

The Hundred Outside the North Gate of Oxford

By HELEN M. CAM

THE controversies¹ as to the origin of hundreds are ancient and familiar. The ambiguities in the use of the term, at the period when the hundred was a well established and indispensable governmental district, that is, from the eleventh to the sixteenth century, are less familiar. It is possible to distinguish at least four different senses in which the word is used during this period.

The best known and the most important is the administrative hundred of royal government. The district that paid the *murdrum* fine, furnished a jury of presentment for the eyre, contributed its quota of primitively equipped soldiers to the *posse comitatus*, figured with its neighbours in the sheriff's accounts as making up the items of the farm of the shire, and sent its residents twice a year to the sheriff's tourn held at its traditional meeting-place, can be located on the map as early as 1086 in some counties (though not in Oxfordshire), and in most cases before 1200; and the boundaries traceable by that date are in most cases not materially modified after that date. Whether in private hands or under the sheriff's subordinates, this hundred can be confidently handled, for the king's government had fixed the pattern, and the uniform action of the central administration standardised its character.

Outside this official list of hundreds the ambiguities begin. Liebermann² says that in the eleventh century the word may be used to denote any public tribunal, and possibly private jurisdictions also. Long after that date the word is being used for at least two types of court, distinct from that of the governmental unit, whilst another district besides the one the sheriff handles is still alive in the twelfth century.

This areal hundred has been examined by Mr. Douglas and need not detain us long. It is the little hundred of East Anglia, Lincolnshire and Yorkshire,

¹ I have to acknowledge my debt to the kind help and criticism of Dr. Salter, Professor Tait, Mrs. Lobel and Miss E. Evans of Somerville College. Miss Evans' essay on the Manor of Headington, in the *Report of the Oxfordshire Archaeological Society* for 1928, contains the fullest account so far of Northgate Hundred. The two sketch-maps (FIGS. 21 and 22) have been re-drawn by Mr. H. S. Harrison, A.R.I.B.A.

² *Gesetze der Angelsachsen*, II, ii, 519.

assessed at 12 carucates to the geld, the forerunner of the later leet, and serving both judicial and fiscal purposes in the twelfth century.¹

A second usage is more indeterminate. *Hundredum* is used of the court of a lord, manorial or feudal, sometimes, but not always, exercising a jurisdiction equivalent to that of the public hundred. In the Kent returns of 1275 the jurors say that the abbot of St. Augustine has a *halimot* at Langport in the suburb of Canterbury, and *in the same hundred* he appoints a borsholder and receives the presentments of the pleas of the crown.² In 1238 the abbot of Tavistock arrested two men in 'his hundred of Warrington'—a manor in Black Torrington hundred, and 'the whole hundred' came in force to Tavistock to get the men released.³ A series of emancipations of serfs recorded in the Exeter Book are said to have been made by the witness of 'all the hundreds' of Cowick, Topsham, Alphington and Holecombe respectively,⁴ all manors in Wonford or Exminster hundreds. I have shown elsewhere how widespread is the use of the expression *in-hundred* or *intrinsic hundred* for the court of the capital manor in contrast to the *out-hundred* or *foreign hundred* which is the court of the public administrative hundred.⁵ Men are described, again, as owing suit or custom to their lord's manorial court 'at the hundreds of Martinmas and Hokeday.'⁶ In Oxfordshire the bailiff of the Earl of Cornwall is accused of withdrawing men from the court of Wootton hundred to 'his hundred of Yarnton'⁷ and in Gloucestershire the steward of the Honour of Wallingford holds a 'hundred' at Cherrington in Longtree hundred.⁸ In 1481 Crowland and Peterborough Abbeys came to an agreement about 'another court or Hundred, called Renning Courte, the whiche in the foresaid Marisse hath been accustomed to be holdyn.'⁹

There are also larger units than the single manor for which courts exist which are described as hundreds, though not recognized as administrative hundreds in the official lists, such as the hundreds of Ellesmere in Shropshire or Tickhill, Notts.¹⁰ A late attempt to create such a liberty is described by

¹ See Douglas, *Medieval E. Anglia*, pp. 55-6; Stenton, *Danelaw Charters*, pp. 93-4. *Domesday Book*, I, 293 (Rutland) 361 (Lincs.) 375 (Yorks.).

