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English Markets and Royal Administration before 1200¹

By R. H. BRITNELL

A REGULAR relationship between early markets and hundredal organization has sometimes been suggested,² but has never been explored. Studies of hundredal administration³ have not illuminated the association between local trade and local government which students of Anglo-Saxon law were led to expect.⁴ The separate development of economic and legal studies has caused the original problem to recede from view, so that the relevant questions are no nearer an answer now than they were seventy years ago. Yet the extent to which private trade in the early Middle Ages was facilitated, obstructed, or regulated by the institutions of government has enough interest to merit investigation for its own sake as well as for its bearing on the development of marketing institutions in later and better-documented periods.

I

The holding of markets in conjunction with hundreds can be illustrated with instances from sources of the eleventh, twelfth, and thirteenth centuries. Domesday Book offers a number of examples quite apart from the well-known 14 or 15 boroughs which formed hundreds or half-hundreds in themselves.⁵ They occur at Berkeley, Cirencester, and Thornbury in Gloucestershire,⁶ at Frome, Milborne Port, Taunton, and Crewkerne in Somerset,⁷ at Oundle, Higham Ferrers, and

¹ My thanks are due to Prof. Offler for his most helpful criticism of an earlier version of this article.

² Most strikingly by Charles Johnson in 1906 (*Victoria County History of Norfolk*, II, 26-7).

³ Notably by Prof. Cam. I have depended heavily on her essay 'Manerium cum Hundredo: The Hundred and the Hundredal Manor', reprinted as ch. 5 in H. M. Cam, *Liberties and Communities in Medieval England* (Cambridge, 1944) (hereafter *Liberties*).

⁴ F. W. Maitland, *Domesday Book and Beyond* (Cambridge, 1897), p. 193.

⁵ J. Tait, *The Medieval English Borough* (Manchester, 1936), p. 45.

⁶ *Domesday Book* (Rec. Comm. 1783) (hereafter *DB*), I, fos. 162b, 163, 163b; *Liberties*, p. 82.

⁷ *DB*, I, f. 86b (Frome, Milborne Port, and Crewkerne), f. 87b (Taunton); *Liberties*, pp. 60, 69, 85. For

King's Sutton in Northamptonshire,¹ at Stowmarket, Blythborough, and Hoxne in Suffolk,² at Holt, Great Yarmouth, and Great Dunham in Norfolk,³ at Neatham, Titchfield, and Basingstoke in Hampshire,⁴ Bampton in Oxfordshire, Bradford-upon-Avon in Wiltshire, Cookham in Berkshire, Luton in Bedfordshire, and Faversham and Newenden in Kent.⁵ In Lincolnshire, Domesday Book records a market at Bolingbroke, which gave its name to a wapentake.⁶

Further examples of hundredal markets are to be found in the charters of the Anglo-Norman kings and from private charters of the same period. In 1103, Henry I gave the nuns of Malling the market of Malling to be held every Saturday according to custom, an expression implying the existence of a market there before the grant.⁷ In 1121 Henry gave to St Mary of Rouen his manor of Kingsclere in Hampshire free of geld with the market and hundred and forfeiture and justice of the abbey's own men.⁸ A dispute concerning the rights of Abingdon Abbey⁹ resulted in 1127 in the simultaneous confirmation of their title to Horner Hundred and Abingdon market.¹⁰ In 1129 Henry confirmed to the abbot of Ramsey his hundred and a half of Clackclose and the market of Downham, this market being an appurtenance of the hundredal manor of Wimbotsham.¹¹ Henry is also said to have enfeoffed Richard de Lucy with the whole manor of Diss, with the half-hundred, with the market, and with other liberties belonging to the manor and hundred.¹² In 1136 Stephen confirmed to Montacute Abbey the hundred of Montacute and the market with the toll.¹³ At Braughing in Hertfordshire Stephen gave the canons of Holy Trinity, London, a hundred shillings¹⁴

Taunton see F. E. Harmer, 'Chipping and Market: A lexicographical investigation', in C. Fox and B. Dickens, eds. *The Early Cultures of North-West Europe* (Cambridge, 1950), pp. 342-4.

¹ DB, i, f. 219b (King's Sutton), f. 221 (Oundle), f. 225b (Higham Ferrers); *Liberties*, p. 82. For Oundle see Harmer, loc. cit. pp. 349-50.

² DB, ii, fos. 281b, 282, 379; *Liberties*, p. 82. The market of Thorney is Stowmarket in the hundred of Stow.

³ DB, ii, f. 111b (Holt), f. 118 (the borough of Great Yarmouth, valued "cum duabus partibus soche de tribus hundredis"), f. 137 (Great Dunham, an appendage of Mileham); *Liberties*, pp. 75-6.

⁴ DB, i, fos. 38, 39; *Liberties*, p. 81.

⁵ DB, i, fos. 154b (Bampton), 67b (Bradford), 56b (Cookham), 209 (Luton), 2b (Faversham), 4 (Newenden); *Liberties*, pp. 68, 76, 81-2, 85.

⁶ DB, i, f. 351. Besides Bolingbroke, Horncastle, which gave its name to another wapentake, was the site of a mint in the reigns of Edward the Martyr and Aethelred II.—J. J. North, *English Hammered Coinage* (1963), i, 177. The bishop of Lincoln claimed a market at Stow by prescription in the thirteenth century.—*Placita de Quo Warranto* (Rec. Comm. 1818), 429. These three wapentakes are the ones which Prof. Cam allowed as possible exceptions to the absence of manors "cum hundredo" from Lincolnshire.—*Liberties*, p. 83.

⁷ "... et ut consuetudinaliter ibi fiat (mercaturum) unaquaque die Sabbati".—*Regesta Regum Anglo-Normannorum*, projected by H. W. C. Davis (Oxford, 1913-69) (hereafter *RRAN*), ii, no. 634, p. 30; *Liberties*, p. 81.

⁸ *RRAN*, ii, no. 1289, p. 164.

⁹ "Quidam maligni abeuntes ad regem adulando suaserunt ei ut hundredum de Hornimere huic ecclesiae abriperet, simul et mercaturum hujus villae interdicere".—J. Stevenson, ed. *Chronicon Monasterii de Abingdon* (Rolls Series, 1858), ii, 163.

¹⁰ *Ibid.* ii, 164-5; *RRAN*, ii, nos. 1477, 1478, p. 204 (cf. nos. 728, p. 48, and no. 1111, p. 129).

