

CHAPTER XI

ENGLAND IN THE MIDDLE AGES

I. KING ALFRED'S INTEREST IN LEARNING

King Alfred, in his introduction to the *Pastoral Charge*, by Gregory the Great, which he translated into Anglo-Saxon, gives a remarkable picture of the conditions of the time.

96. King Alfred's introduction to his translation of the *Pastoral Charge*.

King Alfred bids greet Bishop Wærferth with loving words and with friendship; and I let it be known to thee that it has very often come into my mind what wise men there formerly were throughout England, both of sacred and secular orders; and what happy times there were then; and how the kings who had power over the nation in those days obeyed God and his ministers; how they preserved peace, morality, and order at home, and at the same time enlarged their territory abroad; and how they prospered both in war and in wisdom; and also the sacred orders, how zealous they were both in teaching and learning, and in all the services they owed to God; and how foreigners came to this land in search of wisdom and instruction, the which we should now have to get from abroad if we were to have them.

So general became the decay of learning in England that there were very few on this side of the Humber who could understand the rituals in English, or translate a letter from Latin into English; and I believe that there were not many beyond the Humber. There were so few, in fact, that I cannot remember a single person south of the Thames when I came to the throne. Thanks be to God Almighty that we now have some teachers among us. And therefore I command thee to disengage thyself, as I believe thou art willing, from worldly matters as often as thou art able, that thou

mayest apply the wisdom which God has given thee wherever thou canst. Consider what punishments would come upon us if we neither loved wisdom ourselves nor suffered other men to obtain it: we should love the name only of Christian, and very few of the Christian virtues.

When I thought of all this I remembered also how I saw the country before it had been all ravaged and burned; how the churches throughout the whole of England stood filled with treasures and books. There was also a great multitude of God's servants, but they had very little knowledge of the books, for they could not understand anything of them because they were not written in their own language. As if they had said: "Our forefathers, who formerly held these places, loved wisdom, and through it they obtained wealth and bequeathed it to us. In this we can still see their traces, but we cannot follow them, and therefore we have lost both the wealth and the wisdom, because we would not incline our hearts after their example."

When I remembered all this, I wondered extremely that the good and wise men who were formerly all over England, and had learned perfectly all the books, did not wish to translate them into their own language. But again I soon answered myself and said, "Their own desire for learning was so great that they did not suppose that men would ever be so careless, and that learning would so decay; and they wished, moreover, that the wisdom in this land might increase with our knowledge of languages." Then I remembered how the law was first known in Hebrew, and when the Greeks had learned it how they translated the whole of it into their own language, and all other books besides. And again the Romans, when they had learned it, translated the whole of it, through learned interpreters, into their own language. And also all other Christian nations translated a part of it into their own language.

Therefore it seems better to me, if you agree, for us also to translate some of the books which are most needful for all men to know into the language which we can all understand; and for you to see to it, as can easily be done if we

have tranquillity enough, that all the free-born youth now in England, who are rich enough to be able to devote themselves to it, be set to learn as long as they are not fit for any other occupation, until that they are well able to read English writing; and let those afterwards be taught more in the Latin language who are to continue learning, and be promoted to a higher rank.

When I remembered how the knowledge of Latin had decayed throughout England, and yet that many could read English writing, I began, among other various and manifold troubles of this kingdom, to translate into English the book which is called in Latin *Pastoralis*, and in English *Shepherd's Book*, sometimes word by word, and sometimes according to the sense, as I had learned it from Plegmund, my archbishop, and Asser, my bishop, and Grimbold, my mass-priest, and John, my mass-priest. And when I had learned it, as I could best understand it and most clearly interpret it, I translated it into English.

I will send a copy of this to every bishopric in my kingdom; and on each copy there shall be a clasp worth fifty mancuses. And I command, in God's name, that no man take the clasp from the book, or the book from the minster. It is uncertain how long there may be such learned bishops, as thanks be to God there now are nearly everywhere; therefore I wish these copies always to remain in their places, unless the bishop wish to take them with him, or they be lent out anywhere, or any one wish to make a copy of them.

II. THE BATTLE OF HASTINGS: ENGLISH AND NORMANS

The courageous leaders mutually prepared for battle, each according to his national custom. The English, as we have heard, passed the night without sleep, in drinking and singing, and in the morning proceeded without delay against the enemy. All on foot, armed with battle-axes, and covering themselves in front by the juncture of their shields, they formed an impenetrable body which would assuredly have

97. Harold and William prepare for battle. (From William of Malmesbury's *History of the English Kings*.)

secured their safety that day had not the Normans, by a feigned flight, induced them to open their ranks, which till that time, according to their custom, had been closely compacted. King Harold himself, on foot, stood with his brothers near the standard in order that, so long as all shared equal danger, none could think of retreating. This same standard William sent, after his victory, to the pope; it was sumptuously embroidered with gold and precious stones, and represented the figure of a man fighting.

