

V.

"In other countries, the struggle has been to gain liberty; in England, to preserve it."—ALISON.

THE COMING OF THE NORMANS.

THE KING versus THE BARONS.

BUILDING THE NORMAN SUPERSTRUCTURE.—THE AGE OF FEUDALISM.

NORMAN SOVEREIGNS.

William I., 1066–1087.

Henry I., 1100–1135.

William II., 1087–1100.

Stephen (House of Blois), 1135–1154.

143. Duke William hears of Harold's Accession; message to Harold.—Duke William of Normandy was in his park near Rouen, the capital of his dukedom, getting ready for a hunting expedition, when the news was brought to him of Harold's accession. The old chronicler says "he stopped short in his preparations; he spoke to no man, and no man dared speak to him."

At length he resolved to send a message to the king of England. His demand is not known; but whatever it was, Harold appears to have answered with a rough refusal.

144. William prepares to invade England.—Then William determined to appeal to the sword. During the spring and summer of that year, the duke was employed in fitting out a fleet for the invasion, and his smiths and armorers were busy making lances, swords, and coats of mail. The Pope favored the expedition, and presented a banner blessed by himself, to be carried in

the attack; "mothers, too, sent their sons for the salvation of their souls."

145. The Expedition sails.—After many delays, at length all was ready, and at daybreak, Sept. 27, 1066, William sailed with a fleet of several hundred ships and a large number of transports, his own vessel leading the van, with the consecrated banner at the mast-head. His army consisted of archers and cavalry, and may have numbered between fifty and sixty thousand. They were partly his own subjects, and partly hired soldiers, or those who joined for the sake of plunder. He also carried a large force of smiths and carpenters, with timber ready cut and fitted for a wooden castle.

146. William lands at Pevensey.—The next day the fleet anchored at Pevensey,¹ under the walls of that old Roman fortress of Anderida, which had stood, a vacant ruin, since the Saxons stormed it nearly six hundred years before. As William stepped on shore he stumbled and fell. "God preserve us!" cried one of his men, "this is a bad sign." But the duke, grasping the pebbles of the beach with both his outstretched hands, exclaimed, "Thus do I seize the land!"

147. Harold in the North.—There was, in fact, no power to prevent him from establishing his camp, for King Harold was in the north quelling an invasion headed by the king of the Norwegians and his brother Tostig, who hoped to secure the throne for himself. Harold had just sat down to a victory-feast, after the battle of Stamford Bridge,² when news was brought to him of the landing of William. It was this fatal want of unity in England which made the Norman conquest possible. Had not Harold's own brother Tostig turned traitorously against him, or had the north country stood squarely by the south, Duke William might have found his fall on the beach an omen indeed full of disaster.

¹ Pevensey: see Map No. 7, page 44.

² Stamford Bridge, Yorkshire.

148. What William did after landing. — As there was no one to oppose him, William made a fort in a corner of the old Roman wall of Anderida, and then marched on to Hastings, a few miles farther east, where he set up his wooden castle on that hill where the ruins of a later stone castle may still be seen. Having done this, he pillaged the country in every direction, until the fourteenth of October, the day of the great battle.

149. Harold marches to meet William. — Harold, having gathered what forces he could, marched to meet William at Senlac, a place midway between Pevensey and Hastings, and about five miles back from the coast. Here, on the evening of the thirteenth, he entrenched himself on a hill, and there the battle was waged. Harold had the advantage of the stockaded fort he had built; William, that of a body of cavalry and archers, for the English fought on foot with javelins and battle-axes mainly. The Saxons spent the night in feasting and song; the Normans, in prayer and confession.

150. The Battle (Oct. 14, 1066). — On the morning of the fourteenth the fight began. It lasted until dark, with heavy loss on both sides. At length William's strategy carried the day, and Harold and his brave followers found to their cost that then, as now, it is "the thinking bayonet" which conquers. The English king was slain and every man of his chosen troops with him. A monkish chronicler, in speaking of the Conquest, says that "the vices of the Saxons had made them effeminate and womanish, wherefore it came to pass that, running against Duke William, they lost themselves and their country with one, and that an easy and light battle."¹ Doubtless the English had fallen off in many ways from their first estate; but the record at Senlac (or Hastings) shows that they had lost neither strength, courage, nor endurance, and a harder battle or a longer was never fought on British soil.

