

OXFORD MEDIEVAL TEXTS

General Editors

J. W. BINNS

D. d'AVRAY

M. S. KEMPSHALL

R. C. LOVE

Dialogus de Scaccario

THE DIALOGUE OF THE EXCHEQUER

Constitutio Domus Regis

THE DISPOSITION OF THE
KING'S HOUSEHOLD

NEW EDITION



EDITED AND TRANSLATED BY

EMILIE AMT AND S. D. CHURCH



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PREFACE

THE *Dialogus de Scaccario* and the *Constitutio Domus Regis* have come to be regarded as companion pieces through more than a half-century of appearing together in print. The present edition follows in that tradition, offering the reader two essential twelfth-century texts which, though distinct in origin, are yet related in content and similarly enlightening on the subject of royal government. In this edition the Latin texts have been freshly collated and arranged, and the English translations are new.

We must both thank the staff of the Public Record Office/The National Archives and the staff of the British Library for allowing us access to the various manuscripts of these texts. We are grateful to the current and former editors of Oxford Medieval Texts for their expert guidance throughout the course of this project, and in particular to John Blair for a great deal of helpful advice, patiently given, while he served on the editorial board of OMT. Thanks are due to Barbara Harvey for first proposing a new edition of the *Dialogus* to Emilie Amt, as well as to Diana Greenway for her suggestions at an early stage in the work. Rosalind Love generously read the entire text and translation of the *Dialogus* and the *Constitutio*, preventing numerous errors; any that remain are, of course, our own. Emilie Amt would like to thank her students Sarah Sponenberg and Heidi Schnarr for their many hours of work on the text, and Cynthia Feher and Melanie Jacobs for numerous inter-library loan books cheerfully supplied. Essential funding was provided by the Hood College Board of Associates and the Hood College Summer Research Institute. Stephen Church would like to record his gratitude to Michael Clanchy, Ian Short, and Nicholas Vincent for invaluable advice on the text of the *Constitutio*; and to Bill Aird, Martin Allen, David D'Avray, David Crouch, Solveig Emerson, Judith Green, Sandy Heslop, Edmund King, and Ann Williams, for many useful comments. In editing a medieval text one is constantly reminded of the important role played by interdisciplinary collaboration in developing

our understanding of the medieval world. This list of our debts demonstrates just how important we have both found that collaboration.

E.A.
S.D.C.

Frederick, Maryland, and Norwich, England
October 2006

CONTENTS

LIST OF ILLUSTRATIONS	ix
ABBREVIATED REFERENCES	xi
INTRODUCTION TO THE <i>DIALOGVS DE SCACCARIO</i>	xiii
I. Authorship	xiv
II. The Date of the Text	xviii
III. The Work of the Exchequer	xx
IV. Development of the Exchequer	xxv
V. The Manuscripts	xxvii
VI. Previous Editions	xxx
VII. The Establishment of the Text	xxxi
VIII. Editorial Practice	xxxvii
INTRODUCTION TO THE <i>CONSTITVTIO DOMVS REGIS</i>	xxxviii
I. Background	xxxviii
II. The History of the Royal Domus	xliv
III. Approaches to the <i>Constitutio</i>	xlviii
IV. The Royal Household	lv
V. The Manuscripts	lix
VI. The Manuscripts: A Visual Inspection	lxi
VII. The Language of the Text	lxvi
VIII. Previous Editions	lxvi
IX. Editorial Practice	lxvii
SIGLA	lxviii
DIALOGVS DE SCACCARIO	I
Prologue	2
Book I	4
Book II	102
CONSTITVTIO DOMVS REGIS	195

CONCORDANCE	217
INDEX OF QUOTATIONS AND ALLUSIONS	219
BIBLIOGRAPHY	221
INDEX	229

LIST OF ILLUSTRATIONS

PLATES

1	Pipe roll 1176–7, rotulet 3, Shropshire	lxix
2	Beginning of the <i>Dialogus de Scaccario</i>	lxx
3	Thirteenth-century exchequer tallies	lxxi

FIGURES

1	Diagram of the exchequer table	xxi
2	The <i>Constitutio</i> Manuscript Tradition	lxvi

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ABBREVIATED REFERENCES

A-N	Anglo-Norman
AND	<i>Anglo-Norman Dictionary</i> , ed. L. W. Stone, W. Rothwell, and T. B. W. Reid (7 vols., London, 1977-92)
BL	British Library
<i>Black Book</i>	<i>Liber Niger Scaccarii nec non Wilhelmi Worcestrii Annales Rerum Anglicarum</i> , ed. Thomas Hearne (2 vols., Oxford, 1738, 2nd edn. 1771, repr. 1774)
<i>Dialogus</i> 1902	Richard fitzNigel, <i>De Necessariis Observantiis Scaccarii Dialogus, Commonly called Dialogus de Scaccario</i> , ed. Arthur Hughes, C. G. Crump, and C. Johnson (Oxford, 1902)
<i>Dialogus</i> 1983	Richard fitzNigel, <i>Dialogus de Scaccario: The Course of the Exchequer</i> , ed. and tr. Charles Johnson, corr. F. E. L. Carter and D. E. Greenway (OMT, 1983)
DMLBS	<i>Dictionary of Medieval Latin from British Sources</i> , ed. R. E. Latham and D. R. Howlett (8 vols., Oxford, 1975-)
Du Cange, <i>Glossarium</i>	Du Cange, <i>Glossarium mediae et infimae Latinitatis conditum a Carolo Dufresne, domino du Cange</i> (8 vols., rev. edn., Paris, 1840-50)
EHD i	<i>English Historical Documents c.500-1042</i> , ed. D. Whitelock (2nd edn., London, 1979)
EHD ii	<i>English Historical Documents 1042-1189</i> , ed. D. C. Douglas and G. W. Greenaway (2nd edn., London, 1981)
EHR	<i>English Historical Review</i>
GDB	Great Domesday Book
Latham	<i>Revised Medieval Latin Word-List</i> , ed. R.E. Latham (London, 1965)
ODNB	<i>Oxford Dictionary of National Biography</i> (Oxford, 2004)
OE	Old English