On the other hand, the Normans passed the whole night in confessing their sins, and received the communion of the Lord's body in the morning. Their infantry, with bows and arrows, formed the vanguard, while their cavalry, divided into wings, was placed in the rear. The duke, with serene countenance, declaring aloud that God would favor his as being the righteous side, called for his arms; and when, through the haste of his attendants, he had put on his hauberk the hind part before, he corrected the mistake with a laugh, saying, "The power of my dukedom shall be turned into a kingdom." Then starting the song of Roland, in order that the warlike example of that hero might stimulate the soldiers, and calling on God for assistance, the battle commenced on both sides, and was fought with great ardor, neither side giving ground during the greater part of the day.

Observing this, William gave a signal to his troops, that, feigning flight, they should withdraw from the field. By means of this device the solid phalanx of the English opened for the purpose of cutting down the fleeing enemy and thus brought upon itself swift destruction; for the Normans, facing about, attacked them, thus disordered, and compelled them to fly. In this manner, deceived by a stratagem, they met an honorable death in avenging their country; nor indeed were they at all without their own revenge, for, by frequently making a stand, they slaughtered their pursuers in heaps. Getting possession of an eminence, they drove back the Normans, who in the heat of pursuit were struggling up the slope, into the valley beneath, where, by hurling their

The Normans, by a feigned retreat, rout the English.

javelins and rolling down stones on them as they stood below, the English easily destroyed them to a man. Besides, by a short passage with which they were acquainted, they avoided a deep ditch and trod underfoot such a multitude of their enemies in that place that the heaps of bodies made the hollow level with the plain. This alternating victory, first of one side and then of the other, continued so long as Harold lived to check the retreat; but when he fell, his brain pierced by an arrow, the flight of the English ceased not until night.

The author discreetly declares that the leaders were equally brave.

In the battle both leaders distinguished themselves by their bravery. Harold, not content with the functions of a general and with exhorting others, eagerly assumed himself the duties of a common soldier. He was constantly striking down the enemy at close quarters, so that no one could approach him with impunity, for straightway both horse and rider would be felled by a single blow. So it was at long range, as I have said, that the enemy's deadly arrow brought him to his death. One of the Norman soldiers gashed his thigh with a sword, as he lay prostrate; for which shameful and cowardly action he was branded with ignominy by William and expelled from the army.

William, too, was equally ready to encourage his soldiers by his voice and by his presence, and to be the first to rush forward to attack the thickest of the foe. He was everywhere fierce and furious; he lost three choice horses, which were that day killed under him. The dauntless spirit and vigor of the intrepid general, however, still held out. Though often called back by the kind remonstrance of his bodyguard, he still persisted until approaching night crowned him with complete victory. And no doubt the hand of God so protected him that the enemy should draw no blood from his person, though they aimed so many javelins at him.

The character and habits of the English.

This was a fatal day to England, and melancholy havoc was wrought in our dear country during the change of its lords. For it had long before adopted the manners of the Angles, which had indeed altered with the times; for in the first years of their arrival they were barbarians in

their look and manner, warlike in their usages, heathens in their rites.

After embracing the faith of Christ, by degrees and, in process of time, in consequence of the peace which they enjoyed, they relegated arms to a secondary place and gave their whole attention to religion. I am not speaking of the poor, the meanness of whose fortune often restrains them from overstepping the bounds of justice; I omit, too, men of ecclesiastical rank, whom sometimes respect for their profession and sometimes the fear of shame suffers not to deviate from the true path; I speak of princes, who from the greatness of their power might have full liberty to indulge in pleasure. Some of these in their own country, and others at Rome, changing their habit, obtained a heavenly kingdom and a saintly intercourse. Many others during their whole lives devoted themselves in outward appearance to worldly affairs, but in order that they might exhaust their treasures on the poor or divide them amongst monasteries.

What shall I say of the multitudes of bishops, hermits, and abbots? Does not the whole island blaze with such numerous relics of its own people that you can scarcely pass a village of any consequence but you hear the name of some new saint? And of how many more has all remembrance perished through the want of records?

Nevertheless, the attention to literature and religion had gradually decreased for several years before the arrival of the Normans. The clergy, contented with a little confused learning, could scarcely stammer out the words of the sacraments; and a person who understood grammar was an object of wonder and astonishment. The monks mocked the rule of their order by fine vestments and the use of every kind of food. The nobility, given up to luxury and wantonness, went not to church in the morning after the manner of Christians, but merely, in a careless manner, heard matins and masses from a hurrying priest in their chambers, amid the blandishments of their wives. The commonalty, left unprotected, became a prey to the most powerful, who amassed fortunes, either by seizing on their property

General intellectual and religious decline before the Norman Conquest.

or by selling their persons into foreign countries; although it is characteristic of this people to be more inclined to reveling than to the accumulation of wealth. . . .

