Early medieval port customs, tolls and controls on foreign trade

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The objective of this paper is to offer a fresh perspective on the nature and organization of international trade in early medieval ports from the evidence of documentary sources on tolls and customs, trading practices and controls on foreign merchants. In particular, the paper considers the evidence for continuities and borrowings from the Roman and Byzantine worlds and the extent to which they influenced trading practices in the west and especially in Anglo-Saxon England.
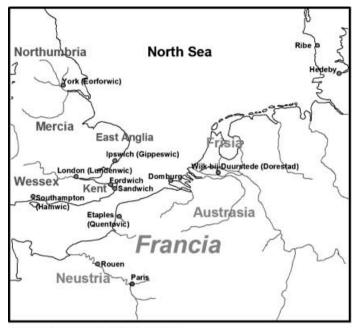
Introduction

Knowledge about early medieval ports and trade comes mainly from the pioneering work of archaeologists and numismatists.[1] From the late sixth and seventh century onwards, large-scale trading settlements, sometimes occupying areas in excess of forty hectares, were beginning to develop along the coasts of southern and eastern England and of northern Europe and Scandinavia.[2] These ports, now commonly called *wics* (or *emporia*), were markets and centres for international exchange on the frontiers of kingdoms (Fig. 1). Written sources, some later, indicate that *wics* were located at places under the influence or control of kings and other rulers. *Wics* were actively involved in international trade and clearly on a scale implying much more than the provision of small luxuries for elites. There is evidence

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[1]   For general reviews see A. Verhulst, *The Rise of Cities in North-West Europe* (Cambridge and Paris, 1999); R. Hodges, *Dark Age Economics: The Origins of Towns and Trade AD 600–1000* (London, 2001); R. Hodges, *Towns and Trade in the Age of Charlemagne* (London, 2000); D. Russo, *Town Origins and Development in Early England, c.400–950 A.D.* (Westport, CT and London, 1998); C. Scull, 'Urban Centres in Pre-Viking England?', in J. Hines (ed.), *The Anglo-Saxons: From the Migration Period to the Eighth Century* (Woodbridge, 1997), pp. 268–98 and the related discussion at pp. 298–310. J. Haslam (ed.), *Anglo-Saxon Towns in Southern England* (Chichester, 1984).

[2]   D. Hill and R. Cowie, *Wics: The Early Medieval Trading Centres of Northern Europe* (Sheffield, 2001).

Adapted from Hill and Cowie, Wics, 2002

Fig. 1 Early medieval *wics* in the North Sea trading area (7/8th centuries)

of planning in the internal organization of roads and plots within the *wics*, and the scale and complexity of those three or four sites which have been excavated to any degree in England (i.e. London, Ipswich, Southampton and York) suggests that by the eighth century they were towns by any reasonable definition.[3] A related development saw the minting of a silver coinage in the late seventh century, and by the eighth, it may have circulated on a scale not seen again before the eleventh.[4] Coin evidence and other finds also point to a network of markets and other

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[3]   For convenient summaries see Hill and Cowie, *Wics* and Scull, 'Urban Centres' and the articles on London (B. Hobley, A. Vince); Ipswich (K. Wade); Southampton (M. Brisbane); and York (R.A. Hall) in R. Hodges and B. Hobley (eds), *The Rebirth of Towns in the West AD 700–1050* (London, 1988). For the purposes of this article, I have adopted the convention of using the modern name for both the later medieval town and the related early medieval *wic*. For example, London represents both the Strand settlement (which is generally assumed to be *Lundenwic*) and the later settlement within the City walls. It is a central theme of this paper that continuity of tax and trading customs in 'London' is independent of the continuity of archaeological finds on any given site.

[4]   D.M. Metcalf, 'How Large was the Anglo-Saxon Currency?', *Economic History Review* 18 (1965), pp. 475–82; D.M. Metcalf, 'The Prosperity of North-Western Europe in the Eighth and Ninth Centuries', *Economic History Review* 20 (1967), pp. 344–57; P. Grierson, 'The Volume of Anglo-Saxon Coinage', *Economic History Review* 20 (1967), pp. 153–60; P. Grierson, 'Numismatics', in J.M. Powell (ed.), *Medieval Studies: An Introduction* (Syracuse, NY, 1976), p. 128 ff.; P. Grierson and M. Blackburn, *Medieval European Coinage with a Catalogue of the Coins in the Fitzwilliam Museum: The Early Middle Ages (5th–10th centuries)* (Cambridge, 1986), I, p. 155 ff.

'productive' sites along important communication routes which facilitated the movement of goods to and from the coasts.[5]

Early written sources about medieval ports and international trade are few in number and widely dispersed over time and place. There are fewer than one hundred direct or indirect documentary references of any kind relating to trade in Anglo-Saxon England before 900. It is not very much to go on and it goes a long way towards explaining why the relative importance of trade has been the subject of some debate amongst historians.[6] The sources are primarily concerned with the royal administration of trade, and ports and tolls figure prominently amongst them. References to ports and trade in continental sources are more numerous but hardly abundant. It is a tribute to the diligence and ingenuity of historians like Stéphane Lebecq on the Frisians that so much information on trade has been recovered from such limited source materials.[7]

Controlling the activities of local and foreign merchants in the interests of collecting tolls, maintaining law and order, and gaining privileged access to imported goods was a central concern of medieval rulers.[8] They were also important matters of state in the Roman and Byzantine empires. Port tolls and controls on foreign merchants go back a long way and there are questions about whether they survived from the period of Roman rule in Britain or were adopted and adapted later from continental European practices. The history of medieval English sea ports is inseparably linked to the general development of markets and trade around the coasts of northern Europe which formed a common international trading environment. It is therefore important to understand in particular the nature and management of tolls and trade in Frankish ports to aid understanding of the English evidence.

One can also demonstrate that port tolls and controls on foreign merchants sometimes survived for centuries. Later medieval records from early ports like London, Southampton and Ipswich arguably provide additional valuable information. While there is always a risk that these later sources are not relevant to the period in question, they can, if handled with care, teach us much about trade which is otherwise inaccessible. When the few early English sources are placed in the context of earlier Roman, contemporary Frankish and Byzantine, and later medieval evidence,

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[5]   T. Pestell and K. Ulmschneider (eds), *Markets in Early Medieval Europe: Trading and 'Productive' Sites 650–850* (Bollington, 2003).
[6]   P. Grierson, 'Commerce in the Dark Ages: A Critique of the Evidence', *Transactions of the Royal Historical Society* 9 (1959), pp. 123–40; J.R. Maddicott, 'Trade, Industry and the Wealth of King Alfred', *Past and Present* 123 (1989), pp. 3–51 and the debate on this article between R. Balzaretti, J.L. Nelson and J.R. Maddicott in *Past and Present* 135 (1992), pp. 142–88.
[7]   S. Lebecq, *Marchands et Navigateurs Frisons du haut moyen âge* (Lille, 1983).
[8]   P.H. Sawyer, 'Kings and Merchants', in P.H. Sawyer and I.N. Wood (eds), *Early Medieval Kingship* (Leeds, 1977), pp. 139–58.

then they can become a rich source of information about trade in early medieval England. This broad-based approach forms the groundwork of the present paper and helps us explain the function of *wics* and the nature and organization of foreign merchants and international trade.

The Roman and Byzantine background

One useful starting point is the Roman system for collecting taxes on trade (i.e. tolls or customs).[9] It was a key reason why foreign merchants were subject to controls in the first place and strongly influenced the management of local and international trade in the successor states of early medieval Europe. The Roman imperial customs system had a number of distinctive features which one can recognize, sometimes in a modified form, in the early medieval toll system. Customs were imperial taxes and formed part of the revenues of the treasury (*fiscus*). The *portorium* and its apparent successors (e.g. *quadragesima, quinquagesima, octava, siliquaticum*, etc.) were the most important customs and represent payments for the licence to trade in a customs jurisdiction. They manifest themselves in the sources as, firstly, taxes on sales transactions, and secondly, as taxes on goods in transit (i.e. on merchandise in circulation). Taxes on trade were collected in cash and in kind, and seem to have been a mix of fixed payments and *ad valorem* rates (i.e. percentages of the value of the goods). Provincial rates of taxation typically varied between 2% and 5%, though they may have reached as high as 25% in parts of the eastern Roman empire.[10]

Customs jurisdictions were territorial. Taxes were collected within defined geographical areas coterminous with Roman provincial and other administrative boundaries. The customs administration was organized around a central place, usually the caput of the district, with dependent toll stations at appropriate locations throughout the customs territory. Customs jurisdictions included municipalities and their dependent territories. In the fifth century, Theodosius and Valentinian decreed that two-thirds of the revenue from local municipal tolls were in future to be diverted to the imperial treasury, while the other one-third share remained with the

[9]   This summary is primarily based on S.J. De Laet, *Portorium: Études sur L'Organisation Douanière chez les Romains, surtout à L'Époque du Haut-Empire* (Bruges, 1949) and H. Antoniadis-Bibicou, *Recherches sur les Douanes à Byzances*, Cahiers de Annales 20 (Paris, 1963). See also J. Danstrup, 'Indirect Taxation at Byzantium', *Classica et Mediaevalia* 8 (1946), pp. 139–67; H. Ahrweiler, 'Fonctionnaires et Bureaux Maritimes à Byzance', *Revue des Études Byzantines* 19 (1961), pp. 239–52; G. Millet, 'L'Octava, impôt sur les ventes dans le Bas-Empire', in *Mélanges Gustave Glotz*, 2 vols (Paris, 1932), II, pp. 615–43; A.H.M. Jones, *The Later Roman Empire*, 2 vols (Oxford, 1964), s.v. 'taxation'; K. Hopkins, 'Taxes and Trade in the Roman Empire, 200 BC–AD 400', *Journal of Roman Studies* 70 (1980), pp. 245–64; R. Duncan-Jones, *Structure and Scale in the Roman Economy* (Cambridge, 2002), pp. 187–98.

[10] De Laet, *Portorium*, pp. 297–310, but cf. Antoniadis-Bibicou, *Recherches sur les Douanes à Byzances*, p. 71 and n. 3.

municipalities.[11] The army and civil administration cooperated closely in ensuring customs were levied from traders. Provinces were often grouped together for the purposes of customs collection and controlled by senior imperial officials, indicating the value and importance placed on customs by the state. The key customs jurisdictions were those on the borders of the empire where the rates of taxation were highest. The Roman authorities were maximizing customs revenues on imports and exports, and regulations controlling foreign traders formed an intrinsic part of that process.

Later Roman emperors began to impose ever tighter controls on the activities of foreign traders in response to the increasing external threats to the empire.[12] In 297, Diocletian restricted all trade between Persia and the empire to the town of Nisibis on the Tigris. By 408–9 trade with Persia was permitted in Callinicum and Artaxata as well as at Nisibis, but by 562, because of changing frontiers, the controlled trading towns were Nisibis and Darai. Frontier trading towns in the eastern empire figure in numerous treaties with foreign states in the following centuries.[13] On the northern borders, Emperor Valens limited all trade between the Goths and the empire in 369 to two unnamed towns on the Danubian frontier; and in 371 Valentinian established a special trading town known as *Commercium* (Gran) on the Pannonian border. As far as the western empire is concerned, although there is no record of it, similar controls must have applied across all the frontiers including those of Germania, Belgica and Britannia. The close management of shipping and therefore of international trade around the Channel and the Rhine delta is implicit in the organization of the Saxon Shore forts and their associated areas of jurisdiction. Although the Saxon Shore forts were once viewed mainly as a defensive system to deal with Germanic raiders, it is now considered more likely that they were primarily fortified supply depots, an integral part of the later Roman army's logistics and communications system, which also probably served as ports of trade.[14]

[11] De Laet, *Portorium*, p. 462; P. Krueger (ed.), *Codex Iustinianus* (Berolini, 1915), Corpus iuris civilis, IIII, c. 61, 13: *De Vectigalibis e Commissis*. This legislation may well be the ultimate origin or model for the Earl's third penny share of the royal tolls and other dues recorded for the first time in later Anglo-Saxon England.

[12] For what follows see De Laet, *Portorium*, pp. 456–60 and R.S. Lopez, 'Du marché temporaire à la colonie permanente: l'évolution de la politique commerciale au moyen âge,' *Annales: Economies, Sociétés, Civilisations* 4 (1949), pp. 391–3.

[13] Antoniadis-Bibicou, *Recherches sur les Douanes à Byzances*, pp. 193–6.

[14] J. Cotterill, 'Saxon Raiding and the Role of the Late Roman Coastal Forts of Britain', *Britannia* 24 (1993), pp. 227–39; G. Milne, 'Maritime Traffic between the Rhine and Roman Britain: A Preliminary Note', in S. McGrail (ed.), *Maritime Celts, Frisians and Saxons*, CBA Research Report 71 (London, 1990), pp. 82–4 and in the same volume, I. Wood, 'The Channel from the 4th to the 7th Centuries AD', at pp. 93–7; C. Seillier, 'Rome et L'Océan Brittanique de César aux Invasions du Ve Siècle', in S. Curveiller (ed.), *Les Champs Relationnels en Europe du Nord et du Nord-Ouest des Origines à la fin du Premier Empire*, 1er Colloque historique de Calais (Calais, 1993), pp. 19–27; S. Johnson, *The Roman Forts of the Saxon Shore* (London, 1976).

By the late fourth century, the *comites commerciorum* had overall responsibility for the collection of customs and for commercial relations with foreigners at least in the frontier provinces of the eastern empire including Illyricum.[15] There is no comparable information on the situation in the western provinces though the highest provincial customs official in the early empire was called *procurator*. The *comes commerciorum* controlled the importation and sale of luxury goods like silk, and key categories of goods like weapons, wheat, salt, iron, gold, wine and olive oil were forbidden from export. Foreign merchants could not leave the controlled towns without permission. Anyone who offered them lodging without the knowledge of the *comes* risked exile and the confiscation of their goods. This rule suggests that foreign traders were probably formally registered and their hostels or lodging places known to the local representatives of the *comes*. The tight restrictions placed on foreign traders were an integral part of the customs system from at least the third century and remained a feature of the Byzantine empire.

During the sixth century, and especially under Justinian, the Byzantine customs system seems to have been overhauled and local *comerciarii* begin to appear and effectively take over a central role in the management of foreign traders.[16] It is likely that their predecessors (who may have had different titles) were previously under the control of the *comes commerciorum*. The *comerciarii* were responsible for the customs houses (often called *apotheke* in the late seventh and eighth centuries) in major ports and markets. The *apotheke* and similar institutions in fact combined several functions and are perhaps better described for convenience as 'customs depots' or 'commercial hostels'.[17] They served as warehouses and presumably lodging houses for foreign travellers and traders who stayed with their goods in the interests of security and protection. More importantly, the commercial hostels were the places where imported goods were bought and sold and taxes collected under the control of the *commerciarii*. Seals bearing the names of the *commerciarii* and/or the district or location of the commercial hostel were attached to packs and bundles of merchandise as proof that the appropriate customs procedures had been followed and the taxes collected. In the ports, the commercial hostels were often located on the quays, and foreign traders were probably restricted from

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[15] De Laet, *Portorium*, pp. 457–9 and 477–8.
[16] Antoniadis-Bibicou, *Recherches sur les Douanes à Byzances*, pp. 157–64; R.S. Lopez, 'The Silk Industry in the Byzantine Empire', *Speculum* 20 (1945), pp. 26–7; G. Millet, 'Sur les sceaux des comerciaires byzantins', in *Mélanges M. Gustave Schlumberger* (Paris, 1924), pp. 303–27.
[17] The *apotheke* began as some form of state customs depot but over time the term also applied to a rather more complex institution on which see M.F. Hendy, *Studies in the Byzantine Monetary Economy c.300–1450* (Cambridge, 1985), pp. 626–34, 654–69.

leaving the port zone or jurisdiction until the correct taxes had been paid and express permission had been granted by state customs officials.[18]

Olivia Constable's comprehensive survey of the role of hostels and the management and treatment of strangers and foreigners shows how widespread commercial hostels were in the Byzantine and the Islamic world.[19] Constable comments that, 'Muslim rulers and administrators used *funduqs* [a standard term for hostels] as loci for taxing mercantile transactions, controlling the storage and distribution of certain goods and, in some cases, regulating the movement of particular groups of merchants.'[20] *Funduqs* like the *apothekai* were also in effect markets or trading exchanges where buying and selling took place. Commercial hostels were common in the Mediterranean and the Middle East, and similar institutions are found in the Far East.[21] It was a universally effective way in conjunction with toll regulations for states to manage foreign traders in the late Roman and early medieval periods.