² *Rot. Hund.* I, 203.

³ Assize Roll 174, m. 40 d.; cf. *Feudal Aids*, I, 327.

⁴ Between 1100 and 1140; Thorpe, *Diplomatarium*, pp. 632, 634, 639, 645.

⁵ *Engl. Hist. Review*, XLVII, 359 ff.

⁶ *Somerset Record Society*, II, 56, 64, 93.

⁷ *Rot. Hund.* II, 865.

⁸ *Gloucester Cartulary* (R.S.) III, 250, 258 (1376).

⁹ *Monasticon*, I, 398-9.

¹⁰ *Rot. Hund.* II, 76, 318.

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John Smyth of Berkeley, who writes of the 'pretended hundred of Wotton' set up by the Countess of Warwick within Berkeley hundred in 1591.¹

A third well-established meaning is the court of a borough, and the term is so used from the twelfth to the eighteenth century, at Bristol, Cardiff, Dover and all the Cinque Ports, Swansea, Haverford West, Dublin, Cork, Waterford, Kilkenny, Tewkesbury, Chichester, Preston, Whitby and other boroughs.² The word is used of a court, and not of a district, and, although some of these boroughs are assessed as a hundred, more often they are not.

On the other hand, the word hundred is sometimes used of a district surrounding the town, which may be called the forensic hundred or foreign of the town. Examples of this type of urban or suburban hundred are the hundreds of Sandwich, of Leominster and of Colchester.

It is with this last type that the hundred outside the north gate of Oxford seems at first sight to present the closest analogy. Its nomenclature and its position on the map appear to suggest an outgrowth from the city. But if we start not from the modern but from the medieval end, the character of this hundred wears a very different look, and we find ourselves compelled to begin our narrative not with the borough of Oxford but with the rural manor of Headington.

The Domesday survey of Oxfordshire is so imperfectly rubricated that no map of hundredal boundaries can be based on it. We hear of nineteen hundreds, but only three are named (FIG. 21).³ Instead, there is a list of eight royal manors, on each of which two or more hundreds are dependent.⁴ Later evidence, however, makes it safe to identify the two hundreds of Bampton with the modern Bampton hundred, the four and a half of Bensington with the five Chiltern hundreds, those dependent on Bloxham and Adderbury with Bloxham hundred, the two and a half of Kirtlington with Ploughley hundred, the three of Shipton with Chadlington hundred, and the three of Upton with Wootton hundred. The two hundreds dependent upon Headington are to-day represented by Bullington and Northgate hundreds.

All of these hundreds are mentioned in the Pipe Rolls of 1188-93 with the exception of Northgate hundred, and with the addition of Dorchester and Thame, two of the three hundreds held by the Bishop of Lincoln. One of the three hundreds of Chadlington is given the name of Keneswardeberga, which may be confidently identified with Kenner's Barrow, the seventeenth century

¹ Smyth, *Lives of the Berkeleys*, II, 318-9.

² Bateson, *Borough Customs*, II, cxlv *et passim*.

³ Lewknor, Piriton and Bensington (=Ewelme). It is doubtful if the *Prima* and *Secunda* *Gadre* of *Dd.* I, 159a are hundred names at all.

⁴ *Dd.* I, 154b.



FIG. 21

SKETCH-MAP OF OXFORDSHIRE
 SHOWING THE HUNDREDAL BOUNDARIES.

Scale about 8 miles to 1 inch.