- Pipe Roll . . . Henry II* *The Great Roll of the Pipe for the . . . Year of the
Reign of King Henry the Second* (London, 1884–)
- PRO Public Record Office/National Archives
- Red Book* *The Red Book of the Exchequer*, ed. Hubert Hall, 3
vols. (Rolls Series, 1896)
- T–L, *Altfranzösisches* *Altfranzösisches Wörterbuch*, ed. A. Toblers and
Wörterbuch E. Lommatzsch (11 vols., Berlin, 1925–36; Wies-
baden, 1954–)
- TRHS *Transactions of the Royal Historical Society*

INTRODUCTION TO THE *DIALOGVS DE SCACCARIO*

THE *Dialogus de Scaccario* is a guide, in the form of an instructional dialogue, to the procedures of the twelfth-century exchequer, the central financial office of the English royal government. The *Dialogus* has long been recognized as an exceedingly important document, and it has been used extensively by administrative and other historians. As a consequence, and also because of the survival of the pipe rolls, the workings of the exchequer have long been largely understood. Begun in the late 1170s by the royal treasurer Richard fitzNigel, the text describes exchequer procedures and personnel as they had developed under Henry II and his grandfather Henry I.

At the date of the *Dialogus* the exchequer was still an occasion rather than a government 'department'. It met in various places, and almost all of its personnel had other functions in the royal household that were their primary responsibilities. As the *Dialogus* explains at the outset, there was an upper and a lower exchequer. The former was a court that had as its main purposes the hearing of the sheriffs' annual accounts for the royal revenues from their respective counties and the simultaneous recording of those accounts in the pipe roll (here called the *rotulus annalis* or 'yearly roll'). This process is described in detail in Book II of the *Dialogus*. As a court, the upper exchequer also heard cases, and it sometimes carried out special audits of particular debts, but these functions lie outside the scope of the *Dialogus*, which is concerned with the regular annual audits of the sheriffs (and other crown debtors) carried out over the Easter and Michaelmas terms. The lower exchequer, also called the 'exchequer of receipt', or simply 'the receipt', was where money entered and left the royal treasury; here it was counted, examined, and recorded. The workings of the lower exchequer are explained in Book I of the *Dialogus*. No money changed hands in the upper exchequer, but the evidence of payments made in the lower exchequer had to be produced in the upper exchequer for accounting purposes. Some of the personnel served in both halves of the exchequer. The king's treasurer, for instance, was a key official in both places, and in fact it was a long-serving royal treasurer who wrote the *Dialogus*.

I. AUTHORSHIP

Although the author of the *Dialogus* does not name himself, he is identified by Alexander of Swerford, the exchequer clerk who compiled the thirteenth-century Red Book of the Exchequer, in which he included a copy of the *Dialogus* and then noted, a few folios later: *Ricardus Londoniensis episcopus . . . in sui libelli tractatu superius multa de negociis scaccarii degeret* ('Richard, bishop of London, . . . has dealt with many aspects of exchequer business in the treatise in his little book, which occurs above').¹ This is Richard of Ely, known today as Richard fitzNigel, royal treasurer and later bishop of London. Alexander, having been born during Richard's lifetime, having worked with Richard's successor and close relative William of Ely, and being steeped in the living traditions of the exchequer, can be trusted on this point.² The internal evidence of the text confirms the identification: in several places the author takes care to mention the distinguished curial family to which Richard fitzNigel belonged.³

The family fortunes were founded by Roger, bishop of Salisbury (d. 1139), Henry I's right-hand man in all matters administrative. Roger brought his nephews Alexander, bishop of Lincoln (d. 1148), and Nigel, bishop of Ely (d. 1169), into Henry I's inner circle. Nigel, father of the *Dialogus* author, served as the king's treasurer from the 1120s onward and also had experience in the Norman treasury. King Stephen notoriously turned against the three in 1139, arresting them on trumped-up charges. Stephen's government after this was clearly less competent than Henry I's in the area of financial administration, to a great extent because parts of the country slipped out of royal control, but also because the king had deprived himself of the expertise of these individuals.⁴

Richard fitzNigel was born around 1130; as a child or adolescent during the civil war he was twice handed over to Stephen as a hostage for his father's good behaviour.⁵ Educated by the monks of Ely, he

¹ *Red Book*, i. 4. In the medieval and early modern periods, the *Dialogus* was variously and erroneously attributed to William of Ockham and to Gervase of Tilbury; *Dialogus* 1902, pp. 8–9.

² *Red Book*, i, p. xxxv; Richardson, 'William of Ely', pp. 47–9.

³ *DS*, Book I: prologue and chs. vi, xi, pp. 4, 64, and 88.

⁴ On Stephen's exchequer, see Yoshitake, 'The exchequer in the reign of Stephen'; Amt, *The Accession of Henry II in England*, pp. 119–24, 181; Green, 'Financing Stephen's war'; G. J. White, *Restoration and Reform, 1153–1165*, pp. 29–30, 73–4.

⁵ *Liber Eliensis*, ed. Blake, 332–3.

