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The Estates of the Abbey of St. Alban

BY EDWARD MILLER, B.A.

THE publication of Professor A. E. Levett's *Studies in Manorial History*¹ is a matter supremely deserving of mention in these Transactions. It is not only that a work mainly concerned with the great Abbey which played so important a part in Hertfordshire history must have a special interest for Hertfordshire people; but this is also a book which has its own distinctive contribution to make to medieval scholarship. It may perhaps be said of Professor Levett (as Maitland once said of Sir Paul Vinogradoff in another connection) that she owed us something after she had destroyed our cherished and facile generalisations about the Black Death; and one leaves these *Studies* with a deep sense of the tragedy that she was unable to complete the patient and detailed investigation of the St. Albans estate, upon which she worked for so many years. If only because they have rescued so much from what might have been total loss, we must be grateful to the Editors, and that is the least tribute we can pay to Miss Cam and Miss Stuart Sutherland for their work in making the publication of this book possible. But in fact their own contribution has been far greater than this; and Miss Cam especially has left the imprint of her unrivalled knowledge of medieval local government upon the whole section dealing with the Liberty of St. Albans.

Because the studies collected in this volume are fragmentary, it is perhaps worth while attempting here, not only to evaluate their importance as individual papers, but also to see them in the light of the knowledge that we are slowly accumulating regarding the medieval great estate. The importance of collation with other evidence is, in this case, made more desirable, not only by the fact that these studies were never completed, but also by the nature of the

¹ A. E. Levett, *Studies in Manorial History*; ed. H. M. Cam, M. Coate and L. S. Sutherland (O.U.P., 1938).

evidence at Professor Levett's disposal. The St. Albans Court Books are probably unique in the range of time which they cover; they are also remarkable for their wealth of readily accessible material for the judicial aspects of manorial administration. And the St. Albans chronicles are probably the best series of this type of record we possess. But other classes of material for a survey of the economic and administrative organisation of the estate are far less plentiful. There are relatively few extents, and manorial account rolls and obedientiary rolls are entirely lacking. The dynamic aspects of agrarian development are therefore in a large measure obscured, save for stray hints which can be picked up here and there, the interpretation of which is tantalisingly difficult.

Above all, the purposive element in the organisation of the medieval estate is hidden from us in the legal records. Here we have the regulation of assumed facts—of a given economic organisation, of defined institutions, and a defined structure of society. There is no answer here to the questions of how and why these institutions and that society came into existence; and our impression of the effect upon the estate of the changes in feudal society has to be built up largely by inference. But if we look at other estates where account rolls have survived, the vast social significance of the administrative structure of the medieval estate stands out in a clearer light. And at root the operative factors are simple. If we confine our attention to the monastic estates, we have on the one hand a large settled community of monks, with their servants, their distinguished visitors, their stables—all requiring sustenance in the material things of life. On the other side there are wide lands with which the monastic church has been enriched by the piety of many generations and the patient accumulation of successive monastic officers. The Obedientiary Rolls of a typical Benedictine house like the Convent of Ely show clearly that the manorial economy in the lands of St. Etheldreda is dominated by the single task of utilising those lands for the sustenance of the central community; and at least in the central period of medieval

England, there seems reason to suggest that this task is the controlling factor in estate organisation. The feudal estate is an assignable organic unit because its manorial economy is devoted to this predominant purpose, and its administrative organisation is in a large measure designed to securing its achievement.

Let us look first, then, at the economic and social structure of the estate of St. Albans, as Professor Levett has been able to reconstruct it from the scattered material at her disposal. The "manors" of the Abbey lie in an area outside that of the regular "Midland type" of manorial structure; they consist of villis with closely dependent hamlets and freemen's holdings, and of small towns " some of which seem to have possessed or claimed some of the characteristics of boroughs " (e.g., Codicote, Winslow, Watford and Barnet). And if a regular manorial structure is absent, so is a regular three-field system;² though there is evidence for the grouping of the irregular cultura, fields and crofts (which are perhaps the product of a late assarting movement from the Hertfordshire woodland) into some sort of regular triennial rotation.