Frankish tolls and controls on foreign traders

Robert Lopez has argued that in Frankish and later English sources, there is evidence – albeit thin – of Byzantine (i.e. Roman) controls on trade and foreign merchants.[22] He plausibly suggested that the Franks were influenced both by direct contacts with the Byzantine empire and indirectly through their experience of the Lombard successor state in Italy. In 750 the Lombard king, Aistulf, insisted that no one could travel by land or ship for business without a written safe conduct (*epistola*) or authorization from a royal official.[23] In a similar vein, when restoring the border toll stations in the Alpine passes (the *clusae*), the king ordered foreign and local merchants not to enter or leave his territory without royal permission. The *clusae* came under Frankish control some twenty-five years later following Charlemagne's conquest of Lombardy. The reference to safe conducts reminds us of the permission granted by the *maior* Ebroin to allow Raedfrid to accompany Theodore of Tarsus to England via Quentovic in 668, and the letters of introduction carried by Abbot Ceolfrith of Monkwearmouth–Jarrow to facilitate travel

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[18] Lopez, 'Du marché temporaire à la colonie permanente', p. 392.

[19] O.R. Constable, *Housing the Stranger in the Mediterranean World* (Cambridge, 2004).

[20] Constable, *Housing the Stranger*, p. 64.

[21] Lopez, 'Du marché temporaire à la colonie permanente', pp. 403–5. Constable, *Housing the Stranger*, pp. 1–10 and p. 110, n. 4, does not think there is a direct link between *funduqs* and their Far Eastern counterparts or the later medieval commercial hostels like those of the Hanseatic league in northern Europe.

[22] Lopez, 'Du marché temporaire à la colonie permanente', pp. 397–402.

[23] F. Beyerle (ed.), *Die Gesetze der Langobarden* (Witzenhausen, 1947), *Leges Ahistulfi* c. 5 and 6, translated in R.S. Lopez and I.W. Raymond (eds), *Medieval Trade in the Mediterranean World* (New York, 1955), p. 38.

across Francia in 716.[24] It was common practice for long-distance ambassadors, merchants and other high-ranking visitors in the Byzantine and Islamic world to carry letters of introduction or to obtain written authority for travel.[25]

The prime Frankish example of Roman and Byzantine style border controls on merchants is to be found in the Capitulary of Thionville (805).[26] Charlemagne placed restrictions on the sale and smuggling of arms and coats of chain mail (*brunia*) across the eastern borders of the Frankish kingdom. Trade was limited to named places including Bardowick, Magdeburg, Erfurt, Hallstadt, Forcheim, Regensburg and Lorch. Confiscation of goods was the penalty for disobeying these regulations. The merchants who bought and sold in these market towns would have paid tolls for the privilege to the royal officials (*missi*) in charge. Such public markets were known by the term *legitimus mercatus* which means that they operated with royal consent, or at least acquiescence, and at fixed times and places according to custom.[27] Louis the Pious attempted to restrict trade to public markets to protect revenues from tolls, though the legislation itself is indicative of failure in this respect.[28] It was not much different in England judging by tenth-century royal legislation which parallels, and is probably based on, Carolingian models.[29] Restricting trade to public markets for the purpose of tax collection and public witnessing of sales is a concept which dates back at the very least to the Roman period and is described in some detail in the Theodosian Code.[30] It is probably older since it is arguably an essential requirement of any state with a claim to tax trade and maintain public order.

Ports were by definition markets and one would expect that similar rules applied to them. In 823, Lothar I forbade merchants from trading

[24] I. Wood, *The Merovingian Kingdoms 450–751* (London, 1994), p. 295; C. Plummer (ed.), *Venerabilis Baedae Opera Historica* (Oxford, 1896), IV, c. 2; C. Plummer (ed.), *Historia Abbatum auctore anonymo* (Oxford, 1896), c. 32.

[25] M. McCormick, *The Origins of the European Economy* (Cambridge, 2001), s.v. 'Letters'. For safe conducts ('*aman*) in Muslim Spain and elsewhere see O.R. Constable, *Trade and Traders in Muslim Spain: The Commercial Realignment of the Iberian Peninsula, 900–1500* (Cambridge, repr. 1996), pp. 64–6.

[26] *Capitularia Regum Francorum*, eds A. Boretius and V. Krause, *MGH* (Hanover, 1883–97), I, no. 44. King Athelstan forbade the export of horses from England unless they were intended as gifts, F.L. Attenborough, *The Laws of the Earliest English Kings* (Cambridge, 1922), p. 136: II Athelstan, c. 18.

[27] A.J. Stoclet, *Immunes Ab Omni Teloneo* (Turnhout, 1999), p. 241.

[28] Boretius and Krause, *Capitularia Regum Francorum*, I, no. 143, c. 1: 'Volumus . . . ut nullus teloneum exigat nisi mercatibus ubi communia commertia emuntur ac venundantur . . . Quod si aliquis constituta mercata fugiens, ne teloneum solvere cogatur.'

[29] R.H. Britnell, 'English Markets and Royal Administration before 1200', *Economic History Review* 31:2 (1978), p. 187. Anglo-Saxon law codes: I Edward I; II Athelstan (Grately) 12 and 13.1.

[30] C. Pharr (trans.), *The Theodosian Code* (Princeton, 1952), pp. 529–30: *Novellae Valentiniani* 15: *De Siliquarum Exactionibus*.

outside public or officially recognized sea ports (*portura legitima*) in Frankish Italy because of problems caused by toll evasion.[31] Lothar I described the rule as an ancient custom. The coasts and river systems elsewhere in Francia were divided up into toll or customs territories just as they probably had been in the Roman empire. A sure sign of a port customs territory is the existence of an administrative centre (usually a port itself) with jurisdiction over dependent ports. Dorestad, the great Frisian trading town (*wic* or *emporium*) on the Kromme Rhine, was dependent on Utrecht and most likely there were others. The collectors of royal tolls in the area of Dorestad and Utrecht are called *procuratores rei publice* in an important charter of 815 of Louis the Pious for the church of Utrecht.[32] At this time, the Frisian frontier province, or per-haps the whole Rhine Delta, may have constituted a single customs jurisdiction.[33]

The Channel coast probably formed a separate customs jurisdiction under the control of the abbots of St Wandrille; an arrangement which may go back to Pippin II or more likely Charles Martel early in the eighth century.[34] In the ninth-century *Gesta* of St Wandrille, Abbot Gervold, who sometimes acted for Charlemagne in his dealings with English kings, is described as '*procurator* of the kingdom's trade, collect-ing the tolls and tributes (*exigens tributa et vectigalia*) in various ports and cities but especially in Quentovic'.[35] The role of *procurator* here is analogous to, and may be modelled on, the contemporary Byzantine official, the *commerciarius*, or perhaps it is a survival from the older *procurator* of the early Roman empire.[36] The term *procurator* is used for reeves in early English sources, though whether any had similar powers to Gervold is not known although a late source may provide

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[31]   Boretius and Krause, *Capitularia Regum Francorum*, no. 158: 'Ut nullus negotium suum infra mare exercere presumat, nisi ad portura legitima, secundum more antique, propter iustitiam domni imperatoris et nostrum; si quis aliter fecerit, omnem negotium suum perdat.' McCormick, *Origins of the European Economy*, p. 909, R381.

[32]   M. Gysseling and A.C.F. Kock (eds), *Diplomata Belgica ante annum Millesimum Centesimum Scripta* (Tongeren, 1950), no. 179.

[33]   S. Lebecq, 'Pour une Histoire Parallèle De Quentovic et Dorestad', in J.-M. Devosquel and A. Dierkens (eds), *Villes et Campagnes au Moyen Age, Mélanges Georges Despy* (Liège, 1991), p. 423; A. Verhulst, *The Carolingian Economy* (Cambridge, 2002), p. 92.

[34]   Hugo, a relative of Charles Martel and his key agent in Neustria, may have been the first *procurator* in the area. In 723–5 Hugo became abbot of St Wandrille and later became bishop of the sees of Rouen, Bayeux and Paris (and possibly of Avranches and Lisieux) as well as abbot of the monastery of Jumièges. The wider significance of this pluralism has received less attention. It was an act of deliberate policy for Charles Martel to promote Hugo in this way and the abbot of St Wandrille was now the dominant power on the Channel coast. On Hugo see P. Fouracre, *The Age of Charles Martel* (Harlow, 2000), pp. 71–4.

[35]   F. Lohier and J. Laporte (eds), *Gesta sanctorum patrum Fontanellensis coenobii* (Rouen and Paris, 1936) p. 86, Book 12, c. 2: 'procurator per diversos portus ac civitates exigens tributa atque vectigalia, maxime in Quentawic'.

[36]   De Laet, *Portorium*, s.v. *procurateur* and *procurator*. For its use in the later empire see Pharr, *Theodosian Code*, s.v. *procurator*.

some indication.[37] The dependent ports and cities mentioned in the *Gesta* probably included Rouen whose mint is described in Charles the Bald's Edict of Pîtres from 864 as pertaining to Quentovic by ancient custom.[38] Royal charters of the twelfth century relating to Normandy clearly distinguish between the sea ports and the Seine river ports (*in portibus maris et in portibus Secanae*).[39] This is almost certainly a late reference to once separate maritime and riverine customs jurisdictions.

Such jurisdictions are also evident in Frankish royal charters of exemption from toll for religious houses.[40] Immunities from toll on ships were frequently limited to specific river systems or basins of the Seine, the Loire, the Rhône, the Meuse, the Rhine and the Danube. It is clear from the wording of the charters that the exemptions applied to both road and river traffic which implies that the customs juris-dictions extended to the public highways which ran alongside the rivers. This right is also implicit in the early tenth-century *Inquisitio Raffelstettensis* in relation to the Danube and its tributaries.[41] The cus-toms jurisdiction would naturally extend to any river crossings whether bridges, ferries or fords. Lucien Musset has pointed out in relation to later Norman port jurisdictions that they are usually linked to tolls, the associated profits of justice and fishing rights.[42] One might add that such jurisdictions probably also included the closely related rights of flotsam and jetsam and wreck.

The same type of coastal and riverine port jurisdictions are found in England, but the evidence tends to be later in date because relatively few sources survive from the early Anglo-Saxon period. Some examples will suffice to illustrate the point though it would pay a more detailed study in its own right. In 1023 Cnut allegedly granted Christ Church, Canterbury, the tolls of the port of Sandwich and all the landing places

[37] P.H. Sawyer, *Anglo-Saxon Charters: An Annotated List and Bibliography* (London, 1968) e.g. nos 8, 30 and 167–8. Interestingly, in the early thirteenth century, the Lord of Bayard's castle had his claim to control the River Thames as far as the Middlesex border upheld as the King's *signifer* (banner bearer) and *procurator* of the whole city of London. These rights may be of some antiquity, see M. Bateson, 'A London Municipal Collection of the Reign of John', *English Historical Review* 17 (1902), pp. 485–6.
[38] Boretius and Krause, *Capitularia Regum Francorum*, II, p. 315, c. 12: 'ad Quantovicum ex antiquo consuetudine pertinet'. See further Lebecq, 'Pour une Histoire Parallèle', p. 423.
[39] L. Musset, 'Les Ports en Normandie du XI au XIII siècle: Esquisse d'histoire institutionelle', in *Autour Du Pouvoir Ducal Normand X–XII Siècles*, Cahier des Annales de Normandie 17 (Caen, 1985), no. 17, pp. 113–28, esp. p. 114.
[40] On these exemptions see Stoclet, *Immunes Ab Omni Teloneo*, esp. pp. 189–98; F.L. Ganshof, 'A propos du tonlieu a l'époque Carolingienne', *Settimane di studio del centro italiano di studi dell' altro medioevo* 6 (1959), pp. 485–508; F.L. Ganshof, 'A propos du tonlieu sous les Merovingians', in G. Barbieri (ed.), *Studi in onore di Amintori Fanfani* 1 (Milan, 1962), pp. 293–315.
[41] F.L. Ganshof, 'Note sur l'Inquisitio de theloneis Raffelstettensis', *Le Moyen Age* 72 (1966), pp. 197–223.
[42] Musset, 'Les Ports en Normandie', p. 121 ff.

and water dues on both sides of the Wantsum channel along with half of any clothes, nets, weapons, iron, gold or silver found on the western shore of the Wantsum.[43] The Domesday entry for Nottinghamshire records that if anyone impeded ships on the River Trent or ploughed within two perches of the royal road (*via regis*) towards York, they had to pay an £8 fine.[44] Control of the river further downstream was divided up between the royal boroughs of Newark and Torksey. An inquest of 1238 (1228) records that the lord of Torksey was entitled to tolls on traffic crossing the River Trent within its jurisdiction and on traffic using the road from Newark to Gainsborough which passed through Torksey.[45] Coastal and riverine port toll jurisdictions are routinely recorded in post-Conquest documentary sources.[46]

The practical control exercised by English and Frankish kings over ports and the activities of foreign traders is graphically illustrated by a dispute between Charlemagne and Offa which began around 790.[47] According to the *Gesta* of St Wandrille, Charlemagne had imposed an embargo on traders from Britain apparently in a fit of pique over Offa's request to marry his son, Ecgfrith, to Charlemagne's daughter, Bertha.[48] The *Gesta* claims that Charlemagne 'gave the command that no-one from the island of Britain or the people of the Angles was to set foot

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[43] Sawyer, *Anglo-Saxon Charters*, no. 959; for the Anglo-Saxon text, translation and commentary see A.J. Robertson (ed.), *Anglo-Saxon Charters* (Cambridge, 1956), no. LXXXII and pp. 406–7. Brooks doubts its authenticity as it stands and links it to a continuing dispute with the abbey of St Augustines, Canterbury over rights at Sandwich and in the Wantsum channel, see N.P. Brooks, *The Early History of the Church of Canterbury: Christ Church 597 to 1066* (Leicester, 1984), pp. 292–4. Whatever specific rights Christ Church did or did not have, there seems little reason to doubt that port jurisdictions themselves existed at this time. See also T. Tatton-Brown, 'The Towns of Kent', in Haslam, (ed.), *Anglo-Saxon Towns*, pp. 16–21.

[44] J. Morris (ed.), *Domesday Book: Nottinghamshire* 28 (Chichester, 1977), fol. 280; J.H. Round, *Victoria County History of Nottinghamshire*, 2 vols (London, 1906), I, pp. 238–9.

[45] N.S.B. Gras, *The Early English Customs System* (Cambridge, MA, 1918), pp. 155–8. On the corrected date see R.E.G. Cole, 'The Royal Burgh of Torksey', *Associated Architectural Societies Reports and Papers* 28 (1906), pp. 451–530.

[46] R.H. Britnell, 'English Markets and Royal Administration before 1200', pp. 194–5. Cambridge: F.W. Maitland, *The Charters of the Borough of Cambridge* (Cambridge, 1901), no. 1. King's Lynn: C. Johnson and H.A. Cronne (eds), *Regesta Regum Anglo-Normannorum* (Oxford, 1956), II, no. 911. Hertford: W. Page (ed.), *Victoria County History of Hertfordshire* (London, 1902–23), III, p. 501; H. Chauncy, *The Historical Antiquities of Hertfordshire*, 2 vols (repr. Dorking, 1975), I, pp. 467–8. Southampton: H.S. Cobb, *The Local Port Book of Southampton 1439–40*, Southampton Record Series (Southampton, 1961), pp. L–Lii and Lxv. Exeter: A.M. Jackson, 'Medieval Exeter, The Exe and the Earldom of Devon', *Transactions of the Devon Association* 103–4 (1971–2), pp. 59–61. Totnes: *Placita de Quo Warranto*, ed. W. Illingworth, Record Commission (London, 1818), p. 179; *Rotuli Hundredorum*, ed. W. Illingworth, Record Commission (London, 1812–18), I, p. 90.

[47] For the diplomatic context of this dispute, see Joanna Story, *Carolingian Connections: Anglo-Saxon England and Carolingian Francia, c.750–870* (Aldershot, 2003), pp. 184–7; J.L. Nelson, 'Carolingian Contacts', in M.P. Brown and C.A. Farr (eds), *Mercia: An Anglo-Saxon Kingdom in Europe* (London, 2001), pp. 132–5.

[48] Lohier and Laporte (eds), *Gesta . . . Fontanellensis*, p. 86, Book 12, c. 2.

on the shores of Gaul for the purposes of trade'. The existence of the trade embargo is confirmed in letters of Alcuin.[49] In 790 Alcuin wrote to the Irish monk Colcu explaining that Offa had also imposed his own embargo on traders from Francia and now 'on both sides the passage of ships has been forbidden to merchants and is now ceasing'. Later that year, Alcuin was in Northumbria and wrote about the dispute to Abbot Adalard of Corbie (who was Charlemagne's cousin) asking him if he knew the reasons for the dispute and urging him to assist in the process of finding a resolution since 'we must be peacemakers between Christian peoples'. One can readily imagine the panic caused by the embargo amongst traders and local toll-collectors alike; there was a lot of revenue and peoples' livelihoods at stake. The full impact of the dispute is unknown, though its political and commercial consequences may have been far-reaching. Besides the disruption to trade, it may have been a factor in, for example, the introduction of the Offan Group 2 coinage and the reform of the Carolingian coinage which have both been dated to around 790.[50] Whilst we do not know how or when the embargo ended, though it must have been before 796 when Charlemagne sent his famous letter to Offa, St Wandrille somewhat predictably claimed that Abbot Gervold was instrumental in its resolution.