¹¹ *RRAN*, ii, no. 1585, p. 226 (cf. the spurious no. 1411, p. 189). These grants were confirmed in 1140 by Innocent II.—W. H. Hart and P. A. Lyons, eds. *Cartularium Monasterii de Ramseya* (Rolls Series, 1884-93), ii, 156. See Harmer, loc. cit. pp. 345-8.

¹² "Item dominus rex Henricus primus feoffavit dominum Ricardum Lucy cum toto manerio de Disce cum dimidio hundredo et cum foro et cum aliis libertatibus ad manerium et hundredum pertinentibus".—*Rotuli Hundredorum* (Rec. Comm. 1812-18) (hereafter *RH*), i, 466b (cf. pp. 501b, 502).

¹³ "... et hundredum de Monte Acuto et mercaturum cum theloneo".—*RRAN*, iii, no. 592, p. 217.

worth of land in 1139-46, and then in 1147-8 he added a further six pounds' worth of land on which the church was founded and to which the market belonged.¹ In this case the hundred of Braughing remained a royal one.² In 1153-4 Henry of Anjou instructed the men of Berkshire to go to the abbot of Reading's market of Thatcham as they used to in the time of his grandfather.³ About 1147-8 Countess Mabel of Gloucester and her son Earl William restored to Jocelin, Bishop of Salisbury, amongst other things, his hundred of Sherborne and his market of Sherborne.⁴ Because of the frequent omission of specific reference to a market in twelfth-century documents, there may be no great significance in the first reference to a market at a hundredal manor. In 1147-8 Queen Matilda and Stephen granted the Templars the manor and half-hundred of Witham in Essex. Before long Stephen further ordered that the Templars should hold the market at Witham as fully and quietly as it had ever been held in the time of Henry I or in his own day. It seems likely that the market had formed part of the original grant but that the Templars sought confirmation of it because of the opposing claims of Baldwin of Rochester.⁵

Other examples of hundredal markets can be found from the rich documentation of the Angevin period. An association between the manor and market of Rayleigh and the hundred of Rochford can be taken back as far as 1181.⁶ Waltham Hundred having been given to the canons of Waltham Abbey, the market was confirmed to them in 1189 with the manor and hundred.⁷ In 1204 John gave the archdeacon of Welles the manors of Cheddar and Axbridge, the hundreds of Cheddar and Winterstoke, and the market of Axbridge.⁸ In the same year he gave William Briwerre the manor and market of Axminster in Devon, but reserved the hundred.⁹ Between 1197 and 1205 the Bishop of Bath and Glastonbury inspected the charter by which Alexander de Cantelou gave the hundred and market of Bruton in Somerset to Bruton Priory.¹⁰ In 1201 William le Keu, lord of the manor of Wighton and hundred of North Greenhoe in Norfolk,¹¹ sued the prior of Binham for failing in his suit of the hundred and for holding a market at Binham to the hurt of the market of Wighton.¹² A considerable number of apparently hundredal markets have no recorded existence before the thirteenth century, by which time their right to exist, in the absence of a charter, would be by prescription. Such a prescriptive right, of some antiquity, is strongly suggested by the fact of a market at a hundredal manor being held without a known charter—as at South Moulton¹³ or Colyton¹⁴ in Devon, Highworth¹⁵ in Wiltshire,

¹ *RRAN*, III, nos. 511-12, 514, pp. 191-2; *Liberties*, pp. 82, 85.

² H. M. Cam, *The Hundred and the Hundred Rolls* (1930), p. 269.

³ *RRAN*, III, no. 710, p. 261; *Liberties*, pp. 82n, 85n.

⁴ R. B. Patterson, ed. *Earldom of Gloucester Charters* (Oxford, 1973), no. 171, p. 155.

⁵ *RRAN*, III, nos. 845-6, 848, pp. 311-12.

⁶ *Pipe Roll: 27 Henry II* (Pipe Roll Society, xxx, 1909), 108; *Liberties*, p. 82n.

⁷ J. Caley, H. Ellis, and B. Bandinel, eds. *Monasticon Anglicanum* (1817-30), VI, 65.

⁸ *Rotuli Chartarum* (Rec. Comm. 1837), 129b. ⁹ *Ibid.* 139; *Liberties*, p. 67.

¹⁰ *Monasticon Anglicanum*, VI, 336; *Liberties*, p. 78.

¹¹ *Rotuli Litterarum Clausarum* (Rec. Comm. 1833-44) (hereafter *RLC*), I, 579; *RH*, I, 526; *Liberties*, p. 75.

¹² Barbara Dodwell, ed. *Feet of Fines for Norfolk, 1198-1202* (Pipe Roll Society, Lxv, 1952), pp. xl,

¹³ Binham market has a spurious market charter alleging an origin in 1107.—*RRAN*, II, no. 830, p. 69.

¹⁴ *RH*, I, 80b, 96. ¹⁵ *Cal. Inq. P.M.* III, no. 31, p. 24.

¹⁵ M. W. Farr, ed. *Accounts and Surveys of the Wiltshire Lands of Adam de Stratton* (Wiltshire Archaeological and Natural History Society Records Branch, xiv, Devizes, 1958), xiii, 14; *Liberties*, p. 81n.

Cranborne¹ in Dorset, Faringdon² and Lambourn³ in Berkshire, Brill⁴ in Buckinghamshire, Fawsley⁵ and Rothwell⁶ in Northamptonshire, Pershore⁷ in Worcestershire, Hatfield Broad Oak,⁸ Barking,⁹ Chipping Ongar,¹⁰ and Writtle¹¹ in Essex, Exning¹² or Lothingland¹³ in Suffolk, East Dereham,¹⁴ Foulsham,¹⁵ Aylsham,¹⁶ Harleston,¹⁷ Hingham¹⁸ and Kenninghall¹⁹ in Norfolk.

Many new towns of the eleventh and twelfth centuries were founded on manors with hundredal associations. Rye was founded in "Rameslie", Watford in Cashio, Wokingham in Sonning, and King's Lynn in Lynn. In Shropshire, Bridgenorth and Oswestry were founded in the hundredal manors of Morville and Maesbury. New Buckenham in Norfolk was established beside the castle of the Aubigny family in the hundredal manor of Old Buckenham.²⁰ Devizes was founded on the boundary of the manors of Potterne, which gave its name to Potterne Hundred, and Bishop's Cannings, the hundredal manor of Cannings hundred.²¹ There are similar instances from the thirteenth century. The borough of Downton in Wiltshire was founded as a new market in a hundredal manor of the bishop of Winchester.²² Haslemere in Surrey first occurs in 1221, when the bishop of Salisbury was given seisin of Godalming manor and hundred and the market of Haslemere.²³

¹ *Cal. Pat. Rolls*, 1340-3, 419-20.