151. The Abbey of Battle; Harold's Grave. — A few years later, the Norman conqueror built the Abbey of Battle on the

¹ William of Malmesbury.

spot to commemorate the victory by which he gained his crown, and to have perpetual prayers chanted by the monks over the Norman soldiers who had fallen there. Here, also, tradition represents him as having buried Harold's body, just after the fight, under a heap of stones by the seashore. Some months later, it is said that the friends of the English king removed the remains to Waltham, near London, and buried them in the church which he had built and endowed there.¹ Be that as it may, his grave, wherever it is, is the grave of the old England, for henceforth a new people (though not a new race) and a somewhat modified form of government appear in the history of the island. /

152. The Bayeux Tapestry. — Several contemporary accounts of the battle exist by both French and English writers, but the best history is one wrought in colors by a woman's hand, in the scenes of the famous strip of canvas known from the French cathedral where it is still preserved, as the Bayeux Tapestry.²

153. William marches on London. — Soon after the battle, William advanced on London, and set fire to the Southwark suburbs.³ The Londoners, terrified by the flames, and later cut off from help from the north by the Conqueror's besieging army, opened their gates and surrendered without striking a blow.

154. William grants a Charter to London. — In return, William granted the city a charter, or formal and solemn written pledge, by which he guaranteed the inhabitants the liberties which they had enjoyed under Edward the Confessor. That document may still be seen among the records in Guildhall,⁴ in London. It is a bit of parchment, hardly bigger than a man's hand, containing a few lines in English, and is signed with William's mark; for he who wielded the sword so effectually either could not or would

¹ This church became afterward Waltham Abbey.

² See Paragraph No. 205.

³ Southwark, on the right bank of the Thames. It is now connected with London proper by London Bridge.

⁴ Guildhall: the City-Hall, the place where the guilds, or different corporations of the city proper, meet to transact business.

not handle the pen. By that mark all the past privileges and immunities of the city were confirmed and protected.

155. The Coronation; William returns to Normandy. — On the following Christmas Day (1066) William was anointed and crowned in Westminster Abbey. In the spring he sailed for Normandy, where he had left his queen, Matilda, to govern in his absence. While on the continent he intrusted England to the hands of his half-brother, Odo, Bishop of Bayeux, and his friend, William Fitz-Osbern, having made the former, Earl of Kent, and the latter, of Hereford. During the next three years there were outbreaks and uprisings in the lowlands of Cambridgeshire and the moors of Yorkshire, besides incursions of both Danes and Scots.

156. William quells Rebellion in the North. — The oppressive rule of the regents soon caused a rebellion; and in December William found it expedient to return to England. In order to gain time, the king bought off the Danes. Little by little, however, the land was brought to obedience. By forced marches in midwinter, by roads cast up through bogs, and by sudden night attacks, William accomplished the end he sought. But in 1069, news came of a fresh revolt in the north, accompanied by another invasion of foreign barbarians. Then William, roused to terrible anger, swore by the "splendor of God" that he would lay waste the land. He made good his oath. For a hundred miles beyond the river Humber he ravaged the country, firing villages, destroying houses, crops, and cattle, and reducing the wretched people to such destitution that many sold themselves for slaves to escape starvation. Having finished his work in the north, he turned toward Chester, in the west, and captured that city.

157. Hereward. — Every part of the land was now in William's power except an island in the swamps of Ely,¹ in the east, where the Englishman Hereward, with his resolute little band of fellow-

¹ Ely, Cambridgeshire.

countrymen, continued to defy the power of the conqueror. "Had there been three more men like him in the island," said one of William's own men, "the Normans would never have entered it." But as there were not three more such, the conquest was at length completed.

158. Necessity of William's Severity. — Fearful as the work of death had been, yet even these pitiless measures were better than that England should sink into anarchy, or into subjection to hordes of Norsemen who destroyed purely out of love of destruction and hatred to civilization and its works. For whatever William's faults or crimes, his great object was the upbuilding of a government better than any England had yet seen. Hence his severity, hence his elaborate safeguards, by which he made sure of retaining his hold upon whatever he had gained.

159. He builds the Tower of London. — We have seen that he gave London a charter; but overlooking the place in which that charter was kept, he built the Tower of London to hold the turbulent city in wholesome restraint. That tower, as fortress, palace, and prison, stands as the dark background of most of the great events in English history. It was the forerunner, so to speak, of the multitude of castles which soon after rose on the banks of every river, and on the summit of every rocky height from the west hill of Hastings to the peak of Derbyshire, and from the banks of the Thames to those of the Tweed. Side by side with these strongholds there also rose an almost equal number of monasteries, churches and cathedrals.

