

UM Libraries Depository



103244703007

This thesis is subject to
reserved bank regulations



LIBRARY OF
THE
UNIVERSITY OF MISSOURI

THE GIFT OF

Author

This Thesis Has Been

MICROFILMED

Negative No. T-

410

Form 26

THE JEWS IN ENGLAND DURING THE 13th CENTURY.

by



A. Mills Ebright,
Columbia, Mo.

Submitted for the degree of "Master of Arts."

UNIVERSITY OF MISSOURI

May 1, 1907.

Approved by
H. W. Lumbolme
Prof. of History and director
of this research.

378.7M71
XE67

TABLE OF CONTENTS.

I. INTRODUCTORY CHAPTER.....1 - 10.

II. CROWN AND JEWS.....11 - 28.

III. EXPULSION OF JEWS.....29 - 38.

IV. CHURCH AND JEWS.....39 - 47.

V. BARONS, TOWNS, AND JEWS.....48 - 53.

VI. MANNERS AND CUSTOMS OF JEWS.....54 - 63.

VII. EXCHEQUER OF THE JEWS.....64 - 69.

 BIBLIOGRAPHY.....70 - 71.

INTRODUCTORY CHAPTER.

There has been much difference of opinion as to when the Jews first appeared in England. Most historians say they were brought over from the Continent by William the Conqueror upon pecuniary consideration. (1)

But there are some who contend that Jews were in England before the Conquest. (2)

(1) William Prynne's Demurrer, - Intro., The Chronicles of Antoninus, The Madgeburg Centuries, Raphael Holinshed, John Stew, and Prynne all claim there were no Jews in England prior to 1066.

Prynne says, "There is no mention of Jews found in any British or Saxon histories, councils, synods, or canons.

Prynne, however, is a prejudiced writer on this question, and not always trustworthy in regard to material. Tovey charges him with many mistakes in the Demurrer.

(2) Tovey's, Anglia Judaica, 2-4; Blunt's, History of Jews in England, 1-4; Jacob's, Angevin Jews, 8.

Richard Waller maintains instances point to the conclusion that Jews were in England during the Roman settlement. A curious Roman brick was found in London, having on one side a bass relief representing Samson driving foxes into a field of corn. This brick was the key to a vault, where grain was kept. The inference is, Samson could not have been known to Britons so early unless fugitives from Jerusalem had come to England and told the story. This deserves not too much credence, however.

In canonical excerpts published by Eggbright, Archbishop of York, 740, Christians are prohibited from

This evidence is none too convincing on either side, but it seemingly proves that Jews were residents of England earlier than the Norman invasion. But their number was no doubt small, and their influence slight, which, coupled with the fact that such great numbers are known to have come over with William, has led writers to infer that the Conqueror brought the first Jews into England.

Nothing further is known concerning them during the reign of the first Norman King, other than there was a continuous influx of Jews from the Continent. They were not molested by King or people, but lived peaceably. It has been suggested that their wealth was not yet sufficient to

- - - - -

being present at Jewish feasts.

Joseph Cohen says,- "In 810 Christians and Moors fight, and Isreal is in great trouble, and many Jews flee into France and England."

A charter granted by Witglaff, King of Mercia, in 833 confirms to the monks of Croyland the lands which had been bestowed on them by the Jews.

Ingulphus has a reference in History of Croyland Abbey showing that in 833 Jews were in a different position than Christians, in respect to holding property.

Edward the Confessor's Laws say "Judaii et omnia sua regis sunt."

Jewish historians speak of a banishment in the early part of the 11th century.

attract the avarice of the King, nor to arouse the jealousy of the people.(1)

Under William Rufus they begin to attract more attention. They have increased in numbers, in wealth, and in influence, and on account of these have caused some feeling among Christians. This is concluded from the many private and public discussions on religious matters, spoken of by Chroniclers. The King encouraged these controversies, and became so interested that he promised the Jews to forsake Christianity and accept their faith if the Christians should be defeated in argument. But the honesty of Rufus may well be questioned, since it is claimed that the Jews bribed the King in the hope of gaining the decision.(2) Instances are also cited where bribes are given to compel converted Jews to return to Judaism.(3) It is certain that Christians became alarmed, for an anti-Jewish movement was inaug-

- - - - -

(1) Blunt, - "History of Jews in England," 5.

(2) William Prynne, - "Demurrer," 4.

(3) William Prynne, - "Demurrer," 5. Having received money from an old Jew on the promise that he would force his son to renounce his lately-taken Christian vows, and being silenced by the youth's unusual sharpness of tongue, Rufus returned only one-half the bribe to the father, claiming the rest as fitting pay for his attempt, although unsuccessful.

urated, and monks went throughout England preaching against their faith. (1)

There were two circumstances in the reign of the Red King that aided the Jews to accumulate wealth. Nobles and men of rank, anxious to go on Crusades, were eager and willing to sell or mortgage estates on almost any terms in order to secure ready capital. The other was opened to them by the King's appropriations of Church property upon the vacation of bishoprics. These were often sold to the highest bidder, and since Christians naturally would entertain some fear or scruples against obtaining property in such manner, the Jews easily came into possession of much wealth. (2) They became so prosperous in Oxford that they owned most of the houses where students lived, and these took such names as Lombard-hall, Moses-hall, and Jacob-hall. (3)

Nothing is found in the records or histories during the thirty-five years of the reign of Henry I concerning the Jews. From this silence it seems safe to conclude that they were causing no sufficient trouble to demand attention. This harmony between Christian and Jew was perhaps made possible by the friendly attitude of the King. Henry

- - - - -

(1) Blunt, - "History of Jews in England," 5.

(2) " " " " " " 9.

(3) Tovey, - "Anglia Judaica," 5-10.

granted in the beginning of his reign a Charter of Liberties⁽¹⁾ to them, of which we hear much later, as it was the model of several subsequent charters. During this long peaceful period with encouragement and no hindrance, the Jews must have acquired property and means. There are instances of the English people's being taxed but not of the Jews⁽²⁾. During these years, then, they were getting what later was so zealously and stringently taken away. It was the calm before the storm, and without question the longest period of peace ever experienced by them before their expulsion.

The countenance and protection afforded them under these three Kings was continued during the first ten years of Stephen's reign, for no mention is made of them until 1145. Having thus lived in quiet for about eighty years, the Jews doubtless thought they had found a home of security. But Stephen's unsettled and tumultuous England proved a field of trouble for them. It is in the tenth year that the first crucifixion story arises, at Norwich; and shortly afterward similar ones follow, supposed to have taken place at Gloucester, and St. Edmund's Bury. These were the beginning of a series of such tales intermittently told during

- - - - -

(1) Henry's Charter was practically the same as John's, which will be given in next chapter.

(2) Blunt,- "History of Jews in England," 8.

the next century or more, which in great measure determined the position of the accused race. The people believed them, and so much prejudice was aroused in the minds of Christians that riots and disorders were incited on the most frivolous pretences. It is at this time that we first hear of fines, which form so much of their later history. Jews are charged with various crimes and made to pay heavy fines.(1)

Henry II early confirmed the charter given them by Henry I, and although he did subject them to some rather severe exactions(2), yet he shielded them from popular violence.

However, in 1181 a measure was passed which made possible the numerous massacres during the following reign. This Assize of Arms made them utterly defenceless.(3)

- - - - -

(1) Blunt,- "History of Jews in England," 11. A certain Jew of London was fined 2,000 pounds on a charge of manslaughter.

(2) Blunt,- 10. On one occasion a tollage of a fourth part of their chattels was levied, and immediately afterward the sum of 30,000 pounds was demanded to defray the cost of Henry's intended expedition to the Holy Land.

Tovey,- "Anglia Judaica," 13. The monks of Canterbury said,- "Henry frequently banished wealthy Jews to get their property."

(3) Hovendon Chronicles II - 261. No Jew shall keep mail or hauberk, but let him sell or give them away, or in some way remove them, that they may remain in the King's service.

But there are some recorded evidences of favor. Before this time Jews possessed only one burial ground, and were compelled to bring all their dead to London. Upon their petition Henry in his twenty-fifth year granted them a burial place near each town where they resided.⁽¹⁾ During this time they yet enjoyed their most useful privilege, viz: obtaining and holding property on practically the same terms as other tenants⁽²⁾.

But Henry II must have shown his good will toward the Jews in many ways, for he was criticized very sharply for his leniency⁽³⁾.

Until the accession of Richard, then, the relations of Christians and Jews had been on the whole friendly; and Jewish settlements had greatly increased in numbers and importance⁽⁴⁾. But with Richard's coming the lot of the Jews becomes worse. This is the real beginning of their persecution. Richard was a vigorous Crusader, and his spirit influenced popular sentiment in that direction, with the result that the Jews suffered. The first two Crusades had

- - - - -

(1) Tovey,- "Anglia Judaica," 12.

(2) Jacobs,- "Angevin Jews," 95.

(3) William of Newbury I - 280 - Jacobs 96. Henry II favored more than was right a people treacherous and unfriendly to Christians; so much so that they became proud and stiff-necked, and brought many exactions upon Christians.

(4) Jews were living in London, Norwich, Cambridge, Shetford, Bungay, Bury St. Edmund's, Lynn, Stamford, York, Winchester, Oxford, and Lincoln.

no great effect in England. The first one occurred when the Norman Conquest was yet recent, and the second during the anarchy of Stephen, when local affairs demanded too much attention. The Jews on this account had fared much better than their brethren on the Continent⁽¹⁾.

But now the spirit is in England. Richard's coronation is the cause and place of the first trouble. They had been prohibited, by special proclamation of the King, from attending the ceremonies; but the wealthy ones seeing in this order a prophecy of future misery, and wishing thus early to appease the royal wrath, and perhaps as some say from contempt to some degree, came bringing costly presents. Their presence soon became known, and the people, supposing the situation demanded instant action, set upon them. Many were killed. Nor did the disturbance confine itself to the immediate palace. The crowd, becoming ^{angry} ~~mad~~, formed a mob bent on general butchery, and spread throughout London, killing men and women, burning their quarters, and causing a wholesale destruction of Jews⁽²⁾. Richard showed disapproval of such proceedings by punishing many leaders of the movement, but the damage had been done. Christians in

- - - - -

(1) B. L. Abraham's "Expulsion of Jews," 9-11.