The coasts were just as much frontiers as any other borderland, and questions arise about the nature of the tolls levied from foreign and other traders. François-Louis Ganshof suggested that there was a ten per cent *ad valorem* toll on merchandise at frontier toll stations, because of references to something called the *decima* in Frankish toll sources.[51] The *decima* is mentioned in the *Praeceptum Negotiatorum* of Louis the Pious dated 828 which records the grant of royal protection and extensive trading privileges to royal officials and merchants working for the king.[52] Recipients of the grant are given freedom from toll throughout the kingdom except at the northern and southern frontier toll stations

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[49] Alcuin, *Epistolae Alcuini*, in ed. E. Dümmler, *Epistolae Karolini Aevi II, MGH* (Berlin, 1895), nos 7, 9, 82; translated by S. Allott, *Alcuin of York c. A.D. 732 to 804: His Life and Letters* (York, 1974), nos 10, 31 and 39 respectively.

[50] C.E. Blunt, 'The Coinage of Offa', in R.H.M. Dolley (ed.), *Anglo-Saxon Coins Studies Presented to F.M. Stenton* (London, 1961), pp. 39–62; S. Suchodolski, 'La date de la grande réforme monétaire de Charlemagne', *Quaderni Ticinesi di Numismaticae Antichità Classiche* 10 (1981), pp. 399–409. P. Grierson, 'Money and Coinage under Charlemagne', in W. Braunfels (ed.), *Karl der Grosse* (Dusseldorf, 1965), I, pp. 501–36 favours a later date, probably 793/4.

[51] Ganshof, 'A propos du tonlieu a l'epoque Carolingienne', pp. 492–3.

[52] *Formulae Merovingici et Karolini Aevi*, ed. K. Zeumer, *MGH* (Hanover, 1886), no. 37: 'teloneum, excepto ad opus nostrum inter Quentovico et Dorestado vel ad clusas, ubi ad opus nostrum decima exigitur, aliubi eis non requiratur'; F.L. Ganshof, 'Note sur le "praeceptum negotiatorum" de Louis le Pieux', in G. Barbieri (ed.), *Studi in onore di Armando Sapori* (Milan, 1957), I, pp. 101–12. A similar exemption was granted to the church of Strasbourg in 831, *Urkundenbuch der Stadt Straszburg*, ed. W. Wiegand (Strasbourg, 1879), I, no. 23; see Ganshof, 'A propos du tonlieu a l'epoque Carolingienne', p. 492 and n. 16.

at Quentovic, Dorestad and the Alpine passes (*clusae*) where the *decima* is collected for the king's benefit (*ubi ad opus nostrum decima exigitur*). The nature of the *decima* levied at the Alpine passes is explained in the *Honorantie civitatis Papie*, an early eleventh-century compilation which incorporates tenth-century material including a record of rights attached to the old Frankish and Lombard royal treasury at Pavia in Italy.[53] The *Honorantie* explains that merchants coming across the mountain passes into Lombardy had to pay the *decima* on all their merchandise to representatives of the treasury at the royal toll stations. It is specifically mentioned as applying to horses, male and female slaves, wool, linen, canvas textiles, tin and swords. The use of the phrase *debent esse adecimate* leaves little doubt that a ten per cent *ad valorem* rate of tax is meant, though whether this was paid in cash and/or in kind is unclear. The *decima* of the *Honorantie* is surely the same as the *decima* of the *Praeceptum Negotiatorum.* Besides sharing a common name, they are royal tolls levied by the treasury from merchants crossing the Alpine passes (*clusae*).

Anglo-Saxon merchants are recorded as having secured an exemption from the *decima* in exchange for paying 50lbs of refined silver and providing a range of gifts and other goods to the royal treasury and its key officials every three years. The date of this remarkable agreement is not known, but it followed a violent dispute with local customs officials and was settled through the intervention of unnamed Anglo-Saxon and Lombard kings.[54]

Since a ten per cent toll rate on merchandise certainly applied at the Alpine toll stations, it is a reasonably safe conclusion that it was also levied at Dorestad and Quentovic as indicated in the *Praeceptum Negotiatorum.* However, one cannot be sure that in the sources *decima* always (or only) means a ten per cent tax rate on trade. A royal charter of Louis the Pious from 815 for the Episcopal church of Utrecht in

[53] *Die Honorantie Civitatis Papie*, ed. C. Brühl and C. Violante (Cologne, 1983), p. 17: 'Intrantes negotiatores in Regnum solvebant decimam de omni negotio ad clusas et ad vias, que sunt <hee> regi pertinentes . . . Omnes gentes, que veniunt de ultra montes in Lombardiam, debent esse adecimate de caballis, servis, ancillis, pannis laneis et lineis [et] canevaciis, stagno misso camerarii.'

[54] Brühl and Violante, *Die Honorantie Civitatis Papie*, p. 37 suggest the unnamed Anglo-Saxon king is either Alfred or Edward the Elder based on the use of the title *rex Anglorum et Saxonum*, but earlier or later kings are also possible. McCormick, *The Origins of the European Economy*, pp. 679–80 and p. 958, R694 prefers Alfred because of toll agreements he is known to have concluded in relation to pilgrims and merchants in Rome; but one should also point out that Offa also concluded toll and trade agreements with Charlemagne regarding merchants and pilgrims (who would have been bound mainly for Rome), and he was active in Italy with the Papacy in pursuit of his objective to establish an archbishopric at Lichfield. Cnut is also a possibility, though this seems less likely because the *Honorantie* evidence seems to pre-date his reign, see M.K. Lawson, *Cnut: The Danes in England in the Early Eleventh Century* (London, 1993), pp. 202–4.

connection with Dorestad is a case in point.[55] The charter grants the church of Utrecht the *decima* levied at Dorestad by the royal treasury from their lands and serfs (slaves?) and from the tolls from merchandise and other things. The *decima* here is not limited to taxes on trade (i.e. tolls) but also applied to the income or production of the church's lands and serfs. It may be related in some way to the *agrarium* (a ten per cent tax found on estates belonging to St Martin of Tours in the Auvergne in the eighth century), and other similar taxes in Visigothic Spain mentioned in records of the seventh century onwards and the canonical *'ushr* of Islamic Spain, which like the *decima* were imposed on trade as well as production.[56] Admittedly, the wording of the Utrecht charter (and earlier related grants) is ambiguous and capable of various different interpretations, but the references in the text to the tenth part (*decima parte*) and nine other parts (*novem partibus*) make it clear that ten per cent of something is meant.[57] Ganshof interpreted this charter as meaning a grant of a ten per cent share of royal tax revenue rather than a ten per cent tax rate, and this is entirely possible.[58] If Ganshof is right, and the church of Utrecht received a tenth share, who received the other nine parts of the royal taxes? The answer is likely to be the local royal officials and delegated authorities (called *procuratores* as on the Channel coast) responsible for controlling tolls in the frontier districts.

This allocation of taxes may once have been widespread in Frankish border provinces. The region which later became Normandy would

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[55] Gysseling and Kock, *Diplomata Belgica*, no. 179: '. . . ad ipsam ęcclesiam concessissent omnem decimam de mancipiis, terris et de teloneis vel de negotio vel de omni re, undecumque ad partem regiam fiscus teloneum accipere aut exigere videbatur, et ut homines eiusdem ecclesię sub mundeburdo et tuitione ipsius aecclesię existerent; necnon et in ripis in Dorestado, ut nec bannum nec fredum aut coniectum quę ab ipsis giscot vocatur contingere aut exactare presumeret, et quisquis ex negotiatoribus in eorum ripas intrare voluissent, nullam contentionem ex hoc eis fecisset, nec mansiones in eorum domibus sine permissu eorum accipere auderent, nec eorum res dum aduixerint auferre, aut post mortem eorum contingere, nec ullo modo eis in aliqua re calumpniam generare quis presumeret, qui in illa decima parte vel sub mundeburdo aecclesię sancti Martini consistunt; videlicet ut sicut illi de illis novem partibus aliquid accipere aut usurpare nec velint nec possunt, ita et procuratores rei publicę de eadem decima parte accipere aut usurpare ad fiscum non presumant'.

[56] On the *agrarium* see S. Sato, 'L'Agrarium: La charge paysanne avant le regime domanial, Vie–VIIIe siècles', *Journal of Medieval History* 24 (1998), pp. 103–25; A. Verhulst, 'Economic Organisation', in R. McKitterick (ed.), *The New Cambridge Medieval History c.700–c.900* (Cambridge, 1995), II, p. 98; and G. Depeyrot, *Richesse et Société chez les Mérovingiens et Carolingiens* (Paris, 1994), pp. 78–9. See Constable, *Trade and Traders in Muslim Spain*, p. 127 for the *'ushr.*

[57] The related charters are Gysseling and Kock, *Diplomata Belgica*, no. 175, Pippin III dated 753: '. . . ut omnem decimam de terra seu de mancipia aut de teloneo vel de negotio aut undecumque ad partibus fisci census sperare videbatur, sicut diximus'; and *ibid.* no. 177.

[58] Ganshof, 'A propos du tonlieu a l'epoque Carolingienne', p. 496. See also the important commentary by C.L. Verkerk, 'Les tonlieux carolingiens et ottoniens aux Pays-Bas septentrionaux, au bouches des grandes rivières', *Publications de la Section Historique de L'Institut Grand-Ducal de Luxembourg* 104 (Luxembourg, 1988), pp. 165–8.

probably have been included in the Channel coast toll jurisdiction centred on Quentovic. Lucien Musset has drawn attention in Norman sources of the late tenth through to the end of the twelfth century to grants of the *decima* of the tolls deriving from local toll jurisdictions including Avranches, Pont Audemer, Arques-la-Bataille, Evreux, Bayeux and Sées amongst others.[59] In 1028–35, for example, the Cathedral of Avranches received the *decima* of all the tolls collected in the *pagus* of Avranches (*decimam totius telonei Abrincensis pagi*) from Duke Robert.[60] Musset translated it as a grant of a ten per cent share of the tolls, though it could be a late reference to the income deriving from the Carolingian *decima*, a ten per cent royal tax on trade and production. In either case, it is probable that the Dukes of Normandy inherited the *decima* as a ducal right from their Carolingian predecessors.[61]

A *decima* paid by Slavs and Germans also appears in tenth-century Ottonian charters in connection with former Frankish frontier districts in Germany. Karl Leyser described this *decima* as a tributary tithe (i.e. a ten per cent rate of tax or tribute), but there is little in the sources to support this view beyond the name itself, and his distinction between 'secular' and 'ecclesiastical' tithes seems an artificial one.[62] There is evidence, however, that the *decima* in Germany was a ten per cent share of royal tax revenues just as it was in Frisia and the area which later became Normandy. In 965, Otto I granted the abbey of St Michael at Lüneburg the tenth part of all the tolls at Bardowick, one of Charlemagne's frontier toll stations (*decimam partem totius thelonei ad nostrum ius pertinentis in Bardewic concessimus*).[63] Although this charter is solely concerned with tolls, Ottonian charters for St Maurice of Magdeburg are not limited in the same way. In 965, for example, Otto I granted the monastery the tenth (part) of all the tax paid in silver to the royal treasury from several Slav districts (*in argento ad publicum nostrę maiestatis fiscum persolvitur . . . decimam tocius census illius*).[64] Otto I's charter for Reichenau is of particular interest since it makes reference

[59] L. Musset, 'Recherches sur le tonlieu en Normandie', in L. Musset, J.M. Bouvris and J.-M. Maillefer (eds), *Autour du Pouvoir Ducal Normand Xe-XIIe Siècles*, Cahiers des Annales de Normandie 17 (Caen, 1985), pp. 68–75.

[60] M. Farroux (ed.), *Receuil des Actes des Ducs de Normandie 911–1066* (Caen, 1961), p. 26, n. 29; cf. *ibid*. nos 5, 36 and 52.

[61] L. Musset, 'Recherches sur le tonlieu en Normandie', pp. 64–5.

[62] K.J. Leyser, *Medieval Germany and its Neighbours, 900–1250* (London, 1982), pp. 84–90.

[63] T. Sickel (ed.), *Die Urkunden Konrad I, Heinrich, und Otto I, MGH* (Hanover, 1879–84), I, no. 309; cf. no. 308 (965) a grant of the fifth part of the toll of the market at Lüneburg: 'quintam partem tocius telonei ad nostrum ius pertinentem de mercato concessimus in Liuniburch'.

[64] Sickel, *Die Urkunden Konrad*, I, no. 295. Otto I also for Magdeburg, cf. nos 222 (961); 231 (961): 'decimam de omni censu'; 303 (961): 'omnem censum mellis . . . totam decimam mellis'; and 118 (975). Also Otto II, T. Sickel (ed.), *Die Urkunden des Ottos II, MGH* (Hanover, 1888), II, nos 31 (973): 'omnemque decimam census argenti'; 140 (976): 'cum abbaciis aecclesiis decimationibus monetis theloneis mundis'.

to the annual levies of tribute in Germany and the allocation to the
monastery of various ninth and tenth parts of the royal taxes from
certain named districts.[65] These arrangements may go back to the eighth
century when Frisia and eastern parts of Germany were being con-
quered and pacified by Frankish kings.

As for trade, a ten per cent rate of toll on merchandise crossing the
Frankish frontiers is not that surprising given the extent to which it
applied across the Byzantine and Arab world from the sixth century
onwards.[66] Although there is little evidence of a ten per cent toll rate in
western Roman provinces, it had a long history in Byzantium and other
Greek cities and Hellenistic states, and may have survived into the
period of Roman rule.[67] A tithe or ten per cent tax is of course well
known from references in the Bible. However, under the Roman
empire, the principal tax (and tax rate) on trade in the eastern provinces
was the *octava* (meaning an eighth, or 12.5 per cent). It was only in the
sixth century that the *deketeia* (meaning a tenth or 10 per cent) began
to replace the *octava* across the Byzantine empire.[68] The *deketeia* like its
predecessors was levied on imports and exports in designated ports,
markets and frontier toll stations.

Hélène Antoniadis-Bibicou has rightly pointed out how much the
principles of reciprocity applied in treaties and trade relations between
the Byzantine empire and its neighbours.[69] Rules in one state were often
matched by similar regulations in another. Byzantine practice certainly
influenced other states, and there is evidence of a ten per cent duty in the
ninth century in the Khazar state on the borders of the Byzantine Cher-
sonese and what became Kievan Rus and also amongst the Volga Bulgars.[70]

Constable makes the same point about reciprocity in relation to
Spain when looking at tax and trading relationships between Christians,
Muslims and the Byzantines.[71] The eighth-century commentator, Abū
Yūsuf, claimed that the earliest Islamic tariffs were in fact a response to
Byzantine taxes on trade.[72] A canonical tithe (the *'ushr*) or ten per cent

[65] Sickel, *Die Urkunden Konrad*, I, no. 277 from 965: '. . . eidem monasterio concederent quan-
      dam partem census seu tributi quae eis annuatim ex Alemannia solvebantur, videlicet ex
      centena Erihgeuue et Apphon nuncupata, nec non et decimam de portione quae in Albege-
      uue iacet, seu et nonam ex fisco cuius vocabulum est Sahsbach, atque etiam et nonam partem
      tributi quae ex Prisegouue ad nostrum exigitur opus'.
[66] See Schmid's comments in Ganshof, 'A propos du tonlieu a l'epoque Carolingienne', pp. 511–14.
[67] De Laet, *Portorium*, pp. 47–8 and p. 66.
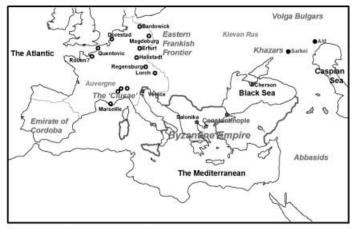[68] Antoniadis-Bibicou, *Recherches sur les Douanes à Byzances*, pp. 39, 75–95.
[69] Antoniadis-Bibicou, *Recherches sur les Douanes à Byzances*, pp. 99–101.
[70] S. Franklin and J. Shepherd, *The Emergence of Rus 750–1200* (London, 1996), pp. 42–3, 63.
      For the extent of Byzantine influence in this area see T. Noonan, 'Byzantium and the
      Khazars: A Special Relationship?', in J. Shepard and S. Franklin (eds), *Byzantine Diplomacy*
      (Aldershot, 1992), pp. 109–32.
[71] Constable, *Trade and Traders in Muslim Spain*, pp. 130–2.
[72] Quoted in Constable, *Trade and Traders in Muslim Spain*, p. 131 and referenced in n. 77.

Adapted from *The Times Atlas of European History*

Fig. 2 Evidence of 10% toll rates on foreign merchants by early 9th century

duty on the goods of foreign traders was common in Islamic states from the seventh century onwards and can be found as far west as Muslim Spain by the eighth century.[73]

Is it an accident that a ten per cent tax was imposed on foreign merchants importing (and exporting?) goods across the frontiers of all the major medieval states in Europe by the early ninth century (see Fig. 2)? It is of course possible, but seems unlikely. The evidence points to the existence and diffusion of similar administrative practices and institutions across the Mediterranean world and continental Europe. Reciprocity in interstate trade relations may have provided the impetus, but the spread of common rules also helped facilitate the development of international trade by providing merchants with some certainty and security. Although essentially Roman in origin, one can trace at least some of these rules with confidence to Byzantine antecedents which post-date the end of the western empire. The introduction of the *deketeia* and the customs reforms of Justinian in the Byzantine empire in the sixth century evidently influenced the organization of taxation and trade in early medieval Europe. The common tax arrangements on trade may have been short-lived in many areas, but it is still an impressive demonstration of the centralizing power of Frankish kings. Although the *decima* (as a ten per cent toll rate) first appears under the Carolingians, it is probable that its history begins with the Merovingians. A ten per cent tax on production in Merovingian Gaul and in Visigothic and

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[73] Antoniadis-Bibicou, *Recherches sur les Douanes à Byzances*, pp. 97–102; Constable, *Trade and Traders in Muslim Spain*, pp. 126–9.