160. William confiscates the Land; Classes of Society. — Hand in hand with the progress of conquest, the confiscation of land went on. William had seized the estates of Harold and all the chief men associated with him, to grant them to his followers. In this way, Bishop Odo, Fitz-Osbern, and Roger of Montgomery became possessed of immense estates in various parts of England. Other grants were made by him, until by the close of his reign, no great landholder was left among the English, with the excep-

tion of a very few who were thoroughly Norman in their sympathies and in their allegiance.

Two great classes of society now existed in England. First, the Norman conquerors, who as chief tenants or landholders under the king were called barons. Second, the English who had been reduced to a subordinate condition. Most of these now held their land under the barons, and a majority of them were no longer free.

This latter class were called villeins.¹ They were bound to the soil, and could be sold with it, but not, like slaves, separately from it. They could be compelled to perform any menial service, but usually held their plots of land and humble cottages on condition of ploughing a certain number of acres or doing a certain number of days' work in each year for their lord. In time they often obtained the privilege of paying a fixed money rent in place of labor, and then their condition gradually though very slowly improved.

161. How he granted Estates.—Yet it is noticeable that in these grants, William was careful not to give large possessions to any one person in any one shire. His experience in Normandy had taught him that it was better to divide than to concentrate the power of the great nobles, who were only too ready to plot to get the crown for themselves. Thus William developed and extended the feudal system of land tenure, already in existence in outline among the Saxons, until it covered every part of the realm. He, however, kept it strictly subordinate to himself, and before the close of his reign made it absolutely so.

162. The Three Counties Palatine.—The only exceptions to these grants were the three Counties Palatine,² which defended

¹ Villein: a name derived from the Latin *villa*, a country-house, or farm, because originally the villein was a laborer who had a share in the common land. Our modern word "villain" comes from the same source, though time has given it a totally different meaning.

² Palatine (from *palatium*, palace), having rights equal with the king in his palace. Shropshire was practically a fourth county palatine until Henry I. Later, Lancaster was added to the list.

the border country in the north and west, and the coast on the south. To the earls of these counties, Chester, Durham, and Kent, William gave almost royal power, which descended in their families, thus making the title hereditary.

163. How William stopped Assassination.—The hard rule of the Norman nobles caused many secret assassinations. To put a stop to these, William ordered that the people of the district where a murder was perpetrated should pay a heavy fine for every Norman so slain, it being assumed that unless they could prove to the contrary, every man found murdered was a Norman.¹

164. Pope Gregory VII.—While these events were taking place in England, Hildebrand, the archdeacon who had urged Pope Alexander to favor William's expedition, had ascended the papal throne, under the title of Gregory VII. He was the ablest, the most ambitious, and, in some respects, the most far-sighted man who had made himself the supreme head of the church.

165. State of Europe; Gregory's Scheme of Reform.—Europe was at that time in a condition little better than anarchy. A perpetual quarrel was going on between the barons. The church, too, as we have seen, had lost much of its power for good in England, and was rapidly falling into obscurity and contempt. Pope Gregory conceived a scheme of reform which should be both wide and deep. Like Dunstan, he determined to correct the abuses which had crept into the monasteries. He would have an unmarried priesthood, who should devote themselves body and soul to the interests of the church. He would bring all society into submission to that priesthood, and finally he would make the priesthood itself acknowledge him as its sole master. His purpose in this gigantic scheme was a noble one; it was to establish the unity and peace of Europe.

166. The Pope and the Conqueror.—Gregory looked to William for help in this matter. The Conqueror was ready to give it,

¹ This was known as the Law of Englishry.

but with limitations. He promised to aid in reforming the English church, to remove inefficient men from its high places, to establish special ecclesiastical courts for the trial of church cases, and finally, to pay a yearly tax to Rome; but he refused to take any step which should make England politically subservient to the Pope. On the contrary, he emphatically declared that he was and would remain an independent sovereign, and that the English church must obey him in preference to any other power.

He furthermore laid down these three rules: 1. That neither the Pope, the Pope's representative, nor letters from the Pope should be received in England without his leave. 2. That no meeting of church authorities should be called or should take any action without his leave. 3. That no baron or servant of his should be expelled from the church without his leave.

Thus William alone of all the sovereigns of Europe successfully withstood the power of Rome. Henry IV. of Germany had attempted the same, but so completely was he defeated and humbled that he had been compelled to stand barefooted in the snow before the Pope's palace waiting for three successive days for permission to enter and beg forgiveness. But William knew the independent temper of England, and that he could depend on it for support.