(2) Blunt,- "History of Jews in England," 18-28.

other towns, thinking this a signal for a general riddance of the hated Jews, attacked them⁽¹⁾. At York the most disgraceful massacre took place. Here five-hundred Jews were killed, their homes and property destroyed, and mortgages seized and burned. The Jews had fortified themselves in a stone house, hoping the mob would soon disperse, but when they were attacked and saw no chance for escape, they bravely chose two of their own number to kill the rest, preferring to die thus to falling into the hands of Christians⁽²⁾. Richard, in the meantime, was away on a crusade, and upon his return learned of the bloody riots and attendant loss of property. He realized himself a loser by the destruction of bonds, records, and property, and immediately took steps to prevent any more such losses in the future. Itinerant justices were sent throughout England to make careful estimates of their wealth, and these were recorded and placed in public chests⁽³⁾.

This is the first move toward establishing the institution later known as the Exchequer of the Jews. At this time the Ordinances of the Jews⁽⁴⁾ caused a strict regulation

- - - - -

(1) B. T. Abraham's, "Expulsion of Jews," 11. Jews were plundered in Norwich, Bury St. Edmund's, Lynn, Lincoln, Colchester, Stamford, and York.

(2) Kate Norgate,- England under Angevin Kings."

(3) Blunt,- "History of Jews in England," 25.

(4) See Appendix for Ordinances of Jews.

of all Jewish business. This legislation and supervision brings about a great change in their status, and makes a good starting point from which to study them during the remainder of their stay in England.

It has been the purpose of this introduction to sketch briefly a history of the Jews from their first appearance in England to the close of the 12th century, as a preparation for the more thorough treatment of the subject during the following century.

RELATION OF JEWS TO THE CROWN.

At the beginning of the 13th century the Jews were discouraged and downcast. Their treatment under Richard had been cruel; and the many restrictions placed upon business transactions had lessened their ambition for wealth. John recognized this fact and took immediate steps to restore confidence among them. In the second year of his reign he issued a Charter of Liberties⁽¹⁾ to them. This apparent

- - - - -

(1) Madox, "Exchequer of Jews," Ch. VII. This charter was practically Henry I's and Henry II's charter. These were the provisions: That Jews might reside in the King's dominion freely and honorably; and that they might hold of John all things that they held of Henry I, and that they now rightfully hold in lands, fees, mortgages, and purchases; and that they should have all their liberties as amply as in the reign of Henry I; that if a plaint was moved between a Christian and Jew, he who appealed should produce witnesses to deraigne the plaint, and lawful Christian and a lawful Jew; that when a Jew died his body should not be detained above ground; and his heir should have his chattels and credits; that the Jews might lawfully receive and buy all things which were brought to them, except things that belonged to the Church, and except cloth stained with blood; that if a Jew was appealed by another without witness, he should be quit of that appeal by his single oath taken upon his Book; that if a difference arose between a Christian and Jew about the lending of money, the Jew should prove the principal, and the Christian the interest; that a Jew might lawfully and quietly sue a mortgage made to him, when he had held it a year and one day; that the Jews should not enter into Plea except before the King in his court or exchequer, or before the keepers of the King's castles in whose bailiwicks the Jews lived; that the Jews might go whither they pleased with their chattels, as safely as if

good will had the desired effect. They again took courage, and many were induced to come over from France. But that John's aims were selfish is revealed by the fact that this charter was granted, not freely, but for a consideration of money⁽¹⁾. His real object for desiring them to remain in England is easily discerned by the cruel exactions later imposed on them, and his harsh treatment of them. One writer has characterized his motives and actions in this way: "When the decoys were drawn into the net their feathers were plucked off."⁽²⁾

John was in continual war with France, Scotland, and the Barons, and hence in constant need of money. His source was the Jews. He forced heavy payments from them in the shape of fines and tallages, and for non-payment inflicted terrible penalties⁽³⁾. Personally, he hated the Jews, and

- - - - -

they were the King's chattels; that they should be free throughout England of all customs, tolls, and modulation of wine as fully as the King's own chattels; that they should be protected and defended; and that no man should implead them touching any of the matters aforesaid under pain and forfeiture as the charter of Henry II did likewise impart.

(1) Jacob's, "Angevin Jews," 215. The consideration was 4,000 marks.

(2) Prynne, "Demurrer," 8.

(3) Blunt, - "History of Jews in England," 32. A tallage of 66,000 marks was levied against the Jews, and teeth were pulled out, and eyes punched out for non-payment.

seemed to delight in injustice done them⁽¹⁾. They were used by the King in many ways when no one else would serve him in his disgraceful demands. After the battle of Berwick, John instituted a system of tortures, and, since Christians would not take part in such nefarious punishments, he forced the wretched Jews to inflict them⁽²⁾. But notwithstanding all their oppression they prospered in a financial way; so much so indeed that there was need of legislation against them. Their usury charges were excessively large, and too much property was coming into their possession. This fact brought out the practice of release by the King. Nobles in debt to the Jews were enabled to free themselves by the payment of a small sum to the King⁽³⁾. ✓ But the Barons further forced the King to make provision in the Magna Carta against the payment of interest by an heir in his minority and against denying to a widow her dower⁽⁴⁾. A form of deed also came into use, the purpose of which was to prevent the alienation of land to the Jews⁽⁵⁾. But the

- - - - -

(1) Jacobs, "Angevin Jews," 224.

(2) Tovey,- "Anglia Judaica," 76.

(3) Madox,- "Exchequer of Jews," Ch. VII, p. 70.

(4) Magna Carta.

(5) Jacobs,- "Angevin Jews," 221. The first record of any such deed is in 1204.

Jews themselves were the cause of much deserved censure. In addition to their exorbitant usury charges and cruel persistence in demand for instant payment, they were justly condemned for clipping money⁽¹⁾.

There were not a few stories telling of the mutilation and crucifixion of children⁽²⁾.

But John did protect them from public violence as much as possible, and instructed the Barons to guard them against all uprisings. But since Barons and Crown were themselves in constant conflict, this protection could not have been adequate.

It is true that the Jews received harsh treatment from John, but their treatment under Henry III was even worse, and the little freedom left by John was now taken away by his son. This was not true, however, during the years of Henry's minority, for the Earl of Pembroke and Hubert de Burg treated them in a just and equitable manner. The justices who had been unfair in handling the Jews' Exchequer were dismissed from office. The charter granted by John

- - - - -

(1) Pryne,- "Demurrer," 9. This practice must have been common to them earlier than the 13th century, since they are spoken of as returning to their usual practice of clipping.

Jacobs,- "Angevin Jews," 223. In 1205 John threatened with loss of property any Jew found clipping money, or having such in his possession.

(2) Tovey,- "Anglia Judaica," 65. The first indictment appears in 1203 in which a Jew is charged with mutilation of a boy.

was renewed. A novel means for the personal protection of Jews was instituted⁽¹⁾. In fact they were so favored that the Church became angry and prohibited intercourse between Christian and Jew⁽²⁾. When Henry became personally responsible, the dismissal of Hubert brought the unscrupulous Peter des Roches into power, and with this the status of the Jew changed.

The entire history of the Jews during the remainder of Henry's long reign is but a series of excessive fines, tallages, added restrictions, and oppressions. Upon various occasions they complained of the enormous amounts levied upon them, and beseeched the King to permit them to quit the kingdom⁽³⁾. Fines were often charged against a wealthy Jew for some supposed crime, or for neglect to pay his share of common tallage. Certain of the most prosperous ones were security for prompt payment of these general tollages⁽⁴⁾,

- - - - -

(1) Isreal Abraham's,- "Jewish Life in M.A.," 93. Jews were to wear a badge on their upper garments.

(2) Blunt,- "History of Jews in England," 35. This action by Church was offset by a decree of Henry, which threatened with imprisonment all persons who obeyed the Church prohibitions.

(3) Matthew Paris,- Vol. V, 487. On one occasion the King became angry because of a request to leave the country, and cried: "It is not strange that I seek for money, for it is horrible to think of my debts, which count up to 300,000 marks.

(4) Blunt,- "History of Jews in England," 38.

and most cruel threats were employed for bring this about⁽¹⁾.

As to the manner of assessing and collecting these fines: In the early years they were assessed by the King's officers but Henry conceived of a much more effective plan. Having summoned a few influential Jews, he would make known the amount required and appoint them their own assessors⁽²⁾. But soon circumstances arising out of the Crown's authority in this respect caused Parliament to make an investigation of the real condition of the Jews and also the King's financial need. The result was that Parliament from then appointed one Justice of the Jews, responsible only to Parliament⁽³⁾. And, furthermore, Henry was forced to consent to two other ordinances⁽⁴⁾, which changed materially their legal status, and took away much of their freedom in business activity. But the worst was yet to come, for some vigorous and sweeping anti-social laws⁽⁵⁾ were passed which reached to the very foundation of life. These ordinances

- - - - -

(1) Prynne, - "Demurer," 27. In his twenty-ninth year Henry threatened to banish the wives and children of certain Jews, and declare forfeit their lands, rents, and chattels, unless an enormous tallage was met. Madock, - "Exchequer of the Jews," Ch. VII.

(2) Prynne, - "Demurrer," 21-26-28.

(3) Tovey, - "Anglia Judaica," 32.

(4) Blunt, - "History of Jews in England," 51. All debts of Jews secured as rent charges upon the lands of debtor should be void. No Jew should from henceforth have a freehold in any manors, lands, or tenements, whatever, excepting that they might hold houses for habitation.

(5) Blunt, - "History of Jews in England," 49. In 1253 the following ordinances were issued: "No Jew should remain

were so far-reaching that it is impossible to understand how their condition could have been worse. This legislation was caused by the influence of the Church on the people, and the people on Parliament and the King. The populace had become more and more suspicious of the Jews and their hatred and contempt constantly more intense. The Church had accomplished this in great measure by the invention of numerous instances of tortures and crucifixions inflicted on innocent boys⁽¹⁾. The Jews were accused of clipping money to such an extent that commerce was seriously affected. The coin was clipped to the inner circle and foreign merchants would not accept it in payment⁽²⁾. They were also charged with various crimes, such as receiving

- - - - -

in England who did not render service to the King. There shall be no schools for Jews except in places where they were wont to be. All Jews should pray in a low voice in their Synagogues. Every Jew should be answerable to the rector of the parish for parochial dues, chargeable on his house. That no Christian woman should suckle or nurse a child of a Jew; nor any Christian serve a Jew, eat with him or abide in his house. No Jew should eat meat in Lent or detract from the Christian faith. No Jew should enter any church, nor hinder anyone desiring to embrace Christianity. No person shall purchase flesh from a Jew. They shall abide in no town without special license. No Jew shall associate with a Christian woman, nor any Christian man with a Jewess.