Manners and
customs of
the English.

Drinking in parties was an universal practice, in which occupation they passed entire nights as well as days. They consumed their whole substance in mean and despicable houses, unlike the Normans and French, who live frugally in noble and splendid mansions. The vices attendant on drunkenness, which enervate the human mind, followed; hence it came about that when they engaged William, with more rashness and precipitate fury than military skill, they doomed themselves and their country to slavery by a single, and that an easy, victory. For nothing is less effective than rashness; and what begins with violence quickly ceases or is repelled.

The English at that time wore short garments, reaching to the mid-knee; they had their hair cropped, their beards shaven, their arms laden with golden bracelets, their skin adorned with tattooed designs. They were accustomed to eat till they became surfeited, and to drink till they were sick. These latter qualities they imparted to their conquerors; as to the rest, they adopted their manners. I would not, however, have these bad propensities ascribed to the English universally; I know that many of the clergy at that day trod the path of sanctity by a blameless life; I know that many of the laity, of all ranks and conditions, in this nation were well-pleasing to God. Be injustice far from this account; the accusation does not involve the whole, indiscriminately; but as in peace the mercy of God often cherishes the bad and the good together, so, equally, does his severity sometimes include them both in captivity.

Character of
the Normans.

The Normans—that I may speak of them also—were at that time, and are even now, exceedingly particular in their dress and delicate in their food, but not so to excess. They are a race inured to war, and can hardly live without it; fierce in rushing against the enemy, and, where force fails of success, ready to use stratagem or to corrupt by bribery. As I have said, they live in spacious houses with

economy, envy their superiors, wish to excel their equals, and plunder their subjects, though they defend them from others; they are faithful to their lords, though a slight offense alienates them. They weigh treachery by its chance of success, and change their sentiments for money. The most hospitable, however, of all nations, they esteem strangers worthy of equal honor with themselves; they also intermarry with their vassals. They revived, by their arrival, the rule of religion which had everywhere grown lifeless in England. You might see churches rise in every village, and monasteries in the towns and cities, built after a style unknown before; you might behold the country flourishing with renovated rites; so that each wealthy man accounted that day lost to him which he had neglected to signalize by some munificent action.

III. RULE OF WILLIAM THE CONQUEROR

At Midwinter the king was at Gloucester with his "witan," and there held his court five days; and afterwards the archbishop and clergy had a synod three days. There was Maurice chosen bishop of London, and William, of Norfolk, and Robert, of Cheshire. They were all the king's clerks. After this the king had a great council, and very deep speech with his "witan" about this land, how it was peopled, or by what men; then he sent his men over all England, into every shire, and caused to be ascertained how many hundred hides were in the shire, or what land the king himself had, and cattle within the land, or what dues he ought to have, in twelve months, from the shire. Also he caused to be written how much land his archbishops had, and his suffragan bishops, and his abbots, and his earls; and—though I may narrate somewhat prolixly—what or how much each man had who was a landholder in England, in land, or in cattle, and how much money it might be worth. So very narrowly he caused it to be traced out, that there was not one single hide, nor one yard of land, nor even—it is shame to tell, though it seemed to him no shame to do—

98. King
William
orders
Doomsday
Book to be
drawn up.
(From the
Anglo-Saxon
Chronicle.)

an ox, nor a cow, nor a swine, left that was not set down in his writ.

William's
character.

King William, about whom we speak, was a very wise man, and very powerful, more dignified and strong than any of his predecessors were. He was mild to the good men who loved God, and beyond all measure severe to the men who gainsaid his will. . . . He was also very dignified; thrice every year he wore his crown, as oft as he was in England. At Easter he wore it in Winchester; at Pentecost, in Westminster; at Midwinter, in Gloucester. And then were with him all the great men over all England, archbishops and suffragan bishops, abbots and earls, thanes and knights.

So also was he a very rigid and cruel man, so that no one durst do anything against his will. He had earls in bonds who had acted against his will; bishops he cast from their bishoprics, and abbots from their abbasies, and thanes into prison; and at last he spared not his own brother, named Odo: he was a very rich bishop in Normandy; at Bayeux was his episcopal see; and he was the foremost man besides the king; and he had an earldom in England, and when the king was in Normandy, then was he the most powerful in this land: and him the king put in prison.