tells us in the *Dialogus* that he acquired his knowledge of the exchequer from Roger of Salisbury *per traducem* ('as an inheritance' or 'in his blood'), perhaps implying that he learned financial administration from his kinsmen.⁶ Henry II, coming to the throne in 1154, coaxed Nigel of Ely out of his retirement from royal affairs to restore the exchequer to its former efficiency. Richard's account in the *Dialogus* of this rebuilding process is noticeably laudatory of his father and may exaggerate the neglected state of royal financial administration in 1154.⁷ This is the logical time for Richard himself to have begun his association with the institution that he would serve for virtually the rest of his life; one editor of the *Dialogus* has suggested that Richard's sympathy for the 'chief writing clerk' (*clericus qui preest scriptorio*) may spring from personal experience in that post at the beginning of the new reign.⁸ Henry II's first treasurer was Henry fitzRobert fitz-Harding;⁹ in 1156 a royal treasurer named William occurs.¹⁰ But by 1160 it was Richard fitzNigel who was serving as the king's treasurer; the monks of Ely believed that Nigel had paid £400 to obtain the office for his son.¹¹ With the significant responsibilities of this major post came some royal favours: pardons for forest pleas, murder fines, danegeld, and other debts, as well as £20 income annually from the royal manors of Essendon and Bayford (Hertfordshire), for which Richard proffered, but never actually paid, 100 marks.¹² But Richard did not accumulate great wealth or much glory in Henry's service; indeed, he had to wait until after Henry's death for a bishopric. He must have been a competent treasurer to have lasted as long as he did, but there are other hints that the king was not terribly impressed with his abilities: for example, the appointment of both Richard of Ilchester and Thomas Brown literally to look over the shoulders of the treasurer and his scribe as they wrote the pipe roll—a situation on which Richard is at pains to put the best possible face.¹³ Nor was Richard politically

⁶ *Liber Eliensis*, 333, 372; *DS*, Book I, ch. vi, p. 64.

⁷ *DS*, Book I, ch. viii, p. 76.

⁸ *Dialogus* 1983, p. xv; *DS*, Book I, ch. v, p. 38.

⁹ *Amt, Accession*, pp. 40–1 and n. On the restoration of the exchequer under Henry II, see *ibid.* 113–32; White, *Restoration and Reform*, pp. 131–50.

¹⁰ *Pipe Roll 2–3–4 Henry II*, p. 47.

¹¹ *Liber Eliensis*, p. 372; Richardson, 'Richard fitz Neal', pp. 162–6.

¹² Richardson, 'Richard fitz Neal', pp. 162–3; *Pipe Roll 6 Henry II*, pp. 18, 42; *Pipe Roll 7 Henry II*, p. 18; *Pipe Roll 8 Henry II*, pp. 13, 67; *Pipe Roll 13 Henry II*, p. 130; *Pipe Roll 14 Henry II*, p. 5; *Pipe Roll 23 Henry II*, p. 144; *Pipe Roll 24 Henry II*, p. 33; *Pipe Roll 10 Richard I*, pp. 126, 130; *Pipe Roll 1 John*, pp. 37, 55, 87, 90, 130, 151, 180.

¹³ *DS*, Book I, chs. v and vi, pp. 40, 52.

important; contemporaries never noticed him playing any role in the great events and conflicts of his time. Even his mid-level activities—so far as we know them—were limited. In the mid-1170s he seems to have been sent to Rouen with Richard of Ilchester, whose task was to reform the Norman exchequer;¹⁴ he did not stay long in Rouen, since before the end of 1177 he was sitting at a window overlooking the Thames and thinking of writing the book that would be his outstanding historical contribution. He also served frequently as a royal justice.¹⁵

All his life, Richard was first and foremost a royal official; his ecclesiastical career was his necessary entrée to, his means of support during, and the channel through which he was eventually rewarded for his royal service. In 1160—about the time he took up the treasurership—his father made him archdeacon of Ely, and during the last six years of Nigel's life (1164–9) Richard ran the diocese on his infirm father's behalf.¹⁶ When Nigel died in 1169, it was Richard's voice, dictating the content of the pipe roll as treasurer, that pronounced the brief obituary found in that year's record: 'Set mortuus est, et requiescat in pace.'¹⁷

No further promotions came Richard's way until the early 1180s, when he acquired a prebend at St Paul's, the archdeaconry of Colchester, and the deanship of Lincoln.¹⁸ When the see of Lincoln fell vacant in 1186, he was one of three men nominated by the chapter to the bishopric, but the king chose Hugh of Avalon instead. Eventually, after the death of the king he had served so faithfully, he became bishop of London in December 1189. He continued in office as King Richard's treasurer—though probably taking a less active role in the exchequer audits¹⁹—until midsummer 1198, and he died in September of that year. His successor was his kinsman William of Ely, to whom Richard had transferred the residence he had earlier acquired in Westminster, so as to be near the exchequer as it met there with increasing frequency.²⁰

As treasurer, Richard was capable but apparently not brilliant, even

¹⁴ *Pipe Roll 21 Henry II*, pp. 187–8; Liebermann, *Einleitung in den Dialogus de Scaccario*, p. 38; and see *Pipe Roll 24 Henry II*, p. 124. Judith Green suggests that his experience in Normandy may have been what prompted Richard to begin writing the *Dialogus*; 'Unity and disunity in the Anglo-Norman State', p. 122 n.

¹⁵ *Dialogus* 1983, pp. xv–xvi; Richardson, 'William of Ely', pp. 52–3.

¹⁶ *Dialogus* 1902, p. 10.

¹⁷ *Pipe Roll 15 Henry II*, p. 145.

¹⁸ *Dialogus* 1983, p. xv.

¹⁹ Richardson, 'Richard fitz Neal', p. 321.

²⁰ Richardson, 'William of Ely', pp. 47–8, 62–3.

somewhat pedestrian, a traditionalist²¹ and not an innovator. He was confident enough to write a book about his field of expertise, but it was a financial handbook, not a book his more scholarly colleagues would have admired much: he seems to anticipate this in the excuses he makes for its subject and style.²² His earlier literary achievement, the *Tricolumpnis*, a historical work now lost, he mentions with some pride. The *Dialogus*, an oddity in its day, is more prized by historians than the *Tricolumpnis* would be if it had survived, but it is valued for its unique content, not its literary qualities. Richard displays some knowledge of classical authors; to quote the editors of the 1902 Oxford edition:

The literary allusions suggest that the author had read Priscian and Isidore in the course of his ordinary studies. He quotes Horace freely, especially the *Epistles* and the *Ars Poetica*. Virgil and possibly part of Ovid he had also read, but his own Latin verse is unclassical and clumsy. His acquaintance with Seneca, whom he quotes once, is probably only second-hand; and some of the tags whose origin we have been unable to trace, may be due to the use of books of quotations. His logical expressions, which are not infrequent, are due directly or indirectly to Boethius. As a clerk, he was familiar with the Vulgate, which he quotes, especially the Psalms, at every opportunity. He had read the *Institutes* [of Justinian]; but for the *Digest* he seems to have trusted to some Summa, or collection . . .²³

Richard is at his best when he offers straightforward definitions and accounts of procedure. When he digresses into allegedly historical explanations, he is apt to exceed his knowledge or give muddled information,²⁴ and when he pauses to expatiate on the greatness of Henry II or to draw what he hopes are elegant analogies, the reader may well wish he had instead devoted his efforts to telling us more about the exchequer.