Islamic Spain from the seventh century onwards has already been
mentioned above. Moreover, the Merovingians also had close links with
Byzantine and Lombard Italy. In the sixth and seventh centuries,
Marseille was the main Frankish port for trade and contacts with North
Africa and the eastern Mediterranean.[74] It was Henri Pirenne who first
pointed out similarities between the essential functions of the Byzantine
apotheke and the seventh-century *cellarium* (*fisci* or *telonei*) of Fos and
Marseille.[75] For Merovingian kings, Marseille was *the* great port, and it
might well have exercised a profound influence on the royal adminis-
tration of developing ports elsewhere in Frankish territories such as
Quentovic and Rouen, and even perhaps Dorestad.[76]

Anglo-Saxon tolls, pre-emption and hosting

On the basis of reciprocity alone one might expect to find the same tolls
and customs in English and Frankish ports. We have already seen similar
types of customs jurisdiction on both sides of the Channel. Susan Kelly
suggests a ten per cent tax on merchandise may have applied in England
primarily because of the Carolingian evidence.[77] Anglo-Saxon rulers,
ecclesiastics, merchants and other travellers had first-hand experience of the
decima across Francia from Quentovic and Dorestad to northern Italy and
would have come across the *deketeia* in Byzantine territory. Knowledge
of these Frankish and Byzantine customs would also have been brought
by overseas visitors like Theodore of Tarsus. It is reasonable to suppose
that it was a matter of common knowledge and everyday experience.

Dorestad and Quentovic seem to have been the main Frankish ports
serving England in the seventh and eighth centuries.[78] Abbot Gervold

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[74] S.T. Loseby, 'Marseille and the Pirenne Thesis, I: Gregory of Tours, The Merovingian Kings,
and "Un Grand Port"', in R. Hodges and W. Bowden (eds), *The Sixth Century: Production,
Distribution and Demand* (Leiden, 1998), pp. 203–29.

[75] H. Pirenne, 'Le Cellarium Fisci', in *idem, Histoire Économique de L'Occident Médiéval*
(Bruges, 1951), pp. 110–11; cf. F.L. Ganshof, 'Les Bureaux du Tonlieu de Marseille et de Fos',
in *Études Historiques à la mémoire de Noël Didier* (Paris, 1960), pp. 125–33. See also the
commentary and notes in Loseby, 'Marseille and the Pirenne Thesis', pp. 221–3. A *decima*
appears in a record of 1228 for Marseille (and in twelfth-century records for Genoa); see
Constable, *Trade and Traders in Muslim Spain*, pp. 132–3.

[76] Loseby, 'Marseille and the Pirenne Thesis', pp. 223–9.

[77] S. Kelly, 'Trading Privileges from Eighth-Century England', *EME* 1 (1992), p. 20 and n. 44.
Kelly suggests that the ninth-century King Aethelwulf of Wessex's 'decimations' also have
some relevance, though this seems very doubtful; see H.P.R. Finberg, *Early Charters of Wessex*
(Leicester, 1964), pp. 187–213.

[78] Zeumer, *Formulae Merowingici et Karolini Aevi*, pp. 314–15, no. 37. For the importance of
Quentovic and Dorestad as ports of arrival and departure for cross-Channel travellers see
I. Wood, *The Merovingian Kingdoms 450–751* (Harlow, 1994), pp. 295–7; Lebecq, 'Pour une
Histoire Parallèle', pp. 415–28. The fortunes of both ports fluctuated over time if the coin
evidence is any guide: S. Coupland, 'Trading Places: Quentovic and Dorestad Reassessed',
EME 11:3 (2002), pp. 209–27.

of St Wandrille, we may recall, is described in the *Gesta* as '*procurator* of the kingdom's trade, collecting the tributes and tolls (*exigens tributa et vectigalia*) in various ports and cities but especially in Quentovic'.[79] The phrase *vectigalia et tributa* was also in common use in the early Roman empire. *Vectigalia* were the tolls (i.e. the *portoria*, and later the *telonea*) which were normally farmed out to contractors, but the meaning of the *tributa* is less certain though it may have referred to tax assessments collected via local communities.[80] In the early medieval period, *vectigal* and *tributum*, and also *census*, were often used as generic synonyms for tolls (*teloneum*) and other royal taxes, so it is often difficult to be precise about their meaning in a given context.[81] In the *Gesta*, however, the *vectigalia* are surely the tolls: the payments for permission to trade. The *tributa* may refer to royal rights of pre-emption, which themselves are in effect tribute payments by merchants for royal protection, and the involvement of local communities in the process as in the Roman period may lend some weight to the suggestion.[82]

The terminology used for tolls in Channel ports certainly suggests some common customs. Whatever the precise meaning of the phrase in the *Gesta*, the coupling of *vectigal* and *tributum* is in itself significant. The same phrase appears in eighth-century Anglo-Saxon toll exemptions of Aethelbald of Mercia and Eadberht II of Kent relating to London and the Kentish ports of Sarre and Fordwich.[83] In these charters, the terminology for tolls is inconsistent and confusing and probably reflects the fact that vernacular words for tolls were the norm and that a specialized Latin vocabulary was still developing in England during this period.[84] Nevertheless, it would be a remarkable coincidence indeed if the use of the same phrase on both sides of the Channel was unconnected given the close association of kings, tolls and ports in a common trading area. One wonders whether claims by Merovingian kings to exercise some form of lordship in England in the sixth century has any relevance in this context.[85]

The Mercian and Kentish royal charters of exemption provide important evidence about tolls and shipping customs including pre-emption

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[79] Lohier and Laporte, *Gesta . . . Fontanellensis*, p. 86, Book 12, c. 2: 'procurator per diversos portus ac civitates exigens tributa atque vectigalia, maxime in Quentawic'. Rouen and probably Amiens were included within the Channel toll jurisdiction centred on Quentovic; see Lebecq, 'Pour une Histoire Parallèle', p. 423.

[80] De Laet, *Portorium*, pp. 45–53; W. Goffart, *Caput and Colonate: Towards a History of Late Roman Taxation* (Toronto, 1974), pp. 16–21.

[81] J.F. Niermeyer and C. Van Kieft (eds), *Mediae Latinitas Lexicon Minus* (Leiden, 2002), s.v. *census*, *tributum* and *vectigal*; Ganshof, 'A propos du tonlieu sous les Merovingians', pp. 293–4.

[82] See the text associated with nn. 109–11 and 116 below.

[83] Sawyer, *Anglo-Saxon Charters*, nos 29, 91, 1612 and 1788; see Kelly, 'Trading Privileges from Eighth-Century England', pp. 3–28.

[84] Kelly, 'Trading Privileges from Eighth-Century England', pp. 20–1; Stoclet, *Immunes Ab Omni Teloneo*, pp. 129–71 and esp. pp. 137–9.

[85] Wood, *The Merovingian Kingdoms 450–751*, pp. 176–8.

in early eighth-century London and Kentish ports. Alain Stoclet has convincingly demonstrated that the exemptions are based on Byzantine models and suggests they were introduced into England by Archbishop Theodore of Tarsus and Abbot Hadrian in the late seventh century.[86] Byzantine influence was not limited to the style and terminology of the charters but also to the trading practices themselves. King Eadberht II of Kent's grant of 763–4 to Sigeburga, abbess of Minster, is of particular interest in this connection.[87] The king granted Sigeburga freedom from toll on two ships at the port of Sarre just as Aethelbald and Offa of Mercia had previously done so at London. Sarre on the Wantsum channel was a Kentish port located at the point where the double tides from the Thames estuary and the Channel met.[88] In respect of a ship recently built at Minster, the king granted the abbey the right to replace it if it was lost through old age, shipwreck or damage. Stoclet has shown that this and similar clauses mirror later Byzantine practice and are not found as one might expect in contemporary Frankish charters of exemption.[89] King Eadberht II also ordered Minster Abbey to bring any new replacement ship to Fordwich along with its goods. One likely explanation is that it allowed the king to exercise his pre-emptive rights, but it may also have served another purpose which is explained in later Byzantine administrative practice. The Byzantine state had an elaborate process for measuring and registering the cargo-carrying capacity of ships to ensure that any new ship conformed to the terms of the original exemption.[90] It mattered because measuring a ship's capacity was one of the keys to assessing the amount of tax due: the larger the ship and therefore the greater the volume of goods carried, the higher the rate of toll levied. Although Eadberht II's charter does not specifically mention capacity, one can see an example of this in later London records. The law code *IV Aethelred* records that larger ships (*Keels* and *Hulks*) paid 4*d.* while smaller boats paid 1*d.* or a halfpenny at Billingsgate in London.[91]

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[86]   Stoclet, *Immunes Ab Omni Teloneo*, pp. 87–92.

[87]   Sawyer, *Anglo-Saxon Charters*, no. 29; W. de G. Birch (ed.), *Cartularium Saxonicum* (London, 1885–93), no. 189.

[88]   Kelly, 'Trading Privileges from Eighth-Century England', pp. 9–10; S.C. Hawkes, 'Early Anglo-Saxon Kent', *Archaeological Journal* 126 (1969), pp. 186–92; Tatton-Brown, 'The Towns of Kent', pp. 1–36.

[89]   Stoclet, *Immunes Ab Omni Teloneo*, pp. 87–113.

[90]   P. Lemerle, 'Notes sur l'administration Byzantine à la veille de la IVe croisade d'après deux documents inédits des archives de Lavra', in *Revue des Études Byzantines* 19 (1961), pp. 258–72. On Byzantine ship measures and capacity see H. Antoniadis-Bibicou, *Études d'Histoire Maritime de Byzance* (Paris, 1966), pp. 129–33 and A. Harvey, *Economic Expansion in the Byzantine Empire 900–1200* (Cambridge, 1989), pp. 238–41.

[91]   F. Liebermann (ed.), *Die Gesetze der Angelsachsen*, 3 vols (Halle, 1903–16), I, p. 232, *IV Aethelred*, c. 2 and 2.1: 'Ad Billingesgate si advenisset una navicula, I obolus tolonei dabatur, si maior et haberet siglas, I d. Si adveniat ceol vel hulcus et ibi iaceat, quatuor d. ad teloneum.'

There is evidence that ships were also assessed for tolls according to their carrying capacity in Frankish territory.[92]

Eadberht II's charter is also of interest for the special condition attached to the privilege of replacing any lost ship: whatever merchandise the abbey acquired or carried in the ship had to be offered to the king at Fordwich.[93] Kelly identifies this as a reference to a royal right of pre-emption which makes sense of an otherwise obscure passage.[94] The charters of exemption demonstrate that tolls levied in Kentish ports were also collected in London, and we may reasonably assume that Mercian kings also enjoyed rights of pre-emption there in the eighth century. London has the largest collection of records on pre-emption, tolls and regulations governing foreign merchants of any port in northwest Europe. These records, mainly dating from the eleventh century onwards, arguably broaden our understanding of trading practices in seventh- and eighth-century London. The fact that the main trading settlement appears to have moved from the Aldwych (literally 'the old *wic*') area to within the old Roman walls sometime during the ninth century need not have altered the substance of those trading customs.[95] Administrative continuity is not necessarily dependent on archaeological continuity. Central features of the pre-emption and hosting rules appear repeatedly in sources relating to London from the seventh to the fifteenth century and beyond.

Our starting point is *IV Aethelred* which is usually dated to about 1000 though it may be as late as 1035, and there is a good case for dating it to the reign of Cnut (1016–35).[96] It is traditionally referred to as a law code but in many ways it has the feel of an inquest or an early town custumal. *IV Aethelred* is a record of tolls collected at Billingsgate and

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[92] Boretius and Krause, *Capitularia Regum Francorum*, II, no. 253: *Inquisitio de theloneis Raffelstettensis*, c. 7: '. . . Ibi de unaqueque navi legittima, id est quam tres homines navigant, exsolvant de sale scafil III, nichilque amplius ex eis exigatur'. F.L. Ganshof, 'Note sur l'Inquisitio de theloneis Raffelstettensis', *Le Moyen Âge* 72 (1966), pp. 218–19. See further Stoclet, *Immunes Ab Omni Teloneo*, pp. 204–11.

[93] Sawyer, *Anglo-Saxon Charters*, no. 29; Birch, *Cartularium Saxonicum*, no. 189: 'Si autem contigerit, ut navis ista rupta et confracta sit, vel nimia vetustate consumpta, sive etiam, quod absit, naufragio perdita, ut alia in loco illius ad utilitatem ibidem Deo servientium famulorum Christi et faularum construatur; ad hanc videlicet conditionem, ut quicquid in suis mercimoniis in diversis speciebus adquirere possint nobis fideliter inoffense offere debeant, simul cum ipsa navi, ad locum qui appellatur Fordewik.'

[94] Kelly, 'Trading Privileges from Eighth-Century England', pp. 13–14.

[95] A. Vince, *Saxon London: An Archaeological Investigation* (London, 1990); B. Hobley, '*Lundenwic* and *Lundenburh*: Two Cities Rediscovered', in R. Hodges and B. Hobley, *The Rebirth of Towns*, pp. 69–82.

[96] Liebermann, *Gesetze*, I, pp. 232–7: *IV Aethelred*. On possible dates see also H.R. Loyn, *Anglo-Saxon England and the Norman Conquest* (London, 1962), pp. 93–4; Lawson, *Cnut*, pp. 204–6; D. Keene, 'London in the Early Middle Ages', *London Journal* 20–22 (1995), p. 11. For a recent commentary on Aethelred's early legislation see P. Wormald, *The Making of English Law* (Oxford, 1999), pp. 320–30.

of the customs governing the conduct of foreign merchants as they applied in London in the late tenth and eleventh centuries. Nothing in *IV Aethelred* suggests these were new tolls and customs. On arrival at port, traders took part in a formal customs process so that royal officials could exercise the king's right of pre-emption to purchase goods at a beneficial price. At Billingsate, according to *IV Aethelred*, the men of Flanders, Poitou, Normandy and France had to display their goods for pre-emption and pay toll (*monstrabant res suas et extolneabant*), but men from the Lotharingian towns of Huy, Liège and Nivelles who travelled inland paid *ostensio* as well as toll (*qui pertransibant ostensionem dabant et telon*).[97] *Ostensio* is a direct Latin translation of scavage which derives from the Old English *sceawung* meaning 'a showing or a display'.[98] It also appears in some later documents as 'shewage' or 'shewite'. The tax was evidently paid by the Lotharingians when they travelled inland, but not by the other merchants who remained and displayed their goods at the port where pre-emptive rights were exercised. The meaning of scavage is not certainly known, but it is defined in a thirteenth-century glossary as a 'quittance from the display of merchandise' (*quite de moustrance de marchandise*).[99] This suggests that scavage was a payment made to waive the king's right of pre-emption at the port.

Further details about the pre-emption process and the payment of scavage are found in a section of an early thirteenth-century London custumal known as the *Ley as Lorengs*, the Law of the Lotharingians (or 'Lorrainers'), which probably dates back to the eleventh century.[100] According to the *Ley*, the Lotharingians paid scavage (with one notable exception which is discussed below) if they travelled beyond the wharves and Thames Street and took up lodgings in London. The port

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[97] Liebermann, *Gesetze*, I, *IV Aethelred*, c. 2.6: 'Flandrenses et Ponteienses et Normannia et Francia monstrabant res suas et extolneabant'; c. 2,7: 'Hogge et Leodium et Nivella, qui pertransibant (per terras ibant), ostensionem dabant et telon'.

[98] Gras, *Early English Customs System*, pp. 33–5; J. Bosworth and N. Toller (eds), *An Anglo-Saxon Dictionary* (London, 1898), s.v. *sceawung*. The term also has a judicial meaning in the sense of proving (i.e. providing proof), and its origins may perhaps be found in the Roman *professio*, the process whereby tax collectors inspected goods to ensure that the correct tax was levied, De Laet, *Portorium*, pp. 438–9.

[99] *Red Book of the Exchequer*, ed. H. Hall, Roll Series (London, 1896), III, p. 1033, s.v. *shewite*; cf. *Placita de Quo Warranto*, p. 275, s.v. *shewyngge*, and *Liber Monasterii de Hyda*, ed. E. Edwards (London, 1866), p. 43, s.v. *scheauwyng*. See also *Liber Albus: The White Book of the City of London*, ed. H.T. Riley, Munimenta Gildhallae Londoniensis (London, 1861), p. 223.