Though the absence of account rolls makes it very difficult to reconstruct the demesne economy, there is a certain amount more evidence for the development of the peasant economy. The list of holdings (see pp. 256-84) of tenants who died during the Black [Death is extremely illuminating, and fully bears out the impression conveyed by the Extents and the record of land-transfers in the court books. There is every indication of a thriving peasant land-market involving both free and unfree peasants, which was leading, not only to the progressive dissolution of the regular villein tenements, but also to increasing social differentiation among the peasantry themselves. In the 1349 lists there are very many men with a messuage and perhaps an acre or two of land; there are also men with holdings of seventy or eighty acres, which are sometimes quite obviously a matter of successive

² This is a confirmation of H. L. Gray's exclusion of Hertfordshire from the area of the three-field system. *English Field Systems*, pp. 369 ff.

additions to an original nucleus. The sources for this accumulation are no doubt varied—most perhaps coming from interchange between the peasants themselves, but some also from the creation of small leaseholds in the demesne. Such a movement was no doubt facilitated by the absence of any clearly defined manorial structure; it is at least possible that it was also stimulated by the nearness of the London food market, which may possibly have been as effective a solvent upon customary manorial relations in those areas near this great centre of population, as the development of the wool market is held to have been over most of England.³ It is arguable, indeed, that Professor Levett has overestimated the "unorthodoxy" of this social movement among the peasantry on the St. Albans manors. The peasant land market had for long been a flourishing institution in Eastern England so far as the freemen are concerned;⁴ and in the 1279 Hundred Rolls there is a very general tendency in Cambridgeshire towards sub-letting and leasing among both free and unfree peasants, especially on the estates of the smaller landowners.⁵ And even on the highly organised Ely estate there is a very considerable tenorial confusion when the Cambridgeshire manors of the Prior and Convent were surveyed at the beginning of the fourteenth century.⁶ There is reason, perhaps, to suggest that, in the general social development of feudal agriculture, while the general trend in seignorial economy is towards a rentier position, towards the progressive divorce of landownership and cultivation; in the peasant economy there is a tendency towards a differentiation between those

³ The Hertfordshire manors of the Bishopric of Ely are certainly falling into the orbit of the London market as early as the middle of the thirteenth century, for we find carrying services to London from Hatfield, Hadham and Chishall, as well as from Rettendon in southern Essex, in 1251; and the men of Chishall are said to owe the service of carrying six bushels of corn a month to London: *Cotton MS. Tiberius B.ii*, f. 138d; *Cotton MS. Claudius C.xi*, ff. 153, 159d, 165d, 178(l)d.

⁴ F. M. Stenton, *Documents Illustrative of the Social and Economic History of the Danelaw*, pp. lxxxvi-cviii; D. C. Douglas, *The Social Structure of Medieval East Anglia (Oxford Studies in Social and Legal History, vol. IX)*, pp. 113-25.

⁵ For the earlier break-up of the manorial structure in smaller estates, cf. E. A. Kosminsky, *Economic History Review*, vol. V, no. 2.

⁶ *MSS of Dean and Chapter of Ely, Extenta Maneriorum*, 12 Edw. II.

who own very little land or none at all, and those who are amassing considerable holdings. We have too little statistical data as yet to generalise with confidence, but Professor Levett has provided a wealth of new material which seems to support tendencies visible in other places.

These characteristics of the peasant economy shape also, in a large measure, the nature of the labour force available for the lord's economy. The break-up of the customary tenements made it more and more difficult to maintain the allotment of week-work; and consequently we find the servile labour of the unfree tenants restricted to heavy boon services for ploughing, hay, harvest, etc., and these labour dues are associated with a variety of money rents deriving from diverse historical roots. Again the absence of account rolls precludes any knowledge of how the lord's husbandry was conducted at periods other than these critical points in the medieval farmers' year, when all the resources of the Abbey's villis were called in to give assistance. But it is probable that the routine tasks of demesne agriculture were performed by a regular staff of "famuli" (ploughmen, carters, oxherds, shepherds, etc.) which are a common institution in the thirteenth century account rolls.⁷

At the same time, the irregularity of the incidence of labour services, combined with a considerable inequality of burdens and the excessive subdivision of tenements, are probably all factors predisposing the tenants of the Abbey to form a very considerable and active element in the Peasant Revolt in 1381. But, though some have suffered "abatement of countenance," some perhaps even a measure of real oppression, still the social picture presented by the Extents and the court books is one in which the "winners" have prospered despite rents and services, have built up considerable holdings, have secured enough goods and chattels for the Abbot in his halimotes to derive a handsome profit from the registration of villein wills.