The shape of the *Dialogus* reminds the reader that the author was so deeply immersed in his topic that he found it difficult to stand back from it and approach it as a beginner would need to do, although that was his avowed intent. The workings of the lower exchequer, in particular, early in Book I, are explained in ways that assume some knowledge of the audit process and the upper exchequer. To a lesser extent this is true of much of Book I, whose details are difficult to

²¹ Richardson, 'Richard fitz Neal', pp. 323-4, 332-3.

²² *DS*, Book I, prologue, pp. 6-8.

²³ *Dialogus* 1902, pp. 10-11.

²⁴ *DS*, Book I, chs. iv, vii, x, xi, pp. 20, 62, 80-6; Book II, ch. ii, pp. 112-14.

understand before the context is explained in Book II. Another discordant aspect of the text is the double conceit of spoken dialogue and explicit writing. While the text is conceived of as a conversation taking place within a single day, the author makes frequent reference to the fact that he is composing a written work: his 'unskilled pen', his 'flagging pen', and so on. At times the two schemes are closely juxtaposed, for example when the student says 'Imprudētis pariter et impudētis est auditoris currentem calamum . . . preoccupare' ('It is both imprudent and impudent for a listener to interrupt the flowing pen . . .').²⁵ The character of the student himself also exhibits some inconsistency. He is portrayed not as a generic student, a true beginner, but as an older official already familiar with the exchequer and merely playing a role in order to facilitate the composition of the book.²⁶ Thus he seems to be based on a real (though unidentifiable) person, one of Richard fitzNigel's colleagues at the exchequer. Yet just as the text vacillates between the conventions of conversation and those of writing, the 'student' displays both expertise and ignorance.²⁷ Richard is somewhat clumsy, then, both in his handling of the dialogue genre and in his execution of an elementary handbook of procedure.

II. THE DATE OF THE TEXT

The dating of the *Dialogus* is straightforward as to its *terminus a quo*, for the author himself tells us that he conceived of the project during the twenty-third year of the reign of Henry II—that is, between 19 December 1176 and 18 December 1177.²⁸ It is clear that he was still writing or rewriting sometime after Michaelmas 1178, for he refers in Book I to a royal decision taken during that exchequer term; moreover, the wording of this passage implies that some time has passed since the event being described: *Simile autem huic aliquid temporibus modernis nos vidisse meminimus* ('I remember seeing something similar in recent times').²⁹ Previous editors believed that Richard had finished the book by the spring of 1179, because in it he describes

²⁵ *DS*, Book II, ch. iii, p. 120.

²⁶ *DS*, Book I, prologue, p. 6.

²⁷ For a particularly naive statement on the part of the student, see *DS*, Book I, ch. vi, p. 58, on the smelter: 'Miror a tantis tantam adhiberi diligentiam in unius libre examinatione, cum nec magnus ex ea questus nec multa iactura proueniat.'

²⁸ *DS*, Book I, prologue, p. 6.

²⁹ *DS*, Book I, ch. viii, p. 78. This point was made by Richardson, 'Richard fitz Neal', 332.

the four judicial circuits set up in 1176 instead of the six circuits set up in April 1179.³⁰ But this argument was convincingly refuted by H. G. Richardson, who showed that judicial circuits were rearranged nearly every year; thus the mention in the *Dialogus* of only the 1176 arrangements is merely an example, rather than a statement of the current situation.³¹ Indeed, Richardson maintained that the *Dialogus* was written over a period of approximately ten years. His detailed argument can be briefly summarized as follows. The *Dialogus* asserts that during the Michaelmas 1178 exchequer term, the king ordered that certain monetary allowances would henceforth be recorded in the pipe rolls as being granted *per breue regis* ('by the king's writ'), and that the beneficiaries would no longer have to bring their original charters to the exchequer to claim the allowances. But the pipe rolls plainly demonstrate that no such clear-cut change in exchequer practice took place, either in 1178 or in 1179. Instead, the formula *per breue regis* was in normal usage for many purposes before 1178; in that year charters (as opposed to writs) were for the first time mentioned frequently in the roll; in the 1179 roll references to charters were rare again; and they became even rarer after that, until 1189, when they once again proliferated. Thus Richard fitzNigel's statement that certain beneficiaries had to bring their charters to the exchequer before 1178, and that after that year they were instead acquitted by royal writ, is not borne out by the pipe rolls. Richardson concluded that Richard, writing some years after 1178, and probably closer to 1189, was somewhat confused in his recollection of the changes that had been instituted around that time. In addition, Richardson believed that the 1189 change, back to the frequent mention of charters in the pipe rolls, was a consequence of Richard fitzNigel's withdrawal from much exchequer business upon his preferment to the see of London in that year.³² An additional argument by Richardson in favour of a late completion date is based on the treatment of usury in the text.³³

While Richardson's analysis is not without problems,³⁴ the basic

³⁰ *Dialogus* 1902, p. 7; Poole, *Exchequer*, pp. 8–9.

³¹ Richardson, 'Richard fitz Neal', pp. 166–71.

³² *Ibid.* 321–33, 337–40.

³³ *Ibid.* 333–40.