167. William a Stern but Just Ruler; New Forest. — Considering his love of power and strength of will, the reign of William was conspicuous for its justice. He was harsh but generally fair. His most despotic act was the seizure and devastation of a tract of over 60,000 acres in Hampshire for a hunting-ground, which received the name of the New Forest.¹ It has been said that William destroyed many churches and estates in order to form this forest, but these accounts appear to have been greatly exaggerated. The real grievance was not so much the appropriation of the land, which was sterile and of little value, but it was the

¹Forest: as here used, this does not mean a region covered with woods, but simply a section of country, partially wooded and suitable for game, set apart as a royal park or hunting-ground. As William made his residence at Winchester, in Hampshire, he naturally took land in that vicinity for the chase.

enactment of the savage Forest Laws. These made the life of a stag of more value than that of a man, and decreed that any one found hunting the royal deer should have both eyes torn out.

168. The Great Survey. — Not quite twenty years after his coronation, William ordered a survey and valuation to be made of the whole realm outside of London, with the exception of certain border counties on the north. These appear to have been omitted either because they were sparsely populated by a mixed race, or for the reason that since his campaign in the north little was left to record there but heaps of ruins and ridges of grass-grown graves.

169. The Domesday Book. — The returns of that survey are known as Domesday or Doomsday Book, a name given, it is said, by the English, because, like the Day of Doom, it spared no one.

It recorded every piece of property, and every particular concerning it. As the Chronicle indignantly said, not a rood of land, not a peasant's hut, not an ox, cow, pig, or even a hive of bees, escaped. While the report showed the wealth of the country, it also showed the suffering it had passed through in the revolts against William. Many towns had fallen into decay. Some were nearly depopulated. In Edward the Confessor's reign, York had 1607 houses; at the date of the survey, it had but 967, while Oxford which had had 721 houses had then only 243.

This census and assessment proved of the highest importance to William and his successors. The people, indeed, said bitterly that the king kept the book constantly by him, in order "that he might be able to see at any time of how much more wool the English flock would bear fleecing." The object of the work, however, was not extortion, but to present a full and exact account of the financial and military condition of the kingdom which might be directly available for revenue and defence.

170. The Great Meeting, 1086. — In the midsummer following the completion of Domesday Book, William summoned all the nobles and chief landholders of the realm with their vassals, numbering, it is said, about sixty thousand, to meet him on Salisbury

Plain, Wiltshire.¹ There was a logical connection between that summons and the survey. Each man's possessions and each man's responsibility were now known. Thus Domesday Book prepared the way for the assembly, and for the action that was to be taken there. The place chosen was historic ground. On that field William had once reviewed his victorious troops, and in front of the encampment rose the hill of Old Sarum scarred with the remains of Roman entrenchments. Stonehenge was near. It was within sight of it, and of the burial mounds of those primeval races which had there had a home during the childhood of the world, that the Norman sovereign finished his work.

171. The Oath of Allegiance. — There William demanded and received the sworn allegiance not only of every lord, but of every lord's free vassal or tenant, from Cornwall to the Scottish borders. By that act, England was made one. By it, it was settled that every man in the realm, of whatever condition, was bound first of all to fight for the king, even if in doing so he had to fight against his own lord.

172. What William had done. — A score of years before, William had landed, seeking a throne to which no human law had given him any just claim, but to which Nature had elected him by preordained decree when she endowed him with power to take, power to use, and power to hold. It was fortunate for England that he came; for out of chaos, or affairs fast drifting to chaos, his strong hand, clear brain, and resolute purpose brought order, beauty, safety, and stability, so that we may say with Guizot, that "England owes her liberties to her having been conquered by the Normans."

173. William's Death. — In less than a year from that time, William went to Normandy to quell an invasion led by his eldest

¹ The Saxon seat of government had been at Winchester (Hampshire); under Edward the Confessor and Harold it was transferred to Westminster (London); but the honor was again restored to Winchester by William who made it his principal residence. This was perhaps the reason why he chose Salisbury Plain (the nearest open region) for the meeting. It was held where the modern city of Salisbury stands.

son, Robert. As he rode down a steep street in Mantes, his horse stumbled, and he received a fatal injury. He was carried to the priory of St. Gervase, just outside the city of Rouen. Early in the morning he was awakened by the great cathedral bell. "It is the hour of praise," his attendant said to him, "when the priests give thanks for the new day." William lifted up his hands in prayer and expired.

174. His Burial. — His remains were taken for interment to St. Stephen's Church,¹ which he had built. As they were preparing to let down the body into the grave, a man suddenly stepped forward and forbade the burial. William, he said, had taken the land, on which the church stood, from his father by violence. He demanded payment. The corpse was left on the bier, and inquiry instituted, and not until the debt was discharged was the body lowered to its last resting-place. "Thus," says the old chronicle, "he who had been a powerful king, and the lord of so many territories, possessed not then of all his lands more than seven feet of earth," and not even that until the cash was paid for it!