Finally, before leaving the economic organisation

⁷ e.g., the extensive evidence for the existence of a regular manorial staff in the Ely estate in *P.R.O. Ministers' Accounts*, Bdles. 1132/11 and 1132/13; and c.f. *Ely Diocesan Registry Bailiffs' Accounts*, D.8.

of the St. Albans estate, the note on the Black Death calls for our attention, if only because it reinforces the conclusions of Professor Levetts earlier study of the effects of the plague in the Winchester estates.⁸ Again, the court books show no extensive disorganisation, no waste of deserted tenements, assumed by the older view. While the Winchester and St. Albans evidence seems to be a conclusive argument against any conception which would allot to the Black Death a catastrophic role in our economic history, there are at the same time many questions still to be answered, though it would be hard to answer them from the St. Albans material. Even in the limited area of this estate, the incidence of mortality shows considerable variation, and evidence like the L'Estrange inquisition post mortem for 1350^{8a} seems to suggest that these variations (and their social consequences) are far greater when a more scattered estate is involved. Professor Levett's own analysis of account rolls for the critical period after the Black Death⁹ is apt to give a distorted picture—in the first place because she has used too little evidence from the period before the Black Death to balance the later figures, and so has run the risk of selecting points weighted by exceptional weather or other conditions before 1349; in the second place because the lack of a time-scale in her graphs accentuates the curves she obtains out of all proportion. And gross and net income is not the only significant curve; there is still a great deal to be done before we appreciate the importance of relative changes in the composition of manorial income. Certainly in the Ely manors of Somersham and Wisbech¹⁰ the heavy fall in "farm" rents after 1349, a fall far greater than the parallel decline in demesne leasehold, suggests that here at least the value of land fell considerably. What is now more than ever required is a survey of the effects of the Black Death over the whole country;

⁸ A. E. Levett, *The Black Death on the Estates of the Bishopric of Winchester* (*Oxford Studies in Social and Legal History*, vol. V).

^{8a} *Chancery Inquisitions post mortem*, Edw.III, File 101 (6).

⁹ *The Financial Organisation of the Manor* (*Economic History Review*, 1937), reprinted here, pp. 41-68.

¹⁰ *P.R.O. Ministers' Accounts*, Bdles. 1135/8, 1307/2, 1307/3, 1307/4; *Ely Diocesan Registry, Bailiffs' Accounts*, D.8.

and Professor Levett has done more than anyone else to make such a survey possible.

When we turn to the administrative organisation of the liberty of St. Albans, and above all its judicial organisation, we find that the cares of estate management are by no means exhausted when the manorial officials and the obedientiaries have completed their labours. The extent to which the halimotes acted as regulating bodies for the manorial economy is evident from those extracts from the court books which form an invaluable appendix to Professor Levett's work. There the organised and self-conscious community of the vill meets the cellarer, "acting as a kind of itinerant justice" for the Abbot. There the halimote judges, or verdict is given by the oath of an inquest jury from the vill, with an appeal to the court rolls or the extents as a check upon their word. The judgment they give will often be about the lord's business. They will decide in the light of the custom of the manor (and not of the common law), a custom which enshrines the totality of those social relationships established by the interplay, through many generations, of the will of the lord and of the settled community of the village. In the halimotes labour services are enforced and defaulters therein punished; the payment of customary dues upon death and succession, marriage and adultery are received and exacted; the villein land market is regulated so that the lord may at least have some idea of the services owed to him and a side profit into the bargain. These things bulk large in the court books beside petty police business; they are as essential to the business of the estate as the other work of the halimotes to the conduct of local government.

But the halimote is only one of a series of courts, and they exhibit certain peculiarities of development; and upon both of these points the section of the *Studies* edited by Miss Cam has shed much new light, and especially upon the nature of those famous assemblies under the Great Ash Tree in the Abbey Court Yard. Normally the halimotes meet in the manors themselves, though in special cases two or

more halimotes might combine for the purpose of transacting business involving more than one manor; while several of the smaller halimotes habitually meet at a larger manor, which acts as the centre of a grouping more primitive than the manor, generally termed a *sokone* or *socone*¹¹. In theory, these halimotes should have met every three weeks, but in fact there were two "great courts" a year presided over by the cellarer "at the Easter and Michaelmas terms," with more frequent meetings in the intervals held by the bailiffs or serjeants of the manors. And if the manors are grouped to a certain extent in *sokones* for the purpose of the halimotes, we find another and often different grouping in the court leets.¹² In these courts all the normal leet business is transacted, but they are not highly developed and much leet business was done in the halimotes.