³⁴ Richardson tended to draw general inferences from very specific statements in the *Dialogus* and then to argue on that basis; for example, he considered its description of specific writs for the barons of the exchequer and the religious orders to be in conflict with its endorsement of the more general usage of the formula *per breue regis*. He also interpreted the *Dialogus* passage as meaning 'that a writ should be made out' for each

point is well taken. The idea that the *Dialogus* was written over the course of a decade (or more) also helps to explain the presence of passages that previous editors have regarded as interpolations or glosses because they seem parenthetical in tone or content, because they appear from their content to have been written later, or because they differ stylistically from the surrounding text (the style of the *Dialogus* does veer wildly at times between the prosaic and the flowery). These passages, which are identified in the footnotes to this edition, will be discussed further below.

There is no way of knowing when Richard completed the *Dialogus*. Richardson's assumption³⁵ that the book was finished before its author became bishop of London is unfortunately baseless. Richard's inclusion of a usage that lost favour around 1189, which he describes as if it were still preferred, may rather mean that after that date he was out of touch with current exchequer practice, rather than that his book was finished by then. All that can be known with any certainty is this: the *Dialogus*, begun in 1177, was written over the course of several years. The author then went back over his text, revising and perhaps finishing it, on at least one occasion in the mid-1180s or later. We do not know when he finally laid it aside.

III. THE WORK OF THE EXCHEQUER

The main subject of the *Dialogus* is the business and procedures of the exchequer, upper and lower. Although these are treated in detail throughout the work, the many digressions into legal, technical, and historical questions at times obscure its focus. Richard fitzNigel's decision to deal first with the lower exchequer can also be somewhat confusing to the reader who is new to this material. It may therefore be useful to present here a simplified introduction to the workings of the exchequer and the writing of the pipe rolls during Richard fitzNigel's lifetime.

The exchequer received and accounted for many (but not all) royal revenues, including first and foremost the basic incomes from the counties of England that were collected for the king by his sheriffs. The sheriffs were therefore the primary accountants at the

religious house (Richardson, 'Richard fitz Neal', 321), whereas the text could equally mean that a single writ was issued to cover the entire situation, parallel to the writ of Henry I benefiting the barons of the exchequer, described in the passage immediately preceding the one in question; *DS*, Book I, ch. viii, p. 78; 'Richard fitz Neal', p. 321.

³⁵ Richardson, 'Richard fitz Neal', pp. 323, 332, 340.

During the audit, the sheriff, or any other person accounting for a debt, sat at the foot of the exchequer table, with his clerk (in the case of a sheriff or other great personage) next to him on his right (see Fig. 1). Opposite him, at the head of the table, sat the justiciar, the president of the exchequer, when he was present, with the bishop of Winchester on his right, and on the justiciar's left (from nearest to farthest) the chancellor, constable, two chamberlains, and marshal. Down the side of the table to the justiciar's right sat, in order, the treasurer and his scribe, the chancellor's scribe, the chancellor's clerk, and the clerk of the constabulary. Behind the treasurer and his scribe perched Thomas Brown's clerk; Thomas Brown himself sat on the sheriff's left at the foot of the table. On the remaining side of the table, on the justiciar's left, sat the tally-cutter, the calculator (in the centre of that side), and the clerk in charge of the writing office.³⁶

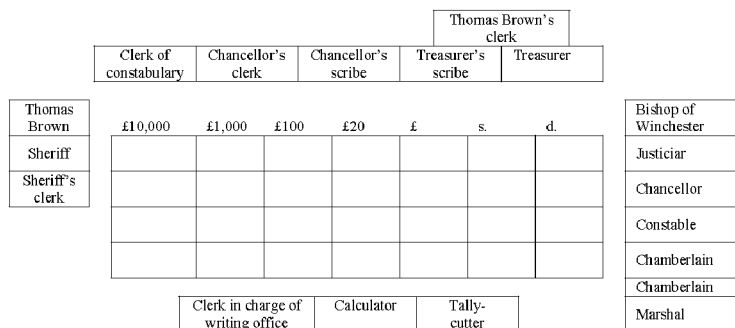


FIGURE 1. Diagram of the exchequer table

³⁶ For the seating of the officials around the exchequer table, *DS*, Book I, ch. v, pp. 22–6.

The table itself was important, for it served as the counting-board, from which the exchequer derived its name. Here the audit was publicly conducted while all those present watched and witnessed. The table was covered with a black cloth divided by lines into columns.³⁷ From right to left, the columns represented pence, shillings, pounds, tens of pounds, twenties, hundreds, thousands, and tens of thousands. Silver pennies were used as counters in these spaces. Thus when a sheriff or other debtor came to account, the calculator placed counters in piles in the appropriate spaces to make up the amount of the specific debt being audited. Next, as the accountant produced evidence (in the form of tallies and writs) of payments into the treasury and other amounts to be credited to him (for example, pardons), the calculator placed a second set of counters lower down in the columns to represent the total amount of the credits. Then, according to the *Dialogus*, it was 'a simple matter to subtract the lower sum from the upper'—presumably by physically removing equal numbers of counters above and below in each column—and thus to calculate the remaining debt, if any.³⁸ Sometimes the account balanced, or the accountant was in credit. Meanwhile the entire process was being recorded by the treasurer's scribe in the pipe roll and by the chancellor's scribe in its duplicate, the chancellor's roll.

When one reads a pipe roll with some knowledge of exchequer process, its procedural basis is clear. First, the person responsible for the account is named and, in every type of account except the county farm, the amount of the debt is recorded. (Mysteriously, county farm amounts were not recorded in the pipe rolls until 1197, but of course the sheriffs and everyone present at the exchequer in Richard fitzNigel's day would have known the amounts, and indeed the *Dialogus* refers to the 'roll of exactions' or 'writ of farms'—*rotulus exactorius* or *breue de firmis*—which is now lost, and in which this information was recorded.³⁹) Next the accountant is said to have made a specified payment on this debt to the treasury, or to have paid nothing. Then any other credits towards the debt are recorded. After these have been listed, a calculation is made. The account may balance exactly, in which case the accountant is said to be quit of the debt (*Et quietus est*). Alternatively, the accountant may owe an additional sum (*Et debet .x. li.*), which he may then pay in order to balance the account (*Et liberavit in thesauro et quietus est*). Or he may

³⁷ *DS*, Book I, ch. i, p. 8.