175. Summary. — The results of the conquest may be thus summed up: 1. It was not the subjugation of the English by a different race, but rather a victory won for their advantage by a branch of their own race.² It brought England into closer contact with the higher civilization of the continent, introduced fresh intellectual stimulus, and gave to the Anglo-Saxon a more progressive spirit. 2. It modified the English language by the influence of the Norman French element, thus giving it greater flexibility, refinement, and elegance of expression. 3. It substituted for the fragile and decaying structures of wood built by the Saxons, noble edifices in stone, the cathedral and the castle, both being essentially Norman. 4. It hastened consolidating influences already at work, developed and completed the feudal

¹ Caen, Normandy.

² It has already been shown that Norman, Saxon, and Dane were originally branches of the Teutonic or German race. See Paragraphs Nos. 105 and 114.

form of land tenure;¹ reorganized the church, and defined the relation of the state to the papal power. 5. It abolished the four great earldoms,² which had been a constant source of weakness, danger, and division; it put an end to the Danish invasions; and it established a strong monarchical government to which the nobles and their vassals were compelled to swear allegiance. 6. It made no radical changes in the English laws, but enforced impartial obedience to them among all classes.

WILLIAM RUFUS.³—1087—1100.

176. William the Conqueror's Bequest.—William the Conqueror left three sons, — Robert, William Rufus, and Henry. He also left a daughter, Adela, who married a powerful French nobleman, Stephen, Count of Blois. On his death-bed, William bequeathed Normandy to Robert. He expressed a wish that William Rufus should become ruler over England, while to Henry he left five thousand pounds of silver, with the prediction that he would ultimately be the greatest of them all. Before his eyes were closed, the sons hurried away — William Rufus to seize the realm of England, Henry to get possession of his treasure. Robert was not present. His recent rebellion would alone have been sufficient reason for allotting to him the lesser portion; but even had he deserved the sceptre, William knew that it required a firmer hand than his to hold it.

177. Precarious State of England.—France was simply an aggregation of independent and mutually hostile dukedoms. The reckless ambition of the Norman leaders threatened to bring England into the same condition. During the twenty-one years of William's reign they had perpetually tried to break loose from his restraining power. It was certain, then, that the news of his death would be the signal for still more desperate attempts.

¹ See Paragraph No. 200.

² See Paragraph No. 107.

³ William Rufus, William the Red: a nickname probably derived from his red face.

178. Character of William Rufus.—Rufus had his father's ability and resolution, but none of his father's conscience. As the historian of that time declared, "He feared God but little, man not at all." He had Cæsar's faith in destiny, and said to a boatman who hesitated to set off with him in a storm at his command, "Did you ever hear of a king's being drowned?"

179. His Struggle with the Barons.—During the greater part of the thirteen years of his reign he was at war with his barons. It was a battle of centralization against disintegration. "Let every man," said he, "who would not be branded infamous and a coward, whether he live in town or country, leave everything and come to me."

In answer to that appeal, the English rallied around their Norman sovereign, and gained the day for him under the walls of Rochester Castle, Kent. Of the two evils, the tyranny of one or the tyranny of many, the first seemed to them preferable.

180. William's Method of raising Money; he defrauds the Church.—If in some respects William the Conqueror had been a harsh ruler, his son was worse. His brother Robert had mortgaged Normandy to him in order to get money to join the first crusade.¹ The king raised it by the most oppressive and unscrupulous means.

William's most trusted counsellor was Ranulf Flambard.² Flambard had brains without principle. He devised a system of plundering both church and people in the king's interest. Lanfranc, Archbishop of Canterbury, died three years after William's accession. Through Flambard's advice, the king left the archbishopric

¹ Crusade (Latin *crux*, the cross): the crusades were a series of eight military expeditions undertaken by the Christian powers of Europe to recover Jerusalem and the Holy Land from the hands of the Mohammedans. They received their name from the badge of the cross worn by the soldiers. The first crusade was undertaken in 1095, and the last in 1270. Their effects will be fully considered under Richard I., who took part in them.

² Flambard: a nickname; the torch, or firebrand.

vacant, and appropriated its revenues to himself. He practised the same course with respect to every office of the church.

181. The King makes Anselm Archbishop. — While this process of systematized robbery was going on, the king fell suddenly ill. In his alarm lest death was at hand, he determined to make reparation to the defrauded and insulted priesthood. He invited Anselm, a noted French scholar, to accept the archbishopric. Anselm, who was old and feeble, declined, saying that he and the king could not work together. "It would be," said he, "like yoking a sheep and a bull." But the king would take no refusal. Calling Anselm to his bedside, he forced the staff of office into his hands. When the king recovered, he resumed his old practices and treated Anselm with such insult, that he finally left the country.