When we have considered the meetings of the halimotes in the "*sokone* centres," we have still not done with their migrations, for among the courts which meet *sub fraxino* the halimotes are perhaps the most important. In fact, the only courts held under the Ash Tree referred to in the court books are the halimotes, a fact which definitely disposes of Maitland's theory¹³ that there is evidence at St. Albans for the exercise by a central "free court" of a "jurisdiction in error" over the halimotes. Cases are indeed summoned from the villages to the Ash Tree, but the court which pronounces judgment is still the halimote of the vill from which the case has come, and some cases pass back and forward between the villages and the Ash Tree. And the cases heard under the Ash Tree are the same cases that will be heard in the halimotes.

"There is no appeal from the halimotes to the court under the Ash Tree nor is the court that

¹¹ Examples of such centres are Cashio, Park, Tyttenhanger, Abbots Langley and Winslow (p. 136). These Hertfordshire groups may perhaps be compared with the Norfolk and Suffolk sokes, with the grouping of hamlets round Ely, Wisbech and Fen Ditton in Cambridgeshire, with the soke of Doddington in the same county, and with the soke of Somersham in Huntingdonshire.

¹² Leets are held at centres like Watford, Rickmansworth, Abbots Langley, Park, Tyttenhanger, Northaw, Sandridge and Winslow (pp. 145-6).

Select Pleas in Manorial Courts (Selden Society), p. xlvi.

nominally sits there in any sense a superior body. If causes are summoned to St. Albans from a manor, this is nothing but a convenient geographical arrangement, when reference to the records preserved centrally is desirable '*propter difficultatem legis!* . . . The halimote was the halimote and nothing more, whether at Barnet or Sandridge, or under the Tree in the great court of the Abbey, or at the stable "¹⁴ (p. 141).

Herein too we have perhaps the most striking administrative exemplification of the unity of the estate. The great Ash Tree is symbolic as the hub around which turned, not only the trivial misdeeds, but also the daily labours and social activities of scores of villages.

If these are the only courts *sub fraxino* which concern the halimotes, they are by no means the only courts which sat there. Maitland long ago adduced St. Albans as an instance of the existence of a central "free court" of free and military tenants. For the existence of such a court, the new evidence derived from charters and extents provides eloquent testimony. In composition there is a striking resemblance to the courts of Ramsey¹⁵ and Ely.¹⁶ In each case suit is owed by a mixed body of free and military tenants, the normal presiding officer is the seneschal, and the sessions of the court took place at three-weekly intervals. There is evidence too that at St. Albans the development of this court as a place where land transfers are registered and trespasses dealt with runs parallel with the decline of the ecclesiastical ceremonial accompanying earlier land transactions. Here again a similar development is noticeable at Ramsey, where surrenders "*in capitulo*" and before the altar of St. Benedict give way, first of all to a double surrender,

14 The halimotes sometimes meet "in stabulum," probably during the winter months and probably because the court rolls were kept there in close proximity with the hay until Abbot John Mote built the Cellarer's chamber.

15 W. O. Ault, *Private Jurisdiction in England*.

16 The composition of the "*curia de Ely*" can be seen in the extents of 1222 and 1251 (*Cotton MSS. Tiberius B.ii*, ff. 86-233d; *Claudius Cxi*, fl. 24-320). There is good reason to identify this court with the 15th century "*Curia Palacii*," for which a few rolls of essoins survive in the Ely Diocesan Registry.

ecclesiastical and secular, and finally to the point when only the secular transactions, the registration before the court of Broughton, is mentioned.¹⁷

There is also a considerable probability that some of the land transfers registered "*in curia de Ely*" were also made in the free court there, though here the problem of identification is complicated by the fact that the court held by the Bishop's itinerant justices is also called the court of Ely; and the very existence of this latter court in the Bishop's own hands may well have limited the development of the "free court" there.