[100] The best edition remains M. Bateson, 'A London Municipal Collection of the Reign of John', *English Historical Review* 17 (1902), pp. 495–502; see also pp. 480–3 for the introduction. K. Höhlbaum, *Hansisches Urkundenbuch* (Halle, 1876–86), III, pp. 388–92. A translation may be found in *Liber Custumarum*, ed. H.T. Riley, Munimenta Gildhallae Londoniensis (London, 1860), vol. II, pt. II, pp. 528–30. The London custumal or municipal collection dates from 1210–16, but the *Ley* section, written in Norman French, is considered to be much older. Although previously dated to around 1130, an eleventh-century date seems much more likely, on which see further C. Brooke and G. Keir, *London 800–1216: The Shaping of a City* (Berkeley and Los Angeles, 1975), p. 267 and n. 2.

clearly operated under different rules from the town, and Thames Street probably served as the boundary line of the port jurisdiction along the shore. It helps explain the meaning of the word *pertransibant* in *IV Aethelred*; the Lotharingians were crossing the boundary of the port jurisdiction and travelling into the town.

This distinction between port and town is apparent in ninth-century charters relating to the activities of the bishops of Worcester in London who were already involved in trade there as early as the eighth century, according to the evidence of one of the toll exemptions. In the ninth century they are found collecting tolls from traders and exercising rights to profit from the control of weights and measures within their property in London. There is no reference to them having hosting or pre-emption rights there, but this is possible.[101] In 857 King Burgred granted a profitable plot of land called *Ceolmundinghaga* in London (*in vicu Londoniae*) to Bishop Alhhun who was allowed to use weights and measures following the customs of the port (*sicut in porto mos est*).[102] On the basis of the reference to the *wic* and the comparative lack of archaeological evidence for intramural settlement prior to the tenth century, it is generally assumed that *Ceolmundinghaga* was located in the Strand settlement though clearly it was outside the area designated as the 'port'. But *Ceolmundinghaga* is not certainly located in the Strand, and one should not make too much of the negative archaeological evidence for lack of intramural habitation. In 889 King Alfred granted Bishop Waerferth of Worcester a *curtis* known as *aet Hwaetmundes stane* in London, which has been identified as the same property as the one granted some ten years later to Bishop Waermund of Worcester at Queenhithe within the walls.[103] Bishop Waerferth was entitled to collect tolls within the *curtis*, but tolls collected on the public road (*in strata publica*) running up from the Thames, or on the shore (*in ripa emtorali*), belonged to the king as of right (*juxta quod rectum sit thelon ad manum regis*). These were not new royal toll rights and the *strata publica* evidently pre-dates the grant (or confirmation) of the property which pushes intramural

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[101] It is worth noting that Westminster Abbey claimed the right to collect scavage (*sceawung*) within their sokes in London in spurious eleventh-century grants which were subsequently confirmed in the twelfth century: *Anglo-Saxon Writs* ed. F.E. Harmer (Stamford, 1952), nos 105 and 106, and see pp. 83, 334. *Regesta Regum Anglo-Normannorum*, ed. H.W.C. Davis (Oxford, 1913), I, no. 216, cf. *ibid.* no. 141 for St Peter of Ghent; *Regesta Regum Anglo-Normannorum*, eds C. Johnson and H.A. Cronne (Oxford, 1956), II, nos 1247, 1248 and 1249; *Regesta Regum Anglo-Normannorum*, eds H.A. Cronne and R.H.C. Davis (Oxford, 1968), III, no. 928.

[102] Sawyer, *Anglo-Saxon Charters*, no. 208.

[103] Sawyer, *Anglo-Saxon Charters*, nos 346 and 1628. T. Dyson, 'Two Saxon Land Grants for Queenhithe', in J. Bird, H. Chapman and J. Clark (eds), *Collecteanea Londoniensis*, London Middlesex Archaeology Society Special Paper 2 (1978), pp. 200–15. See also Kelly, 'Trading Privileges from Eighth-Century England', pp. 12–13.

settlement back well into the ninth century. Dyson has convincingly identified the location and boundaries of this intramural property. It was bounded on the south by a wall identified as the Roman riverside wall which ran along or close to what later became known as Thames Street. The *ripa emtorali* was thus the shore south of the line of the later Thames Street and the area where tolls were reserved to the king. It is the same street, and doubtless the same boundary line, as that indicated for the port jurisdiction in the *Ley*, which by the eleventh century the Lotharingians were allowed to cross.

A distinction between port and town is also indicated in post-Conquest sources relating to other former Anglo-Saxon royal ports such as Southampton, Chester and Ipswich.[104] Carolingian evidence suggests the same thing in Francia. In Adrevald's ninth-century life of St Benedict, a boat belonging to the monastery of Fleury is seized by royal officials at Orleans for alleged toll evasion and held in the royal port (*portus fiscali*).[105] The existence of separate jurisdictions within towns (both secular and ecclesiastical) is well attested in later medieval records of towns in both Francia and England.[106] In Muslim Spain, similar jurisdictions in major ports are found at Seville, and probably at Almeria, which allowed the authorities to control foreign merchants in return for protection.[107]

In London, the Lotharingian wine merchants were limited to stays of forty days (and forty nights). A forty-day rule was evidently common in London and applied to other groups of foreign merchants.[108] This fixed period probably derives, some foreign visitors may have felt rather aptly, from the biblical stories of Jesus' and Moses' sojourns in the wilderness. At any rate, the Lotharingians had to notify the sheriff of the location of their lodgings (i.e. hostels) and wait for three days before unpacking their goods for sale. Anyone disobeying this regulation risked forfeiting their goods. The waiting period provided an opportunity for the sheriff to visit the hostels to assess and collect the scavage due.

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[104] Southampton: Cobb, *The Local Port Book of Southampton*, p. xii. Chester: K.P. Wilson, *Chester Customs Accounts 1301–1566* (1969), p. 12. Ipswich: *The Black Book of the Admiralty, vol. II: 'Le Domesday de Gipewyz'*, ed. T. Twiss, Rolls Series 55 (London, 1873), I, pp. 184–206.

[105] Adrevald of Fleury, *Ex Adrevaldi Floriacensis Miraculis Sancti Benedicti*, ed. O. Holder-Egger, *MGH Scriptores* 15.1 (Hanover, 1887), p. 487; Ganshof, 'A propos du tonlieu a l'époque Carolingienne', pp. 485–91.

[106] R.H. Hilton, *English and French Towns in Feudal Society: A Comparative Study* (Cambridge, 1995), pp. 25–52.

[107] Constable, *Trade and Traders in Muslim Spain*, pp. 115–16.

[108] The rule applied to foreign woad merchants, Bateson, 'A London Municipal Collection', p. 725; Gascon wine merchants are also recorded in 1280 as previously limited to stays of forty days in London, T.H. Lloyd, *Alien Merchants in England in the High Middle Ages* (Sussex, 1982), pp. 24–6. The rule evidently spread to other towns as one can see for example in a record of 1309 for King's Lynn, accessible at S. Alford's website <http://www.trytel.com/~tristan/towns/lynnlaws.html>, s.v. 'Aliens'.

According to the fifteenth-century *Liber Albus*, the profits of scavage were divided equally between the sheriff of London and the hosts (i.e. owners or landlords) of the hostels.[109] The hosts were either merchants themselves or normally involved in trade on their own account or through agents. As was the case elsewhere, hosts probably exercised some right of pre-emption on the foreigners' goods and actively traded on their own and the foreigners' behalf.[110] Profits from scavage and pre-emption helped to incentivize hosts to assist royal officials in controlling the activities and behaviour of foreign merchants. Scavage may thus have been not simply a commutation of the king's right of pre-emption (and that of delegated authorities like the merchants of London) at the port, but a payment for permission to lodge with, and receive protection from, hosts in the town. If this is the case, then scavage may be related to the *skaliatikon* (i.e. *scaliatico* which also appears in the west as *scalaticum* or *scalagium*), a tax collected in ports of the Byzantine empire apparently for permission to use commercial hostels.[111] Pre-emptive rights (and related commuted dues like scavage) may be interpreted as tribute payments by foreign merchants to kings and other hosts in return for their protection.

The hosting rules mentioned in the *Ley* are obviously not new regulations and almost certainly represent ancient practices. Their prime purpose was probably to find someone to take responsibility for foreign merchants who were operating outside their normal kinship groups while overseas. In the late seventh century, the law code of King Ine of Wessex makes implicit reference to hosts and what happens to the wergilds of foreigners who are killed while under their protection.[112] Hosts had legal status and were responsible for the merchants and travellers who lodged with them. In cases where a foreigner had no kin then the wergild was shared equally between the host and the king; it may be purely coincidental but one should note that the proceeds of scavage at London were shared in the same proportions. King Ine may not have controlled London directly, but it is probable he exercised some kind of influence there because Bishop Earconwald of London is

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[109] Riley, *Liber Albus*, p. 223. For the background to this text see W. Kellaway, 'John Carpenter's Liber Albus', *Guildhall Studies in London History* 3:2 (1978).

[110] See n. 154 below. For London see Lloyd, *Alien Merchants in England*, pp. 23–4. Note also the rules in the London woad trade, Bateson, 'A London Municipal Collection', pp. 724–6.

[111] G. Rouillard, 'Les taxes maritimes et commerciales d'après des actes de Patmos et de Lavra', in *Mélanges Charles Diehl* (Paris, 1930), pp. 282–3; Antoniadis-Bibicou, *Recherches sur les Douanes à Byzances*, pp. 134–5; C. du Fresne Du Cange, *Glossarium . . . Latinitas* (Niort, 1883–7), s.v. *scalagium*. Gras, *Early English Customs System*, p. 33, n. 1 also suggested a connection, though on doubtful etymological grounds.

[112] Liebermann, *Gesetze*, I, pp. 88–123, c. 23; translated Attenborough, *The Laws of the Earliest English Kings*, pp. 36–61, c. 23, and D. Whitelock, *English Historical Documents c.500–1042* (London, 1955), I, pp. 364–72, c. 23.

mentioned in his law code.[113] At any rate, Ine's law would certainly have applied in Wessex, and later records show that Southampton (*Hamwic*'s successor) had hosting rules (on which see further below).

The late seventh-century law code of the Kentish kings, Hlothere and Eadric, which makes specific reference to London, is more explicit on the subject of the involvement of hosts with foreign traders as opposed to travellers in general. It states that 'if anyone harbours a stranger (i.e. a foreigner), a trader or any other man who has come across the frontier, for three nights in his own home, and then supplies him with his food, and he does any injury to any man, the man is to bring the other to justice or to discharge the obligations for him'.[114] It would be surprising indeed if the three-nights rule for hosting foreigners in the late seventh century is unrelated to the three-days rule for hosting foreigners and collecting scavage in London recorded for the first time in the eleventh-century *Ley* and implied in *IV Aethelred*.[115] Although we lack conclusive proof, it seems reasonable to suggest that pre-emption (which is first recorded in passing in an eighth-century toll exemption) and even perhaps scavage, just like the related hosting rules, go back at least to the late seventh century.[116] The hosting regulations were not merely old customs surviving in antiquarian collections. As late as 1364, almost 700 years later, the king instructed London sheriffs to advise hosts 'not to take in any stranger unless they can be ready to answer for the conduct of those they harbour for the preservation of the peace'.[117] For centuries it was a live public order issue as well as a matter of taxation and trade.

The hosts are identified in one clause of Ine's law code as abbots and abbesses, and in another as *gesiths*, a high-status group with a 1200 shilling wergild like the thegns of later Anglo-Saxon England with whom they are often identified.[118] If we assume that the hosts in Hlothere and

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[113] B. Yorke, *Wessex in the Early Middle Ages* (London, 1995), p. 62; and B. Yorke, *Kings and Kingdoms of Early Anglo-Saxon England* (London, 1990), p. 56, on the limits of West Saxon territory towards London in the early medieval period.

[114] Liebermann, *Gesetze*, I, pp. 9–11, c. 15; translated here by Whitelock, *English Historical Documents*, p. 361, c. 15, and cf. Attenborough, *The Laws of the Earliest English Kings*, pp. 18–23, c. 15.

[115] It is worth noting that Christian merchants were forbidden from staying longer than three days in the ports and markets of the Hejaz region of Arabia in the early medieval period, see Lopez, 'Du marché temporaire à la colonie permanente', p. 397 and the references cited there.

[116] One wonders whether the phrase *vectigal et tributum* in eighth-century toll exemptions is related to the *telon' et ostensio* of *IV Aethelred*. In this case, *tributum* may refer to the pre-emption process rather than necessarily scavage itself.

[117] *Calendar of Letter-Books of the City of London G*, ed. R.R. Sharpe (London, 1906), p. 182; cf. 'The Oath of the Hostellers', in *Calendar of Letter-Books of the City of London D*, ed. R.R. Sharpe (London, 1902), p. 194 and *Calendar of Letter-Books of the City of London H*, ed. R.R. Sharpe (London, 1907), p. 167.

[118] On *gesiths* see Whitelock, *English Historical Documents*, p. 362, n. 3; F. Stenton, *Anglo-Saxon England*, 3rd edn (Oxford, 1971), pp. 302–4; H.R. Loyn, 'Kings, Gesiths and Thegns', in M.O.H. Carver (ed.), *The Age of Sutton Hoo: The Seventh Century in North-Western Europe* (Woodbridge, 1992), pp. 75–9.

Eadric's law code were of similar status, and there seems no good reason not to do so in the absence of an alternative explanation, then it raises important questions about the involvement of secular and ecclesiastical landowners in trade. Members of the highest-status groups in the late seventh century, at least in London, Kent and Wessex, owned or controlled the hostels where foreigners lodged during visits and would have participated in pre-emption and trading with merchants under authority delegated by kings.

It is not much of a leap of faith to include churchmen in this group since we know from the eighth-century toll exemptions that bishops and abbesses were actively participating in trade by operating cargo ships along the Wantsum and the Thames to London.[119] These ships were presumably involved not only in coastal trading but also bringing goods from across the Channel and many were no doubt carrying wine. Anglo-Saxon merchants were notable buyers of wine at the fair of St Denis and in the Paris region during the eighth century.[120] The abbey of St Denis itself may have been trading wine in London, for it operated a port (probably *Sandvic*) at the mouth of the River Seine, and an admittedly doubtful charter of Offa's suggests the abbey owned property and privileges in *Lundenwic*.[121] The monastery of St Germain-des-Prés produced a vast surplus of wine and much of it went to the fair at St Denis.[122] Some of this wine was probably for direct export since the abbey had secured a royal exemption from tolls throughout Francia including the major ports of Rouen, Quentovic, Maastricht and Dorestad and, perhaps more significantly, their tenants owed carrying services to Quentovic.[123] The wine trade was at the heart of cross-Channel traffic throughout the Middle Ages. English kings were primarily interested in securing supplies of wine and profiting from the wine trade above any other commodity judging by the elaborate pre-emption rules applied to

[119] Kelly, 'Trading Privileges from Eighth-Century England'.
[120] *Diplomata Karolinorum*, ed. E. Mühlbacher, *MGH* (Hanover, 1906), I, no. 6 (753) and no. 12 (759); cf. *Les diplômes originaux des mérovingiennes*, eds P. Lauer and C. Samaran (Paris, 1908), no. 31. L. Levillain, 'Études sur L'Abbaye de Saint-Denis à l'époque Mérovingienne', in *Bibliothèque de L'École Des Chartres* 91 (1930), pp. 5–65. McCormick, *Origins of the European Economy*, pp. 647–53.
[121] J. Le Maho, 'The Fate of Ports of the Lower Seine Valley at the End of the Ninth Century', in Pestell and Ulmschneider, *Markets in Early Medieval Europe*, pp. 234–6. Sawyer, *Anglo-Saxon Charters*, no. 133: although there are concerns about the charter's authenticity, it seems unlikely that St Denis would lay claim to specific rights overseas in London if it had none; Kelly, 'Trading Privileges from Eighth-Century England', pp. 23–4.
[122] K. Elmshäuser and A. Hedwig, *Studien zum Polyptychon von Saint-Germain-des-Prés* (Cologne, 1993), pp. 365–99; Verhulst, *The Carolingian Economy*, pp. 101–2.
[123] J.-P. Devroey, 'Un monastère dans l'économie d'échanges: les services de transport à l'abbaye de Saint-Germain-des-Prés au IXe siècle', in *Annales, Economies, Sociétés, Civilisations* 39 (1984), pp. 573–7. Charlemagne's original confirmation of 779: *Diplomata Karolinorum*, ed. Muhlbacher, I, no. 122.

foreign traders and the trade in London. Royal officials like moneyers and *wic*-reeves benefited from their close association with kings and trade. Studies of London's ruling class in the twelfth and the thirteenth centuries, when detailed records are more readily available, demonstrate that royal and town officials were themselves often important landowners and that trade in luxury goods, notably wine, was of some significance amongst them.[124] The hosting rules suggest, albeit indirectly, that it may not have been essentially any different in the seventh and eighth centuries.