182. William's Merit. — William's one merit was that he kept England from being devoured piecemeal by the Norman barons, who regarded her, as a pack of hounds, in full chase, regard the hare about falling into their rapacious jaws. Like his father, he insisted on keeping the English church independent of the ever-growing power of Rome. In both cases his motives were purely selfish, but the result to the country was good.

183. His Death. — In 1100 his power came suddenly to an end. He had gone in the morning to hunt in the New Forest with his brother Henry. He was found lying dead among the bushes, pierced by an arrow shot by an unknown hand. William's character speaks in his deeds. It was hard, cold, despotic, yet in judging it we should consider the words of Fuller, "No pen hath originally written the life of this king but what was made with a monkish pen-knife, and no wonder if his picture seem bad, which was thus drawn by his enemy."

184. Summary. — Notwithstanding William's oppression of both church and people, his reign checked the revolt of the baronage and prevented the kingdom from falling into anarchy like that existing on the continent.

HENRY I.—1100-1135.

185. Henry's Charter. — Henry, third son of William the Conqueror, was the first of the Norman kings who was born and educated in England. Foreseeing a renewal of the contest with the barons, he issued a charter¹ of liberties on his accession, by which he bound himself to reform the abuses which had been practised by his brother William Rufus. The king sent a hundred copies of this important document to the leading abbots and bishops for preservation in their respective monasteries and cathedrals. As this charter was the earliest written and formal guarantee of good government ever given by the crown to the nation, it marks an important epoch in English history. It may be compared to the platforms or statements of principles issued by our modern political parties. It was a virtual admission that the time had come when even a Norman sovereign could not dispense with the support of the country. It was therefore an admission of the truth that while a people can exist without a king, no king can exist without a people. Furthermore, this charter established a precedent for those which were to follow, and which reached a final development in the Great Charter wrested from the unwilling hand of King John somewhat more than a century later. Henry further strengthened his position with his English subjects by his marriage with Maud, niece of the Saxon Edgar, a direct descendant of King Alfred.

186. The Appointment of Bishops settled. — Henry also recalled Anselm and reinstated him in his office. But the peace was of short duration. The archbishop insisted with the Pope that the power of appointment of bishops should be vested wholly

¹ Charter (literally, parchment or paper on which anything may be written): a royal charter is a writing bearing the king's seal by which he confers or secures certain rights and privileges to those to whom it is granted. Henry's charter guaranteed: 1. The rights of the church (which William Rufus had constantly violated). 2. The rights of the nobles and landholders against extortion. 3. The right of all classes to be governed by the old English law with William the Conqueror's improvements.

in Rome. The king was equally determined that such appointments should spring from himself. "No one," said he, "shall remain in my land who will not do me homage." The quarrel was eventually settled by compromise. The Pope was to invest the bishop with the ring and crozier, or pastoral staff of office, as emblems of the spiritual power; the king, on the other hand, was to grant the lands from which the bishop drew his revenues, and in return was to receive his homage or oath of allegiance. This acknowledgment of royal authority by the church was of great importance, since it gave the king power as feudal lord to demand from each bishop his quota of fully equipped knights or cavalry soldiers.¹

187. Henry's Quarrel with Robert. — While this church question was in dispute, Henry had still more pressing matters to attend to. His elder brother Robert had invaded England and demanded the crown. The greater part of the Norman nobles supported this claim; but the English people held to Henry. Finally, in consideration of a heavy money payment, Robert agreed to return to Normandy and leave his brother in full possession of the realm. On his departure, Henry resolved to drive out the prominent nobles who had aided Robert. Of these, Robert of Belesme, Earl of Shrewsbury, was the leader. With the aid of the English, who hated him for his cruelty, the earl was at last compelled to leave the country. He fled to Normandy, and, in violation of a previous agreement, was received by Henry's brother Robert. Upon that, Henry declared war, and, crossing the Channel, fought the battle of Tinchebrai,² by which he conquered and held Normandy as completely as Normandy had once conquered England. The king carried his brother captive to Wales, and kept him in prison during his life in Cardiff Castle. This ended the contest with the nobles. By his uprightness, his decision, his

¹ See note on Clergy, Paragraph No. 200.

² Tinchebrai, Normandy, about midway between Caen and Avranches. See Map No. 8, page 88.

courage, Henry fairly won the honorable title of the "Lion of Justice"; for, as the Chronicle records, "No man durst mis-do against another in his time."