² *RLC*, I, 354; S. F. Hockey, ed. *The Account Book of Beaulieu Abbey* (Royal Historical Society, Camden, 4th ser. xvi, 1975), pp. 12, 84; *Liberties*, p. 82n.

³ *Victoria County History of Berkshire*, IV, 246, 251; *Liberties*, pp. 82n, 85n.

⁴ *Cal. Cl. Rolls*, 1254-6, 402; *Liberties*, p. 83n. ⁵ *RLC*, I, 207, 599b; *Liberties*, p. 82n.

⁶ F. W. Maitland, ed. *Select Pleas of the Crown* (Selden Society, I, 1888), no. 44, p. 20; *Rotuli Chartarum*, 117; *RLC*, I, 406b; *Liberties*, p. 82n.

⁷ *RLC*, I, 387; *Liberties*, p. 88n. ⁸ *RLC*, I, 381b; *Liberties*, pp. 66, 82n.

⁹ *Feet of Fines for Essex* (Essex Archaeological Society, Colchester, 1899-1964), I, 55 (cf. I, 59). The hundreds of Barstable and Becontree were given to Barking Abbey by Stephen.—*RRAN*, III, nos. 34, 35, pp. 12-13 (cf. no. 36, p. 13).

¹⁰ *Cal. Anc. Deeds*, v, no. A. 11885, p. 211. *Victoria County History of Essex*, IV, I, 160, 166-7; *Liberties*, 82n.

¹¹ K. C. Newton, *The Manor of Writtle* (1970), pp. 3-4, 16-17.

¹² M. W. Beresford and H. P. R. Finberg, *English Medieval Boroughs: A Handlist* (Newton Abbot, 1973), p. 166; M. W. Beresford, *New Towns of the Middle Ages* (1967), p. 490. Exning gave its name to Exning Hundred.

¹³ *Cur. Reg. Rolls*, xiii, no. 472, pp. 108-11. Lothingland gave its name to Lothingland Hundred.

¹⁴ E. Miller, *The Abbey and Bishopric of Ely* (Cambridge, 1951), p. 135. East Dereham was the hundredal manor of the hundred and a half of Mitford.—*Ibid.* 30-1, *Liberties*, pp. 75, 185.

¹⁵ *Cal. Inq. P.M.* I, no. 688, p. 217. Foulsham was the hundredal manor of Eynsford Hundred (cf. *RH*, I, 524b).—*Liberties*, pp. 68, 69, 76.

¹⁶ *RH*, I, 525b. Aylsham, associated in the earlier thirteenth century with both North and South Erpingham Hundreds, was in 1274-5 linked only with the former.—*Liberties*, p. 66, *RH*, I, 505, 513, 525.

¹⁷ *Cal. Inq. P.M.* I, no. 744, p. 241. The hundredal manor of Earsham Hundred was Earsham (*Liberties*, pp. 69, 75), but the hundredal market was in the hamlet of Harleston.—F. Blomefield, *An Essay towards a Topographical History of the County of Norfolk* (1805-10), v, 355-6.

¹⁸ *RH*, I, 477, 477b. Hingham was the hundredal manor of Forehoe Hundred.—*Ibid.* I, 445, *Liberties*, p. 76.

¹⁹ *RH*, I, 472, 475. This was the hundredal manor of Guiltcross Hundred.—*Liberties*, p. 75.

²⁰ Beresford, op. cit. pp. 495 (Rye), 455 (Watford), 397 (Wokingham), 467 (New Buckenham), 467-8 (King's Lynn), 479-80 (Bridgenorth), 482-3 (Oswestry); *Liberties*, 75 (Old Buckenham), 81 n. (Rameslie), 98 (Sonning); *Victoria County History of Norfolk*, II, 37 (Lynn); A. E. Levett, *Studies in Manorial History* (Oxford, 1938), pp. 129-34 (Cashio); *DB*, I, fos. 253, 253b (Morville, Maesbury).

²¹ Beresford, op. cit. p. 504; *Liberties*, p. 81n. ²² Beresford, op. cit. p. 505; *Liberties*, pp. 81n, 85.

²³ Beresford, op. cit. pp. 490-1; *RLC*, I, 455.

II

From early days there was only a narrow distinction in common speech between a hundredal manor and a borough. King Edgar's scheme to lay responsibility on the hundred for the discovery and punishment of dishonest trade implies "the 'burh' co-ordinated with the hundred": small boroughs and hundreds alike were to elect 12 officers to attest commercial transactions.¹ When the phrase "in small boroughs and in each hundred" came to be translated into Latin, one translator put simply "in civitatulis", as if the distinction hardly mattered. A borough acted as both administrative centre and market for some burghal district, often described as a hundred: the borough courts of the Middle Ages usually originated in hundred courts.² In this respect the borough was equivalent to the royal village on which a hundred centred, and the distinction between borough and "manerium cum hundredo" was often arbitrary.³ There are passages in the laws where the term borough is stretched, as if the king supposed that "for the management of his revenue the kingdom consists of burghal districts."⁴ Unnecessary complications are bound to arise from too zealous an attempt to separate boroughs from other administratively central royal manors. In many respects they were equivalent, and it requires no great credulity to suppose that they were equivalent in the organization of trade.

On the other hand, it requires more of a leap of faith to draw conclusions from early legal texts about the circumstances in which markets were established. The earliest English legislation on trade concerns neither the regulation of markets nor the right by which they might be held. In the laws issued at Grateley about 935, Aethelstan attempted to confine transactions involving sums above 20 pence to "ports",⁵ but he abandoned the attempt to enforce this law, as we know from two separate announcements.⁶ From that time the English kings were mainly concerned to ensure that transactions were properly witnessed. Edgar's laws of 962 included elaborate, and perhaps unworkable, measures to ensure that trade was compatible with some safeguards against easy theft wherever it might take place.⁷ Aethelred II's only requirement was that no sale or exchange should be unwitnessed.⁸ The laws of the eleventh century concern trade wherever it may occur, and appear to have made minor transactions easier than before. When Cnut allowed that transactions under fourpence did not need witnessing, such formalities as remained were expressly to apply to transactions "whether within a borough or in the country".⁹ The antique laws compiled in the early twelfth century, insofar as they concern matters of trade, regulated the punishment of men who bought goods without due attestation.¹⁰ Even when the laws were

¹ Maitland, *op. cit.* p. 194. ² Tait, *op. cit.* pp. 60-1.