The *Ley* rules on pre-emption may also be revealing about London's early merchant community. When the Lotharingian wine fleet docked in London, no merchant of London was allowed aboard ship to trade for two ebbs and a flood tide except to buy the customary sample of 'tap-wine' for a penny. Anyone who ignored this rule risked paying a forty-shilling fine to the king. The same fine is found in other former Anglo-Saxon royal ports.[125] It was intended to ensure that goods were not concealed from the king's officers so that the correct tolls and customs were levied. The Lotharingians only paid the scavage on wine (which was also known as *cornage*) at London if the royal officials did not come within the allotted time.[126] If the royal officials arrived at the wharves within the waiting period, then if the ship was a *keel*, they were entitled to buy two tuns behind the mast and one before: 'the best for the same price as that at which the mean quality is sold, and the mean quality for the price at which the lowest is sold'. If the ship was a *hulk*, then one tun was taken before the mast and one tun after. Good quality wine was normally stored behind the ship's mast to minimize the risk of water damage during the voyage.[127] On the basis of two tuns for *hulks*, pre-emption applied to approximately ten per cent of the *hulk's* wine cargo.[128] It may not have been much less for a *keel*. After the royal officials had finished, the Lotharingians were obliged to sell their goods

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[124] S. Reynolds, 'The Rulers of London in the Twelfth Century', *History* 57 (1972), pp. 337–57; G. Williams, *Medieval London, from Commune to Capital* (London, 1963), pp. 63–5; see Hilton, *English and French Towns in Feudal Society*, pp. 87–104 for a more general survey of urban rulers in medieval France and England.

[125] For Chester see J. Tait, *The Domesday Survey of Cheshire* (Manchester, 1916), p. 85; J. Morris (ed.), *Domesday Book: Cheshire* 26 (Chichester, 1978), fol. 262b: 'The king's reeve ordered those who had marten pelts not to sell to anyone until they had first been shown (*prius ostensas*) to him, anyone who neglected this paid a fine of 40s.' Norwich: *The Records of the City of Norwich*, ed. J.C. Tingey (1906), I, pp. 187–8, c. 41. Maldon: S. Alsford <http://www.trytel.com/~tristan/towns/maldon6.html>, s.v. 'c. 26'. A similar fine may also have applied at Ipswich, cf. Twiss, *The Black Book of the Admiralty*, c. 66.

[126] Bateson, 'A London Municipal Collection', pp. 497–8. *Cornage*, the scavage on wine (levied at so many pennies on the tun), is the origin of what later became known more generally as the wine custom; Gras, *Early English Customs System*, pp. 35–6 appears to have missed the wine custom's connection to scavage.

[127] Gras, *Early English Customs System*, pp. 39–40; Lloyd, *Alien Merchants in England*, pp. 87–8.

[128] Lloyd, *Alien Merchants in England*, p. 87. It is probably only a coincidence, but in the Hittite empire, pre-emption was limited to ten per cent on textiles; see the references in n. 180.

first to the merchants of London, and then, according to one manu-
script version of the *Ley*, the merchants of Oxford, and finally those of
Winchester.[129] This pecking order of pre-emptive rights for merchants
of particular Anglo-Saxon towns is significant and may reflect long-
standing arrangements. The important point to emphasize here, how-
ever, is that the royal right of pre-emption did not entitle the king to
free wine, and it was the merchants of London who were responsible
for setting the price. Was their role in price setting an innovation, and
if so, why and when did it happen, or was it always an intrinsic part of
the pre-emption process? If it was the latter, then some group or com-
munity of Londoners involved in trade was setting market prices and
discounts for the king in the seventh and eighth centuries.

Pre-emption and hosting rules were not limited to wine. According
to the *Ley*, the royal officials were also interested in silver and gold cups,
gemstones, cloth and linen from Constantinople, furs from Regensburg
and coats of mail from Mainz.[130] There was probably a limit on the
amount of these luxury goods available for pre-emption though the *Ley*
does not mention it. The *Ley* does imply, however, that these luxury
goods were not expected on every shipment.

Pre-emption and hosting rules also appear in connection with woad
merchants (*wesdarii*) in an unnamed section of the same early thirteenth-
century London custumal in which the *Ley* is recorded.[131] This section
on the *wesdarii*, which may date back to the eleventh century because
of possible links with *IV Aethelred* which are noted below, has not received
the attention it deserves. A history of the woad trade in London shows
that these unnamed merchants were almost certainly primarily from
Picardy (Ponthieu), the most famous centre for the production of woad
in Europe.[132] According to the custumal, merchants were not allowed to
store their woad in houses or cellars, but were forced to display their goods
on the quay at London and only sell or exchange them with London
merchants (under delegated rights of pre-emption). References to the
open display of woad strongly suggest, and later sources confirm, that
it was being shipped in barrels (probably as balled woad in bulk rather
than finished dry powder).[133] At the quay, the woad merchants also paid

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[129] Bateson, 'A London Municipal Collection', p. 497. Interestingly, merchants from Winchester
and Oxford played an important role in the coronation rituals of English kings, which says
a lot about their relative status amongst English towns; J.H. Round, *The King's Serjeants and
Officers of State with their Coronation Services* (London, 1911), pp. 165–72.
[130] Bateson, 'A London Municipal Collection', pp. 496 and 499.
[131] Bateson, 'A London Municipal Collection', pp. 724–6.
[132] Lloyd, *Alien Merchants in England*, esp. pp. 73–83. E.M. Carus-Wilson, 'La Guède Française
en Angleterre: une grand commerce du moyen âge', *Revue du Nord* 35 (1953), pp. 89–105.
[133] Lloyd, *Alien Merchants in England*, p. 78; C.H. Plowright, 'On the Archaeology of Woad',
Journal of the British Archaeological Association, ns 9 (1903), pp. 95–100.

one halfpenny to the king in toll. They were not allowed to travel into the city or sell their goods anywhere else and were only permitted to stay for a period of forty days in order to sell or exchange their goods.

In 1237 the guild merchant of Amiens, Corbie and Nesle (towns of Ponthieu which dominated the woad trade) received a grant of privileges in return for a fifty-mark annual contribution to the farm of London.[134] The merchants were now able to take up lodgings in the city like the Lotharingian wine merchants before them, and hosts could act as brokers though not sellers of woad. The merchants were free to sell woad to non-citizens and to transport the goods elsewhere within the country. Imported garlic and onions, which rode piggyback on the woad trade, were also free from customs, but wine and corn were still subject to pre-emption by Londoners at the port. In fourteenth-century sources, woad merchants are recorded as paying 3*d.* per tun in scavage, which was divided equally between their hosts and the sheriff of London.[135] The regulations on woad parallel, and were probably strongly influenced by, those of the wine trade. At London and Ipswich, wine and woad are mentioned together in the same pre-emption and hosting regulations.

We may reasonably suppose the rules on woad described in the early thirteenth-century London custumal are very much older, since they confirm, and expand upon, the brief mention in *IV Aethelred* where the men of Ponthieu (amongst others) are similarly described as displaying their goods for pre-emption and paying toll (*monstrabant res suas et extolneabant*).[136] Unlike the privileged Lotharingians, the men of Ponthieu were evidently confined to the port jurisdiction around 1000 and remained so until the agreement in the early thirteenth century.

The history of these arrangements is lost, but it may be significant that Corbie features amongst the towns of Ponthieu included in the thirteenth-century guild merchant. The famous abbey of Corbie which gave rise to the town dates back to the seventh century and notably (and unusually) secured a royal exemption from toll throughout the kingdom from Clothar III in 661.[137] The abbey was thus well placed to benefit from trade, and we know there was an early demand for Frankish dyestuffs like madder in England.[138] In 790, Alcuin may have

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[134] Riley, *Liber Albus*, I, pp. 228, 418–24; Lloyd, *Alien Merchants in England*, p. 74; Bateson, 'A London Municipal Collection', p. 86.

[135] *Calendar of Letter-Books, G*, p. 67; A. Beardwood, *Alien Merchants in England 1350 to 1377*, The Medieval Academy of America (Cambridge, MA, 1931), p. 34.

[136] Liebermann, *Gesetze*, I, *IV Aethelred*, c. 2.6: 'Flandrenses et Ponteienses et Normannia et Francia monstrabant res suas et extolneabant.'

[137] D. Ganz, *Corbie in the Carolingian Renaissance* (Sigmaringen, 1990); on the toll exemption and Corbie's rental income from the toll station at Fos, see Ganshof, 'A propos du tonlieu sous les Merovingians', pp. 305–10.

[138] McCormick, *Origins of the European Economy*, pp. 651–2.

approached Abbot Adalard of Corbie to assist in settling the dispute between Charlemagne and Offa not simply because he was Charlemagne's cousin, but because the abbey was a major player in the English wine and woad trade. This is of course all very speculative, but such a combined trade may go some way towards explaining the early importance of Quentovic which is situated conveniently close to Amiens and Corbie on a short and direct route to England. It may also have played a role in the distribution of northern French wares found at Ipswich and elsewhere in eastern England in the middle Saxon period.[139]

It is interesting to note that in the thirteenth century, when detailed records appear, Southampton (*Hamwic*), Sandwich (*Sandwic*), London (*Lundenwic*), Ipswich (*Gipeswic*), Yarmouth, King's Lynn (previously Bawsey?), and Hull (formerly *Wyke = wic*) were the main ports of trade for woad and that successive generations of family traders tended to use the same specific ports.[140] Some patterns of trade may be very old indeed.

Speculation about the possible early role of Corbie in the London woad trade raises questions about the other trade agreements with groups of foreign merchants recorded implicitly for the first time in *IV Aethelred*. Do they also go back several centuries just like the hosting regulations themselves? The trading privileges of the Lotharingian merchants from Huy, Liège and Nivelles are a case in point. How and when were these relatively minor places able to win from Anglo-Saxon kings such extraordinary rights in London? There is a case for believing that these privileges may have been granted by kings of Kent or Mercia as early as the late seventh or more probably the first half of the eighth century as part of the process of developing closer ties with the rising power of the Pippinids in Francia.

Nivelles is a small rural market town today, but is best known as one of two early family monasteries of the Pippinids. Its nunnery was founded sometime in the mid-seventh century by Pippin I's daughter Geretrud, who died in 659 and was subsequently promoted as a saint. The near contemporary *Vita Geretrudis* which survives in an eighth-century manuscript mentions a ship 'sailing over the sea on the monastery's business', probably to England.[141] Huy is called a *castrum* and

[139] R. Hodges, 'Some Early Medieval French Wares in the British Isles: An Archaeological Assessment of the Early French Wine Trade with Britain', in D.P.S. Peacock, *Pottery and Early Commerce: Characterization and Trade in Roman and Later Ceramics* (London, 1977), pp. 245–7; K. Wade, 'Ipswich', in R. Hodges and Hobley, *The Rebirth of Towns*, p. 96.

[140] Lloyd, *Alien Merchants in England*, pp. 73–83. On a possible precursor middle Saxon port for King's Lynn at Bawsey, see Pestell and Ulmschneider, *Markets in Early Medieval Europe*, pp. 112–14 and 124–6.

[141] Life of St Gertrude, *Vita Geretrudis*, c. 5, ed. B. Krusch, *MGH Scriptores Rerum Merovingicarum*, II (Hanover, 1884–1951); translated in P. Fouracre and R.A. Gerberding, *Late Merovingian France: History and Hagiography 640–720* (Manchester, 1996), pp. 301–26, esp. p. 323. See also Story, *Carolingian Connections*, p. 38 and n. 88 on manuscripts received by Nivelles from across the sea (*transmarinas*) and relations between Francia and England.

had an important mint in the seventh century which strongly suggests an active involvement in trade at that time.[142] In the eighth century the double monastery of Stablo-Malmedy claimed the right to collect tolls at Huy and Dinant on the River Meuse, a sure sign of a controlling interest in the ports.[143] Stablo-Malmedy was another family monastery of the Pippinids and was founded in the mid-seventh century by Grimoald, Pippin I's son, and later received extensive lands and privileges from Pippin II.[144] Liège first rose to prominence as the location of the church of St Lambert and it was here that Pippin II's son, Grimoald, was murdered while praying at the shrine shortly before his father's own death in 714. The region around Liège is closely associated with Alpaida, Plectrude and other prominent members of the Pippinids.[145]

In the crisis of 715–17, following Pippin II's death, the Austrasians rallied round Charles Martel in the face of aggression from the Neustrians, Frisians and Saxons. Charles's victory over the Neustrians at Amblève in 716 probably largely depended on the key support of the Pippinid family lands, monasteries and supporters in the area around Liège and the valley of the River Meuse. He may subsequently have rewarded the church of St Lambert and the family monasteries for their support when he became the dominant power in Francia from 723 onwards. Following the death of Charles Martel in 741, neither Pippin III nor Charlemagne showed the same level of interest in the old family monasteries; they had moved on to bigger things. The church of Liège and the family monasteries of Nivelles and Stablo-Malmedy were never again simultaneously to enjoy such a central role in Pippinid and Carolingian affairs. If, as seems likely, the churches received their privileges in London at the same time, then one may tentatively suggest it was some time during the later 720s or the 730s when King Aethelbald of Mercia was in control of London. The trading privileges would presumably have been inherited at some later stage by the associated merchant communities of Huy, Liège and Nivelles.

Another possible early trade agreement recorded in *IV Aethelred* concerns a group of merchants known as the 'men of the emperor' (*homines imperatoris*) who are said to enjoy the same privileges as 'our (i.e. the English king's) men' (*sicut et nos*).[146] Who these merchants were has been the subject of much speculation. The weight of scholarly opinion

[142]   A. Verhulst, *The Rise of Cities in North-West Europe*, pp. 5–7, 26–30, 48–9 and 72–5 on Huy.
[143]   Ganshof, 'A propos du tonlieu sous les Merovingians', pp. 308–9.
[144]   J. Halkin and C. Roland, *Receuil des Chartes de l'Abbaye de Stavelot-Malmedy* (Brussels, 1909); Fouracre, *The Age of Charles Martel*, pp. 38–40.
[145]   R. Gerberding, *The Rise of the Carolingians and the Liber Historiae Francorum* (Oxford, 1987), pp. 120–30, but see also Fouracre, *The Age of Charles Martel*, p. 34 and n. 4.
[146]   Liebermann, *Gesetze*, I, *IV Aethelred*, c. 2.8: 'Et homines imperatoris, qui veniebant in navibus suis, bonarum legum digni tenebantur, sicut et nos.'

favours identifying the *homines imperatoris* as German merchants, primarily from Cologne, who are known to have played a prominent role in Anglo-German trade relations in better-documented times.[147] By the twelfth century, Cologne dominated trade in Germany and together with Aachen was the main centre for the production and sale of Rhenish textiles made from English and German wool.[148] Merchants from Cologne exported Rhenish wine and luxury goods to London and elsewhere in England, and returned with cargoes of wool. The wording of *IV Aethelred*, and especially the phrase *sicut et nos*, finds a striking echo in a later charter of privileges for the merchants of Cologne in London. Henry II's charter dating from 1173–5 orders royal officials to protect the men and citizens of Cologne just like his own men and associates (*sicut homines meos et amicos*).[149] If the two passages are related, then the Cologne merchants may be synonymous with the *homines imperatoris* of *IV Aethelred*. Moreover, the wording of Henry II's charter implies that we are dealing with a narrower group of English merchants and royal officials closely associated with the king, rather than a blanket reference to all the citizens of London which is the traditional explanation of the phrase *sicut et nos* in *IV Aethelred*. These documents provide evidence for a reciprocal trading agreement of some antiquity between the English king and the German emperor to protect what are probably their own palace or 'royal-appointed' merchants and agents.

The agreement itself is certainly older than *IV Aethelred* and may go back to the eighth century. The *Praeceptum Negotiatorum* of 828 describes the extensive trading privileges enjoyed by the Frankish royal palace merchants who probably came from, or were at least mainly based at that time in, the Aachen–Cologne area.[150] They were trading with England then, since we may recall that they had to pay the *decima* at Quentovic and Dorestad which was due on imports (and probably exports as well). The Utrecht charter of 815 denies unnamed persons (most likely royal merchants and officials) the right to any compulsory accommodation in properties belonging to the church of Utrecht in Dorestad, and this may be a reference to the same people.[151] Frankish traders were certainly active around this time in England as we know from Charlemagne's famous letter of 796 to King Offa.[152] Charlemagne

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[147] J.P. Huffman, *Family, Commerce and Religion in London and Cologne* (Cambridge, 1998), pp. 9–10.
[148] Huffman, *Family, Commerce and Religion in London and Cologne*, p. 10 ff.
[149] *Receuils des actes de Henri II roi d'Angleterre et Duc de Normandie, concernant Les Provinces de France et Les Affaires de France*, eds L. Delisle and E. Berger (Paris, 1909), II, no. 540, pp. 116–17.
[150] See n. 52 above
[151] See n. 55 above.
[152] Letters of Alcuin, *Alcuini Epistolae*, ed. E. Dümmler, *Epistolae Karolini Aevi*, II (Berlin, 1895), no. 85; Whitelock, *English Historical Documents*, no. 197, pp. 781–2 for the translation.

granted English merchants 'protection and support in our kingdom, lawfully, according to the ancient custom of trading', in return for similar protection for his own merchants in England. Though the letter seems to refer to merchants in general, just as it does in the case of pilgrims, palace merchants on both sides would no doubt have ranked higher in status and priority as far as royal protection is concerned. Originally, the 'German' merchants (*homines imperatoris*) of *IV Aethelred* may well have been the Frankish palace merchants based in the Aachen–Cologne area. Since this area once formed part of Lotharingia, it would explain why the *Ley as Lorengs* implicitly identifies the *homines imperatoris* as Lotharingians.[153] The special privileges of the merchants associated with the palace probably set them apart from other Lotharingian merchants but, by the eleventh century, those privileges had been acquired by a wider community of merchants led by Cologne itself. One may tentatively suggest that Frankish palace merchants were trading in London in wine, wool, cloth and luxury goods in the eighth century, just as their successors were in the eleventh and twelfth centuries.