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name of what is now called Shipton Barrow, an interesting and typical hundred site on the hill above Shipton.¹ The two hundreds of Headington are called Buledon and Soterlawa in 1189, Bulesdon and Schotelawa in 1193. The last, it seems highly probable, took its name from a *law* or burial mound on Shotover,² where in the seventeenth century two little barrows were still to be seen on the left side of the road coming from Oxford. If so, it is rather unlikely that the other hundred assembled at the traditional site, Bullingdon Green, where the Roman road from Alchester to Dorchester and beyond passes the south-west side of Shotover.³ Several records of the court of the hundred of Bullingdon describe it as meeting at Wheatley, the earliest statement occurring in the Oseney Cartulary, for a court held in 1223,⁴ and the latest in the court rolls, now in the Bodleian Library, for the years 1595-1614.⁵ Wheatley in the east of the modern hundred and Shotover in the west balance admirably, as the natural centres for the two hundreds of Headington, and it is tempting to identify the Bulesdon of 1193⁶ with the modern Bullsdown, a hill above Wheatley which possesses many of the features of the primitive mootstow, with its commanding outlook and its proximity to an early settlement and ancient trackway. On the other hand, the 'sheepfold of Cowley' where the hundred of Bolendona was held on 10 February, 1240,⁷ may have been on Bullingdon Green.

The grouping of the hundreds mentioned in Domesday becomes, save in the case of the four and a half Chiltern hundreds, a permanent amalgamation. Where in other counties there was a long-standing tradition of two or three hundreds, and protests at the abandonment of old hundred sites, or representation in the eyre of the double hundred by a jury of twenty-four, in Oxfordshire, Wootton, Chadlington and the others seem to have been regarded as ordinary single hundreds for administrative purposes.⁸ No more is heard of Keneswarderga hundred or Soterlawa hundred after the reign of Richard I. On the other hand, the official records begin to refer to a new hundred—the hundred outside the north gate of Oxford. They first mention it in the eyre of 1247, when it is alluded to as 'the liberty outside the north gate,' 'the hundred outside the

¹ R. Plot, *Natural Hist. of Oxfordshire* (1705), p. 333.

² Dr. Salter, who at one time suggested a connexion with Sotelscot (Sescut) Mill on the Cherwell, now agrees with Dr. Tait that the name is probably akin to Shotover, which occurs as Shothere in 1142, Sortore in 1279.

³ Plot, *op. cit.*, p. 343; Hussey, *Roman Road from Alchester to Dorchester*, p. 13.

⁴ *Oseney Cart.* (O.H.S.), IV, 345.

⁵ MS. Rolls Oxon. 117.

⁶ Cf. also the form Bolesdene in 1259, in *Snape's Formulary* (O.H.S.), p. 282.

⁷ *Oseney Cart.*, IV, 344. If Bullsdown was the original site, Bullingdon Green might have acquired its name as a result of Bolendon hundred sometimes meeting there, but this is not very probable.

⁸ Dr. Salter points out that their hidation still corresponds to the Domesday numbering.

north gate,' and 'the suburb of Oxford outside the north gate.'¹ The rolls of 1241 had enrolled the presentments of a jury for 'the suburb of Oxford';² in 1261 the same area is described as 'the foreign hundred outside the north gate,' 'Oxford outside the wall,' and, again, 'the suburb of Oxford.'³ This recurrent use of the expression *suburb* suggests that the hundred is an outgrowth of Oxford. It may be so in fact, but it is not in law.

Outside the eyre rolls, the first mention of the hundred outside the north gate seems to occur in a charter of c.1140 enrolled in the cartulary of St. Frideswide, whereby Maud the Empress confirms to the canons of St. Frideswide all the land which Alan the Rosemonger held in the parish of St. Mary Magdalen, and all the other land which the canons have within the hundred outside the north gate of Oxford.⁴ Whether this can be accepted as evidence for Stephen's reign or no, it was about 1142 that the Empress conferred the manor of Headington on Hugh de Pluggenait, who appears in the first Pipe Roll of Henry II as holding the manor blanché, that is, with the hundredal soke.