³ "Die Gerichtsstätte des hundred . . . kann *burg* heissen."—F. Liebermann, *Die Gesetze der Angelsachsen* (Halle, 1898-1916), II, 519.

⁴ C. Stephenson, *Borough and Town: A Study of Urban Origins in England* (Cambridge, Mass. 1933), p. 63.

⁵ Laws of Aethelstan, II, 12 and 13, 1. A similar requirement had been made by Edward the Elder.

⁶ *Decretum sapientium Anglie and Iudicia civitatis Londonie*.—Liebermann, *op. cit.* I, 171, 181-2.

⁷ Laws of Edgar, IV, 3-11. ⁸ Laws of Aethelred, I, 3.

⁹ Laws of Cnut, II, 24. This enactment of Cnut's is repeated in the spurious *Leis Willelme*, 45.—Liebermann, *op. cit.* I, 517.

¹⁰ *Leges Edwardi Confessoris*, 38 ff. and *Leis Willelme*, 21, 1a.—*Ibid.* I, 668-9, 509. A backward look to earlier days is in the spurious *Articuli x* of William I, 5.—*Ibid.* I, 487.

designed to provide for trade in boroughs, there are no grounds for the assumption that they had to do with weekly markets. References to English markets become numerous only during the twelfth century, and there are doubts about the nature of most earlier examples. It is not known when weekly markets were established. In Normandy by 1025 the term market implied a weekly event,¹ but in England there was no standardized terminology before the twelfth century.² Neither in the earliest legal texts nor in the earliest references to markets is there evidence of continuity between tenth-century trading regulations and the weekly markets of the Anglo-Norman period.

The association between markets and local government, which is implicit in the existence of English hundredal markets, has earlier parallels from late Carolingian France and Ottonian Germany.³ The king's responsibilities for ensuring food supplies, regulating weights, measures, and currency, and preserving the peace, all made markets worthy of his supervision. The value of these observations for an interpretation of English developments needs careful consideration. Similar objects of royal concern occasioned similar institutional developments, and such parallels are important and worthy of attention. But the history of Frankish markets cannot be used as evidence for the origins of the English hundredal market. English hundredal organization did not conform to a regular plan, and it retained a dynamism which precludes the supposition that twelfth-century features must be fossils of some earlier state.⁴ It is possible to observe both hundreds and hundredal markets in the process of being created.⁵ No doubt many hundredal markets were founded long before their earliest documented appearance, and it is possible that, as in Germany,⁶ there was a surge of new foundations during the tenth century, when many English hundreds were formed. But the pattern of marketing as it existed in the twelfth century was the product of long development and modification, and can only, at best, be remotely indebted to Frankish models or influence.

Hundredal markets cannot be argued either from early law or from continental analogy to represent a regular system of marketing under the auspices of royal administration. The evidence is, in fact, rather the other way. Though examples of hundredal markets are numerous and, in East Anglia at least, account for a large proportion of medieval markets for which no warrant is known,⁷ they

¹ L. Musset, 'Recherches sur les foires et marchés en Normandie à l'époque ducal' (summarizing a paper delivered at the Journées de l'Ouest, Vannes, 1970), *Revue historique de droit français et étranger*, XLIX (1971), 537.

² Harmer, *op. cit.* pp. 335-60; N. Davis, 'The Proximate Etymology of Market', *Modern Language Review*, LXVII (1952), 152-5.

³ T. Endemann, *Markturkunde und Markt in Frankreich und Burgund vom 9. bis 11. Jahrhundert* (Konstanz-Stuttgart, 1964), pp. 49-53; P. Huvelin, *Essai historique sur le droit des marchés et des foires* (Paris, 1897), pp. 173-4.

⁴ C. Petit-Dutaillis, *La monarchie féodale en France et en Angleterre, x^e-xiii^e siècle* (Paris, 1933), p. 424; J. Boussard, *Le gouvernement d'Henri II Plantagenêt* (Paris, 1956), pp. 166-7.

⁵ As at Tavistock. See H. P. R. Finberg, *Tavistock Abbey: A Study in the Social and Economic History of Devon* (Cambridge, 1951), pp. 197-200, 213-14.

⁶ R. Latouche, 'Les marchés et le commerce dans le royaume de France du x^e au xiii^e siècle', in H. Kretzschmar, ed. *Vom Mittelalter zur Neuzeit, zum 65. Geburtstag von Heinrich Sproemberg* (Berlin, 1956), p. 15.

⁷ Of the 33 markets in Norfolk, Suffolk, and Essex whose existence is attested before 1200, 13 were hundredal markets and five more were in boroughs which were (or had been) hundreds in themselves. Of the 78 markets in the same counties recorded between 1086 and 1300 for which there is no known authorization, 24 (and probably 28) were hundredal markets and five more, as before, were at hundredal boroughs.

are not numerous enough to imply that markets were normal appurtenances of hundredal manors. A weekly market, that is, was not normally necessary for the functioning of the hundred, but was added only in appropriate circumstances. The number of markets to be created in each region depended from the earliest days upon economic circumstances rather than upon principles of judicial administration: a hundredal market was likely to be created only when it was advantageous to do so.

The number of early markets which were not at hundredal manors, and which are not known to have received royal authorization, is sufficiently great to cast doubt on the idea that hundredal markets are the vestiges of some regalian monopoly of marketing institution. It is doubtful whether the crown even exercised the right to license new markets before the Norman Conquest. In the Frankish kingdoms revenue from tolls had once encouraged a proprietary and restrictive interest in markets: from about 860 there briefly appeared in Flanders and northern France the principle that a royal licence was needed for the foundation of a private market.¹ But this continental precedent is of dubious relevance to England. Recent research has emphasized the very limited achievement of the Frankish monarchy in this respect even before the decentralization of government in the tenth century. It was not a case of royal powers passing to the nobility: market charters of any sort are rare after the death of Charles the Bald, and the difference between France and England is slight.² There is no textual evidence that before the Norman Conquest the English crown established the right to license all new foundations or that hundredal markets had any special status in law. The earliest known examples of a royal licence to found a market date from after the Conquest: the Domesday survey of Suffolk records Roger Bigod's market of Kelsale and Robert Malet's market at Eye, both held by royal grant.³

The prominence of hundredal markets in England can be accounted for by reference both to the obligations of the crown and to its fiscal interests. As in the Carolingian empire, a concern with food supplies, weights and measures, currency and law combined to interest the English crown in the regular and orderly conduct of trade.⁴ The foundation of markets might be undertaken as a means of more effectively exercising authority in these matters. But the fiscal motives of the king and other lords of hundreds are also relevant. At a time when economic specialization in the countryside was weakly developed, hundredal organization was peculiarly dependent upon the existence of facilities for trade. The hundred was the unit for collecting numerous dues, usually to be transmitted to the king, or to be retained by the lord of the hundred,⁵ in the form of coin. Although it is said that until Henry I's time the farm of certain royal demesne manors was delivered to the king's court in kind,⁶ such deliveries accounted for only a small

¹ Endemann, *op. cit.* p. 29. In Aquitaine the principle was alive from c. 830.—*Ibid.* p. 23.