Among other good things is not to be forgotten the good peace that he made in this land; so that a man who had any confidence in himself might go over his realm, with his bosom full of gold, unhurt. Nor durst any man slay another man had he done ever so great evil to the other. He reigned over England, and by his sagacity so thoroughly surveyed it that there was not a hide of land within England that he knew not who had it, or what it was worth, and afterwards set it in his writ.

Brytland (Wales) was in his power, and therein he built castles, and completely ruled over that race of men. In like manner he also subjected Scotland to him by his great strength. The land of Normandy was naturally his, and over the country which is called Le Maine he reigned; and if he might yet have lived two years he would, by his valor, have won Ireland, and without any weapons.

Certainly in his time men had great hardship and very many injuries. Castles he caused to be made, and poor men to be greatly oppressed. The king was very rigid, and took from his subjects many a mark of gold, and more hundred pounds of silver, all which he took, by right and with great unright, from his people, for little need. He had fallen into covetousness, and altogether loved greediness.

He planted a great preserve for deer, and he laid down laws therewith, that whosoever should slay hart or hind should be blinded. He forbade the harts and also the boars to be killed. As greatly did he love the tall deer as if he were their father. He also ordained concerning the hares that they should go free. His great men bewailed it, and the poor men murmured thereat; but he was so obdurate that he recked not of the hatred of them all; but they must wholly follow the king's will if they would live, or have land, or property, or even his peace. Alas that any man should be so proud, so raise himself up, and account himself above all men! May the Almighty God show mercy to his soul, and grant him forgiveness of his sins!

IV. HOW THE GREAT CHARTER WAS WON

In the year of our Lord 1215, which was the seventeenth year of the reign of King John, he held his court at Winchester at Christmas for one day, after which he hurried to London, and took up his abode at the New Temple; and at that place the above-mentioned nobles came to him in gay military array, and demanded the confirmation of the liberties and laws of King Edward [the Confessor], with such other liberties granted to them and to the kingdom and church of England as were contained in the charter and the above-mentioned laws of Henry the First. They also asserted that at the time of his absolution at Winchester he had promised to restore those laws and ancient liberties, and was bound by his own oath to observe them. The king, hearing the bold tone of the barons in making this demand, much feared

99. The barons demand that King John should confirm their ancient rights. (From the *Chronicle of Roger of Wendover*.)

an attack from them, as he saw that they were prepared for battle; he however made answer that their demands were a matter of importance and difficulty, and he therefore asked a truce till the end of Easter, that he might, after due deliberation, be able to satisfy them as well as the dignity of his crown. . . .

In Easter week of this same year the above-mentioned nobles assembled at Stamford with horses and arms, since they had now induced almost all the nobility of the whole kingdom to join them and constituted a very large army. There were computed to be two thousand knights, besides horse soldiers, attendants, and foot soldiers, who were variously equipped. . . . All of these were united by oath, and were supported by the concurrence of Stephen, archbishop of Canterbury, who was at their head. The king at this time was awaiting the arrival of his nobles at Oxford.

On the Monday next after the octaves of Easter the said barons assembled in the town of Brackley; and when the king learned of them, he sent the archbishop of Canterbury and William Marshall, earl of Pembroke, with some other prudent men, to them, to inquire what the laws and liberties were which they demanded. The barons then delivered to the messengers a paper, containing in great measure the laws and ancient customs of the kingdom, and declared that unless the king immediately granted them and confirmed them under his own seal they would, by taking possession of his fortresses, force him to give them sufficient satisfaction as to their before-named demands.

The archbishop with his fellow-messengers then carried the paper to the king and read to him all the heads of the paper, one by one. The king, when he heard the purport of these heads, derisively said, with the greatest indignation, "Why, amongst all these unjust demands, did not the barons ask for my kingdom also? Their demands are vain and visionary, and are unsupported by any plea of reason whatever." And at length he angrily declared, with an oath, that he would never grant them such liberties as would render him their slave. . . .

King John, when he saw that he was deserted by almost all, so that out of his regal superabundance of followers he scarcely retained seven knights, was much alarmed lest the barons should attack his castles and reduce them without difficulty, as they would find no obstacle to their so doing. So he deceitfully pretended to make peace for a time with the aforesaid barons, and sent William Marshall, earl of Pembroke, with other trustworthy messengers, to them, and told them that, for the sake of peace and for the exaltation and honor of the kingdom, he would willingly grant them the laws and liberties they required; he also sent word to the barons by these same messengers, to appoint a fitting day and place to meet and carry all these matters into effect.