Hosting rules and rights of pre-emption were probably once widespread in major English ports. It is of particular interest to note in later medieval town records that hosting and pre-emption rights are found primarily in early Anglo-Saxon royal ports including Ipswich, Norwich and Yarmouth in East Anglia, Southampton in Wessex, Sandwich and Dover in Kent, and Chester and Torksey in Mercia.[154] At Ipswich, hosts were entitled to a pre-emptive option to buy one-quarter of the foreigners' goods in exchange for acting as their advisers in the selling process to fellow merchants of the town. This rule did not however apply to wine and woad merchants who sold their goods from warehouses (presumably on the quays), which may imply that there were once separate port and town jurisdictions in Ipswich as in London. At Dover, hosts had a pre-emptive right on half of the goods of foreigners when they assisted them in selling to townsmen. In fourteenth-century Torksey, a rural backwater by this period, an even higher pre-emptive share is recorded in the event that the goods were sold within the house of the host. This rule is perhaps a late reminder of the time when Torksey was an important

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[153] Bateson, 'A London Municipal Collection', p. 498, c. 10 and 12.

[154] M. Bateson (ed.), 'Borough Customs', *Selden Society* (1906), I, 21, p. 177: Torksey; pp. 178–9: Sandwich and Dover; p. 181: Ipswich, but see also Twiss, *The Black Book of the Admiralty*, Custumal, c. 38 and c. 60 for the full record. Norwich: *The Records of the City of Norwich*, ed. J.C. Tingey (Norwich, 1906), I, pp. 188–9, c. 42. Yarmouth: *Book of Oaths and Ordinances (Yarmouth C18/1)* includes hosting rules recorded in 1300, translated by S. Alsford at <http://www.trytel.com/~tristan/to wns/yarmlaws.html>. Southampton: C. Platt, *Medieval Southampton: The Port and Trading Community, A.D. 1000–1600* (London, 1973), pp. 69–70 and 152–3 and Bateson, *ibid.* p. 181, n. 2. Chester: see n. 125 above. See also Kings Lynn in 1363, S. Alsford <http://www.trytel.com/~tristan/towns/lynnlaws>.

Mercian frontier port and international trading centre controlling the movement of ships up the River Trent to the Mercian heartlands, and a crossroad on key communications routes between London, Lincoln, York and the kingdom of Northumbria.[155]

There is also evidence for pre-emption, scavage (the wine custom) and residence rights for foreigners at Bristol.[156] This may suggest an early foundation date, but there is little corroborative evidence and what information there is about town origins suggests that Bristol only took off in the tenth century.[157]

Pre-emption rules in London are matched by similar rules across the Channel. Merchants of Rouen are noted in *IV Aethelred* as importers of wine and whales (or large fish = *craspisce*) at Billingsgate in London.[158] In 1150–1, Duke Henry confirmed the privileges of the Rouen merchants in London, but reserved his customs on wine and whales.[159] King John's charter of 1199 confirms that pre-emption applied in London for the king specifically reserved his right to take for his own use one tun before the mast and one tun after on unspecified payment terms (which may be the same as those of the Lotharingians).[160] The right of pre-emption on wine and other goods at Rouen and ports like Pont Audemer was known as the *modiatio*, which derives from the word *modius* which probably in this context means a hogshead.[161] The *modiatio* appears as early as 1055 and therefore pre-dates the Conquest.[162] This payment of wine was collected and stored by the Duke of Normandy presumably in his own premises, which may effectively be the northern equivalent of the *cellarium* (*fisci* or *telonei*) of Fos and Marseille. In the twelfth century, religious houses in Normandy sometimes secured exemption from the *modiatio* on their own wine.[163] Henry II's exemption for Montebourg Abbey has a curious passage which reminds one of *IV*

[155] M. Barley, 'The Medieval Borough of Torksey: Excavations, 1960–2', *Antiquaries Journal* 44 (1964), pp. 166–8.

[156] F.B. Bickley, *The Little Red Book of Bristol* (Bristol, 1900), vol. I, p. 29, c. 3; vol. II, p. 231, c. 39–40. E.W.W. Veale, *The Great Red Book of Bristol*, Bristol Record Society (Bristol, 1953), part IV, pp. 13–16.

[157] M.D. Lobel and E.M. Carus-Wilson, *Historic Towns: Bristol* (1975), pp. 2–3.

[158] Liebermann, *Gesetze*, I, p. 232: *IV Aethelred*, c. 2.5.

[159] *Regesta Regum Anglo-Normannorum*, III, no. 729; Brooke and Keir, *London 800–1216*, p. 265.

[160] J.H. Round, *Calendar of Documents Preserved in France, Illustrative of the History of Great Britain and Ireland A.D. 918–1206* (London, 1899), no. 112.

[161] Gras, *Early English Customs System*, pp. 13–14. The term *modius* is also used in the *Ley* in connection with wine, Bateson, 'A London Municipal Collection', p. 497.

[162] C.H. Haskins, 'Normandy under William the Conqueror', *American Historical Review* 14 (1909), p. 468 and n. 94.

[163] *Recueil des Actes*, vol. I, pp. 21, 297, 563 and vol. II, pp. 105–7, 150–2, 167, 194.

Aethelred.[164] The king grants the monks exemption from the *modiatio* on their own wine and the right to take the right flipper from all whales or large fish (*crassis piscibus*) caught or beached within the diocese of Coutances.

Hosting rules appear elsewhere in Francia though more generally in the context of royal rights to compulsory accommodation for royal officials rather than the management of foreign traders in commercial hostels. An exception may be the royal tax called *giscot* which appears in the Utrecht charter of 815.[165] In the Roman empire, the *cursus publicus* was an arm of government providing an express postal service and lodging and land transport for officials on state business.[166] It was an expensive system to maintain and was open to regular abuse by high-ranking persons and their dependants. The larger posting stations, generally located at regular intervals along major routes, were known as *mansiones* and provided accommodation and other facilities to assist travellers. The system survived in an attenuated form under Byzantine and Islamic rulers and there are indications that it also remained a feature of government in the Successor states.[167] In Frankish sources, *mansio*, and the derivative *mansionaticus*, were the main terms used for the right to demand compulsory lodging and overnight stays.[168] There is some evidence that Anglo-Saxon kings also demanded accommodation and assistance for royal officials and privileged guests on royal business.[169]

The use of the term *mansio* in connection with hostels and compulsory accommodation rights may have some relevance to the history of *wic* place names. *Mansio* is a synonym for *metatus* (from which the Byzantine *mitaton* derives, on which see below) and can be translated

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[164] *Recueil des Actes*, vol. II, p. 150: 'et quod habeant modiationem suam quietam de proprio vino suo, et dextrum cutellum caude de omnibus crassis piscibus qui capti fuerint vel applicuerint infra fines episcopatus Constanciencis'. For whaling in Normandy, see L. Musset, 'Quelques notes sur les baliniers normands du Xe au XIIIe siècle', *Revue D'histoire, économie et société* 42 (1964), pp. 147–61. For whale rights in England and Scotland see S.A. Moore, *A History of the Foreshore and the Law Relating Thereto* (London, 1888), pp. 18 and 23.

[165] Niermeyer and van Kieft, *Mediae Latinitas*, s.v. *conjectum* and *gista*. The meaning of *giscot* is uncertain, but interestingly it combines *gista* (Mfr. *gîte*: lodging, shelter) and *scot* (OE. *sceat*: payment). Is it a local vernacular synonym for the *mansionaticus*, or perhaps Dorestad's equivalent of scavage collected from the trade with England? *Giscot* may also be the same as the later *huslatha* described as a *tributum* in a tenth-century Utrecht charter of Otto I's: Sickel, *Die Urkunden Konrad I*, I, no. 98; see also Stoclet, *Immunes Ab Omni Teloneo*, pp. 136–7, n. 28.

[166] Jones, *The Later Roman Empire*, pp. 830–4.

[167] McCormick, *Origins of the European Economy*, p. 474 and n. 12.

[168] Niermeyer and van Kieft, *Mediae Latinitas*, s.v. *mansio* and *mansionaticus*.

[169] J. Campbell, 'Agents and Agencies of the Late Anglo-Saxon State', in his *The Anglo-Saxon State* (London, 2000), pp. 217–18. There is an interesting record in a fourteenth-century source of houses at Billingsgate 'chalked up' to identify them as accommodation requisitioned for favoured royal visitors: *Calendar of Letter-Books of the City of London E*, ed. R.R. Sharpe (London, 1903), pp. 206–7. For *mansiones* in Roman Britain see Guy de la Bédoyère, *Roman Towns in Britain* (Stroud, 2003), pp. 74–6.

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by *wic* in Old English.[170] Although *wic* has many meanings, often associated with towns and trade, it seems to be most commonly used for specialized buildings in farming, trade and manufacture.[171] It was Eilert Ekwall who pointed out that *wic* place names in connection with harbours like Swanage (*Swanic*) and Harwich could signify by development 'a temporary place of shelter for a ship and its crew'.[172] The related Old English verb *wician* can refer to a sailor landing and spending a night on shore. Could *wic* refer to a hostel for overseas travellers? If this is the case, then in the context of ports and markets, *wic* may have acquired the meaning of 'a place where hostels for foreign traders (and other visitors) are located'. The *wic*-reeve, like his counterparts in the Islamic and Byzantine world, would have served as the collector of the king's tolls and customs and controller of foreign traders and hostels in royal ports and markets. These functions were certainly held by later sheriffs of London and, given the evidence on tolls, pre-emption and hosting, this was also likely to have been the case with their predecessors in the seventh and eighth centuries.

Major royal ports in the eighth century

Around 730, Bede famously remarked that London (*Lundenwic*) was a 'market for many nations coming to it by land and sea' and it finds an echo in Alcuin's description of York (*Eorforwic*) some sixty years later.[173] The rules on tolls, pre-emption and hosting amply justify these descriptions and help us to understand something about how major ports (*wics*) may have functioned in the eighth century. Although our sources are naturally biased towards London, and much of the evidence is late from Ipswich, Southampton, Sandwich, Chester, Yarmouth and Norwich, I suggest that they are representative of general rules in royal ports. It is a matter of possibilities and probabilities rather than certainties. Kings probably developed *wics* under royal patronage to control an increasing volume of international trade. Foreign traders were restricted to specific royal ports which allowed their activities to be monitored and toll and pre-emption rights to be exercised. Often the traders were employed by monasteries and episcopal churches who were actively involved in stimulating demand and profiting from cross-Channel

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[170] Bosworth and Toller, *An Anglo-Saxon Dictionary*, s.v. *wic*.
[171] L. Schütte, *Wik: Eine Siedlungsbezeichnung in historischen und sprachlichen Bezügen* (Cologne, 1976); A.R. Rumble, 'Notes on the Linguistic and Onomastic Characteristics of Old English *Wic*', in Hill and Cowie, *Wics*, pp. 1–2.
[172] E. Ekwall, 'Old English *wic* in Place-Names', *Nomina Germanica* 13 (1964), pp. 14–21.
[173] Bede, *Venerabilis Baedae Opera Historica*, ed. C. Plummer (Oxford, 1896), Book 2, c. 3; Whitelock, *English Historical Documents*, p. 609; P. Godman, *The Bishops, Kings and Saints of York* (Oxford, 1982), pp. 4–5.

trade. The ships, perhaps sometimes in convoy for self-protection, arrived in the ports flying flags and singing songs to indicate their owners' peaceful intentions.[174] They were beached on the strand or tied up by the shore to await the arrival of the *wic*-reeve and other royal officials to undergo the customs process in the royal port jurisdiction. The cargoes were unloaded and displayed on the shore, and local merchants took an active part in assisting the royal officials in assessing their value. Tolls were paid, and pre-emption rights were exercised if officials of the king's household arrived within the allotted time. Merchandise acquired on behalf of the king may have been stored in royal halls or warehouses which also served as market places and where sales transactions were witnessed in public.[175] The right to buy the cargoes in bulk rested with local merchants acting collectively to share in the bargains. In London, merchants from other privileged royal towns may have taken their turn in the pre-emption queue at the port.

Foreign merchants were not all treated in the same way. Specific groups enjoyed special privileges granted by the king, presumably in return for reciprocal trading privileges, benefits in cash or in kind, and as part of wider diplomatic initiatives with their places or countries of origin. Foreign merchants were originally restricted to stays of forty days, and some were kept at the shore in the port jurisdiction, while others, like the Lotharingians, could take up residence with hosts in town districts beyond the shore. The hosts were secular and ecclesiastical landowners and their agents who themselves were actively involved in trade. During this period London merchants were probably drawn from amongst the elite of the landowning classes and royal officials. In return for taking responsibility for foreign merchants and giving them protection, hosts profited from pre-emption, possibly scavage, providing warehousing and accommodation facilities and selling agency services during their stays. Foreign merchants were identified and their names and locations made known to royal officials with overall responsibility for their activities.[176] The hostels provided storage and accommodation, selling and other support services, and acted as market places and centres for the collection of royal dues. It is in such early commercial hostels, seemingly organized by place or country of origin as in the Byzantine empire, that the later Steelyard complex of the German merchants and similar institutions like the Dowgate premises of the Rouen merchants, surely originate.

[174] Bateson, 'A London Municipal Collection', p. 496; McCormick, *Origins of the European Economy*, s.v. *convoy*.
[175] Hlothere and Eadric, c. 16: Whitelock, *English Historical Documents*, p. 361.
[176] *Calendar of Letter-Books of the City of London, H*, p. 167.

The *wics* were importing bulk commodities like fish, wine and woad (which served the wool and cloth-making industries of England).[177] Wool, cloth and hides probably formed the bulk of exported cargoes on the return journeys, just as they did in the later Middle Ages. Such commodities generally leave little trace in the archaeological record, though one should perhaps note that the high volume of mature animal bones found at Southampton may be related to an export trade in hides as much as providing meat for local consumption. The major *wics* which have so far been identified like London, Ipswich and Southampton, and perhaps Sandwich and maybe even Yarmouth, were trading in some at least of the same goods as in the later Middle Ages.[178] Luxury goods like gold, silver and jewellery, which are intrinsically small items, rode piggyback on a volume trade which underpinned the economy of the *wics*. Gift exchanges between ruling elites helped oil the wheels of trade and diplomacy, but were insufficient in their own right to sustain the economy of growing towns. *Wics* functioned as centres of exchange for imports and exports of bulk commodities and were linked to networks of inland markets. It is clear from royal legislation that by the late seventh century foreign merchants routinely travelled up country and were not limited to coastal markets any more than they were in Francia.[179]

The major *wics* (or *emporia*) were towns with elaborate trading rules and customs developed under royal control over centuries. The regulations, practices and organization of foreign trade in eighth-century London and other major Anglo-Saxon ports do not look so very different from those one finds in eleventh-century and later sources. That said, I do not mean to imply that there were no differences in towns in the eighth century compared with those of the eleventh century. Practices change with new political, social and economic circumstances, but one should also recognize that the origins of many port customs go back over many hundreds of years. There is an innate conservatism to many commercial practices and for good reasons. The existence of consistent rules under the protection of powerful rulers provides the necessary pre-conditions for commerce to develop and for foreign and local traders to operate in confidence across the seas. Reciprocity in administrative practices under the control of rulers is the essential feature of ports and trade in northwest Europe.

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[177] Cf. J. Campbell, 'Production and Distribution in Early and Middle Anglo-Saxon England', in Pestell and Ulmschneider, *Markets in Early Medieval Europe*, pp. 12–14.
[178] Lloyd, *Alien Merchants in England*, esp. pp. 57–9, 73–83, 86–92.
[179] Ine, c. 20 and Whitred, c. 28: Whitelock, *English Historical Documents*, pp. 364 and 365.

Continuity

Before turning to Roman and Byzantine influences on Anglo-Saxon England, some general comments are called for in relation to the continuity of tolls and administrative practices in the field of trade and taxation.