(1) Matthew Paris, Vol. IV, 30; Vol. III, 305; Vol. V, 517.

(2) Matthew Paris, Vol. IV, 608; Vol. V, 15.

stolen goods, treason, and plots to burn cities(1).

Much injustice was suffered by them at the hands of the Barons, who thought by persecuting them and destroying their property they were indirectly harming the King.

Another barrier to fair treatment was occasioned by the fact that all attempts to convert them ended in failure. There were very few Jews who actually forsook Judaism to embrace Christianity. This contempt and perverseness, viewed as such by the people, stirred up righteous anger among the Christians. They thought these refusals to proselyte should be punished. Henry III was in sympathy with all attempts at conversion and provided for the building of a house for taking care of converts(2). But the number of Jews who occupied the "Domus Conversorum" was never large, and those who did live there were often induced to do so through fear rather than from an earnest desire to embrace Christianity.

Edward I issued proclamations of peace as John and Henry had done. They were mere matters of form, however, for he imposed all the strict and extensive prohibitions made by former Kings; and though it seems scarcely possible, limited their field for business even more. He regulated their transactions through the Exchequer, but instituted a

- - - - -

(1) Pryne, - "Demurrer," 20, 35.

(2) Matthew Paris, Vol. III, 262. This house was built in London 1233.

different penalty for non-payment of tallages⁽¹⁾. But Edward's motives for strictness and opposition to them were not the same as those of John and Henry. John hated them and treated them cruelly for the same reason he treated everyone so, but he was compelled to protect them from violence in order to secure for himself a source of revenue. Henry was also selfish and used them as a treasury and taxing engine to run over disobedient barons. The strict laws passed against them were not caused by Henry but by the Church and the people. But Edward opposed them from broader political reasons; and yet he protected them better. There is no mention of riots or plunderings during his reign. Edward was a wise statesman, who saw that a foreign race absolutely incapable of assimilation was controlling the nation's wealth; and such a race with means of so much power was a menace to a greater national life. Accordingly he took steps to change conditions. His plan was to cripple their business, and so prohibited the practice of usury⁽²⁾. This entirely shut them out from every avenue of business that was legitimate. Naturally they again turned to clipping, receiving stolen goods and loaning money under the cloak of honest trade. However, in a few years Edward saw the impossibility of such a law,

- - - - -

(1) Tovey, - "Anglia Judaica," 198. Instead of imprisoning delinquents he banished them and appropriated their goods to himself.

(2) B. L. Abraham's, "Expulsion of Jews," 30.

and amended it so that usury was permitted under certain limitations. As a Christian, Edward saw another source of danger, and attempted a wholesale conversion of them. As an inducement he waived all claims to their estates for a period of seven years⁽¹⁾. But this attempt as all others ended in failure, and only a few needy ones were prevailed upon. Edward now recognized the futility of his plans to regulate or convert them, and found recourse to expulsion⁽²⁾.

There has been much discussion and not a little confusion in regard to the legal status of the English Jews. This has been so partly from the fact that their status was not the same during their entire stay in England. Under the first Kings they were practically free men, but with each successive reign their position with respect to the Crown changed. Various writers have determined their position during different periods of the 12th and 13th centuries, and their conclusions could not agree. But this confusion has arisen in some measure from the attempt to place them in one of the common classifications. Some say they were free men since they could hold land and engage in business activity. Others contend that they must have

- - - - -

(1) Tovey,- "Anglia Judaica," 215.

(2) See next chapter for expulsion of Jews.

been serfs since they were constantly legislated against, and narrowly regulated in their social and economic life, and were treated so shamefully by King, barons, and people(1). They were defenceless, and hence mobbed and pillaged by any who cared to attempt it. But the difficulty arises at the very beginning. It must first be recognized that they were not Christians, and never formed a part of the political and social life of the nation. They were aliens from first to last, and the old Saxon and Norman classifications do not apply to their case whatever. There is need of a new yardstick. That the ordinary classes did not have place for them is what made their history so different from that of Christians. It is only partly true to say they were free, and only partly true to call them serfs. They were free to all but the King. There was a guarantee of this freedom in their Exchequer. Here the Jew could sue and be sued, accuse and be accused, and the rules of procedure were not unfavorable. As between Jew and Jew there was absolute freedom when the King's interest was not involved. Jewish tribunals administered the "lex Judaica." There were Jewish priests and bishops whose functions were judicial. It seems certain, then, that they were free as regards the world at large. But

- - - - -

(1) C. Gross, - "Exchequer of the Jews," - Intro.

in respect to the King they were in the most abject servitude. The laws of Edward⁽¹⁾ speak of them as being the King's together with their chattels, and completely under his protection. "The Jew can have nothing that is his own, for what he acquires he acquires for the King."⁽²⁾ His relation to the Crown is much the same as the villein's relation to his lord⁽³⁾. He was a bondsman of the King and could only obtain and hold at his pleasure. Kings often spoke of Jews' property as "theirs and our property"⁽⁴⁾.

- - - - -

(1) Legis Edwardi.

(2) Bracton's Laws.

(3) Pollock and Maitland, Vol. I, 471. "Whatever the Jew has belongs to the King, and he acquires for him much as a villein acquires for his lord. But, just as the lord rarely seizes the villein's chattels save for certain reasons, so the King rarely seizes the Jew's chattels save for certain reasons. Again, as the lord is wont to be content with customary services of his villeins, so the King, unless in some unusual strait, will treat his Jews by customary rules. The King respects the Jewry much as the lord respects the custom of the manor. Again, the King does justice upon and between his Jews as the lord does upon and between his villeins. Again, the Crown can grant privileges to his Jews without emancipating them or fundamentally changing their legal condition. The lord is contented, when his own interests are not at stake, to permit his villeins to settle their disputes in their own way; and so also the Crown permitted, when its interest was not involved Jewish law to be administered according to custom and by Jewish judges."

(4) C. Gross, - "Exchequer of Jews."

A study of the fines and tallages, however, will show clearly this fact.

The extent of this dependence on the Crown was absolute, but in practice Kings made use of it to various degrees. This was a matter of expediency, however, not of right. They could live only where the Crown would permit, and could be changed from place to place at the King's pleasure. They together with their wives and children could be fined or imprisoned. They could not leave the kingdom without special license⁽¹⁾. They could even be mortgaged, which actually occurred no less than four times under Henry III⁽²⁾. Their real and personal estates were wholly at the King's disposal. He could seize their lands and sell or grant them to whomsoever he pleased. All their estates and chattels escheated to the King, upon death, and the heirs could not again enjoy them without fines and reliefs. They could not sue or mortgage without the King's consent, who at any time could seize their debts, charters, and estates⁽³⁾. In determining the status of the Jew, then, it must be remembered that his was a unique relation, both to King and people, and that he cannot be called either freeman or serf in the ordinary meaning of those terms.

- - - - -

(1) Pryne,- "Demurrer," 128-129.

(2) Matthew Paris Chronicles, Vol.V, 446.

(3) W. Pryne,- "Demurrer," 130-131.

It will be interesting now to seek for the cause of the Jews' dependence on the Crown. One cause is evident at the very outset. The fact that they were Jews made dependence necessary. They never could be Englishmen and Christians, but must always remain a foreign element, incapable of becoming a part of the social and political life. Peculiarities of habit, speech, appearance and daily life sharply separated them from the people. They lived apart in a distinct quarter of each town; were not members of guilds; were not allowed to keep mail and hauberk; did not appear in the ~~tan~~-moot or shire-moot, but had separate courts; did not reverence the Christian religion, but conducted services in their own synagogues on different days, and according to old customs. They were buried in special cemeteries⁽¹⁾. This isolation made them objects of hatred and suspicion, and made necessary a protector. But further, they did not engage in the same business as Christians. The ordinary avenues of business were closed to them, nor could they hold public office. The only thing left for them was the loaning of money. Usury was a practice which was thought unlawful and unjust, and Christians would not engage in it. But through it the Jews became possessors of the wealth of the nation. A hated sect by means of a business considered dishonorable and pernicious

- - - - -

(1) B. L. Abraham's,- "Expulsion of the Jews," 6.

controlled the money of the kingdom, and held the people in such bondage that the nation was being impoverished. It was natural that such a state of affairs could not continue. Violent measures were taken to effect a change. The property of Jews was destroyed, and their persons attacked. Against such popular action the Jew had no recourse but the King. He protected them as much as possible, and they depended on him alone for safety. The Crown's desire to protect them was not occasioned by any great love for the Jews, but rather by selfish motives. Then, again, the Jews' attitude toward Christianity made necessary a protector. They not only refused the Christian faith but often scoffed at it and showed contempt in various ways. The people, imbued with the world-wide crusading spirit, deemed it their duty to punish such blasphemy. A protector was needed and the Crown was the only possible one. The first cause for dependence on the King, then, was that the Jews needed protection from the violence of the people.

The Church indirectly made dependence necessary, and shaped affairs so that the Crown desired it(1). She condemned the practice of usury and threatened anyone engaged in it. This alone would not have affected the Jews in the least, since they cared not for the Church; but Church

- - - - -

(1) Jacobs,- "Angevin Jews," - Intro., XV, XVI.

and State were one, and what she decreed the State likewise agreed to, and made some provision to render such decree effective. Hence, the State proclaimed that any engaged in usury forfeited his goods to the King. The situation was then that if the Jews continued in usury their property and wealth became the King's. But there was no other business in which they could engage. As a Christian, the Crown, wishing to carry out the policy of the Church, must immediately seize all the goods of the usurer, and continue to do so until the practice should cease. But as a King in need of money, the Crown did not desire to do so. In such case an interesting situation arose. By permitting Jews to continue usury a permanent and increasing source of revenue was open to the King. By declaring their goods forfeited and putting a stop to usury, he would have obtained their wealth, but would have been unable to so successfully invest it. Hence, it was better to permit Jews to loan money and receive large returns, since the Crown was privileged at any time to seize them, and their property, or any part of it. The King, then, became the arch-usurer of the realm, and owned the Jews as chattels⁽¹⁾. This was the greatest cause explaining the peculiar relation of Jews to the Crown.