² *Ibid.* pp. 66, 81, 86–7.

³ *DB*, II, fos. 330b, 379. For Normandy see also Endemann, *op. cit.* pp. 79, 205.

⁴ H. R. Loyn, *Anglo-Saxon England and the Norman Conquest* (1962), pp. 98–100.

⁵ P. Vinogradoff, *English Society in the Eleventh Century* (Oxford, 1908), pp. 105–7; Cam, *The Hundred and the Hundred Rolls*, pp. 137–45.

⁶ *Dialogus de Scaccario*, I, vii, A (A. Hughes, C. G. Crump, and C. Johnson, eds, *Dialogus de Scaccario by Richard, Son of Nigel* (Oxford, 1902), p. 89).

portion of royal income, and more typically the crown was a great collector of silver. Quite apart from the manorial incomes of the king's demesne, the king's reeve owed a variety of regular payments from the men of the hundred, for pasture dues in some cases, and for a miscellaneous variety of other things whose original justification is commonly obscure.¹ He owed regularly the profits of justice.² The hundred was also, until 1162-3 when the tax was last levied,³ the unit for collecting Danegeld.⁴ The compulsory exchange of produce for silver which these arrangements required was apparently a large component of rural trade in the early stages of hundredal organization.⁵ The provision of a market at a hundredal manor, or some more appropriate site, might be a simple response to local fiscal requirements. Even in the absence of restrictions against private markets, hundredal manors would gain more advantage from a market than most manors, and so would have more incentive to establish them.

III

The more abundant charter evidence concerning markets from the period after 1066 permits a further examination of the ways in which royal policy affected the development of trading institutions. Two questions deserve particular attention. The first is whether the crown used its power to license new markets to hold the number of market places below the number which the enterprise of landlords would have established in response to changing conditions of trade. The second is whether the crown was willing or able to restrict trade, or certain types of trade, to market places.⁶ In answering these questions it will not do to deny the existence of motives conducive to a spirit of restriction. On the other hand, any argument which attributes continual, consistent, and successful policies of this kind to the early medieval monarchy must incur legitimate distrust. So must any argument which exaggerates the damage which new rural markets could inflict upon the interests of the crown.

The questions in hand call for a decision concerning another matter. References from the Anglo-Norman period to the rights of lords over local trade are mostly concerned with *tol* and *team*, which are amongst the commonest of all the private franchises of the period. *Tol* is usually interpreted as the right to collect a payment on certain types of sale within an estate, so that it would be akin to the grant of a market:⁷ a market was indisputably a franchise by the early thirteenth century, and it normally entitled the holder to collect tolls on com-

¹ C. Stephenson, 'The Firma Noctis and the Custom of the Hundred', reprinted in idem, *Medieval Institutions: Selected Essays* (Ithaca, 1954), pp. 139-55; R. H. C. Davis, ed. *The Kalendar of Abbot Samson* (Camden Society, 3rd ser. LXXXIV, 1954), pp. xv-xlvii.

² H. G. Richardson and G. O. Sayles, *The Governance of Medieval England* (Edinburgh, 1963), pp. 184-8.

³ *Dialogus de Scaccario*, p. 197.

⁴ J. H. Round, 'Danegeld and Finance', in P. E. Dove, ed. *Domesday Studies* (1888-91), I, 117-19; V. H. Galbraith, *Domesday Book: Its place in Administrative History* (Oxford, 1974), p. 165.

⁵ R. H. M. Dolley and D. M. Metcalf, 'The Reform of the English Coinage under Eadgar', in R. H. M. Dolley, ed. *Anglo-Saxon Coins* (1961), p. 154; P. Grierson, 'The Volume of Anglo-Saxon Coinage', *Econ. Hist. Rev.* 2nd ser. xx (1967), 159-60.

⁶ The section titled 'Ban of Trade to Borough', in A. Ballard, *British Borough Charters, 1042-1216* (Cambridge, 1913), pp. 168-70, is a collection of items which have little in common with each other.

⁷ F. M. Stenton, *Anglo-Saxon England* (2nd edn. Oxford, 1947), p. 491.

mercial transactions.¹ *Team* has been interpreted as the right to hold a court in which those suspected of having stolen cattle could call witnesses to warrant their honesty,² implying that it was equivalent to the grant of a market court. But historians have been rightly reluctant to conclude that grants of *tol* and *team* were equivalent to market charters. In the first place, the two types of grant do not appear to be used as substitutes for each other. General royal charters of the twelfth century often include both rights to markets and grants of *tol* and *team* as distinct franchises. Henry I's charter to William de Albini of 1107-9 grants him the manor of Snettisham with the hundreds of Freebridge and Smithdon, wreck, the gilds of Lynn, half the market and toll of Lynn, and the port with certain port dues. It then grants that all these should be held with *tol* and *team*.³ In the second place, as this example shows, *tol* and *team* were not restricted to a market place. A market charter normally licensed a market at a named place on a specified day of the week: it was not worded to imply rights over a whole estate as grants of *tol* and *team* were.⁴ Thirdly, the earliest definition of *tol* implies not the right to a market but a franchise co-extensive with a lord's estates. The earliest definition of *team* implies not a special court, but simply that a lord should have forfeiture and justice of his men when they failed to warrant acquisitions they were suspected of having stolen.⁵ Finally, those elements of later manorial custom which perhaps derive from *tol*—the payment of tolls on certain transactions within the bounds of a manor—occur on manors both with and without market-places.⁶ Evidently grants of *tol* and *team* have no relevance to the location or tenure of early markets.

Evidence that the crown held down the number of new foundations may seem to lie in the rarity of market charters from the period before 1200. The known royal charters between 1066 and 1154 yield only 19 new grants, of which three are spurious,⁷ and grants from the reigns of Henry II and Richard I, a period of increasing population, are surprisingly few by thirteenth-century standards. But this does not necessarily mean that it was harder to obtain a market charter before 1200 than it later became. In the first place, the known grants must be a small proportion of the real total. The number of known market charters of the

¹ *Cur. Reg. Rolls*, viii, 267-8. The sheriff of Devon was instructed to inquire whether there had been a market held at Chagford "recipiens theoloneum stallagium et alias consuetudines que ad mercatum pertinent".