188. Summary. — The three leading points of Henry's reign are: 1. The self-limitation of the royal power embodied in the charter of liberties. 2. The settlement of old disputes between the king and the church. 3. The banishment of the chief of the mutinous barons, and the victory of Tinchebrai, with its results.

STEPHEN. — 1135-1154.

189. The Rival Candidates. — With Henry's death two candidates presented themselves for the throne, — Henry's daughter, Matilda (for he left no lawful son), and his nephew, Stephen. In France, the custom of centuries had determined that the crown should never descend to a female; and in an age when the sovereign was expected to lead his army in person, it certainly was not expedient that a woman should hold a position one of whose chief duties she could not discharge. This French custom had, of course, no force in England; but the Norman nobles must have recognized its reasonableness; or if not, the people did.¹ Four years after Stephen's accession Matilda landed in England and claimed the crown. The East of England stood by Stephen, the West by Matilda. For the sake of promoting discord, and through discord their own private ends, part of the barons gave their support to Matilda, while the rest refused, as they said, to "hold their estates under a distaff." The fatal defect in the new king was the absence of executive ability. Following the example of Henry, he issued two charters or pledges of good government;

¹ Before Henry's death, the baronage had generally sworn to support Matilda (commonly called the Empress Matilda, or Maud, from her marriage to the Emperor Henry V. of Germany; later, she married Geoffrey of Anjou). But Stephen, with the help of London and the church, declared himself "elected king by the assent of the clergy and the people." Many of the barons now gave Stephen their support.

but without authority to carry them out, they proved simply waste paper.

190. The Battle of the Standard. — David I. of Scotland, Matilda's uncle, espoused her cause, and invaded England with a powerful force. He was met at North Allerton, in Yorkshire, by the party of Stephen, and the battle of the Standard was fought. The leaders of the English were both churchmen, who showed that on occasion they could fight as vigorously as they could pray. The standard consisted of four consecrated banners, surmounted by a cross. This was set up on a wagon, on which one of the bishops stood. The sight of this sacred standard made the English invincible. After a fierce contest, the Scots were driven from the field. It is said that this was the first battle in which the English peasants used the long-bow; they had taken the hint, perhaps, from the Normans at the battle of Hastings. Some years later, their skill in foreign war made that weapon as famous as it was effective.

191. Civil War. — For fifteen years following, the country was torn by civil war. While it raged, fortified castles, which, under William the Conqueror, had been built and occupied by the king only, or by those whom he could trust, now arose on every side. These became, as the Anglo-Saxon Chronicle declares, "very nests of devils and dens of thieves." More than a thousand of these castles, it is said, were built. The armed bands who inhabited them levied tribute on the whole country around. Not satisfied with that, they seized those who were suspected of having property, and, to use the words of the Chronicle again, "tortured them with pains unspeakable; for some they hung up by the feet and smoked with foul smoke; others they crushed in a narrow chest with sharp stones. About the heads of others they bound knotted cords until they went into the brain." "Thousands died of hunger, the towns were burned, and the soil left untilled. By such deeds the land was ruined; and men said openly that Christ and his saints were asleep." The sleep, however, was not always

to last; for in the next reign, Justice, in the person of Henry II., effectually vindicated her power. The strife for the crown continued till the last year of Stephen's reign, when, by the Treaty of Wallingford,¹ it was agreed that Matilda's son Henry should succeed him.

192. Summary. — Stephen was the last of the Norman kings. Their reign had covered nearly a century. The period began in conquest and usurpation; it ended in gloom. We are not, however, to judge it by Stephen's reign alone, but as a whole. Thus considered, it shows many points of advance over the preceding period. Finally, even Stephen's reign was not all loss since we find that out of the "war, wickedness, and waste" of his misgovernment came a universal desire for peace through law. Thus indirectly, his very inefficiency prepared the way for future reforms.

GENERAL VIEW OF THE NORMAN PERIOD.—1066-1154.

I. GOVERNMENT.—II. RELIGION.—III. MILITARY AFFAIRS.—IV. LITERATURE, LEARNING, AND ART.—V. GENERAL INDUSTRY AND COMMERCE.—VI. MODE OF LIFE, MANNERS, AND CUSTOMS.

GOVERNMENT.

193. The King. — We have seen that the Saxons, or Early English rulers, in the case of Egbert and his successors, styled themselves "Kings of the English," or leaders of a race or people. The Norman sovereigns made no immediate change in this title, but as a matter of fact, William, toward the close of his reign, claimed the whole of the country as his own by right of conquest. For this reason he and his Norman successors might properly have called themselves "Kings of England"; that is, supreme owners of the soil and rulers over it, a title which was formally assumed about fifty years later (in John's reign).