In 1231 a jury found that both when the crown held the manor, and when it was in the hands of Hugh de Pluggeneye and later, it carried with it the tenure of the hundred of Bolendon 'and a certain other hundred.'⁵ From the Pipe Rolls of 1190-91 we should expect the other hundred to be Soterlaw. But at least as early as 1163 Hugh de Pluggenait makes a grant of land 'coram hundredo extra portam del North.'⁶ From Stephen's reign till 1281 the manor of Headington was held by a subject along with the soke of two hundreds, and whenever these two hundreds are named, they are the hundreds of Bullingdon and Northgate.

The descent of the manor and hundreds has been traced by Miss Evans. Hugh de Pluggenait's son held it for a short time only; it was then granted by John in 1203⁷ to Thomas Basset and held successively by him and his daughter Philippa, Countess of Warwick, who died in 1265, when her three nieces inherited as co-heiresses. Hugh de Plessis, the husband of Isabella, the youngest niece, bought out the other two, and held it till his wife's death, in 1280, when he sold the manor and the two hundreds to the crown. When in 1282 the manor

¹ Assize Roll 700, 13d, 11d, 12d.

² Assize Roll 697, m. 26d.

³ Assize Roll 701, m. 29d, 30d, 31.

⁴ *Cart. St. Frid.* (O.H.S.), II, 23.

⁵ *Bracton's Notebook*, case 513.

⁶ *Oseney Cartulary* (O.H.S.), II, 195. The deed survives in the original. Dr. Salter inclines to the earlier date—1155.

⁷ *Rot. Cart.* p. 109. The hundreds are not named in this grant, but the case of 1231 indicates that they were covered by the grant of the appurtenances of the manor, and the jurors of 1279 say precisely that John granted the manor with the hundreds of Bullingdon and Northgate. *Rot. Hund.* II, 305.

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was valued, the hundred of Bullingdon, worth £7 9s. 1d., was still held with it, but the hundred of Northgate was held separately at a rent of £20 a year, by Henry Dymmok.¹ But the traditional association of Northgate hundred with Headington manor was not forgotten; though temporarily detached it was still a 'member' of the manor, and in 1317 it was again held with Bullingdon hundred by the lord of Headington.² Held successively by the D'Amorys and the Willicotes, the manor and the two hundreds were sold to John Brome in 1482, and the final severance only came when in 1592 George Brome sold 'the liberty of Northgate Hundred' to the mayor and corporation of Oxford for £180.³

The evidence for the association of the suburb north of the town wall with Headington manor is early and constant. The lands given by the King to Godstow 'in the village of Walton' always figure in the Pipe Rolls as *in Heden-dona*.⁴ The meadow held by Oseney is 'beyond the water . . . nigh to the Burgeys' medes of Oxenford which are of the fee of Hedyndon.' These are the strips in the meadow of Bolestake, held by Oseney of Eynsham Abbey, which paid a quitrent to the chief lord of Headington.⁵ In 1261 a man arrested outside the north gate is imprisoned in the gaol of Philippa, Countess of Warwick, and William le Yreis or de Hibernia who answers for his chattels, is described both as Bailiff of Northgate hundred and Bailiff of Philippa, Countess of Warwick.⁶ Most significant of all, perhaps, is the inquest *ad quod damnum* of 1284-5 into the tenure of three holdings on the site where Balliol Hall was to stand. Two of the three tenants owed mowing services at Headington, as well as carrying services at Northam, and three-weekly suit to the hundred of Northgate.⁷ In 1556 the Mayor alleged that Walton Farm was 'within the hundred of Bullington, otherwise called the hundred without the North gate.'⁸

What evidence is there as to the geographical extent (FIG. 22) of the hundred of Northgate? The records of royal administration supply the most trustworthy evidence on the whole, as they imply a financial responsibility. The eyre rolls and the coroners' rolls must be considered first. The pleas of the crown presented by the juries for Northgate hundred arise from happenings in the parishes of St. Mary Magdalen and St. Giles. Other places involved are

¹ *Cal. Misc. Inq.*, p. 368 (no. 1253).