In a paper of this kind, with such limited contemporary information to rely on, there is a real risk of developing an inaccurate picture of the early medieval period based on the use of anachronistic sources which some may judge are of doubtful relevance. It is a legitimate concern. The picture presented here of major English ports in the eighth century is speculative. The later medieval sources which record trading agreements and customs in London for Lotharingian and other Frankish merchants may not date back to the eighth century as I have suggested. They could, for example, be explained by the political and economic conditions prevailing in the ninth, tenth or eleventh centuries without reference to an earlier age. However, my point is that such agreements and regulations do not look out of place in an eighth-century context, and there are some good reasons for thinking that they may well have applied at that time. It is perhaps only the degree of complexity rather than the substance of the rules which is at issue. The mounting archaeological and numismatic evidence points strongly to significant levels of international trade rather than simply gift exchange between elites during this period. Kings were regulating international trade and collecting tolls in records of the sixth century onwards in Francia, and from the seventh and eighth centuries in England. They legislated on the behaviour and activities of local and foreign traders, granted toll exemptions and trading privileges to individuals and groups, and concluded interstate trading agreements before the end of the eighth century. Toll rights and toll exemptions for the likes of the bishops of Worcester, London and Utrecht and religious houses such as St Denis, St Germain-des-Prés, Stablo-Malmedy, Corbie, Reculver and Minster demonstrate how actively the church was involved in trade during the seventh and eighth centuries in England and Francia. The terms of some charters and references to major Channel ports imply that their trade was international as well as local. The hosting regulations in early Anglo-Saxon law codes involved churchmen and secular lords who played a part in the royal regulation of trade. The hosting regulations and related practices like pre-emption which appear in post-Conquest records for early former Anglo-Saxon royal ports like London, Sandwich, Ipswich and Southampton may be later inventions, but one can prove that some such rules existed by the eighth century. In this respect, the three-night hosting rule recorded in Hlothere and Eadric's seventh-century law code relating to London, which is arguably essentially the same as the

three-day hosting rule found in an eleventh-century London custumal, is particularly worthy of note. Trading tolls and customs can and do survive for centuries.

One should also consider the issue from a broader perspective. Trading tolls and customs are very much older than is commonly appreciated and pre-date the Romans. It is arguable that tax collection by rulers and controls on imported goods were already 'hard-wired' into the economy and society of Iron Age Europe. Evidence of royal pre-emption rights, *ad valorem* tolls, toll exemptions and trade embargoes is found in Near Eastern sources as early as the Middle Bronze Age.[180] Greek colonies on the western Mediterranean littoral may have played an intermediary role in spreading toll collection into northern Europe.[181] Tolls were certainly collected by Celtic tribes at ports and river crossings in Gaul and in the Alpine passes even before the Romans conquered these territories, and evidence suggests such taxes may also have been levied in Britain.[182] By the first century BC, the imposition of tolls and administrative controls on trade through the process of reciprocity between states and other political entities may have been the norm in western Europe. The survival of these types of general administrative rules and customs is not dependent either on the survival of individual ports or even of particular states. They were part of the 'ancient custom of trading' (*iuxta antiquam consuetudinem negotiandi*) to borrow an apt phrase from Charlemagne's letter to Offa. Archaeology and history demonstrate that international trade and its regulation are remarkably resilient, and adapt even to major disruptions in society and the economy. The volume of trade may decline, sometimes drastically so, but how often is it eliminated altogether in all places for any length of time, and to such a degree that trade regulations are forgotten and cease to apply? Where trade exists, state controls and taxes follow. The fact that related taxes and similar controls on foreign trade and merchants existed in the Roman and later medieval periods make it inherently likely that similar regulations continued to apply during the early medieval period.

As far as continuity from Roman Britain to Anglo-Saxon England is concerned, it is an open question since early sources are silent on the matter.[183] My own view is that, on the balance of probabilities, the fundamental principles underpinning the Roman customs system did

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[180] T. Bryce, *The Kingdom of the Hittites* (Oxford, 1998), p. 21 ff. (esp. pp. 31–2); T. Bryce, *Life and Society in the Hittite World* (Oxford, 2002), p. 89; V. La Rosa, 'The Prehistoric Background: the Minoan-Mycenaean Civilisation', in G.P. Carratelli (ed.), *The Western Greeks* (London, 1996), pp. 33–4.

[181] De Laet, *Portorium*, p. 76.

[182] De Laet, *Portorium*, p. 77 and pp. 127–9 on Celtic tolls and the taxes imposed on trade with Britain at ports controlled by the *Veneti* in Gaul.

[183] Kelly, 'Trading Privileges from Eighth-Century England', pp. 18–19.

survive in Britain, especially in coastal areas of the south and east. Peter Sawyer also makes a strong case for continuity of toll collection at Roman salt production centres such as Droitwich in Worcestershire and he may well be right.[184] On a cautionary note, however, it is important not to exaggerate or overstate the case for continuity in relation to trade on which the taxation system necessarily depends. Post-Roman Britain was not simply a scaled-down version of the Roman empire, but a profoundly different political, social and economic environment.

Germanic tribes had regular contacts with the Roman empire long before any major immigration or invasion, and would have experienced these controls at first hand as ambassadors and visitors, merchants, *foederati* and so on. Why would the new rulers, whether Romano-British or Anglo-Saxon, wish to give up such an obvious and lucrative source of wealth and influence in the form of goods or cash, any more than they gave up renders from the land? Continuity may simply mean the survival of a few essential taxation ideas or regulations, rather than the complex bureaucratic system and institutions which supported tax collection in the Roman empire. The continuity of taxation rights could have been achieved by rulers simply adhering to three basic principles. First, rulers collect taxes on imported trade goods in return for protection and permission to trade. Second, foreign trade is restricted to specific ports under a ruler's control to facilitate the payment of taxes, secure access to scarce commodities, and maintain law and order amongst foreigners unsupported by local kinship groups. Third, failure to observe the rules results in punishment by rulers in the form of the confiscation of goods and the payment of fines. Early Anglo-Saxon and Frankish ports under the control of local rulers may well have taken over from the riverine and coastal jurisdictions once associated with the Roman Saxon Shore forts.

Even if there had been no continuity, then the principle of reciprocity would surely have applied at some stage as a result of international trade. It is inconceivable that Anglo-Saxon rulers would not impose taxes on imports from Francia, when Frankish rulers were imposing such taxes on traders using their own ports. Few, if any historians, doubt there was continuity of toll collection in Gaul from the period of Roman rule. It is evident in the terminology, the nature of the taxes and methods of collection, if not always in the location of the toll stations themselves. As we have seen, the same type of toll jurisdictions

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[184] P. Sawyer, *From Roman Britain to Norman England* (London, 1978), pp. 87–8. See also Campbell, *The Anglo-Saxon State*, pp. 14–16. On the continuity of salt production at Droitwich see J.D. Hurst, 'The Extent and Development of the Worcestershire Medieval Salt Industry and its Impact on the Regional Economy', in G. De Boe and F. Verhaeghe (eds), *Papers of the Medieval Brugge Conference 1997* (Zellik, 1997), pp. 139–46 and references cited there.

existed on both sides of the Channel. It may well be that there was considerable Frankish influence on toll regulations in England as in other matters, especially in Kent and the south-east, but one doubts that all the rules were imports. It was a common trading area with the same Roman administrative and institutional background.

The controls on foreign traders in London and other early Anglo-Saxon royal ports, which are evident in the special hosting and pre-emption regulations, bear witness to a much more complex society and a more elaborate administrative regime. One is less confident that continuity of the kind described above applies here, although one cannot discount it. There are features of these regulations which suggest that contemporary controls on foreign merchants in the Byzantine empire, and perhaps Constantinople and the management of the silk trade in particular, may have inspired them. In this connection, one should note especially the following five points of similarity: the restriction on the number of days foreign merchants were allowed to stay in London; the existence of commercial hostels where sales took place and taxes were collected by royal officials; the hierarchies of pre-emption and the sharing in sales transactions by merchants and hosts; the formal registering or public acknowledgement of where traders lodged; port (shore or quay) toll jurisdictions and the penalties for tax evasion. Scavage may itself derive from the Byzantine *skaliatikon*. A Syrian silk merchant with experience of trading in Constantinople would have had no difficulty in recognizing the substance of these regulations from London and other major English royal ports, because very similar regulations existed in the Byzantine empire.

A detailed description of Byzantine commercial hostels is recorded in the *Book of the Prefect*, which probably dates mainly from the reign of Emperor Leo VI (886–912) but is clearly describing long-standing arrangements.[185] It deals amongst other things with the rules for foreign traders operating in Constantinople under the control of Imperial officials, the *eparch* and his deputy, the *legatarios*. High-quality silk garments of a certain size and colour were forbidden from export (along with other unnamed products), and traders who ignored this regulation risked a flogging and the confiscation of their goods. Syrian silk merchants were required to stay in officially recognized commercial hostels (pl. *mitata*; s. *mitaton*). The Syrian silk merchants, like foreign perfume importers, had to limit their stays in the city to normally no more than three months, and if any of their goods were unsold during this period

[185] J. Koder (ed.), *Das Eparchenbuch Leons des Weisen*, Corpus Fontium Historiae Byzantinae 33 (Vienna, 1991); A.E.R. Boak, 'Notes and Documents: The Book of the Prefect', *Journal of Economic and Business History* 1:4 (1929), pp. 597–619.

the *eparch* became responsible for their disposal. Failure to observe these rules resulted in the same penalties as for exporters of prohibited goods.

The *mitaton* was probably the place where imperial rights of pre-emption were exercised by the *eparch.* Certainly, local Constantinopolitan silk dealers had rights of pre-emption there, along with long-resident Syrian merchants. The silk dealers were instructed to collect the imported Syrian silks in one of the hostels so that they could each have a share in the pre-emption. The *eparch* was responsible for ensuring that the shares were allocated at the *mitaton* according to the contribution made by each silk dealer. Although the *Book of the Prefect* is concerned primarily with Syrian silk merchants, it is known that other groups of foreign traders, like the Bulgarians, had their own *mitata* by the tenth century.[186]

The Greek word *mitaton* derives from the Latin *metatus* which means a dwelling or lodgings and was also, significantly, applied to the border posts used for collecting tolls and managing traders on the Persian frontier in the late empire.[187] The *metatus* also served as lodging houses for ambassadors and officials on state business.[188] These terminological and functional links between the *mitaton* and the *metatus* are unlikely to be coincidental. The late ninth-century hostel rules in Constantinople resemble, and may be much the same as, those applying more generally in designated Roman frontier towns and ports from the late third century onwards.

As we have seen, some of these rules were common in the Islamic world as well, and may indeed have drawn influence from there, but we should nonetheless give due weight to the much greater evidence for Byzantine influence on English administrative practices.[189] The eighth-century Mercian and Kentish toll exemptions are themselves, as Stoclet argued, based on Byzantine models. While it is tempting to point to Archbishop Theodore of Tarsus and Abbot Hadrian in the late seventh century as the likely source for such administrative reforms, it is probable that some practices are very much older. The rules on hosting recorded in the law codes of Ine and Hlothere and Eadric look like comments on existing institutions rather than the establishment of new

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[186] Constable, *Housing the Stranger*, p. 149 and n. 135.
[187] R.S. Lopez, 'The Silk Industry in the Byzantine Empire', *Speculum* 20 (1945), pp. 25–8; Constable, *Housing the Stranger*, pp. 147–50.
[188] Millet, 'L'Octava', p. 321.
[189] N.P. Brooks, 'The Development of Military Obligations in Eighth and Ninth Century England', in P. Clemoes and K. Hughes (eds), *England before the Conquest: Studies in Primary Sources Presented to Dorothy Whitelock* (Cambridge, 1971), pp. 69–84; Stoclet, *Immunes Ab Omni Teloneo*, pp. 87–113; L. Zylbergeld, 'Les regulations du marché au pain au xiii siècle en Occident et l' "Assize of Bread" de 1266–67 pour l'Angleterre', in J.M. Duvosquel and A. Dierkens (eds), *Villes et Campagnes au Moyen Age: Melanges Georges Despy* (Liège, 1991), p. 791 ff. See also R.S. Lopez, 'Le problème des relations anglo-byzantines du septième au dixième siècle', *Byzantion* 18 (1948), pp. 139–62 and K.S. Beckett, *Anglo-Saxon Perceptions of the Islamic World*, Cambridge Studies in Anglo-Saxon England (Cambridge, 2003).

arrangements. When and how might such institutions arise if – and this is by no means certain – they do not derive from the period of Roman rule in Britain?

The Byzantine state actively pursued a policy of diplomatic and commercial engagement with the rulers of the Successor states from the late fifth century onwards.[190] Contacts with western Britain in particular were wide-ranging. The ceramics dating mainly from *c.*475 to *c.*550 from the eastern Mediterranean which are found at sites like Bantham and Tintagel (implying imports of wine and oil) are well known. A persuasive case has been made that these were probably transported in the first place on state-controlled ships in connection with Byzantine diplomatic initiatives, rather than through trade alone.[191] 'Byzantine' finds in eastern Britain are very much fewer in number, sometimes later in date, and may reflect both changing Byzantine political priorities and Frankish diplomatic and commercial activity. Certainly, Frankish kings were in regular receipt of Byzantine gifts and subsidies, sometimes in coin.[192] Although finds of Byzantine coins are rare in eastern Britain, one should note the coin balances and weights for weighing Byzantine *tremisses* found mainly in Kent and the Thames Valley, which implies that the volume of such coins was sufficient to warrant their use.[193] There are indications of trade or exchange involving 'Byzantine' goods in south-east England, and the discovery of a sixth-century Byzantine port tax seal by the River Thames at Putney is intriguing.[194] Anthea Harris has pointed out that one cannot yet prove the existence of Byzantine merchants in eastern Britain in this period, and of course none of the 'Byzantine' links noted above requires merchants to be present but, as she acknowledges, it must remain a possibility.[195] Significantly, we know

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[190] A. Harris, *Byzantium, Britain and The West: The Archaeology of Cultural Identity AD 400–650* (Stroud, 2003), esp. chs. 2, 3 and 6; K. Dark, *Britain and the End of The Roman Empire* (Stroud, 2000), pp. 125–35.

[191] M. Fulford, 'Byzantium and Britain: A Mediterranean Perspective on Post-Roman Mediterranean Imports in Western Britain and Ireland', *Medieval Archaeology* 33 (1989), pp. 1–6; D. Griffiths, 'Markets and "Productive" Sites: A View from Western Britain', in Pestell and Ulmschneider, *Markets in Early Medieval Europe*, pp. 62–72; Harris, *Byzantium, Britain and The West*, pp. 41–60 and pp. 143–52.

[192] Harris, *Byzantium, Britain and The West*, pp. 21–40; Depeyrot, *Richesse et Société chez les Mérovingiens et Carolingiens*, pp. 105–7.

[193] Harris, *Byzantium, Britain and The West*, pp. 163–4; C.J. Arnold, *An Archaeology of the Early Anglo-Saxon Kingdoms*, 2nd edn (London, 1997), pp. 110–14; C. Scull, 'Scales and Weights in Early Anglo-Saxon England', *Archaeological Journal* 147 (1990), pp. 183–215.

[194] Harris, *Byzantium, Britain and The West*, pp. 175–88; P.M. Richards, 'Byzantine Bronze Vessels in England and Europe: The Origins of Anglo-Saxon Trade', Ph.D. thesis, University of Cambridge (1980), pp. 138–41 and pp. 210–26; J. Campbell, 'The Impact of the Sutton Hoo Discovery', in Campbell, *The Anglo-Saxon State*, pp. 75–8; Martin Biddle, 'A City in Transition, 400–800', in M.D. Lobel (ed.), *The City of London from Prehistoric Times to c.1520* (Oxford, 1989), p. 21.

[195] Harris, *Byzantium, Britain and The West*, pp. 175–6; Dark, *Britain and the End of The Roman Empire*, pp. 130–1 and 230.
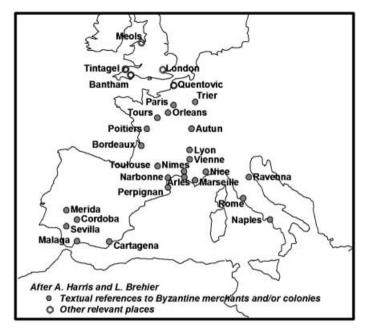
Fig. 3 Byzantine merchants in the west (5ᵗʰ/6ᵗʰ centuries)

from fifth- and sixth-century sources that there were substantial numbers of Byzantine merchants, some identified as Syrians, in Italy, Spain and Gaul (see Fig. 3).[196] They were present in many major Frankish centres including Orleans, Paris, Tours and Trier in the north. Some of these places had Byzantine merchant colonies with elaborate social organizations which supported their own churches and guilds. If Byzantine merchant groups with imperial diplomatic support were also active in London and southern England, then it would help explain the development of local commercial hostels and royal administrative and trading practices similar to those operating in Constantinople. Thus, some of the controls on foreign merchants in Anglo-Saxon England may have come about through direct as well as indirect contact with the Byzantine state from the late fifth century onwards.

Bedford

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[196] L. Bréhier, 'Les Colonies d'Orientaux en Occident au commencement du moyen-âge', *Byzantinische Zeitschrift* 12 (1903), pp. 1–39; K. Dark, 'Early Byzantine Mercantile Communities in the West', in C. Entwistle (ed.), *Through a Glass Brightly: Studies in Byzantine and Medieval Art and Archaeology Presented to David Buckton* (Oxford, 2003), pp. 76–81; Harris, *Byzantium, Britain and The West*, pp. 60–4.