Having noted the similarities between these courts, an important distinction between the St. Albans and Ramsey courts is drawn in this work. Professor Ault¹⁸ has brought to light important new evidence to that already collected by Maitland¹⁹ for the function of the court of Broughton in choosing the persons to fulfil the military service owed by the Abbot. Such a necessity may well have arisen owing to the large number of fractional fees created in the Ramsey lands; and the participation of the free tenants in the discussions regarding the fulfilment of the "*servitium debitum*" may be justified on the ground that they paid an aid to sustain the chosen knights during the period of their service with the King. But an excessive subdivision of fees was perhaps even more characteristic of St. Albans than of Ramsey;²⁰ and there also, on the receipt of the King's writ of summons, the seneschal had the duty of calling together the military tenants of the Abbey to choose their representatives for military service. Miss Chew had already pointed out, however, that these assemblies of the military tenants lacked any judicial character, and the evidence brought forward in these Studies has strongly reinforced that conclusion. Above all, the famous session beneath the Ash Tree in 1257, in which one of the perennial disputes between the Abbot and his mili-

17 *Ramsey Chartulary (Rolls Series)*, vol. I, passim.

18 *Court Rolls of the Abbey of Ramsey and the Honour of Clare*.

19 *Select Pleas in Manorial Courts (Selden Society)*, vol. I.

20 H. M. Chew, *Ecclesiastical Tenants in Chief*, pp. 124-131.

tary tenants was decided, is shown to have lacked the characteristics of an honour court; and there is every reason to accept the suggestion that the Abbot has taken advantage of the presence of a royal justice of gaol delivery in the liberty to bring a suit against certain defaulting tenants.

In this failure of any coalescence between the free court and the assemblies of the military tenants, there would appear to be a greater resemblance between St. Albans and Ely; for in the latter case no evidence has yet come to light bearing on this specifically honorial function. But here again the analogy is only partial. Obligation of suit to the free court of St. Albans (as to the court of Broughton) would appear to be general over the whole of the liberty. Such can by no means be said of the liberty of St. Etheldreda, where suit to the court of Ely seems to be restricted to the Hundreds of Witchford and Ely, i.e., to about half the Isle of Ely. More than this, the tenorial orthodoxy of the court is more than a little open to suspicion, for suit-service is owed by vills like Witchford, Witcham and Wentworth, held by the Prior and Convent, and they are as much a tenant in chief of the King as the Bishop himself. It is possible that we are dealing here with a primitive banlieu court, with its origin in the period before the creation of the Bishopric of Ely in 1109 and the subsequent division of the estates. But however this may be, and whatever is the historical explanation for the divergence of the court of Ely from that of St. Albans, these cases, with that of Ramsey, suggest the necessity for perhaps a more careful scrutiny than has sometimes been given to material regarding the honorial courts of medieval England.

So far, save for the minor franchisal right of holding the view of frank pledge, the St. Albans courts we have discussed have been those held by the Abbot in virtue of the tenorial dependence of the suitors. In these courts the nature of their proceedings is very largely dictated by the needs of the lord of a great estate to control his labour force and his administrative system, and of a great landlord to keep a register

of the baffling changes of ownership produced by complicated laws of inheritance and the multifarious transactions of the petty land market. These courts are an integral part of the administrative system created by feudal landownership; they exist in some form or another in every feudal estate. On a great estate like that of St. Albans, they appear in a clearer light because the range of administrative necessity is wider, because the amount of business to be dispatched is greater. The precise forms which the jurisdictional instruments will assume will be determined, to a large extent, by the forms of social organisation—by the persistence of primitive soke units and the like, the origin of which is buried in a forgotten past. But the common content of the administrative activities of the courts of tenure, wherever anything like manorialised agriculture has taken root, persists despite these formal variations; persists if only because that administrative activity represents at root the common need of the feudal landowning class to eat and to drink and to live.