² *Fine Roll Calendar*, p. 336.

³ Evans, 'Manor of Headington,' *Rept. Oxfordshire Arch. Soc. for 1928*, pp. 173-176; White Kennett, *Par. Antiq.*,² II, 155, 157, 234; *Oxford City Properties* (O.H.S.), p. 254.

⁴ Dr. Salter kindly pointed this out to me.

⁵ *English Register of Oseney*, pp. 52, 54 (translating document of circa 1180).

⁶ Assize Roll 701, m. 30d; *Medieval Archives of City of Oxford* (O.H.S.), p. 312, 313, 314.

⁷ *Oxford Deeds of Balliol College* (O.H.S.), pp. 12-13.

⁸ W. H. Turner, *Records of the City of Oxford*, p. 254.

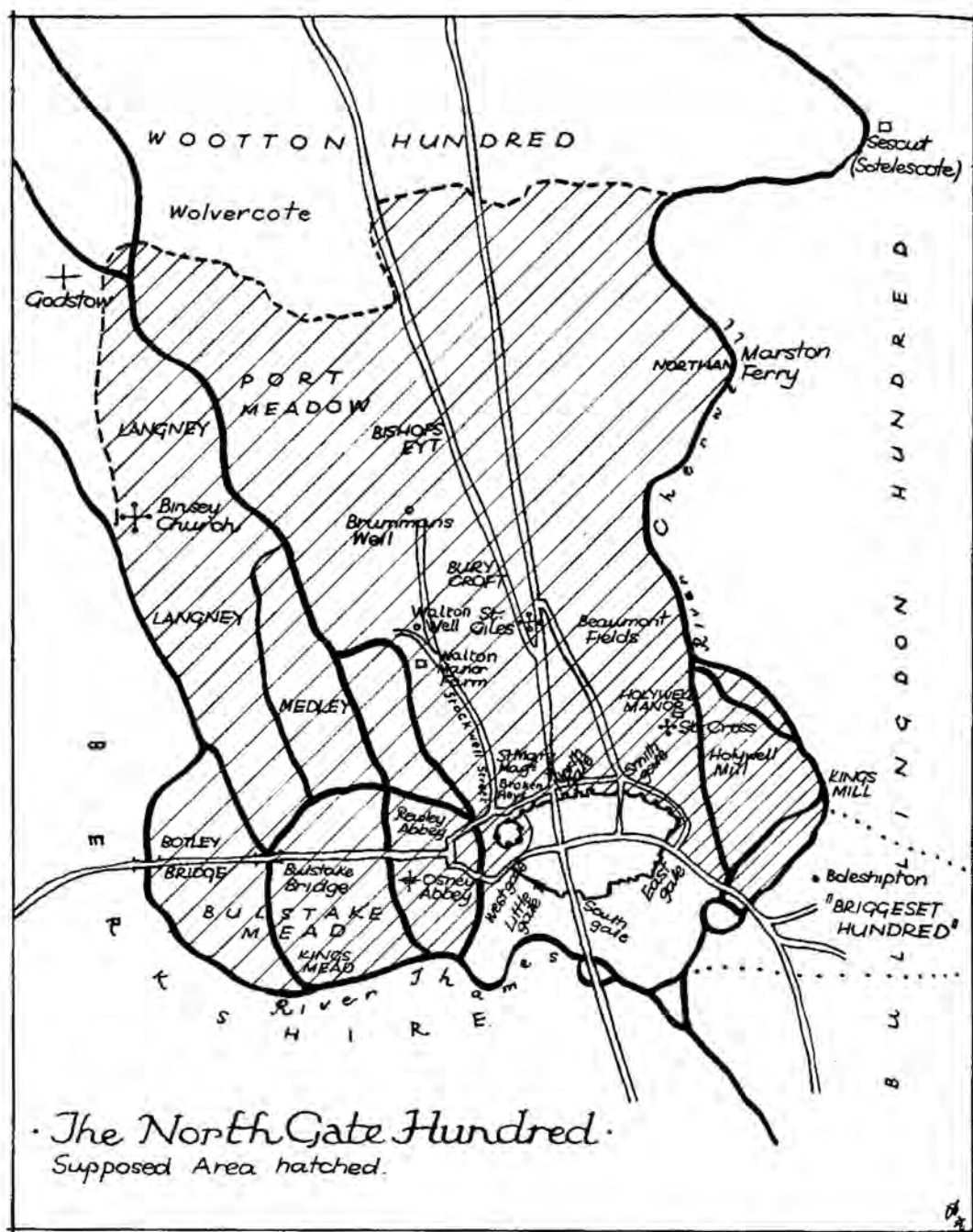


FIG. 22

SKETCH-MAP SHOWING THE PROBABLE AREA OF THE NORTH GATE HUNDRED.

Scale about $1\frac{1}{2}$ inches to 1 mile.

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Stockwell Street, Walton, Broken Heys, Holywell and St. Cross, Bradmore, the field called Northam, and Beaumont Fields.

The survey of 1279 recorded in the Hundred Rolls¹ includes in the hundred 123 acres in Walton Field, two carucates in Holywell, one carucate and twenty-four acres near Brummans Well, eighty-two and a half acres of meadow land 'behind Osney,' sixteen and a half acres in Bissopeseite, and meadows or crofts of unspecified areas called Gybberys, Honifurlong, Thistledene, Lenart hill, Northeye, Langeneye, Denescroft and Buricroft,² besides Horsemongere Street (Broad Street) and the king's way outside the north gate (St. Giles's). The limit of the hundred to the north can be determined by the eyre rolls for 1247 and 1261; Godstow, Cutslow, Watereaton and Wolvercote³ are all in Wootton Hundred. The northern boundary would seem to correspond with that of the city of Oxford on the hundred map of 1834.

