royal manors. In John's reign the value assigned to a manor in the county farm was usually far less than its real value. Both Richard and John realized this and demanded extra payments or increments from some sheriffs. 165 They also sold the office of sheriff for considerable sums. 166 Moreover in addition to paying the farm and increments into the exchequer, the sheriff had to bear certain regular expenses. When he repaired the king's castles and hunting lodges, hired troops to hold the castles and keep order in the countryside in time of trouble, bought supplies for the court, or made any other unusual payments at the

165 See under crementum in indices to the pipe rolls.
166 Pipe roll 6 John, p. 32; Pipe roll 8 John, p. 103; Pipe roll 9 John, p. 214; Rot. oblatis, p. 109.
king's order, he received credit for it on his account. But the ordinary costs of his administration and the peace-time custody of the castles were his responsibility. In short the man who took office as sheriff was engaging in a financial speculation of considerable magnitude. This system had two obvious faults. The sheriff could profit largely from money that should have gone to the crown. The evidence available indicates that Yorkshire could be made to yield between £600 and £700 beyond its farm of £440. Buckinghamshire and Bedfordshire were worth between £200 and £300 more than the farm of £477. Staffordshire and Shropshire showed a profit of over £300 for the sheriff. While the possibilities were more moderate in the other shires, they were generally fairly substantial. The other deficiency of the system was that it encouraged the sheriff to make use of the numerous opportunities he had to extort money from the people of the shire. While precise evidence on this subject is naturally hard to find, there is enough to suggest that the sheriffs were not negligent in the matter but made full use of their power. One of John's most interesting governmental experiments was an attempt to abolish the system of farms. It will be discussed at some length in the next chapter.

In addition to conducting his own financial relations with the exchequer the sheriff was responsible for seeing that the people in his shire who owed money to the crown paid or at least appeared at the exchequer sessions. When the debts were small, the sheriff might collect them himself and pay them into the exchequer. But all major debtors were obliged to appear at Westminster either in person or in the case of a baron through his seneschal. Then the sheriff and his men had to serve the writs of summons sent out by the exchequer to all debtors and the mass of judicial writs issued in connection with the business of the courts. He was the official errand boy for the central administration. He collected the juries needed for the possessory assizes and other purposes, arrested criminals, kept the prison, and collected the penalties imposed by the courts. When a criminal fled or was

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167 The earliest Lincolnshire assize rolls (ed. Doris Stenton, Lincoln Record Society), pp. 146-147.
hanged, it was the sheriff's duty to see that the crown got the value of his chattels. When a man was killed falling from his horse, drowned by falling out of a boat, or smothered in a vat of new ale, he seized the article responsible, the horse, boat, or vat of ale, for the king's use. In short it was the sheriff's duty to see that the crown received every penny due it from every conceivable source. In addition to his financial and police duties he had some judicial ones. When a vassal complained that his lord had seized his cattle for default of service without good cause, the sheriff heard the case as a justice. He presided over the courts of the shire and hundred. When he toured his county in what was called his "tourn," he acted as a police court judge for minor cases. Finally he was usually the custodian of the royal castles in his shire and often had charge of escheated lands and those in the custody of the crown.

The power of the sheriff was rather inadequately controlled in several ways. There were independent officers called coroners who supervised his administration of criminal justice. As the coroners kept a record of all crimes committed that were of interest to the crown, it was difficult for the sheriff to accept money for immunity from prosecution. Then the justices itinerant had a view of his conduct of the business of interest to them. Moreover they were frequently commissioned to conduct special inquiries into all sorts of questions dealing with the king's interests. Finally the king himself was continually on the move about his realm and John had a vigilant eye. But actually none of these checks can have made much difference. Most of the time the sheriff was free to do as he pleased and the people of his shire were at his mercy. The only real checks on his power were the great barons and his fellow royal agents such as constables of castles and custodians of escheated baronies.

As John's attempt to abolish the sheriff's farm resulted technically at least in the abolition of the office of sheriff during the middle years of his reign, we shall here discuss only those sheriffs who held office before 1205. Of the forty-six men who held the office during this period seventeen were barons, twelve knights, and eleven professional royal officials such as Geoffrey fitz Peter,
William Brewer, Hubert de Burgh, Hugh Bardolf, and Hugh de Neville. Seven were minor figures who may have been either knights or clerks. Two belonged to a newly rising class—professional administrators who served whoever hired them. Thus in 1199 John de Cornard was the seneschal of the earl de Clare, but in 1204 he was sheriff of Norfolk and Suffolk. Obviously most of the barons and royal officials did not actually perform their duties as sheriff—the work was done by the under-sheriff. In fact one finds the king’s justices calling the under-sheriff sheriff as he was to all practical purposes. Yet if the under-sheriff was the man of the titular sheriff, the latter had full control if he wished to exercise it. This is made clear in an arrangement between John and William de Stutville. William promised to pay 1,500 marks for the shrievalty of Yorkshire, but John was to appoint two under-sheriffs and the constables of the royal castles.\footnote{Rot. oblatis, p. 109.} In short William was taking the office as a financial speculation while leaving the king the military and political authority. Similar arrangements may have been made in other cases, but they were probably rare. Most sheriffs were fully as much interested in the power as they were in the revenue.