- - - - -

(1) Jacobs,- "Angevin Jews," - Intro.

The effect of this dependence was beneficial to the Crown and Jews, but harmful to the people. The King always had a source of revenue, and was not compelled to be so dependent on Parliament. He was enabled to engage in wars almost independently of aid from Parliament, and was able to subject unruly barons by reason of his Jews. In order to gain favor with them he could release them from debt; or if wishing to oppress them he could do so by demanding immediate payment of debts which they might owe to his Jews. They served him as a taxing medium by which he could reach all classes. They served as a "sponge to suck up the wealth of the nation"(1). The Crown received this money through fines, tallages, escheats, and forfeitures at any time and in whatever amounts it desired. But the effect on the Jew was also beneficial. Protection was obtained and opportunity to continue in business was afforded. He was at all times a ward of the Crown. True, he was often shamefully treated by the King, and many times at the mercy of mobs, but such popular demonstrations were not numerous. It certainly was to his advantage to have one royal oppressor than many oppressors. But it is a recognized fact that the Jews' condition in England was much

- - - - -

(1) Transactions of R. H.S., Vol.V., New Series.

better than that of his brethren on the Continent⁽¹⁾. The Jew cannot be blamed for endeavoring to become rich for that was what he had to do. His business was to get as much wealth as possible for his lord, the King. The people of course were the real payers of the Crown's tallages. The Jews handed down the royal oppression onto the people⁽²⁾, and virtually served as a means for indirectly taxing them.

The Jews' relation to the Crown was different than in any other country, and their status an unique one. They were perhaps more systematically tallaged in England than elsewhere, but still in spite of it they prospered. Their dependence on the Crown was beneficial to them as well as to the Crown.

- - - - -

(1) Gross,- "Exchequer of Jews," - Intro.

(2) Cunningham,- "English Industry and Commerce," Vol.I, 188.

EXPULSION OF THE JEWS.

England was not the only country which resorted to expulsion to rid herself of trouble arising from resident Jews. Hence this event must not be considered an uncommon or peculiar one. Most of the western European nations expelled the Jews about the same time. The movement seemed to be a general one⁽¹⁾, and this proves that the banishment in England was not the hasty act of a willful King. England was the second nation to force them to migrate. But even here the idea of expulsion had been advocated for many years prior to 1290⁽²⁾. On three different occasions Edward I was offered one-fifth part of all their movables if he would expel them, but on such occasions the Jews bribed him with larger amounts for the privilege of staying⁽³⁾. But finally Edward was prevailed upon to issue an order for final expulsion⁽⁴⁾. The exodus began on St. Denis Day, when the London Jews embarked⁽⁵⁾. Where they all went is

- - - - -

(1) Prynne,- "Demurrer," 27-91-93. France expelled them six times, the first in 1152 and the last in 1307; Germany in 1385; Spain at the close of the 15th century three different times; Portugal in 1497.

(2) Cunningham,- "English I. and C.," I - 266. Parliament had urged it nine different times.

(3) Blunt,- "History of the Jews in England," 54; Tovey,- "Anglia Judaica," 233; Transactions of R. H. S., V, New Series.

(4) B. L. Abraham's,- "Expulsion of Jews," 69; On the 18th of July writs were issued to the sheriffs.

(5) The number is generally placed at between 15,000 and 16,000. Stow places the number at 15,060.

not definitely known, but perhaps Spain, where the greatest number of their brethren were residents, received the greatest part of the fugitives. A number, however, went to France, Germany, and Scotland, but since they were expelled from France in a few years they could not have remained there long⁽¹⁾. But there is much doubt as to whether or not this expulsion was complete⁽²⁾. But in any case it is certain that the greater part of them left England at this time.

The conditions of their departure were that they could take all personal property with them, and special means for collecting outstanding debts were provided. Their real property was forfeited to the King. They were to be allowed to leave without molestation, and orders to protect them were given to the sheriffs. The people were threatened with severe punishment if they in any way hindered peaceful departure. There is only one incident related by

- - - - -

(1) Transactions of R. H. S., V, New Series; B. L. Abraham's,- "Expulsion of Jews," - 70.

(2) Cunningham,- "English I. and C.," - I, 266. There certainly were more than 15,000 Jews in England at this time. The Domus Conversorum was not abolished until the 17th century, and this fact implies that Jews remained in England during all this period. Jewish tradition says 1358 was the year of final banishment and that until then many remained.

Transactions of R. H. S., V, New Series. It is perhaps true that many who left shortly returned as Lombard merchants and bankers.

chroniclers telling of harm done them⁽¹⁾. Jews who would profess conversion could remain, but any others found in England after the Feast of All Saints were to be hung⁽²⁾.

As to the cause of the banishment writers have held more different opinions and displayed more narrowness of judgment than in regard to any other phase of Jewish history. In all the hundred or more records in the tower, which refer to the event, not the least mention of the cause can be found⁽³⁾. Any attempt at a discovery of these causes, then, is a mere matter of personal deduction. And when one begins to review the many different causes given by various writers and begins to form some conclusions of his own, the study becomes very complex and comprehensive. Just why were the Jews expelled at this special time? Parliament had on three different occasions offered the King one-fifth part of their movables, and now Edward receives only one-fifteenth part. The Jews had at times of severe exactions beseeched him to let them leave his kingdom. The causes given are numerous. Some say the usury

- - - - -

(1) Prynne,- "Demurrer," 48. A certain ship full of Jews on their journey down the Thames was run ashore by the crew. As soon as the Jews landed the crew waited for the tide to come and hurriedly boarded the ship and made off, with them crying for help. The master of the ship told them to call on Moses for help. The crew told the trick and were punished by Edward for their deceit.

(2) Transactions of R.H.S., V, New Series.

(3) Tovey,- "Anglia Judaica," 233.

and fraudulent methods of the Jews were unbearable; others that the Church demanded expulsion; others that the people demanded it; others that the Queen influenced Edward; others that Edward did it from selfish motives; others that their wealth had so decreased that they were no longer a source of revenue sufficient to be protected by the Crown; others that better means were found by the King by which to obtain money; and other causes have been put forth.

But any and even all such views are entirely too narrow, although each has some truth in it. It is true that the usury of the Jews, and their constant bullying was distasteful to the King and people, but they were not so much an objection as earlier, for usury had been limited to a great extent by Edward. The Church was no more opposed to them than she had been all along, and so many laws had been passed by Church and State restricting them and their social life that it seems as though there was not as much cause for jealousy and hatred as formerly. The feeling of the people was not so bitter, since no riots or plunderings are recorded during the reign of Edward. The stories of crucifixion had ceased, and the crusading spirit was not so rife. As to whether or not their wealth had decreased there seems to be some difference of opinion; but it seems reasonable to suppose such was the case, since their business had been restricted, since their right to hold property had been

forfeited, and since such heavy tallages had been consistently levied. And the Queen and Edward's mother, who were religious, might have had some influence upon him. But considering each of these causes separately, it seems that the reasons for expulsion were not so strong as earlier. There must have been some more important and far-reaching causes.

Edward was a great ruler who desired to govern well, and make England a power to be reckoned with in the world. He was also a Christian, true to the Church and Pope. Moreover, he wished to please his people and submit to their demands as much as possible. As a financier he wished to see the expenses of the nation met by fair contribution of his subjects. This could not be possible as long as the Jews were in possession of so much wealth, and the people as a result impoverished. Edward longed to bring about the united action of the nation in all matters, and the Jews' presence prevented this. He attempted to induce them to cease the practice of usury, and go into legitimate business, but his efforts were futile. He forbade them to continue the practice of usury, and later on account of the impossibility of compelling enforcement amended the decree. Recognizing now that the only way to put an end to usury, and affect a change in the financial and economic relations of Jews and Christians was to go deeper



than laws and prohibitions, he began a great movement for conversion. As long as he remained a Jew, he would continue usury and acquire wealth; and just so long the people would be jealous, and a just distribution of property and means would be impossible. With an alien race of Asiatics, who were different in manners and customs, social and religious beliefs, and who never would form a part of the life of the nation and were not amenable to common law, assimilation was impossible. The only way to bring about a nationalization of Christians and Jews, and thereby remove all objectionable features was to make the Jew a Christian. But the attempt to convert Jews, as all former attempts, failed. As a just and wise King, Edward had tried to engender a healthy national spirit by laws, regulating the Jews and restricting their business, and finding such action fruitless tried the deeper plan of converting them. This also ended in failure. The only thing left was to banish them.

But as a Christian, Edward was opposed to the Jews, and from the standpoint of the Church, alarmed. They were not always 'cringing cowards but often filled with the spirit of bullying and braggadocia.' They mocked and scoffed at Pope and Church, and all phases of Christianity. This angered Edward and he longed to put an end to such blasphemy. The Church moreover had been heavily in debt to

Jews, and no little embarrassment had been caused by this fact. Hence as a good Christian who desired to please the Church and Pope, Edward was forced to expel them.

Still another possible cause for expulsion was that the relation of the Jews to the King had changed. In the time of John and Henry III, as in the time of Edward, there was a continual conflict between Crown and Parliament. The King was fighting the demands of the people for more power. During this struggle the Jew had been a great help to the King, and a thorn in the flesh to the people. The Crown could always procure ready money without consent of his Parliament, and thus protect his own position. Through the Jews he always had a means of punishing unruly Barons, and taxing the people. The Jew had been a great help to the King in the struggle against limitation of power. But at this time the people have practically won in their contention, and the great help of the Jews is not so necessary. The victory of Parliament was not only a defeat for the King, but also for the Jews. But in addition, the wealth of the Jews had decreased, and no longer was the tempting bait that it formerly had been. Foreign bankers had to a great degree taken their place as money lenders, and even had the wealth of the Jews not materially decreased, it is doubtful if the Crown would not have patronized the Lombards, for it must be remembered they were agents of the Pope.

But Parliament and the people had all along insisted on expulsion, so when Edward asked for an appropriation⁽¹⁾, Parliament promised it on one condition, that the Jews be expelled. When viewing the causes for expulsion, then, the part that Parliament and the people played must not be overlooked.