² F. Pollock and F. W. Maitland, *The History of English Law*, (2nd edn. Cambridge, 1968), i, 579, ii, 159n; Stenton, op. cit. p. 491.

³ *RRAN*, ii, no. 911, pp. 85-6, no. lxiii, p. 322. See also the Dunstable charter of 1131-3 in *ibid.* ii, no. 1827, p. 275. Other early examples of less authenticity are the charter to St Peter of Ghent (*ibid.* ii, no. 730, p. 49) and the charter to Cirencester Abbey (*ibid.* ii, no. 1782, p. 266, printed in full in C. D. Ross, ed. *The Cartulary of Cirencester Abbey* (Oxford, 1964), i, no. 28/1, pp. 21-4).

⁴ In 1201 it was judged in the king's court that the grant of a market at Yaxley did not entitle the abbot of Thorney to collect tolls at Woodstone, which was of the abbot's demesne as a parcel of Yaxley.—*Cur. Reg. Rolls*, i, 449-50.

⁵ *Leges Edwardi Confessoris*, 22, 2, 3.—Liebermann, op. cit. i, 647.

⁶ M. Chibnall, ed. *Select Documents of the English Lands of the Abbey of Bec* (Camden Society, 3rd ser. lxxiii, 1951), pp. 30, 42, 55, 59, 67, 70, 75, 87, 98, 106.

⁷ These 19 were at Battle (spurious) and Yaxley (*RRAN*, i, nos. 61, 477, pp. 16, 115), Tavistock, Romsey, Binham (spurious), Norton, Thanet, St Neots (*RRAN*, ii, nos. 773, 802, 830, 925, 1093, 1966, pp. 57, 63, 69, 89, 125, 300), Great Bricett (spurious), Cobham, Saffron Walden, Bushey, Eynsham, Ledbury, Ross, Lichfield, Eccleshall, Beaudesert, and Eynsbury (*RRAN*, iii, nos. 118, 172, 274 *bis*, 293, 384, 385, 456 *bis*, 597, 777, pp. 44, 62, 99, 100, 111, 148 *bis*, 171 *bis*, 220, 286).

thirteenth century is impressive only because of the existence of the Charter Rolls after 1199. From cartularies and charter collections it is clear that grants of markets were more numerous in the thirteenth century than in any earlier period, but it is impossible to observe what was happening to affect the total number of new licences granted during the twelfth century, and no deductions about royal policy are possible on this evidence. In the second place, it is far from evident that the king's right to license new markets was as unambiguous in the twelfth century as it was after 1200. The legal definition of a market caused few problems in the thirteenth century, but such definitions are usually slow to crystallize, and there was probably a good deal of twelfth-century development in marketing institutions which fell outside royal control. The dispute about Abingdon in Henry II's reign, to be discussed shortly, suggests that in the 1160's there were still uncertainties about what market status meant. A very much smaller number of known market charters before 1200 may mean that the king's rights of control were less certain, rather than that they were exercised in a more restrictive way.

If the administration of justice at rural markets had been of value or importance, and if the grant of a market had implied the grant of such justice, then the multiplication of markets would have presented objectionable features both to the crown and to franchise holders. It is improbable, however, that the king gave up much when he made a new grant. To judge from known charters, the crown's concern was with offences against the king's peace arising in the course of trade. Market charters from the reign of Stephen concede that all men going to the new market should have the king's firm peace, sometimes adding that any man who breaks the peace shall forfeit ten pounds.¹ There is no implied grant of the right to deal with these offences to the lord of the market, though it would not in fact be unusual for the lord to be able to exercise jurisdiction in these matters by virtue of a separate franchise.²

Later twelfth-century developments in administration brought new possibilities for judicial profits to the holders of markets. The assize of bread and ale was commonly claimed as pertinent to a market by the reign of Edward I³ and though in 1285 there was room for doubt whether this implied the liberty to have a tumbrel,⁴ in fact a tumbrel too was often regarded as an appurtenance.⁵ It was convenient that trading offences of a minor kind should be dealt with on the spot: even lords most jealous of their liberties might be willing to make concessions to that end. When Lechlade market was founded in the abbot of Cirencester's Seven Hundreds, sometime before 1250, Isabella de Mortimer was allowed by the abbot to set up her own tumbrel and pillory there so that those deserving punishment by the one or the other might be dealt with by Isabella's bailiffs.⁶ Mr Salzman regarded the exercise of this franchise as the foundation of the regalian character of market right.⁷ But it is unlikely that before 1200 a market

¹ RRAN, III, nos. 118, 172, 293, 456, 777, pp. 44, 62, 111, 171, 286.

² Naomi D. Hurnard, 'The Anglo-Norman Franchises', *English Historical Review*, LXIV (1949), 303-5.

³ *Placita de Quo Warranto*, 191, 201, 219. These examples are representative of many others.

⁴ *Ibid.* 238.

⁵ As at Elsdon (Northumberland) in 1281-3.—*Cal. Chart. Rolls*, II, 257, *Cal. Pat. Rolls*, 1281-92, 65.

⁶ *The Cartulary of Cirencester Abbey*, I, no. 231/369, p. 220.

⁷ L. F. Salzman, 'The Legal Status of Markets', *Cambridge Historical Journal*, II (1928), 207.

charter was considered to convey even minor jurisdiction. The Anglo-Norman kings regarded, or came to regard, a market as a franchise in its own right, and this had nothing to do with any jurisdiction that might go with it. Probably the owner of a newly licensed market of the earlier twelfth century was entitled to no more jurisdiction than he could secure by agreement with the lord of the hundred in which his market was placed.¹

It is also doubtful whether the crown saw any need to restrict the multiplication of markets in order to protect the tolls of existing ones. Private jealousies on this score certainly existed: the complaints of the bishop of Thetford against Eye market have already been noted. There are some cases where such jealousies came to be sanctioned by territorial monopolies. In 1140, Innocent II confirmed the abbot of Ramsey in his hundred and a half of Clackclose, with the additional clause that no one should establish a new market there.² The Preston charter of 1188-99 grants to the burgesses all the toll in the wapentake of Amounderness.³ The Cambridge borough charter of 1120-31, which restricts the taking of toll to the borough, implies that Cambridge should be the sole market in the county.⁴ The difficult twelfth-century charters of Nottingham and Derby created territorial monopolies,⁵ and Peterborough Abbey claimed a similar liberty for Peterborough.⁶ There are few such grants,⁷ and their terms are widely different. They do not imply a general policy of the crown for its own markets or for markets in the hands of others. The onus of defending territorial monopolies of this sort always lay on the franchise holder.⁸ The lords of hundreds did not always prevent the licensing of new markets within their bounds, although they might find objections.⁹ There is little case for contrasting a liberal thirteenth-century ethos with an earlier illiberal one. There is no evidence that the crown was ever bound by any consistent principles at all in this matter: the sums of money involved were too small, in most cases, for a real problem to arise.