To the East the eyre rolls give us nothing beyond the Cherwell. The rolls of the coroners of Northgate hundred for 1377-1399⁴ record fatalities in various outlying parishes such as Elsfield and Stokenchurch, but it appears that for these inquests the Northgate coroner was acting as county coroner, since, in these cases only, he is so described. These entries cannot be admitted against the evidence of the eyre rolls. Another difficulty lies in the description on two or three occasions of the hundred as lying outside the east gate instead of the north gate.⁵ It is clearly the same hundred, and cannot, as Miss Evans suggests,⁶ be the two hides centring in Boleshington held by St. Frideswide, and sometimes called Bruggesete hundred. Holywell manor, however, lay outside the east gate, and was certainly within the hundred in the thirteenth and fourteenth centuries, so that the description is not incorrect.⁷ Bullingdon hundred, according to the eyre rolls of 1247 and 1261, included Headington, Cowley, Marston, Elsfield, Iffley, and 'Petipont,' and deaths by drowning in the Cherwell

¹ *Rot. Hund.* II, 805-811.

² Dr. Salter tells me that Bishopseyt, the late Burgessmead, was east of Port Meadow, that Langney is now united with Binsey, and that Buricroft is probably the same as Denescroft, which is the site to-day of the Radcliffe Infirmary and Observatory. The other meadows were probably between the Banbury Road and the Cherwell, near Northam.

³ Assize Rolls 700, m. 8d; 701, mm. 21d, 22. See also Coroners' Roll 129 (1341-47) where Wolvercote is described as in Wootton hundred.

⁴ Coroners' Roll.

⁵ *Rot. Hund.* II, 30 (1274); *Fine Roll Calendar* (1281-2) pp. 148, 167, where Henry of Dymnok is described once as holding the hundred outside Eastgate, and once as holding the hundred outside Northgate. Both references link the 'oriental' hundred with Headington.

⁶ Evans, *op. cit.*, pp. 165, 173.