The king's messengers then came in all haste to London, and without deceit did report to the barons all that had been deceitfully imposed on them; they, in their great joy, appointed the 15th of June for the king to meet them at a field lying between Staines and Windsor. Accordingly, at the time and place pre-agreed upon, the king and nobles came to the appointed conference, and when each party had stationed themselves apart from the other, they began a long discussion about terms of peace and the aforesaid liberties. . . . At length, after various points on both sides had been discussed, King John, seeing that he was inferior in strength to the barons, without raising any difficulty, granted the underwritten laws and liberties and confirmed them by his charter as follows:

V. PRINCIPAL PROVISIONS OF THE GREAT CHARTER

John, by the grace of God King of England, Lord of Ireland, Duke of Normandy and Aquitaine, Count of Anjou, to the archbishops, bishops, abbots, earls, barons, justiciars, foresters, sheriffs, reeves, servants, and all bailiffs and to his faithful people, greeting:

100. Principal provisions of Magna Charta.

Know that by the suggestion of God and for the good of our soul and of those of all our predecessors and of our heirs, to the honor of God and the exaltation of holy Church, and

for the improvement of our kingdom, by the advice of our venerable fathers, Stephen, archbishop of Canterbury, primate of all England and cardinal of the holy Roman Church, Henry, archbishop of Dublin, William of London, Peter of Winchester, Jocelyn of Bath and Glastonbury, Hugh of Lincoln, Walter of Worcester, William of Coventry, and Benedict of Rochester, bishops; of Master Pandulf, subdeacon and member of the household of the lord pope, of Brother Aymeric, master of the Knights of the Temple in England; and of the noblemen William Marshall, earl of Pembroke, William, earl of Salisbury, William, earl of Warren, William, earl of Arundel, Alan of Galloway, constable of Scotland, Warren Fitz-Gerald, Peter Fitz-Herbert, Hubert de Burgh, steward of Poitou, Hugh de Nevil, Matthew Fitz-Herbert, Thomas Bassett, Alan Bassett, Philip d'Albini, Robert de Roppelay, John Marshall, John Fitz-Hugh, and others of our faithful.

1. In the first place, we have granted to God, and by this our present charter confirmed for us and our heirs forever, that the English church shall be free, and shall hold its rights entire and its liberties uninjured; and that we will that it should thus be observed is shown by this: that the freedom of elections, which is considered to be most important and especially necessary to the English church, we, of our pure and spontaneous will, granted, and by our charter confirmed, before the contest between us and our barons had arisen; and we obtained a confirmation of it by the lord pope Innocent III, which we will observe, and which we will shall be observed in good faith by our heirs forever.

We have granted, moreover, to all free men of our kingdom, for us and our heirs forever, all the liberties written below, to be had and holden by themselves and their heirs from us and our heirs.

2. If any of our earls or barons, or others holding from us in chief by military service, shall have died, and when he has died his heir shall be of full age and owe relief, he shall have his inheritance by the ancient relief; that is to say, the heir or heirs of an earl, for the whole barony of an earl,

Feudal dues
carefully
restricted.

a hundred pounds; the heir or heirs of a baron, for a whole barony, a hundred pounds; the heir or heirs of a knight, for a whole knight's fee, a hundred shillings at most; and who owes less, let him give less, according to the ancient custom of fiefs. . . .

5. The custodian [of the lands of a minor], moreover, so long as he shall have the custody of the land, must keep up the houses, parks, warrens, fish ponds, mills, and other things pertaining to the land, from the proceeds of the land itself; and he must return to the heir, when he has come to full age, all his land, furnished with plows and implements of husbandry, according as the time of wainage requires and as the proceeds of the land are able reasonably to sustain. . . .

7. A widow, after the death of her husband, shall have her marriage portion and her inheritance immediately and without obstruction. . . .

8. No widow shall be compelled to marry so long as she prefers to live without a husband, provided she gives security that she will not marry without our consent, if she holds from us, or without the consent of her lord from whom she holds, if she holds from another. . . .

12. No scutage or aid shall be imposed in our kingdom save by the common council of our kingdom, except for the ransoming of our body, for the making of our oldest son a knight, and for once marrying our oldest daughter; and for these purposes it shall be only a reasonable aid; in the same way it shall be done concerning the aids of the city of London.

Except in
specified
cases, no tax
to be imposed
without the
consent of the
common
council.

13. And the city of London shall have all its ancient liberties and free customs, as well by land as by water. Moreover we will and grant that all other cities and boroughs and villages and ports shall have all their liberties and free customs.

14. And for holding a common council of the kingdom concerning the assessment of an aid otherwise than in the three cases mentioned above, or concerning the assessment of a scutage, we shall cause to be summoned the archbishops, bishops, abbots, earls, and greater barons by our letters

under seal; and, besides, we shall cause to be summoned generally, by our sheriffs and bailiffs, all those who hold from us in chief, for a certain day, at the end of at least forty days, and for a certain place; and in all the letters of that summons we will state the cause of the summons, and when the summons has thus been given the business shall proceed on the appointed day, on the advice of those who shall be present, even if not all of those who were summoned have come.