But furthermore, the Jews' time of usefulness had passed, and the disadvantages resulting from his residence far out-weighed the good. There can be no question but that he had fulfilled in some part a good mission as well as done some harm. He had assisted in an economic way. The change in building from wood to stone had necessitated ready capital, and the Jew was the one to furnish such means. The Jews' houses were the finest in the land, and as financiers their money backed most of the large building projects, even religious. If the Crusades accomplished any good, the credit must rest in some degree with the Jews, for they supplied the means for many who enlisted. But now the time has passed, owing partly to the fact that their wealth had decreased, and that foreign money lenders were able to supply money, when they can play such an important part in economic development. Their career of usefulness was at an end, and nothing was left but to expel them.

- - - - -

(1) Transactions of R.H.S., V - New Series. The appropriation asked by Edward was one-fifteenth of all movables from clergy and laity, and one-tenth of all spiritual income.

There were some more immediate causes perhaps which brought about definite action on the part of Edward. His mother and the Queen no doubt influenced him. The Church and Pope urged him. The fact that he was in need of united support of Parliament to carry on a war with Scotland, and that only a short time before he had expelled them from his Continental territories helped to bring matters to a speedy close. But although these things may have accounted for Edward's decision in some measure, yet the more fundamental reasons for expulsion must not be forgotten.

The expulsion of the Jews was not an event of great importance as far as English history is concerned. There was no serious change occasioned by loss of capital⁽¹⁾, nor did Edward become so wealthy by reason of real estate forfeitures that he was independent of Parliament. The King himself probably did not miss their revenue to any great degree, for as their wealth had decreased the Crown's need had increased, and the loss of Jewish fines and tallages made but slight difference. Many of the evils charged to the Jews continued, particularly the clipping of money and the practice of usury. Usury was so generally carried on after their departure that statutes were passed against it⁽²⁾, and much blame is by this fact taken away from the Jews. Yet

- - - - -

(1) B. L. Abraham's,- "Expulsion of Jews," - 82.

(2) Tovey,- "Anglia Judaica," - 252.

it might be charged that this practice was continued by Jews who remained and others who returned as merchants. That their absence strengthened the religious faith of the people and the cause of the Church is difficult to prove. Hence on the side of the Crown and people, it seems that no great good resulted other than that a detested race was gotten rid of.

On the other hand, it is probable that the Jews did not desire to leave the kingdom. It is true that on several occasions they had asked to be allowed to leave, but such requests were always made at times of heavy tallages, when for the time they were discouraged, or when the object might have been to induce the King to lessen the exactions. The fact that the lot of the English Jews had been much happier than that of those on the Continent indicates that they would have remained with pleasure. And the fact is strengthened by this other, that many perhaps did stay, even though compelled to profess conversion, and others returned as Lombards. The majority of the Jews went to Spain, and there no doubt they and their children suffered more than they had ever experienced in England.

THE CHURCH AND JEWS.

The relations of the early Church and Jews were from the first unfriendly. The Jews were hereditary enemies of the Church. They were infidels, and despisers of Christ, and at all times cast disfavor on Christian faith and teachings. The Church was a militant institution, which brooked no opposition, but demanded reverence and adherence from all. Liberty of thought and freedom of action were not tolerated. It was certain that this enmity would take shape, and assume a decided course on the part of the Church. However, during the early centuries she was struggling with doctrinal questions, and found enough to busy herself with outside of a conflict with the Jews. On this account not a great deal of legislation was passed against them by the Popes until about the 12th century⁽¹⁾. And there was not so much demand for action during the early centuries, when the race was not sufficiently powerful to excite fear of rivalry. But as the policy of the Church became better defined, and the Jews increased in wealth and influence, much concern was felt by her. This resulted in a vigorous sys-

- - - - -

(1) B. L. Abraham's,- "Expulsion of Jews," - 53.

tem of hostile legislation against them⁽¹⁾. A great part of this legislation was strictly anti-social in nature, the

- - - - -

(1) Jacobs,- "Angevin Jews," 1-2. Practically all of the Church laws until the 13th century against Jews have been collected by Jacobs.

1. If any Christian woman takes gifts from an infidel Jew, or of her own will commits sin with one, let her be separated from the Church a year and live in much tribulation, and then repent for nine years.

2. If any one shall despise the Nicene Synod and make Easter with Jews on the fourteenth of the moon, he shall be cut off from the Church, unless he do penance before death.

3. If any Christian accepts from Jews unleavened cakes or any other meat or drink, and share in their impieties, he shall do penance with bread and water for forty days.

4. If any Christian sell a Christian man into the hands of Jews, and by this separates him from the Church, he is not worthy to rest among Christians until he redeems him. But if he cannot redeem him let him redeem another from slavery, and let him for three years refrain from flesh and wine. And if he be poor and cannot redeem him or another, let him from his own labors give something and repent seven years.

5. It is allowable to celebrate mass in a Church where faithful and pious ones have been buried, but if infidels or faithless Jews be buried it is not allowed to sanctify or celebrate mass. But if it seems suitable for consecration, tearing thence the bodies, and washing the walls, let it be consecrated if it has not been so previously.

6. Let no Christian presume to judaize or share in their feast.

7. If any Christian sell a Christian into the hands of a Jew let him be anathema.

8. On Good Friday Jews cannot keep their doors or windows open.

9. Jews may restore their synagogues, but cannot build new ones.

purpose of which was to curb and strangle the very social life of the Jews. Their every-day actions were so hedged

- - - - -

10. Jews are not to be baptized against their will, nor condemned without judgment, nor be spoiled of their goods, nor disturbed at their festivals, nor are their cemeteries to be molested or their bodies exhumed.

11. Just as Jews are not to be forced to the faith, so it must not be allowed to the converted to recede from it.

12. Christian slaves bought by Jews should be set at liberty.

13. Public offices are not to be committed to Jews.

14. Jews cannot accuse Christians.

15. Perfidy of Jewish parents returning ought not to injure their children remaining Christian.

16. Of Jews and others frequently turning to Judaism, and performing the right of circumcision, such children to be separated from parents, servants from masters.

17. Let not Jews have Christian servants in their houses for any reason, and let them be excommunicated who lodge with them. The testimony of Christians against Jews is to be preferred in all cases where they use their own witnesses against Christians. If any turn to the Christian faith they should not be excluded from their possessions, since such ought to be in a better condition than before they adopted the faith.

There were a number of regulations passed in the thirty-seventh year of the reign of Henry III which were advocated by the Church, but they have been mentioned in another chapter.

about with prohibitions that freedom in the most necessary things was almost impossible. But various Popes also passed some measures which touched them in their business activity(1). Although many of these laws and regulations enforced by the Church were passed before Jews had ever settled in England, yet since they were directed against them as a race, and not against those in any one country, they remained in force against English as well as Continental Jews. There was no difference in the attitude of the Church toward those in England and those in France, Spain, or Germany. However, local conditions in these countries did make independent action on the part of the Church through bishops and archbishops necessary.

In England the Crown offered so much protection to Jews that the Church became especially jealous and angry. The Popes thought their prosperity, resulting in fine houses, magnificent synagogues, and a high plane of living, created an heretical influence. The accession of Innocent III marks the beginning of a series of Papal bulls addressed to the archbishops of Canterbury urging instant restriction of

- - - - -

(1) Matthew Paris Chronicles, III - 312. Gregory IX decreed no one with the sign of the cross should pay usury. B. L. Abraham's, - "Expulsion of Jews," - 13. Innocent III absolved Crusaders from debts held by Jews. 30 - Gregory X in 1274 at the Council of Lyons passed such stringent measures against the practice of usury that Edward was forced to prohibit it.

the perfidious Jews⁽¹⁾. In some instances these decrees were so severe that the Crown refused to permit their enforcement⁽²⁾. The prohibition of usury was aimed especially against English Jews since that was their sole business. The Church encountered opposition not only from the Crown in carrying out her policy against them, but even from her own representatives. There are many instances of friendliness between monks and Jews⁽³⁾.

There were three chief reasons for the intense hatred held by the Church against English Jews. The insolent and scornful manner in which they viewed the Christian faith and doctrines angered the Church⁽⁴⁾. Their rapidly increasing wealth alarmed the Church. They were in many cases practically owners of several monasteries. This was very humil-

- - - - -

(1) B. L. Abraham's,- "Expulsion of Jews," - 63. Honorius IV urged complete isolation of the Jews.

(2) Tovey,- "Anglia Judaica," - 81.

(3) Matthew Paris Chronicles, V - 546. In 1256, seventy Jews were charged with murder of a Christian boy, but were freed by the intercession of monks.

Monasticon Anglicanum, III - 104. Monastery of St. Edmund's Bury was a place of refuge for Jews along in the 13th century. The wives and children were placed there for protection, and its treasury used as a vault for their valuables.

Tervase of Canterbuty, I - 405. The monks were in great need, and the greatest aid came from Jews who brought them food and drink.

(4) Ashley,- "E. Theories," - Endeman Studies, II - 383. On Ascension Day, 1263, as a long procession was passing, a number of Jews made an attack on the cross-bearer, and having wrenched the cross from him, trampled it under foot.

iating to be in debt to a race, whom she was condemning. And the Jews made good use of this advantage, and at every opportunity humbled and cast reproach upon the Church⁽¹⁾. The third reason was, their stubborn refusals to be converted made them feared as rivals, or at least made the Church recognize in them a great disturbing element. Although a special house was provided, and protection, and means of sustenance offered to converts, yet all attempts to induce them to forsake Judaism availed little. These fruitless efforts angered the Church.

The results of the Church's attitude was an important factor in determining the status of the Jews. One of the greatest results of her opposition was the engendering of a general spirit of hatred and contempt among the people. Although the Jews themselves must have given cause for ill will, yet most of the stories which excited and inflamed the popular mind were invented by the Church. The crusading spirit awakened and fostered by the Church was a mighty element in arousing the multitude. The people were worked into a state of frenzy by the pleading monks. This intense religious zeal insisted that infidels must be converted or

- - - - -

(1) Jacobs, - "Angevin Jews," - Intro. No less than nine monasteries were built with money borrowed of Aaron of Lincoln.

Monasteri Sancti Albani, I - 183. St. Albans was greatly in debt to a Jew until the middle of the 13th century. I - 193: The abbot of St. Edmund's was dunned so relentlessly by Jews that he exclaimed, "My heart will never rest till I am out of debt."

killed, and Jews were as unChristian as Saracens. The Mendicant Orders still further stirred up the Christians against Jews. These preachers and confessors by their love of poverty and sacrifice showed in strong contrast the wealth and selfishness of the Jews, and their influence over the minds of the people was great.