At the same time, the persistence of variety in administrative forms is assisted by the fact that the Abbot of St. Albans is not only a great landowner, but also the lord of a great liberty. Within his own lands, the Abbot exercises the shrieval power in the Hundred of Cashio. The land in the Hundred is indeed almost entirely held by the Abbot, and the bulk of the suitors are his tenants, though the Abbot of Westminster owes suit for his manor of Aldenham, and in 1276 the townsmen of St. Albans are granted exemption from the Hundred Court and allowed their own court held by the reeve of the borough. But this is only one aspect of the detachment of the liberty from the levelling influence of the royal administration in the shire. There is another aspect which brings us back once more beneath the Ash Tree. The Abbot of St. Albans did not have the right to have his own itinerant justices, but the royal Justices of Eyre and Gaol Delivery probably held their sessions for the men of the liberty in the Abbey courtyard; and they would be supported in their sessions by the Abbot's seneschal, bailiff

and coroner;²¹ while the Abbots own officers would execute the judgments given there. Any summons addressed to the men of the Abbot to appear before the royal justices outside the bounds of the liberty will be invalid as contrary to the charters of the Church and the will of the kings of England of former time.²²

The exercise of these wide regalian powers within the liberty allowed the Abbot a certain measure of license in the development of his own administrative apparatus. The King would insist only that the obligations of the owner of the liberty were fulfilled; he would not enquire too closely as to the method. It is perhaps for this reason that the leet development is imperfect and that much of the leet business is done in the halimotes—a fact which finds a striking parallel in the records of the manorial courts of the Bishop and Convent of Ely. Unfortunately no evidence survives to tell us whether or not the Hundred Court of Cashio, like the Hundred Court of Wisbech in the Isle of Ely, plays any part, side by side with the halimotes, in regulating the villein land market; or for comparison with the inextricable confusion of the types of jurisdictional power which Professor Ault discovered in the records of all the courts of Ramsey Abbey. But, in fact, the main demarcation between these types of jurisdiction is determined by an ideal scheme in which the king held all the "regalian" rights and the feudal lords none but the courts of tenure. Where this ideal scheme has broken down and the royal power is in private hands, the yardstick which the holder of any court would apply was far more likely to be practical convenience than abstract legal theorising. And after all such an attitude would have one pre-eminent recommendation—that it worked.

21 The Abbot is allowed his own coroner for the liberty after 1276; previously the seneschal had combined in his person the powers of sheriff and coroner for the liberty, but this had led to grave abuses.

22 *Exch. L. T. R. Memoranda Roll*, No. 29, m.16; Com

Term, 37-8 Henry III. "Rex inspectis cartis libertatum quas Abbas Sancti Albani habet de Regibus Anglie quod ipse Abbas nec homines sui debunt venire extra libertatem ejusdem Abbatis pro aliqua summonicione vel occasione coram aliquibus justiciariis vel inquisitoribus, et remisit eidem Abbati et hominibus centum libras ad quos libertas et villata Sancti Albani amerciate, fuerunt eo quod non venerunt coram Henrico de Mara et Willelmo de Wylton 'apud Cestrehunt,' que est extra libertatem predictam."

additions to an original nucleus. The sources for this accumulation are no doubt varied—most perhaps coming from interchange between the peasants themselves, but some also from the creation of small leaseholds in the demesne. Such a movement was no doubt facilitated by the absence of any clearly defined manorial structure; it is at least possible that it was also stimulated by the nearness of the London food market, which may possibly have been as effective a solvent upon customary manorial relations in those areas near this great centre of population, as the development of the wool market is held to have been over most of England.³ It is arguable, indeed, that Professor Levett has overestimated the "unorthodoxy" of this social movement among the peasantry on the St. Albans manors. The peasant land market had for long been a flourishing institution in Eastern England so far as the freemen are concerned;⁴ and in the 1279 Hundred Rolls there is a very general tendency in Cambridgeshire towards sub-letting and leasing among both free and unfree peasants, especially on the estates of the smaller landowners.⁵ And even on the highly organised Ely estate there is a very considerable tenorial confusion when the Cambridgeshire manors of the Prior and Convent were surveyed at the beginning of the fourteenth century.⁶ There is reason, perhaps, to suggest that, in the general social development of feudal agriculture, while the general trend in seignorial economy is towards a rentier position, towards the progressive divorce of landownership and cultivation; in the peasant economy there is a tendency towards a differentiation between those

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⁴ F. M. Stenton, *Documents Illustrative of the Social and Economic History of the Danelaw*, pp. lxxxvi-cviii; D. C. Douglas, *The Social Structure of Medieval East Anglia (Oxford Studies in Social and Legal History, vol. IX)*, pp. 113-25.

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⁶ *MSS of Dean and Chapter of Ely, Extenta Maneriorum*, 12 Edw. II.