15. We will not grant to any one, moreover, that he shall take an aid from his free men, except for ransoming his body, for making his oldest son a knight, and for once marrying his oldest daughter; and for these purposes only a reasonable aid shall be taken. . . .

20. A free man shall not be fined for a small offense, except in proportion to the gravity of the offense; and for a great offense he shall be fined in proportion to the magnitude of the offense, saving his freehold; and a merchant in the same way, saving his merchandise; and the villein shall be fined in the same way, saving his wainage, if he shall be at our mercy; and none of the above fines shall be imposed except by the oaths of honest men of the neighborhood. . . .

28. No constable or other bailiff of ours shall take any one's grain or other chattels without immediately paying for them in money, unless he is able to obtain a postponement at the good will of the seller.

29. No constable shall require any knight to give money in place of his ward of a castle if he is willing to furnish that ward in his own person, or through another honest man if he himself is not able to do it for a reasonable cause; and if we shall lead or send him into the army he shall be free from ward in proportion to the amount of time which he has been in the army through us.

30. No sheriff or bailiff of ours, or any one else, shall take horses or wagons of any free man, for carrying purposes, except on the permission of that free man.

31. Neither we nor our bailiffs will take the wood of another man for castles, or for anything else which we are

Restrictions placed upon the king's officers.

doing, except by the permission of him to whom the wood belongs. . . .

39. No free man shall be taken, or imprisoned, or dispossessed, or outlawed, or banished, or in any way injured, nor will we go upon him, nor send upon him, except by the legal judgment of his peers, or by the law of the land.

No arbitrary imprisonment.

40. To no one will we sell, to no one will we deny or delay, right or justice.

41. All merchants shall be safe and secure in going out from England and coming into England, and in remaining and going through England, as well by land as by water, for buying and selling, free from all evil tolls, by the ancient and rightful customs, except in time of war, or if they are of a land at war with us; and if such are found in our land at the beginning of war, they shall be attached without injury to their bodies or goods, until it shall be known from us, or from our principal justiciar, in what way the merchants of our land are treated who shall be then found in the country which is at war with us; and if ours are safe there, the others shall be safe in our land. . . .

Protection of merchants.

47. All forests which have been afforested in our time shall be disafforested immediately; and so it shall be concerning river banks which in our time have been fenced in. . . .

51. And immediately after the reestablishment of peace we will remove from the kingdom all foreign-born soldiers, crossbowmen, servants, and mercenaries who have come with horses and arms for the injury of the realm.

52. If any one shall have been dispossessed or removed by us, without legal judgment of his peers, from his lands, castles, franchises, or his right, we will restore them to him immediately; and if contention arises about this, then it shall be done according to the judgment of the twenty-five barons, of whom mention is made below concerning the security of the peace. Concerning all those things, however, from which any one has been removed, or of which he has been deprived, without legal judgment of his peers, by King Henry our father, or by King Richard our brother, which we have in our hand, or which others hold, and which

it is our duty to guarantee, we shall have respite till the usual term of crusaders; excepting those things about which the suit has been begun or the inquisition made by our writ before our assumption of the cross. When, however, we shall return from our journey, or if by chance we desist from the journey, we will immediately show full justice in regard to them. . . .

61. Since, moreover, for the sake of God, and for the improvement of our kingdom, and for the better quieting of the hostility sprung up lately between us and our barons, we have made all these concessions; wishing them to enjoy these in a complete and firm stability forever, we make and concede to them the security described below; that is to say, that they shall elect twenty-five barons of the kingdom, whomsoever they will, who ought with all their power to observe, hold, and cause to be observed, the peace and liberties which we have conceded to them, and by this our present charter confirmed to them; . . .

63. . . . It has been sworn, moreover, as well on our part as on the part of the barons, that all these things spoken of above shall be observed in good faith and without any evil intent. Witness the above-named and many others. Given by our hand in the meadow which is called Runnymede, between Windsor and Staines, on the fifteenth day of June, in the seventeenth year of our reign.

VI. WRITS OF SUMMONS TO THE MODEL PARLIAMENT

(1295)

SUMMONS TO A BISHOP

By the following writs of summons Edward I secured a perfect representation of the three estates in an assembly which should have the power of taxing the whole nation for the war with France; in short, a parliament was constituted "on the model of which every succeeding assembly bearing that name was formed" (Stubbs).