The fact that markets were fewer and farther between in the twelfth century

¹ The example of Yaxley, cited by Gross in support of an opposite view to the one above, does not establish that markets were usually granted with *sac* and *soe*. There was no third party involved as lord of the hundred of Normancross in which Yaxley is situated. The terms of the grant are, in any case, unusual.—C. Gross and H. Hall, eds. *Select Cases concerning the Law Merchant* (Selden Society, xxiii, xlvi, xlix, 1908-32), I, xvi, xvii, *Liberties*, p. 186, *RRAN*, I, no. 453, p. 111.

² "Praecipue etiam interdiximus, ne quis in praefato hundred et dimidio novum mercatum incipiat".—*Cartularium Monasterii de Rameseia*, II, 156 (cf. II, 137). Evidence that the abbey was able to establish this liberty is found in the charter described as "Stephanus rex contra mercatum de Wirmegay" (*ibid.* I, 111 (cf. *RRAN*, III, no. 674, p. 249)) whose text is lost. Wormegay was in the hundred and a half of Clackclose.

³ "Concessi etiam eisdem burgensibus de proprio dono meo totum theoloneum wapentachiae de Amoundersse".—Ballard, *op. cit.* p. 176.

⁴ "Neque aliquis capiat alibi theoloneum nisi ibi".—F. W. Maitland, ed. *The Charters of the Borough of Cambridge* (Cambridge, 1902), p. 2.

⁵ Ballard, *op. cit.* pp. 7-8. ⁶ *Monasticon Anglicanum*, I, 382-3.

⁷ King John's grant to the abbot and monks of Bury St Edmunds (M. D. Lobel, *The Borough of Bury St Edmund's* (Oxford, 1935), document 3, p. 172) cannot be regarded as a grant of this type because of its repeated reference to the condition that no new market must harm the abbot's liberties: i.e. it was open to the founder of a new market within the abbey's liberties to claim that his market was not harmful to them.

⁸ Maitland suggests of the Cambridge charter that "such benefits as it bestows upon the burgesses were of a kind that must in all probability have soon become obsolete", as one possible explanation of the absence of its provisions from subsequent charters granted to the borough.—*The Charters of the Borough of Cambridge*, xii. This means, in effect, that the burgesses saw no point in renewing the privilege.

⁹ See the example of Wighton in Norfolk cited above. The compromise between William de Keu and the prior of Binham was that William's men should be free of toll in Binham.—*Feet of Fines*, p. 115.

than they were later to become can be accounted for without supposing that their number was deliberately restricted. Particularly in villages, economic specialization was less advanced in the earlier period because population was sparser. Employment in textiles, which in the thirteenth century was to become widespread, was previously confined more narrowly to the clothmaking towns.¹ In the twelfth century a distribution of markets which was ungenerous by later standards was in fact appropriate to a smaller volume of rural trade. Countrymen would rarely have much choice in the market they went to if they wanted to go to market in the morning and to go home at night. But given the level of trade neither the crown nor franchise holders had much inducement to multiply the number of markets on their estates. Anglo-Norman lords had a feel for space around their markets which was not motivated simply by jealousy of other landlords. This can be seen from cases where, on the creation of a new market, an old one was discontinued. The resiting of markets is recorded in Domesday Book at two instances in Cornwall, when the Count of Mortain moved markets to his castles of Launceston and Trematon.² Another example is known from Stephen's reign. When Geoffrey de Mandeville deserted to the empress she gave him Newport in Essex with the right to remove the market to his castle at Saffron Walden.³ In these cases the removal of a market reflects baronial assessments of economic realities rather than any royal policy of restriction.

IV

The second main question to be posed concerns the extent to which trade was restricted to markets. The legal evidence discussed earlier implies that no systematic control can have been maintained. But there are twelfth- and thirteenth-century texts which imply some enforcement of controls. One of the best known is the Cambridge charter already cited. Henry I forbade that any ship should ply at any hythe in Cambridgeshire except the hythe of the borough of Cambridge and prohibited the loading of "carece" except in the borough of Cambridge.⁴ These two concessions are best considered separately since the first presents fewer problems than the second.

The first provision of the Cambridge charter was a restriction of shipping to the borough. This regulation has numerous parallels. The customs of Torksey in 1228 included the provision that neither merchandise coming by water northwards from Newark nor merchandise coming southwards from Gainsborough should be put to shore before reaching Torksey.⁵ Such control of shipping was not simply restriction to market towns: it was a restriction to particular market towns. In

¹ E. M. Carus-Wilson, 'An Industrial Revolution of the Thirteenth Century' and 'The English Cloth Industry in the Twelfth and Thirteenth Centuries', reprinted as chs. 4 and 5 in *idem*, *Medieval Merchant Venturers* (1954).

² *DB*, I, fos. 200, 206b, 256; Beresford, *op. cit.* pp. 405, 411.

³ *RRAN*, III, no. 274, p. 99. Newport was on royal demesne both T.R.E. and T.R.W.—*DB*, II, f. 6. Newport recovered its market by the late thirteenth century.—L. M. Midgley, ed. *Ministers' Accounts of the Earldom of Cornwall, 1296-7* (Camden Society, 3rd ser. LXVI, LXVII, 1942-5), I, 48-9.

⁴ "Prohibeo ne aliqua navis applicet ad aliquod litus de Cantebrugeseira nisi ad litus de burgo meo de Cantebruge neque carece onerentur nisi in burgo de Cantebruge".—*The Charters of the Borough of Cambridge*, 2.

⁵ "Item dicunt quod nulla mercimonia nec bona aliqua veniencia per aquam a Neuwerk versus boriam ponantur super terram antequam veniant ad Torkesaye. Et etiam nulla bona nec mercimonia veniencia a Gaynesburgh versus austrum ponantur ad terram antequam veniant ad Torkesaye".—N. S. B. Gras, *The Early English Customs System* (Cambridge, 1918), pp. 157-8.