³⁸ *DS*, Book I, ch. v, p. 38.

³⁹ *DS*, Book I, ch. xiv, p. 94.

actually be in credit with the exchequer for this account (*Et habet de superplusagio .x. li.*); this amount will be credited to him in another account or in a future year. The audit completed, the auditors go on to another debt, either with the same accountant (*Idem reddit compotum de . . .*) or with another debtor accounting. The newcomer to the pipe rolls will find that they are quite simple documents to use and understand if the repetitive structure of debt-payment-credits-outcome is borne in mind.

In Book II of the *Dialogus*, Richard fitzNigel walks the reader through both the summoning process and the writing of entries for a typical county in the pipe roll (see Pl. 1). The first item of business for a sheriff at the exchequer, and the first to be entered in the pipe roll, was the account for the county farm, the fixed amount that the sheriff owed to the king from the normal royal revenues of the county (anything beyond the amount of the farm that the sheriff managed to collect from these sources was his to keep as his profit from the office). If the sheriff still owed something on the farm from the previous year's roll, that had to be dealt with first of all. The 'old farm' account is usually a short one. In contrast, the 'new farm' account, for the year just ending, is generally long and detailed. First comes the note of the sheriff's payment into the treasury. A typical county farm account then includes a variety of credits to the sheriff; indeed, this wealth of incidental information is one of the reasons why the pipe rolls are such useful sources for historians. In most counties, the credits included customary alms, tithes, and stipends paid out of the royal income, as well as allowances for lands that had been granted away (*terre date*) out of the royal demesne (either permanently or temporarily) and which therefore no longer contributed to the royal revenue. In addition, the sheriff might claim credit for sums he had been authorized to spend on the king's business—for example, in repairing a royal castle or transporting royal treasure. (In non-farm accounts, royal pardons are a common type of credit.) After all the credits have been listed, the calculation is made, and the outcome (quittance, debt, or surplus) is recorded.

The county farm account was followed by other accounts, some of which were also the responsibility of the sheriff: extraordinary taxation such as county assizes, aids of cities or towns, and danegeld, as well as murder fines. Others were generally the responsibility of individual debtors, though at times we find the sheriff named as responsible for some of these as well: cesses (fixed annual payments,

similar to farms) of woods, purprestures (annual payments due from encroachments onto royal lands), escheats, and the broad category of judicial revenues known as 'pleas and agreements'.⁴⁰ In some counties there were additional farms, of boroughs or of large estates; these might be farmed by the sheriff or by other officials.

County farms, unlike other revenues, were complicated by the fact that many of them were demanded in 'blanch' money—that is, in finer silver than that found in coin. In effect, this meant that the sheriff had to pay a surcharge on his farm. For his payments into the treasury, the amount of the surcharge was determined by means of the assay; the sheriff's other credits at the exchequer board were 'blanched' by discounting them at the rate of a shilling in the pound. But it was not only in blanch farms that the quality of the coinage was an issue, for in all cases the exchequer accepted only money that met its standards of weight. Those standards were enforced, and the assay was conducted, by the lower exchequer, or the exchequer of receipt.

When the sheriff or other accountant arrived at the exchequer session, his first business was not with the upper exchequer but with the lower, where money was actually handled. The lower exchequer had an extensive and specialized staff whose work, described in Book I of the *Dialogus*, included receiving, counting, assessing the quality of, and issuing receipts (in the form of wooden tallies) for the money paid into the royal treasury; they also safeguarded the treasure and paid it out as necessary. Of these functions, assessing the quality of money was the most complex, and the assay was the most esoteric means of assessment; Richard himself admits to incomplete knowledge of the assay 'because I have never studied these matters' (*quia nec sollicitus super his fui*).⁴¹

All money paid into the lower exchequer was first counted, and a sample of it was then weighed against the official exchequer pound. Royal policy allowed for some deviation from the standard measure, but if the debtor's money fell short of the exchequer standard by more than six pence per pound (that is, if it took *more* than 246 pennies of the debtor's money to equal the exchequer pound), then the debtor's money was rejected. (As Richard explains, pennies might be shortweight because they were counterfeit or because they had

⁴⁰ And indeed the sheriff may have been the person who actually brought in the money on behalf of many individuals who owed in their own names; Warren, *The Governance of Norman and Angevin England*, p. 74.

⁴¹ *DS*, Book I, ch. vi, p. 60.

been clipped.) If the money passed the weight test, it was acceptable as payment for most types of debts (taxes, judicial debts, and so on).⁴² For blanch farms, however—that is, for the majority of county farms—the quality of the silver itself was now tested by assay, or blanching. A random sample of the sheriff's coin was taken for this purpose. The smelter then melted a pound's worth of those coins in the furnace, reducing them to bullion in order to purify the silver (*redigit eos in massam . . . emundans argentum*). When the smelter judged the silver to be sufficiently purified, he removed it from the fire, weighed it against the exchequer pound, added pennies from the sheriff's sample until it balanced, and then marked the sample as having lost so many pence in the assay. Every pound the sheriff paid into the exchequer on his farm would then be discounted by that amount.⁴³ Similarly, any other amount credited to the sheriff at the exchequer table (for example, alms, tithes, land grants, and amounts he had spent on the king's behalf) would be discounted at a standard rate of one shilling in the pound. The exception was any lands granted 'blanch' out of the king's demesne, which would be credited at face value.

All in all, accountants arriving at the exchequer, and sheriffs in particular, had something of an ordeal ahead of them. Not for nothing did Richard call their encounter with the treasurer a 'conflictus'.⁴⁴ But the *Dialogus* also makes it clear that the exchequer operated according to comprehensible laws and a general scheme of justice. While the overwhelming principle was the king's advantage, at the exchequer a royal debtor at least knew where he stood. The orderly ways of this court contrasted favourably, in Richard's view, with, say, the arbitrary nature of the forest law.⁴⁵ The very fact that the *Dialogus* could be written at all testified to the exchequer's rationality.