The King to the venerable father in Christ, Robert, by the same grace Archbishop of Canterbury, Primate of all England, greeting:

As a most just law, established by the careful providence of sacred princes, exhorts and decrees that what affects all by all should be approved, so also, very evidently, should common danger be met by means provided in common. You know sufficiently well, and it is now, as we believe, divulged through all regions of the world, how the king of France fraudulently and craftily deprives us of our land of Gascony by withholding it unjustly from us.

Now, however, not satisfied with the before-mentioned fraud and injustice, having gathered together for the conquest of our kingdom a very great fleet and an abounding multitude of warriors, with which he has made a hostile attack on our kingdom and the inhabitants of the same kingdom, he now proposes to destroy the English language altogether from the earth, if his power should correspond to the detestable proposition of the contemplated injustice, which God forbid.

Because, therefore, darts seen beforehand do less injury, and your interest especially, as that of the rest of the citizens of the same realm, is concerned in this affair, we command you, strictly enjoining you in the fidelity and love in which you are bound to us, that on the Lord's day next after the feast of St. Martin, in the approaching winter, you be present in person at Westminster; citing beforehand the dean and chapter of your church, the archdeacons and all the clergy of your diocese, causing the same dean and archdeacons in their own persons, and the said chapter by one suitable proctor, and the said clergy by two, to be present along with you, having full and sufficient power from the same chapter and clergy, to consider, ordain, and provide, along with us and with the rest of the prelates and principal men and other inhabitants of our kingdom, how the dangers and threatened evils of this kind are to be met.

Witness the king, at Wingham, the 30th of September.¹

¹ The other bishops and abbots received identical or similar summonses.

101. Summons of a bishop to Parliament (1295).

SUMMONS TO A BARON

Summons of
a baron to
Parliament
(1295).

The King to his beloved and faithful relative, Edmund, Earl of Cornwall, greeting:

Because we wish to have a consultation and meeting with you and with the rest of the principal men of our kingdom, as to provision for remedies against the dangers which in these days are threatening our whole kingdom, we command you, strictly enjoining you in the fidelity and love in which you are bound to us, that on the Lord's day next after the feast of St. Martin, in the approaching winter, you be present in person at Westminster, for considering, ordaining, and doing, along with us and with the prelates and the rest of the principal men and other inhabitants of our kingdom, as may be necessary for meeting dangers of this kind.

Witness the king, at Canterbury, the 1st of October.¹

SUMMONS TO THE REPRESENTATIVES OF THE SHIRES AND TOWNS

Summons of
representa-
tives of shires
and towns to
Parliament
(1295).

The King to the Sheriff of Northamptonshire:

Since we intend to have a consultation and meeting with the earls, barons, and other principal men of our kingdom with regard to providing remedies against the dangers which are in these days threatening the same kingdom, and on that account have commanded them to be with us on the Lord's day next after the feast of St. Martin, in the approaching winter, at Westminster, to consider, ordain, and do as may be necessary for the avoidance of those dangers, we strictly require you to cause two knights from the aforesaid county, two citizens from each city in the same county, and two burgesses from each borough, of those who are especially discreet and capable of laboring, to be elected without delay, and to cause them to come to us at the aforesaid time and place.

Moreover, the said knights are to have full and sufficient power for themselves and for the community of the aforesaid

¹ Similar summonses were sent to seven earls and forty-one barons.

county, and the said citizens and burgesses for themselves, and the communities of the aforesaid cities and boroughs separately, then and there, for doing what shall then be ordained according to the common council in the premises; so that the aforesaid business shall not remain unfinished in any way for defect of this power. And you shall have there the names of the knights, citizens, and burgesses, together with this writ.

Witness the king, at Canterbury, on the 3d of October.¹

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Henry II: CHEYNEY, pp. 145-170; ANDREWS, pp. 93-108; GARDINER, Chapter X, pp. 138-158; GREEN, Chapter II, sect. 8, pp. 104-112; TERRY, pp. 211-229; KENDALL, pp. 51-58.

The Quarrel with à Becket: COLBY, pp. 56-59; KENDALL, pp. 59-61; LEE, pp. 130-138.

¹ Identical summonses were sent to the sheriffs of each county.

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B. Additional reading in English.

GREEN, *The Conquest of England*, 2 vols., new ed., 1899. Comes down to 1071.

RAMSAY, *Foundations of England*, 2 vols., 1898.

NORGATE, *England under the Angevin Kings*, 2 vols., 1887. These cover more satisfactorily than any other works the general history of England to the thirteenth century. They may be supplemented by the following accounts: PLUMMER, *Life and Times of Alfred the Great*, 1902, and CONYBEARE, *Alfred in the Chronicles*, 1900; STUBBS, *The Early Plantagenets*; GREEN, *Henry II*, 1888; NORGATE, *John Lackland*, 1902; RICHARDSON, *The National Movement in the Reign of Henry III*, 1897; MEDLEY, *English Constitutional History* (excellent).