1228 the men of Yarmouth complained against Roger, son of Osbert, keeper of the king's manor of Lothingland, that he encouraged ships to unload millstones, steel and iron, and other merchandise at an unaccustomed and unjustified spot.¹ Even though Lothingland had a market of its own, this did not warrant the keeper of the manor attracting shipping there. A twelfth-century case confirms this point. At the end of a wrangle over the status of Abingdon market, about 1160, Henry II judged that Abingdon Abbey should have a very full market except only for ships, but that the abbot should be free to employ his own ships there.² Here we have as explicitly as we could wish the proof that not all markets were allowed to handle ships' cargoes. The reference to the abbot's ships shows that we are dealing with control of traffic, and not simply with a restriction on the abbot's right to collect tolls on shipping.

The second clause in the Cambridge charter, the restriction of the loading of "carece" presents a textual crux. The word may be "barges" or "carts"³ or perhaps "loads".⁴ If it refers to carts, however, this clause has no obvious parallel. Perhaps the closest comes in the record of the dispute about Abingdon market to which we have referred. The men of Oxford challenged the status of Abingdon market with the contention that "they had seen a market fuller than others but not full with respect to cargo ships and wagons."⁵ If it is possible that Cambridge men called carts what Oxford men called wagons, then the linking of ships and wagons in both instances may suggest a common pattern of restriction. The Abingdon text does not clinch the evidence that there were restrictions on wagon traffic: possibly what was disputed was the abbot's right to certain tolls. But even on the assumption that "full as to ships" and "full as to wagons" have a directly comparable meaning, it does not follow that wagon traffic was as closely restricted as shipping: the king's judgement in the Abingdon case placed restrictions on ships but not on wagons.

The regulation of ships, and perhaps carts as well, principally restricted trading by merchants and estate owners. It had little relevance to countrymen whose transport was by packhorse or by foot. Trade in a market-place often gave transacting parties greater opportunity and surer knowledge of prices than they would otherwise have had. And, especially in making large transactions, traders could have their agreements witnessed in the market-place more easily than elsewhere, in case there should ever be any question of the legitimacy or terms of the agreement. But except in trade by the shipload and cartload, economic regulations of the twelfth century did not require countrymen to con-

¹ "Dicunt etiam quod idem Rogerus ibidem naves discarcari facit cum molis ascero et ferro et aliis mercandisiis que ibidem exonerari non solent nec debent".—*Cur. Reg. Rolls*, xiii, 1227–30, no. 472, p. 108. For the jurors' judgement see *ibid.* p. 110.

² "Precepitque ut a die illo mercatum plenissimum ibi esset, navibus tantum exceptis, abbate tantummodo suis utente".—*Chronicon Monasterii de Abingdon*, ii, 229.

³ The translation "barges" is found in *The Charters of the Borough of Cambridge*, 3, and in Ballard, *op. cit.* p. 168. The translation "carts" is in F. W. Maitland, *Township and Borough* (Cambridge, 1898), p. 40, and in *RRAN*, ii, no. 1729, p. 256. Maitland explained his change of mind in his introduction to the charters: "It has commonly been supposed that the king went so far as to forbid that any carts (*carete*) should be laden except in the borough; but this seems hardly a possible command" (p. xii). To the editors of the *Regesta* twelfth-century reality beckons differently: "It seems more natural to suppose that the prohibition is on loading (except from the wharf) for land transport."

⁴ R. E. Latham, *Revised Medieval Latin Word-List* (1965), p. 72 (under "careca").

⁵ "Oxenfordenses vero . . . se mercatum inibi amplioem caeteris non autem plenum, ut in navibus onerariis et quadrigis, vidisse dicebant".—*Chronicon Monasterii de Abingdon*, ii, 229.

fine their transactions to markets. At all times from the tenth century onward, a considerable amount of rural trade was conducted informally. Producers would not travel considerable distances to market when there was no need for them to do so, and food-buyers would not travel to market to buy necessary foodstuffs from strangers knowing that a neighbour was at hand with produce for sale at an acceptable price. In the thirteenth century contracts for the sale of wool and grain, even in large quantities, to dealers from the larger towns by-passed the market-place in circumstances where both buyer and seller had enough information to be sure of their ground.¹ There is no reason to suppose that in the twelfth century rural trade was more formally tied to market-places than it was later.

A further observation on trade restrictions can be justified by the absence of evidence to the contrary. Countrymen who needed to trade in a market-place were not bound by custom to trade in a particular market. The few texts which might seem to carry such an implication can be interpreted in a different sense. How could the men of a county be required to trade in a particular market if there were several markets within the boundaries of the region affected? Henry of Anjou's instruction to the men of Berkshire to go to Thatcham market as they had done in Henry I's reign contains an explicit command that they should go on the same day as before: this implies that the writ was intended to confirm the day of the market without any intention of requiring people to attend it.² Similarly the borough charters of Nottingham, with their command that the men of Nottinghamshire and Derbyshire should go to Nottingham on Fridays and Saturdays with their wagons and loads do not imply that attendance at market was obligatory for them. It probably means only that those who intended to trade in Nottingham from the surrounding countryside should do so on authorized market days and not at other times.³

In short, then, the existence and survival of hundredal markets as a prominent feature of English trading before 1200 appears not to be the consequence of any regimentation of trade. These markets had been founded to facilitate local administration in a variety of ways and as a source of direct profit to the crown. Their relationship to early attempts to regulate local trade is obscure, if any relationship exists. The pressures to supplement them with additional markets were gentle, and where they existed they were often acknowledged by the king and legitimized by royal charter. The activities of ships and, perhaps, wagons were controlled in the interests of toll-collecting as well as for the policing of trade. But the thriving of markets is to be accounted for by their appropriateness to the needs of traders and not by any supposed policy of public control of trade.

University of Durham

¹ R. H. Hilton, *A Medieval Society* (1966), pp. 181-2; Eileen Power, *The Wool Trade in English Medieval History* (Oxford, 1941), pp. 42-7; I. Kershaw, *Bolton Priory: The Economy of a Northern Monastery, 1286-1325* (Oxford, 1973), pp. 73-4, 89-93.

² "Mando vobis . . . quod eatis ad forum abbatis de Radingis de Tacheham sicut solebatis tempore Henrici avi mei . . . et eadem die qua tunc illud solebatis facere".—*RRAN*, III, no. 710, p. 261.

³ "Homines etiam de Notingehamsire et Derbescire venire debent ad burgum de Notingeham die Veneris et Sabbati cum quadrigis et summagiis suis".—Ballard, op. cit. p. 169.