The Jews were affected materially in a financial way by the Church. Since so many monasteries were held in debt by them the Church was obliged to take some decided action. An appeal was made to the Crown and Henry III was prevailed upon to take steps toward freeing them⁽¹⁾. In addition to cancelling these debts, a further privilege was granted to the Church. In towns where monasteries were established Jews were forbidden to reside⁽²⁾. And there can be no question but that Edward's statute prohibiting usury was the result of Gregory's power over him⁽³⁾.

Although it is true that no great number of Jews was ever converted, yet circumstances arising from the conversion of two certain Jews⁽⁴⁾ caused great discomfiture to all English Jews, and placed a great weapon in the hands of the Church for condemning them and their religion. These

- - - - -

(1) Gesta Abbatum St. Albani, I - 402.

(2) Monasticon Anglicanum, III - 104. Samson of St. Edmund's Bury was granted the privilege by the Crown of expelling the Jews.

(3) B. L. Abraham's, - "Expulsion of Jews," - 30.

(4) Israel Abraham's, - "Jewish Life in M.A.," - 416-417.

two converts attacked Judaism and in various places pronounced the teachings of the Talmud the rankest heresy. Unwilling Rabbis were forced to engage in public arguments with them before Church dignitaries, and in every instance the charges of inhuman crimes and practices were emphasized. Such was the influence exerted by these despicable hypocrites that the cause of the Jews was dealt a great blow. In this connection it is interesting to note the elaborate ceremony used in baptizing a Jew. The conversion could only occur on Saturday in Holy Week in the Church of St. John Lateran. The convert must wear a mantle of white damask with a silver cross around his neck. The water having been blessed by a cardinal, and the confession made that he renounces Judaism, the convert is baptized. The usual words are then pronounced and water is poured from a large silver spoon. The convert then proceeds with a taper in his hand to one of the oratories and is confirmed⁽¹⁾.

The Church, however, did much more than arouse the people against the Jews. Their legal status was almost entirely determined by the Church⁽²⁾. She chose their business. By her regulations and laws, and by burdening every business with some religious ceremonial to which the Jew could not subscribe, she made it impossible for him to enter any

- - - - -

(1) Tovey,- "Anglia Judaica," - 95.

(2) Jacobs,- "Angevin Jews," - Intro.

work but the loaning of money. This field alone was open to him, and because of the fact that it was closed to Christians, usury was forbidden on scriptural grounds⁽¹⁾. When it is recognized that the Church limited the Jews' business activity to the one field of money lending, and then induced Edward I to pass a measure completely forbidding usury, it can be appreciated how powerfully the Church influenced the English Jews.

- - - - -

(1) Luke VI - 35. "Mutuum date, nihil inde sperantes."

RELATION OF JEWS TO BARONS AND TOWNS.

The relations of the Jews to the world at large were those of freemen. Only to the Crown were they bond servants. Many circumstances, however, arose in the course of their sojourn in England, which prevented this free relation's being carried out. Legally they were free, but in reality they were not. Although under the King's protection they still suffered personal injury and destruction of property. Their relation to the Church has been noted in a previous chapter, and their relations to the people have been touched upon in all the chapters. It was seen that during their early residence in England they lived on friendly terms with the world, but various measures and events, for which the Church was responsible, changed this almost intimate relation to one of hatred and contempt⁽¹⁾. Since these relations will be yet further brought out in this and the following chapters, there is no need for a separate treatment of their relations to the people.

The barons began early to feel enmity toward the Jews. They were an aid to the King and hence an enemy to them. At this time the barons were constantly engaged in a strug-

- - - - -

(1) The crusades, friars, stories of child seizure, Jewish contempt for Christian doctrines, their wealth and usurious practices were among the reasons for popular violence.

gle against the Crown, and were in great measure held in check through the medium of the Jews. On account of their need for ready money they were as a class debtors to the Jews(1). Hence the King, whenever the barons became unruly, could use his Jews as a whip to drive them into subjection. Whenever he wished to favor certain ones, he could release them from their debts. But the lands of the lesser barons were slipping away from them into the hands of the Crown and greater barons. Thus they were losing their chance for recognition and power(2).

The ready money furnished the Crown by the Jews during the Baron's Wars was alone a sufficient cause for enmity. The barons saw something must be done to lessen the importance of the Jews. The only way to accomplish this was to destroy their wealth. By harming them they were defeating the King. During these wars the Jews were made special objects of attack. They were imprisoned and killed in great numbers, and their quarters, property, and money-chests were plundered and destroyed.(3)

- - - - -

(1) They had to borrow in order to take part in Crusades, to carry on building, to provide equipment for wars, and other unproductive enterprises.

(2) B. L. Abraham's,- "Expulsion of Jews," - 24.

(3) B. L. Abraham's,- "Expulsion of Jews," - 25. The Jewry in London was twice plundered, and those of Canterbury, Northampton, Winchester, Cambridge, Worcester and Lincoln destroyed. In some places all the Jews who would not pay a large sum of money were killed.

These occurrences were general⁽¹⁾ and must have had a great effect on lessening the wealth of the Jews. But the King did his best to protect them and held the barons responsible for these outbreaks, as well as all others, resulting at these times⁽²⁾.

This hostility to the Jews became so strong that many of the barons began to expel them from their domains⁽³⁾. And there seems to be an indication in these minor banishments of what later is known as the final banishment. The barons, by lessening the wealth of the Jews, and by the general increase of popular sentiment occasioned by constant opposition, had a great influence on their position in England.

- - - - -

(1) Tovey, - "Anglia Judaica," - 155-6-166. After the battle of Eversham a body of barons under Simon de Montfort broke into the synagogue in Lincoln; and the same body later plundered the Cambridge Jews, taking many prisoners for whose release they demanded sums of money.

In 1262 because Henry III had broken an agreement with them, the barons entered London with a large force and burned the entire Jewish quarter, and took about 700 prisoners.

Matthew Paris Chronicles, III - 543. Geoffrey the Templar in 1239 caused a great slaughter of the Jews.

(2) Tovey, - "Anglia Judaica," - 66. On various occasions the barons were instructed to guard and protect the Jews from all violence, and if necessary to use force to accomplish their purpose, and if any harm befell them the barons themselves would be made to answer for it to the King.

(3) The Red Book of the Exchequer, II - 276.

Roberti Grosstesti Epistalae, - Preface - 33.

Earl Robert of Gloucester, Earl Richard of Cornwall, and Simon de Montfort, Earl of Leicester, expelled Jews from their lands.

The relation of the Jews to the towns was an interesting one, and it was from this source that opposition to them first took practical shape. The Jews were a burden to the town. They were a foreign element, not controlled by common laws and customs; they were not members of the guild, nor did they form in any way a part of the commercial world. Their business was entirely different from that of the people. The towns had bought the privilege from some lord or the Crown to be free and self-governing, not liable to the visits of royal sheriffs, since all dues were to be paid by them in lump sum. But here was the Jew who made this impossible, at least in part. His presence made necessary the coming of the sheriff, and, although living in the town, yet he was not called upon for any part of the common dues, nor was he governed by the laws of the town⁽¹⁾.

He was under the protection and regulation of the Crown only. The Jewry was a district absolutely free from local authorities. The Jewish quarter in each town was perhaps the cleanest, and contained some of the finest houses, and was a cause of jealousy to the townsmen.

The Jew then was an anomaly in a town and the irregularity thus caused was unbearable to the burgesses. Leaving out of account entirely the fact that as Christians spur-

- - - - -

(1) Transactions of R.H.S., - V - New Series.

red on by the Church, they had come to hate the Jews, and not considering the various other causes which inflamed the people against them, it can easily be seen that such a state of affairs was galling to the towns. But to increase the already delicate situation, Henry III in the early years of his reign ordered that the burgesses should be a guard to protect the Jews from harm⁽¹⁾. Here certainly is a peculiar state of affairs. The Crown had sold the towns the right to be entirely free and self-governing, and not to be bothered by tax collectors. But the Crown also permitted a class of people, thoroughly detested by all, to live in these towns, which fact made impossible the enjoyment of these privileges. Not only that but now the King commands that this class, which is preventing these rights, shall be protected by the towns who already are the parties whose rights are being abridged, and from whom harm was to be expected.

There were many outbreaks⁽²⁾ already referred to in different places, which no doubt were caused in part from this relation of the burgesses. But it is a difficult matter to attempt any analysis of how much responsibility for these riots must be placed on the towns as organized commun-

- - - - -

(1) Tovey,- "Anglia Judaica,"- 71. In each town twenty-four burgesses were chosen as a guard to protect them.

(2) Prynne,- "Demurrer," - 132-3.

ities. There is no doubt that the towns were determined to solve the problem, and the means they adopted was a novel one. They had paid to be free, and now were forced to pay for another privilege, that of excluding the element which has balked the realization of their freedom. In fact, they were forced to twice buy the same privilege from the Crown.

Many towns were granted the right to expel the Jews, and thereafter no more were to be permitted to enter unless by special license of the Crown⁽¹⁾. By the time of Edward I there were few towns where Jews could live. Many ports even refused to let them enter, or else having entered they seized them and put them in prison⁽²⁾. These actions on the part of the towns, as also the actions of various barons, who expelled them point to the measure finally resorted to by Edward. The influence of the towns on the status of the Jews, however, was probably much greater than that of the barons.

- - - - -

(1) Blunt,- "History of Jews," - 45. Newcastle, Derby, Southampton, Wycomb, Newberry, Winchester and others took charters from the King to expel the Jews.

(2) B. L. Abraham's,- "Expulsion of Jews," - 17.

MANNERS AND CUSTOMS OF JEWS.

Perhaps the only important difference between English and Continental Jews was their relation to the Crown. The strong centralized government in England bettered their condition in many respects, but after all their institutions, habits of living, religious and social life, business activity, and relations to Christians were practically the same as in France, Germany, Spain and Italy.