TRAILL, *Social England*, 6 vols., 1894-1897; new, revised, and finely illustrated edition, 1902 *sqq.* This is a sort of encyclopedia of history, made up of special contributions by various writers upon all the various phases of the social and intellectual life. Naturally valuable as a work of reference rather than to be read consecutively. Vols. I and II relate to the Middle Ages.

History of England, edited by HUNT and POOLE. A cooperative history in twelve volumes, now in preparation, which promises to prove the best continuous narrative.

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GAIRDNER, *Early Chroniclers of England*. A useful introduction to the historiography of mediæval England. The sources

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The great national collection of sources for England is *The Chronicles and Memorials of Great Britain*, London, 1858 *sqq.* This is issued under the direction of the Master of the Rolls, and is commonly called "The Rolls Series." Some 230 volumes and parts have appeared. For a list of the contents, see GROSS, *Sources and Literature of English History to 1485*, 1901. Fortunately some of the more important chronicles have been translated into English in the Bohn Library.

C. Materials for advanced study.

GILDAS, a monk of Britain (ca. 516-573), who lived two centuries before Bede, has left a melancholy account of the calamities of his time, — *Liber querulus de calamitate, excidio et conquestu Britanniae, quam Angliam nunc vocant*. (Edited by Mommsen in the *Monumenta Germaniae Historica* and in *Six English Chronicles* in the Bohn Library.)

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The Anglo-Saxon Chronicle is all important for the period to the Norman Conquest. It is not very voluminous, and can speedily be read through. (Rolls Series in the original and translation. Better edited, without translation, by Plummer and Earle, 2 vols. (Clarendon Press); also in the Bohn Library, in the volume containing Bede's history.)

ORDERICUS VITALIS; see above, p. 221.

WILLIAM OF MALMESBURY, *The History of the Kings of England*. An entertaining and sagacious monk, who brought his work down to Stephen's time, and probably died about 1150. See extract given above, pp. 224 sqq. (Rolls Series, translated in the Bohn Library, and by Stevenson in *The Church Historians of England*, 1854.)

ROGER OF HOVEDEN, *Annals of English History*, bringing the story down to 1201, and very important for the reign of Richard. (Rolls Series and Bohn.)

The monks of St. Albans were distinguished, like the monks of St. Denis (see above, p. 221), for their historical writings in the thirteenth century. Among these historians two may be mentioned: ROGER OF WENDOVER, whose chronicle, *The Flowers of History*, reviews the history of the world, but is especially valuable for the quarter of a century of his own time (it closes with the year 1235).

The more famous MATTHEW OF PARIS—an ardent Englishman in spite of his name—in his so-called *Greater Chronicle*, after the customary review of the world's history, carried the work of Roger of Wendover down to the year 1259. His history Cardinal Baronius declared to be "a golden book, only marred by hostility to the Holy See." It is probably the most generally useful historical production of the thirteenth century. The writings of both these monks of St. Albans are in the Rolls Series and in the Bohn Library. Another so-called *Flowers of History* is a compilation reaching the year 1307, long attributed without any particular reason to an apparently imaginary MATTHEW OF WESTMINSTER and commonly cited under his name. (In the Rolls Series and in the Bohn Library.)

CHAPTER XII

GERMANY AND ITALY IN THE TENTH AND ELEVENTH CENTURIES

I. THE TIMES OF HENRY I AND OTTO THE GREAT

The following account of the events in Germany in the first half of the tenth century was prepared by a monk at Treves in 960-961. He made use, for the earlier part of his narrative, of certain meager annals, some of which have come down to us. The sources all agree in giving a gloomy account of invasion, pillage, and civil war, which even wise and energetic German kings were unable to prevent.

102. Germany in the early tenth century. (From the continuation of Regino's *Chronicle*.)

In the year 907¹ of the Incarnation the Bavarians were defeated with great bloodshed by the Hungarians. Duke Luitbald was killed in this battle, and his son Arnulf succeeded him in the duchy.

In the year 908 of the Incarnation the Hungarians again crossed the borders and devastated Saxony and Thuringia.

In the year 909 of the Incarnation the Hungarians forced their way into Alemannia.

In the year 910 of the Incarnation the Franconians fought on the frontier of Franconia and Bavaria with the Hungarians and were miserably defeated or put to flight. Count Gebhard lost his life in the battle and left behind him two sons, still boys, Udo and Hermann, who were later to become distinguished in Franconia.

¹ Regino's *Chronicle* (see above, p. 169), of which the present work is a continuation, closes with the year 906.