IV. DEVELOPMENT OF THE EXCHEQUER

The *Dialogus* refers occasionally to the early history of the exchequer, though not in a way that does much to clarify the issue for us. Indeed, Richard fitzNigel reveals that the origins of the institution were already being debated in the twelfth century. Chapter iiiii of Book I is entitled 'The authority of the upper exchequer, and how it originated' (*Que sit auctoritas superioris et unde sumpsit originem*). Here Richard

⁴² DS, Book I, ch. iii, p. 16.

⁴⁴ DS, Book I, ch. i, p. 10.

⁴³ DS, Book I, ch. vi, pp. 54–8.

⁴⁵ DS, Book I, ch. xi, p. 90.

tells us that some of his contemporaries say (and he seems to agree with them) that the exchequer dates from the years after the Conquest and is modelled in part on the Norman exchequer, while others believe it to be Anglo-Saxon in origin. In Book I, chapter i, he says that an earlier name for the central accounting office was 'the tallies': 'They used to say "at the tallies", but today we say "at the exchequer"' (*Quod autem hodie dicitur ad scaccarium olim dicebatur ad taleas*).

Scholarly discussion of the origins of the exchequer in more recent times has focused on how early a date we can assign to such features as the payment of money farms, the existence of a central royal accounting body or session, an annual audit, and the use of the 'checkered' cloth as a form of abacus. On the one hand, it seems almost certain that some equivalent or forerunner of the exchequer—that is, a body that collected money from the king's debtors and kept written records from year to year—existed under the later Anglo-Saxon kings.⁴⁶ The successful levying of danegeld in particular would seem to demand an organization something like that of the exchequer. But the degree to which revenue collection was centralized, and indeed the degree to which revenue was collected in cash, remain controversial questions.⁴⁷ After the Conquest, tenurial and administrative changes as well as influence from Normandy probably contributed to the formalization of royal accounting procedures, with an audit of the sheriffs perhaps being implemented in the late eleventh century. Judith Green argues that 1110 was probably a turning point in royal financial history, because of increased financial needs on the part of King Henry I; the resulting levy of three shillings per hide probably stimulated innovation and elaboration in the royal machinery for debt collection and financial record-keeping. One of those innovations may have been the striped cloth on the counting-table, for the same year gives us the first occurrence of the word 'exchequer' in this context. The functional similarities between the exchequer cloth and the abacus have drawn much scholarly attention; in the eleventh century the latter was known to English intellectuals, whose work in turn was available to members of the king's household.⁴⁸ The easily understood columns with their

⁴⁶ Brand, 'The Exchequer in the Later Twelfth Century', pp. 63–6; Campbell, *Essays in Anglo-Saxon History*, pp. 175–80.

⁴⁷ Green, *Government of England*, p. 42; and see the notes on food farms below, Book I, ch. vii, p. oo.

counters not only served as a tool for the calculator and clerks, but helped to create a piece of accounting theatre that impressed the public audit of debtors on the minds of high-ranking witnesses. The royal procedures, in turn, were apparently copied by private individuals: Robert, earl of Leicester, was operating his own 'exchequer' (*scaccarium*) before 1118, and the twelfth-century earls of Gloucester had an exchequer of their own by the 1170s or early 1180s.⁴⁹

We can safely assume that royal accounting sessions, being occasions that involved the personnel of the royal household, at first took place wherever the king and his household happened to be. As its procedures became more formalized in the early twelfth century, there was a tendency for the sessions to settle more frequently at Winchester, where the royal treasury was then located; the *Dialogus* mentions that the tellers of the lower exchequer were based in that city.⁵⁰ In Henry II's reign, the exchequer usually met at Westminster, but it could still meet elsewhere when circumstances required: sessions took place, for example, at Oxford in 1162 and 1175, and possibly at Northampton in 1164 and 1169.⁵¹

V. THE MANUSCRIPTS

No autograph or near contemporary manuscript of the *Dialogus* survives, nor is there a single copy that is clearly more authoritative than the others. We have instead four thirteenth-century copies, three of which are of value for the establishment of the text. They are:

R = London, the National Archives, PRO E164/2, the 'Red Book of the Exchequer', fos. 52–67v, parchment, 217 mm × 324 mm, written in double columns of 52–3 lines each, rubricated and with alternating red and blue initials (see Pl. 2). The volume is a compilation, in part by the exchequer clerk Alexander de Swerford, of records and texts connected with the exchequer. Swerford was affiliated with the exchequer from 1199 until his death in 1246.⁵² The

⁴⁸ Green, *Government of England*, pp. 40–3; Hollister with Frost, *Henry I*, pp. 216, 356.

⁴⁹ Both of these comital exchequers 'predate . . . the appearance of the first monastic exchequer, that of Glastonbury, in 1189'; Crouch, *The Beaumont Twins*, pp. 163–6.

⁵⁰ *DS*, Book I, ch. iii, p. 18.

⁵¹ *Pipe Roll 8 Henry II*, p. 26; *Pipe Roll 10 Henry II*, p. 26; *Pipe Roll 15 Henry II*, p. 73; *Pipe Roll 21 Henry II*, p. 11; and see Brown, "'The treasury" of the later twelfth century', pp. 37–45.

⁵² For a recent exploration of aspects of Alexander's life and career, see Vincent, 'New light on Master Alexander of Swerford'.

Dialogus copy probably dates to around 1230: on folio 67v, the end of the *Dialogus* is followed by a summary of royal council actions in the year 1227. The collection includes, along with the *Dialogus*, the *Leges Henrici Primi* and the *Constitutio Domus Regis*, extracts from twelfth-century pipe rolls, the *carte baronum* of 1166, and many other documents. The documentary contents were published by Hubert Hall in the Rolls Series.