The Jews voluntarily congregated in separate quarters in almost every town, where they were permitted to reside⁽¹⁾. The institution of the ghetto, however, never was compulsory in England⁽²⁾. The towns were no doubt glad enough to encourage separate quartering since Jews were not amenable to the common dues of towns and were without the jurisdiction of English tribunals. Then the hatred engendered by the Church made isolation welcome to the people. The Jews favored separate parts of the towns for purposes of protection⁽³⁾. The Crown no doubt approved the plan because of the easier dealing with them as a community. When the King's interest was not concerned justice was done by Jewish priests and bishops, and Jewish tribunals administered the "lex

- - - - -

- (1) Israel Abraham's "Jewish Life in M.A.," - 62. There was no separate quarter in Lincoln.
Jacobs,- "Angevin Jews," - 13. Jews' Street in London is mentioned as early as 1115.
- (2) Israel Abraham's,- "Life in M.A.," - 62. The ghetto did not become compulsory in Continental countries until the 16th century.
- (3) Matthew Paris,- "Chronicles,"- V - 246.

Judaica"⁽¹⁾. The King also appointed a presbyter of the Jews, who was responsible to no one but the Crown⁽²⁾. For these reasons, then, distinct quarters were desired by the people, Crown, and Jews themselves. The ghetto in most countries was overcrowded and mean, but since the number of Jews was never large, and their condition prosperous, it is reasonable to suppose the Jewish streets in England were very different from those of Italy and Spain.

The synagogue was generally in the center of the quarter. But it was not only the geographical center, but the center of social and religious life. It provided a place for feasts, courts, and in many cases was used as a school. It also supplied a hospital, alms-house, and place for marriage festivities. The rights of husband and wife, the prerogatives of the father with regard to marriages and claims on obedience, the duty to observe laws of purity, the obligation to make an honest account of ones share of communal tallage, are instances which show how powerful a factor the synagogue was in regulating the social life of the people⁽³⁾.

English Jews were like Continental Jews, probably better educated than Christians. The great majority could read and write. Women were not as carefully cared for as men,

- - - - -

(1) Pollock and Maitland, I - 414.

(2) Prynne,- "Demurrer," - 3-4.

(3) Israel Abraham's,- "Jewish Life in M.A.," - 2-11.

but they were often learned and became private teachers. Some few appeared as public instructors and took part in controversies with famous Rabbis. But early marriage usually imposed too many duties on the Jewess to enable her to pursue intellectual studies. Her influence, however, was always on the side of education in respect to her children. The boy was sent to school at the age of five, and continued for ten years. Elementary schools existed in every Jewish community and were private in nature. The father was bound to pay the teacher for the instruction of his children. The higher schools for professional students were supported by the community. The Talmud was the center of all learning, and moral and intellectual training were combined from the first. The desire for knowledge was increased by travelling Rabbis, who visited the country at various times, and told of Jewish prominence in other countries. Yet in spite of these facts there was a great deal of superstition and mysticism in Jewish learning⁽¹⁾.

That they were staunch believers in the truth of the Jewish religion is evident from the failure of all attempts at conversion. They were so satisfied in the belief that theirs was the true faith that very few ever turned Christian⁽²⁾.

- - - - -

(1) Israel Abraham's, - "Jewish Life in M.A.," - 341-372.

(2) Jacobs, - "Angevin Jews," - 90. There never was more than fifteen converts in Domus Conversorum at one time.

Although the Church tried in every manner to convert Jews, yet they in turn made no effort to induce Christians to embrace Judaism. Proselytism was never encouraged by them⁽¹⁾. There were some few Christians who renounced Christianity, however⁽²⁾. Their insistent refusals to be converted caused much of their trouble. But they often showed contempt toward the Church teachings and this fact had great influence on the popular mind. The miracles especially were received with derision. Jews would stand in the street as if crippled or sick with palsy, and then feign and sudden healing, and begin to leap and run⁽³⁾.

- - - - -

(1) Israel Abraham's,- "Jewish Life in M.A.," - 410. It was really prohibited by the "Seven Codes."

(2) Matthew Paris,- "Chronicles," - III - 71. A certain deacon was hung for renouncing Christianity and accepting Judaism.

Jacobs,- "Angevin Jews,"- 284. Two Cistercian monks were circumcised and turned Jews.

Bracton's,- "De Legibus Angliae,"- II, 489. A certain Christian man took a Jewess as wife and to do so had to become a Jew.

(3) Transactions of R. H. S., V - New Series.

They were charged with contempt for Christ in the crucifixion of Christian children⁽¹⁾. These stories are no doubt

- - - - -

(1) There were ten instances reported of crucifixion in England.

Prynne, - "Demurrer," - 6. William of Norwich in 1137, Robert at St. Edmund's Bury in 1181, and an unknown boy at Winchester in 1192 were said to have been crucified. Another boy was said to have been treated in the same way at Gloucester, but no name or time is given.

Matthew Paris, - "Chronicles," - III, 543. The slaughter of Jews at St. Albans was occasioned by the report of another crucifixion.

Matthew Paris, III, 71. In 1222 a man was brought before the Archbishop of Canterbury, who bore signs of having been crucified. There were signs in his hands, feet, and side.

Matthew Paris, III - 307. In 1235 seven Jews were brought before Henry III, being charged with having circumcised a boy, and having secretly hidden him, with the intention of crucifying him on a Feast Day.

Matthew Paris, IV - 30. About Easter time 1240 Jurminus was circumcised and held by Jews at Norwich. The boy's father, after diligent search found him, and reported the crime to a priest. Four Jews were convicted of the crime and suspended on a forked gibbet.

Matthew Paris, IV - 377. In 1244 the body of a boy was found, unburied, in the cemetery of St. Benedict. On his legs, arms, and breast were inscribed Hebrew letters, and his entire body was bruised and cut. Some converted Jews were summoned to read the inscription. The name of the boy, his parents, and that he was sold to the Jews was studied out by them. The boy's body was buried in St. Paul's Church, not far from the great altar.

Matthew Paris, V - 517. In 1255 occurred the famous case of the boy martyr, St. Hugh of Lincoln. Some Jews stole Hugh and kept him hidden while word was being sent to other Jews that they should come and join in the insult to Christ. Many came at the appointed time. A certain one was selected as Pilate, and all manner of cruelties and scourging took place. At last he was crucified and a spear

unreliable and were started by religious fanatics, and were too readily accepted by many superstitious people. But there must have been some slight foundation for many of these stories. A certain rich Jew had a beautiful image of the Virgin Mary. This he put in the most conspicuous place in his house, in order that he might revile and insult the Christian faith⁽¹⁾. But the Jews had to bear insults from Christians continually⁽²⁾, and it could scarcely be expected that people who were so scoffed at would not give expression at times to their contempt for their Christian abusers.

- - - - -

thrust through his heart. The mother of the boy found that he had been killed and thrown in a well, and reported the fact with the name of the owner of the well. Many Jews were hung and many imprisoned.

Prynne,- "Demurrer,"- 42. In 1279 Jews of Northampton crucified a boy on Good Friday.

Tovey,- "Anglia Judaica," - 65. There are some instances of circumcision of Christian boys by the Jews.

(1) Tovey,- "Anglia Judaica,"- 65.

(2) Rye,- "History of Norfolk,"- 51. A caricature, which occurs on one of the Jews' Rolls, shows one instance of how Jews were insulted. Aaron of Norwich is represented as a three-faced man, crowned. To his right is Mosse Mokke, one of those hung for taking part in the murder of Jurnepin, face to face with a large-nosed Jewess, Azezardon. Between them is a horned demon called Colbie, touching their noses in a rude manner. A Jew weighing some money in a scales has a devil behind him, who is blowing forked flames into his back. On the right of the picture the fiend, Dagon, with a host is taking possession of a castle.

The business activity of the English Jews was almost wholly confined to money lending. The entire policy of the Church had forced them to it. The anti-social regulations enacted by her succeeded in driving them from handicrafts and trades. During the 13th century many Jews on the Continent were engaged in large commercial enterprises and they no doubt carried on more or less business in England⁽¹⁾. From the fact that Judaism was a medical religion, teaching care for the body and temperance in all things, there must have been some skilled doctors in England.

Contrary to the general opinion, Judaism cast an unfavorable eye on the money lender. "A usurer is comparable to a murderer," cries a Talmudical Rabbi⁽²⁾. Another learned Jewish doctor says, "usury is not the property of the Jew, and it is infamous to practice it"⁽³⁾. However, these sentiments were occasioned by a generous feeling toward the poor and needy. It was infamous to accept usury from this class of people according to Judaism. But it must be remembered at the time such sentiments were expressed by the Rabbis, there was no great demand for borrowing. The commercial class of foreign borrowers had not yet come upon the scene. Although the Church did not recognize the changed economic conditions, and the necessity for ready

- - - - -

- (1) Israel Abraham's,- "Jewish Life in M.A.,"- 234.
- (2) Prynne,- "Demurrer," - 59.
- (3) Israel Abraham's,- "Jewish Life in M.A.," - 237.

capital, and still contended that the practice of usury was forbidden by the Scriptures(1), yet the Jews recognized a great distinction. The Church held that "if you lend a man money and expect back more than you give, whether in money, corn, wine, or anything else, you are a usurer and are blameable"(2). The Mosaic Law said: "Thou shalt not lend upon usury to thy brother, usury of money, of wic-tuals, or any thing, but unto a stranger thou mayest lend upon usury." The Jews then came to approve of usury to any except their own brethren. And even the Mosaic Law was often evaded in the following manner. If a Jew desired to loan money to a Jew he did so through the medium of a Christian, and in such case both received usury(3).

But the need for ready money made necessary some sort of financiers. The current coin was not sufficient to supply means for carrying on all the necessary unproductive enterprises without the help of bankers or lenders(4). True, the charges of forty percent seem excessive, but such large rates were made necessary by the demands of the Crown. The King compelled the jews to be "sponges to such up the wealth

- - - - -

- (1) Psalms XV - Luke VI.
- (2) Prynne,- "Demurrer," - 59.
- (3) Jacobs,- "Angevin jews," - 155.
- (4) Tovey,- "Anglis Judaica," - 122.

of the people." But toward the close of the 13th century a new class of money lenders appeared in England and became rivals of the Jews. They were employed in many instances by the Pope⁽¹⁾. This fact seems to show that after all it was not the business that the Church so hated and objected to, but the Jew himself.