194. The National Council. — Associated with the king in government, was the Great or National Council, made up of, first, the arch-

¹ Wallingford, Berkshire.

bishops, bishops, and abbots; and second, the earls and barons; that is, of all the great landholders holding directly from the crown. The National Council usually met three times a year, — at Christmas, Easter, and Whitsuntide. All laws were held to be made by the king, acting with the advice and consent of this council, but practically, the king alone often enacted such laws as he saw fit. When a new sovereign came to the throne, it was with the consent or by the election of the National Council, but their choice was generally limited to some one of the late king's sons, and unless there was good reason for making a different selection, the oldest was chosen. Finally, the right of imposing taxes rested theoretically, at least, in the king and Council, but, in fact, the king himself frequently levied them. This action of the king was a cause of constant irritation and of frequent insurrection.

195. The Private or King's Council. — There was also a second and permanent council, called the King's Council. The three leading officers of this were, the Chief Justice, who superintended the execution of the laws, represented the king, and ruled for him during his absence from the country. Second, the Lord Chancellor (so called from *cancelli*, the screen behind which he sat with his clerks), who acted as the king's adviser and confidential secretary, and as keeper of the Great Seal, with which he stamped all important papers.¹ Third, the Lord High Treasurer, who took charge of the king's revenue, received all moneys due the crown, and kept the king's treasure in the vaults at Winchester or Westminster.

196. Tallies. — All accounts were kept by the Treasurer on tallies or small sticks, notched on the opposite sides to represent different sums. These were split lengthwise. One was given as a receipt to the sheriff, or other person paying in money to the treasury, while the duplicate of this tally was held by the Treasurer. This primitive method of keeping royal accounts remained legally in force until 1785, in the reign of George III.

197. Curia Regis,² or the King's Court of Justice. — The Chief

¹ The Chancellor was also called the "Keeper of the King's Conscience," because intrusted with the duty of redressing those grievances of the king's subjects which required royal interference. The Court of Chancery, mentioned in note 1, to Paragraph No. 197, grew out of this office.

² Curia Regis: this name was given, at different times, first, to the National Council; second, to the King's Private Council; and lastly, to the High Court of Justice, consisting of members of the Private Council.

Justice and Chancellor were generally chosen by the king from among the clergy; first, because the clergy were men of education, while the barons were not; and next, because it was not expedient to intrust too much power to the barons. These officials, with the other members of the Private Council, constituted the King's High Court of Justice. It followed the king as he moved from place to place, to hear and decide cases carried up by appeal from the county courts, together with other questions of importance.¹ In local government, the country remained under the Normans essentially the same that it had been before the conquest. The king continued to be represented in each county by an officer called the sheriff, who collected the taxes and enforced the laws.

198. Trial by Battle. — In the administration of justice, Trial by Battle was introduced in addition to the Ordeal of the Saxons. This was a duel in which each of the contestants appealed to Heaven to give him the victory, it being believed that the right would vanquish. Noblemen² fought on horseback in full armor, with sword, lance, and battle-axe; common people fought on foot with clubs. In both cases the combat was in the presence of judges and might last from sunrise until the stars appeared. Priests and women had the privilege of being represented by champions, who fought for them. Trial by battle was claimed and allowed by the court (though the combat did not come off) as late as 1817, reign of George III. This custom was finally abolished in 1819.³

199. Divisions of Society. — The divisions of society remained after the conquest nearly as before, but the Saxon orders of nobility,

¹ The King's High Court of Justice (*Curia Regis*) was divided about 1215 into three distinct courts. 1. The Exchequer Court (so called from the chequered cloth which covered the table of the court, and which was probably made useful in counting money), which dealt with cases of finance and revenue. 2. The Court of Common Pleas, which had jurisdiction in civil suits between subject and subject. 3. The Court of King's Bench, which transacted the remaining business, both civil and criminal, and had special jurisdiction over all inferior courts and civil corporations.

Later, a fourth court, that of Chancery (see Paragraph No. 195, and note), over which the Lord Chancellor presided, was established as a court of appeal and equity, to deal with cases where the common law gave no relief.

² See Shakespeare's *Richard II.*, Act I. scenes 1 and 3; also Scott's *Ivanhoe*, Chapter XLIII.

³ Trial by battle might be demanded in cases of chivalry or honor, in criminal actions and in civil suits. The last were fought not by the disputants themselves but by champions.