N = London, the National Archives, PRO E36/266, the 'Black Book of the Exchequer', fos. 20–47v, parchment, 159 mm × 254 mm, written in a single column of 42 lines (except the first folio, of 33 lines), with alternating red and blue initials, some of which are missing on fo. 20v. Folio 34r (Book II, table of contents) is written in two columns. The manuscript was written in the mid- to late thirteenth century. It is apparent that the exemplar of this copy of the *Dialogus* was severely damaged: the scribe of N left eleven lacunae where parts of the text he was copying were missing or illegible. These were filled in later, the first three in a different but contemporary hand, the rest in a later hand, by copyists looking at one or two complete texts of the *Dialogus*. The filled blanks are all roughly the same length (44–57 words, except for the last two, which are under 40 words each). The first filled-in passage comes immediately after the table of chapter headings, at the beginning of Book I; the next nine occur at the following line intervals after that: 16, 15, 15, 18, 28, 17, 18, 16, 16; and the last such passage comes nearly seven pages later. All of these passages are identified in the apparatus to the present edition.

C = London, British Library, Cotton Cleopatra A.xvi, fos. 3–40, parchment, 121 mm × 172 mm, written in a single column of 32–3 lines per page, rubricated, with blue initials decorated with red penwork. The text begins with a single gold initial; there are alternating red and blue initials in the tables of contents. Most of the text is thirteenth-century, but on folio 35r (Book II, ch. xix) the hand changes to a fifteenth-century one; the fifteenth-century portion of the text is not included in the apparatus of the present edition. The rubrics and initials, which are consistent throughout the entire text, were apparently added at the time of its completion in the fifteenth century.

After fully collating the only other early manuscript, traditionally called H (London, British Library, Hargrave 313), I decided not to include it in the apparatus to this edition. Very similar in content to R, it was thought by the 1902 editors (see below) to be a copy of that manuscript, but in fact it sometimes agrees with one of the other manuscripts rather than with R. As the 1902 editors noted,⁵³ it contains no truly independent readings; it is also by far the most careless and error-ridden of the early manuscripts. All other existing copies are early modern in date; they have not been used in the preparation of this edition.⁵⁴

This edition of the *Dialogus de Scaccario* is based on a fresh collation of R, N, and C. Manuscripts R and N are more similar to each other than to C. Manuscript N (the exemplar of which was damaged) is obviously not a copy of R, though the lacunae left in N may have been filled in by copying (on one or both occasions) from R. It does not seem likely that all three extant manuscripts are copies of the same exemplar. But it is not necessary to posit, as previous editors have done,⁵⁵ two intermediate copies: any one of the three extant manuscripts, or both R and N (at different times), may have been copied from the original; indeed, it is even possible that all three are copies of the original. Since we cannot know whether any of these scenarios was the case, neither R, N, nor C is clearly a more authoritative text than the others or necessarily closer to the original text. Nor do the manuscripts have much to tell us about the integrity of the now lost original. Some differences among the three manuscripts in the order of some words and phrases may indicate, as previous editors have suggested, that the copyists were incorporating into their texts glosses or marginal additions in their exemplar(s). But it is likely that most of the minor variations (e.g. 'instituta fuit' versus 'fuit instituta') are simply the result of scribal carelessness in some cases or scribal preference in others.

It may be significant that this cluster of thirteenth-century copies of the *Dialogus* survives, and that there were apparently other copies made in the same period. Not only had concerns with record-keeping come to be of prime importance to the royal administration at this time, but the extent of royal power was the great political issue of the day. The *Dialogus* represented a positive and venerable tradition of

⁵³ *Dialogus* 1902, p. 3; *Dialogus* 1983, p. xii.

⁵⁴ They are listed in the *Dialogus* 1902, pp. 5-7.

⁵⁵ *Dialogus* 1902, pp. 2-3, 7-8.

loyal service to the king's best interests. As such, it was a text of interest not only to clerks, but to anyone inclined to promote the views of the royal party in the ongoing discussions of royal prerogatives. If, on the other hand, the twelfth-century text was ever revised in this period with an eye to limiting its advocacy of the king's rights, there is no sign of this in the surviving texts. Such possible revisions as may be detectable (see below) do not seem to follow any ideological scheme.

VI. PREVIOUS EDITIONS

The *Dialogus* was printed for the first time in 1711, in Thomas Madox's *History and Antiquities of the Exchequer of the Kings of England*.⁵⁶ In preparing his edition, Madox used two sixteenth- to seventeenth-century copies of the text, both of them probably copies of N. In 1870 parts of his text were reprinted by William Stubbs in his *Select Charters and Other Illustrations of English Constitutional History*. Five years later Felix Liebermann's *Einleitung in den Dialogus de Scaccario* appeared, suggesting some ways in which the existing published text could be made more accurate.⁵⁷ The improved text was used in later editions of *Select Charters*, and in 1892 the first English translation appeared in a collection by Ernest Henderson.⁵⁸

A milestone in the study of the *Dialogus* was the publication in 1902 of the first critical edition based on the medieval texts. This was edited by Arthur Hughes, C. G. Crump, and Charles Johnson and published by Oxford. Both their edition and their commentary (in full apparatus and historical notes) still stand as basically sound and in many ways definitive. They used manuscripts R, N, and C, and they rejected H. They also questioned the integrity of the text as it exists in the thirteenth-century manuscripts, rejecting the rubrics and bracketing a number of passages in the text that they believed to be later interpolations either by the author or by others. These undoubtedly problematic passages will be discussed below.

The 1902 edition prompted new and rigorous study of the exchequer. The first great contribution was R. L. Poole's 1911 Ford Lectures, published in 1912 as *The Exchequer in the Twelfth*

⁵⁶ Madox, *History and Antiquities of the Exchequer of the Kings of England*.

⁵⁷ Liebermann, *Einleitung in den Dialogus de Scaccario*.

⁵⁸ *Dialogus* 1902, pp. 1-2; Stubbs, *Select Charters and Other Illustrations of English Constitutional History*, 9th edn., ed. Davis, pp. 199-241; *Select Historical Documents of the Middle Ages*, ed. and trans. Henderson, pp. 20-134.