English Jews were almost free from serious crimes⁽²⁾. Charges of ritual murder, as has been pointed out, were probably untrue. There is at least negative evidence of very little criminal practice by them. The only crimes with which they can with reason be charged were receiving stolen goods and clipping money. There is too much trustworthy evidence to attempt to deny their guilt in respect to these two accusations. But there was some, if not sufficient excuse for these criminal acts. Although clipping had been practiced in the 12th and early 13th centuries, yet it did

- - - - -

(1) Blunt,- "History of Jews in England," - 43.
Matthew Paris,- "Chronicles V - 376. Caursines, as they were called, evaded the objection of the Church by a clever legal fiction.

(2) Israel Abraham's,- "Jewish Life in M.A.," - 102.
Prynne,- "Demurrer," - 20-28-35-42. There are a few instances of crimes committed by the Jews. In 1253 Northampton Jews had prepared to burn London, but were detected in the plot. Many were seized and burned.
In 1264 London Jews were detected of plots against the barons and citizens.
A converted Jew was imprisoned for rape, in the 36th year of Henry III.
In 1223 four Jews were arrested for killing a man.

not become general until such strict legislation made it almost impossible for Jews to do anything respectable. Usury was the only field open to them, and when Edward I prohibited the further loaning of money, being unable to enter legitimate business they were almost forced to secretly engage in shady work.

Their receiving stolen goods was likewise made almost necessary. Of course they were often pronounced tricky and grasping, but it must be admitted that their freedom from serious crimes is a great recommendation. Above all things, they were temperate and chaste, and set a good example to Englishmen by their happy family life.

THE EXCHEQUER OF THE JEWS.

The Exchequer of the Jews was also known as the Judaismi, and Scaccarium Judaeorum. It dates its beginning about 1194, soon after Richard's return from the Holy Land. The riots and massacres, which took place during his absence from England, caused great destruction to Jewish property, and brought out the necessity of some check and record of their property and business. This was needed to protect both the Crown and debtors⁽¹⁾. The death of one of the wealthiest Jews, Aaron of Lincoln, also brought the King and Treasurer of the Exchequer to a realization of the great possibilities of Jewish usury⁽²⁾. Heretofore the Jews had been used for purposes of taxation, but no systematic expression had been made. The Ordinances of the Jews marks the beginning of close regulation⁽³⁾. Within a few years from this time Jewish business was almost entirely carried on distinct from the Great Exchequer. The two were always related, however, since the Judaismi was under

- - - - -

(1) Jacobs,- "Angevin Jews," - 158.

(2) The Scaccarium Aaronis was instituted in 1187 to handle the affairs of Aaron after he died.

(3) Chronicon of Roger de Hovenden,- III - 266. The Ordinances of the Jews were passed in 1194. "All debts, pledges, mortgages, lands, houses, rents, and possessions shall be registered. Severe penalties shall be inflicted for any

the control of the Great Exchequer, its officers responsible to the Chief Justiciar, and the Treasurer of the Barons of the Exchequer.

The arrangements instituted by Richard underwent various modifications under his successors. At first only four men cared for the business in each town where chests were kept, two of these being Christians and two Jews. Later all four were Christians, and were appointed by the Crown. In addition to these were clerks, escheators, and justices of the Jews⁽¹⁾. The Treasurer and Barons of the Exchequer concurred in these appointments. The justices exercised jurisdiction in all accounts of the revenue and recorded in the Great Exchequer things relating to the Judaismi. They were members of the Great Exchequer, and enjoyed the privileges common to such members. Before admission to office they took oaths of fidelity to the King, and then warrants were issued to the Treasurer to place them on the bench⁽²⁾. They were also judges in civil matters, where a Jew was one of the parties, and they had the power to prevent interference in such cases. Their requirements were

- - - - -

concealment or refusal to register. Places shall be provided for all contracts to be made before proper officers. There shall be duplicate charters in order that the lender, the borrower, and officers shall have evidence of each transaction. Three pence shall be paid for each charter."

(1) Madox,- "History of Exchequer," - VII - 159.

(2) Tovey,- "Anglia Judaica,"- 46.

considerable, and their salary the same as that of the Barons of the Exchequer,- forty marks a year. Their honesty was perhaps the most serious test, for there are several instances where certain justices were called before the Exchequer members to account for misbehavior in office⁽¹⁾. It seems as though their dishonesty became so open that great sureties were demanded of them before appointment. They were especially protected from personal violence⁽²⁾. The others connected with the Scaccarium were in some places many. The duties of the clerks, chirographers, escheaters, attorneys, cofferers are not clearly distinct.

When a charter, or stare, or chirograph was made, a part was always placed in the chest, which was opened only upon request of the King. The sheriff, barons, chirographers, and justices of the Jews were generally present. Most of these charters were releases, and were in Latin, Hebrew, or French⁽³⁾. When a contract was made if the foot or counterpart of the chirograph was not found in the chest the creditor would be unable to collect the debt⁽⁴⁾.

- - - - -

(1) Madox,- "History of Exchequer,"- VII - 171.

(2) Tovey,- "Anglia Judaica," A certain justice complained that he had been harmed by a serjeant at law. Immediate action was taken against the offender.

(3) Tovey,- "Anglia Judaica,"- 33-36. Tovey gives a translation of three contracts from Latin, Hebrew, and French.

(4) Madoc,- "History of Exchequer,"- VII - 160.

Much fraud, and unjust dunning was thus prevented. Many times Jews would endeavor to collect money from Christian debtors even after releases had been given, and often Christians would swear they had already paid their creditors when no releases could be found in the chests⁽¹⁾.

This Exchequer of the Jews was a great aid to the Crown. It always made known how much wealth was in the hands of the Jews, and who were in debt to them. When the King was in need of money he could always determine how great a tallage his taxing machine could produce. It was necessary for him not to drain his Jews too severely or future revenue would be shut off; and yet he tallaged them as much as they could possibly bear. There are two things which must be kept in mind when considering this system of taxation. The Crown often did not obtain the entire amount of its demands, and these tallages were seldom expected to be paid immediately in full. Although there is no doubt that the Jews were mercilessly oppressed, yet these two facts explain away some of the excessiveness. The average annual tallage did not exceed 5,000 pounds⁽²⁾. But the entire annual revenue of Edward I in the time of peace was not more than 65,000 pounds, so these tallages must have proven an

- - - - -

(1) Madox,- "History of Exchequer,"- VII - 167.

(2) Charles Gross,- "Exchequer of Jews,"- 28.

important part of his revenue⁽¹⁾. It must be remembered too that reliefs, escheats, and fines from the Jews swelled this annual amount greatly. These fines were often as large as the community tallage⁽²⁾. The tallage was generally assessed upon the community and a few influential and wealthy Jews were made collectors and securities of the same. If the demand was not promptly met they were fined⁽³⁾.

Henry III carried on a more vigorous system than either John or Edward I. There were no doubt many instances of which no record remains, but enough can be cited to show the regularity and severity of Henry's exactions⁽⁴⁾.

- - - - -

- (1) Charles Gross,- "Exchequer of Jews, "- 29.
- (2)Madox,- "History of Exchequer,"- VII - 170. In 1247 the heirs of Isaac of Norwich stood charged with 5,000 pounds. Isaac of York was fined 10,000 pounds by John to be paid daily until death.
- (3) Pryne,- "Demurrer,"- 21-26.
- (4) Blunt,- "History of Jews in England," - 38.
Madox,- "History of Exchequer," - VII.

In 1230	a tallage	of	15,000	marks	was	levied.
" 1231	"	"	15,000	"	"	"
" 1233	"	"	18,000	"	"	"
" 1236	"	"	(exact amount not given.)			
" 1237	"	"	18,000	marks	was	levied.
" 1239	"	"	1/3	part	of	their goods.
" 1241	"	"	20,000	marks	was	levied.
" 1244	"	"	20,000	"	"	"
"1245	"	"	60,000	"	"	"
" 1246	"	"	10,000	"	"	"
" 1247	"	"	5,525	"	"	"
" 1249	"	"	10,000	"	"	"
" 1250	"	"	(great part of goods.)			
" 1251	"	"	5,000	marks	of	silver - 40 of gold.

(4) Cont.

In 1252	a tallage	of	3,500	marks	of	silver.
" 1253	"	"	5,000	"	"	"
" 1259	"	"	5,000	"	"	"
" 1265	"	"	(large	amount.)		
" 1269	"	"	1,000	pounds	for	three years.
" 1271	"	"	6,000	marks.		

BIBLIOGRAPHY.

- Abrahams, Israel,- "Jewish Life in M. A."
Abrahams, B. L.,- "Expulsion of Jews." (J.Q.R.)
Ashley,- "Introduction to English Economic History." - 2 Vols.
Blunt,- "History of Jews in England." ✓
Cunningham,- "English Industry and Commerce."
Chronicon of Roger de Hovenden. (R.S.)
Gervase of Canterbury - Chronicles.
Duruy,- "History of France."
Flores Historium. (R.S.)
Freemans,- "Norman Conquest." - 5 Vols.
Gross,- "Exchequer of Jews."
Gesta Abbatum Monasterii St. Albani. (R.S.)
Hutton, W. H.,- "Misrule of Henry III."
Jacobs,- "The Jews of Angevin England." ✓
Jenks,- "Edward I."
Kitchen,- "History of France." - 3 Vols.
Leonard,- "Expulsion of Jews by Edward I. (R.H.S.)
Letters of Henry III.
Lewis,- "History of Germany."
Matthew Paris,- "Chronica Majora." - 5 Vols. (R.S.)
Monasticum Anglicanum,- edited by Dugdale, 8 Vols.

Materials for the History of Thomas Becket. (R.S.)
Memoriale Walteri de Coventria. (R.S.)
Madox,- "History of the Exchequer." - 2 Vols.
Norgate, Kate,- "England under Angevin Kings."
Publications of Gratz College, - Vol. I.
Pollock and Maitland,- "History of English Law," - 2 Vols.
Prynne,- "Short Demurrer to the Jews."
Cyclopedia of Political Knowledge. (Bohn.)
Pearson,- "History of England."
Epistolae Roberti Grossteste. (R.S.)
Red Book of the Exchequer.
Ramsay,- "Angevin Empire," - 2 Vols.
Rye,- "History of Norfolk."
Thierry,- "Norman Conquest." ✓
Tovey,- "Anglia Judaica."

378.7M71
XE b7

University of Missouri - Columbia



010-100721024

RECEIVED
NOV 23 1908
UNIV. OF MISS.

~~This thesis is never to leave this room.~~
~~Neither is it to be checked out overnight.~~