So far we have spoken of an administrative machine and of the material upon which it worked; but we have finally to come to the men who guided the machine. On the whole the official staff follows the normal pattern of monastic administration. The central economic control is in the hands of the Obedientiaris—presumably a Receiver in charge of the monastic Exchequer, together with a Refectorarius, Sacrist, Chamberlain, etc., each with specific lands and revenues for the sustenance of their offices; and a Cellarer who administered all those manors not appropriated to one of the other Obedientiaris. Each of these Obedientiaris holds the manorial courts in his manors, and for that reason the Cellarer is the most frequent manorial officer to meet us in the court books. In each of the manors, also, there are subordinate officials—reeves, "*servientes*," and a rent-collector appearing here and there—conducting the day to day routine work of estate management.

And while the Exchequer is a possible co-ordinating factor in the economic administration of the estate (though lack of account rolls makes a reconstruction of the financial administration impossible), there is clear evidence for the performance of a co-ordinating function in the judicial administration by the Seneschal. Not only is he the judicial representative of the Abbey in the King's courts; he holds the views twice yearly in the court leets, presides over the free courts and the Hundred Court of Cashio, and sits with the royal justices when they hear royal pleas within the liberty. Here again the central figure has his subordinate executive agents—the bailiff of the Hundred of the Liberty,²³ the bailiff of the vill of St. Albans, and probably the manorial bedells.²⁴ Though a separation is thus observed between economic and judicial administration, none the less, the steps of the Seneschal

23 In the mid-thirteenth century, a royal writ demanding quittance for a royal servant for default of suit to Cashio Hundred seems to have been addressed with some indifference either to the Seneschal or the Hundred Bailiff. *Exchequer L. T. R. Memoranda Rolls*, No. 29, m. 17d; No. 30, mm. 7d, 10.

24 These officers, probably at any rate, performed functions analogous to those of the *bedelli* of Wisbech Hundred—making attachments, levying amercements, and similar executive functions, mainly apparently on behalf of the Hundred Court.

cross those of the Cellarer in the leets, just as the business of law-declaring mingles with that of estate management in the halimotes.

But there is still a final stone to be laid upon this administrative edifice—the Abbot's council. It is a body bound by no rules of procedure, with no theoretical limits upon its competence; in fact, it is a body which grew up to remedy deficiencies in the procedure and competence of the customary courts brought to light by changing times. It appears in the St. Albans records principally as a kind of superior court, in which the Abbot's advisers, skilled maybe in both the laws, dealt with manorial business by evocation and on equitable principles. The role of "baronial councils" in sapping the foundations of manorial jurisdiction was pointed out long ago by Professor Levett;²⁵ but there is at least a possibility that their activities appear in a somewhat stunted form in the legal records preserved in the St. Albans court books. It lays down ordinances for the government of the liberty and for the holding of courts in 1308; its advice may well have been given more continuously and less formally on more routine estate matters, for these are subjects on which a mixed body of local gentry and legal experts might well have wisdom to impart. The anger of the villeins against the Council in 1381, and its hurried departure in the Abbot's train for Tynemouth, suggest that it was identified with all that might be regarded as oppressive in the Abbey's attitude towards its tenants, though not a little of the peasants' anger may have been due to the confusion of old custom by new-fangled legal knowledge.

However this may be, the Abbot's Council brings us back to the point where we began. Its general supervisory power reflects the unity of the estate, both in its administrative structure and as an organism supplying the needs of its lord. There has in the past been a tendency to study the mechanism of feudal administration and the variety of manorial structure in isolation from each other. Here the two are brought

²⁵ " *Baronial Councils in their Relation to the Manorial Courts,*" reprinted here, pp. 21-40.

together, and the appearance of this book harmonises with the growing realisation among historians, not only that the estate, the "natural unit" of medieval society, will reflect in its structure regional and historical economic peculiarities, but also that the feudal landowning class through the organisation of their estates exercised a determining influence in the economic and social structure of the medieval scene. Though the nature of the St. Albans material leaves many gaps still to be filled, it is not unfitting that the great house which wove the social pattern within which many generations of Hertfordshire folk were born, lived and died, should provide us now, through the patient work of a gifted historian, with new light upon many of those dark problems which medieval society presents to the modern investigator.