⁷ Dr. Salter tells me that the evidence as to the difficulty of keeping Longwall Street and the road from Eastgate to Pettipont in repair shows that the land between the Eastgate and the Cherwell was not subject to the borough system, but was in the hundred.

are recorded under its name. Thus the Cherwell marks the eastern boundary of Northgate hundred.

To the west the evidence is not so clear. The coroners' rolls for 1377-99 record fatalities in the castle, at Bulstake, by Rewley, and near Withewell Hill, towards Godstow.¹ The eyre roll of 1247 locates Botley in Northgate hundred.² 'The King's mead' was in Northgate hundred, and so apparently was Binsey, of which Wood in 1663 wrote 'Binsey is within the liberties and suburbs of Oxford, and in particular, most, if not all, is in Northgate hundred.'³ In 1553 an old villager alleged that Wolvercote, Godstow, Binsey, and Medley always had common pasture in Portmeadow, but his statement was disputed.⁴ On the whole it seems most probable that the western boundary coincided with the county boundary, including Binsey.

To the south the boundaries appear to have been those between the parishes of St. Cross and St. Peter in the East, the north wall of Oxford up to the Castle, which was presumably in the hundred and not in the borough, and the boundaries between St. Thomas's parish and Osney.

The clearest statement as to the extent of the hundred is that made by a jury on April 10, 1419. A dispute had arisen between Osney Abbey and the town as to the rights of the mayor and bailiffs in North Osney and South Osney, and before the commission appointed to investigate the dispute the jury asserted that the town of Oxford had no suburb except that outside the south gate, and that their recent activities in North and South Osney were usurpations on the king's majesty, since 'the vills of North and South Osney, the parishes of St. Mary Magdalen and St. Giles without the north gate, St. Thomas' without the west gate, and St. George's that is, the whole castle without the west gate, and the hamlets of Walton, Holywell and Binsey and all and every place within those vills, parishes and hamlets are of the body of the county of Oxford and in the lord king's geldable and in the hundred called the hundred without the north gate of Oxford, and are not and never were within the liberty of the said town.'⁵ The statement that the land in question is geldable and *de corpore comitatus* is unequivocal evidence that public, and not manorial rights are in question, even whilst the whole setting of the verdict indicates the tendency of the borough to encroach on the hundred.⁶

¹ Coroners' Roll (1377-99).

² Assize Roll 700, m. 12d.

³ A. Wood, *City of Oxford* (O.H.S.), I, 320, 458; II, 41.

⁴ O. Ogle, *Royal Letters to Oxford*, p. 480.

⁵ The inquest, transcribed Twyne iv, 15, is printed in full by Dr. Salter, *Oxford Studies*, pp. 154 ff., and I am greatly indebted to him for calling my attention to it and permitting me to quote from it.

⁶ The usurpations in question are described as dating from 1403. Cf. below, p. 125.

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The administrative and judicial activities of the hundred are attested not only by the periodical references in the eyre rolls, but in the deeds preserved by the various religious houses of Oxford, which have been and are being printed by the Oxford Historical Society. From these can be recovered a list of the bailiffs of the hundred, fairly long if not yet complete, and a picture of some at least of the activities of the hundred court.

The bailiffs whose names occur on the accompanying list generally appear as witnesses to transfers of property. In most cases the bailiff is the only official mentioned,¹ and may well have presided at the court in which the deed was issued; in a few cases, indicated on the list, the mayor and bailiffs of the borough also witnessed the transaction, and therefore presumably attended the court. The references on the eyre rolls indicate that the bailiff, as in other private hundreds, was at once the bailiff of the lord king and of the lord of the manor of Headington, arresting men, accounting for their chattels if they were convicted, answering for the deodand in case of a fatal accident, responsible if prisoners escaped from his custody, and entrusted with the execution of sentence. When Matilda of Northampton, hanged in the eyre of Oxford in 1247, revived in the church of St. Mary Magdalen, whither the compassionate had carried her body, it was William le Sauser, bailiff of Northgate hundred, who paid the heavy fine of twenty marks, though the inefficient execution had been the work of his serjeants.² Further, the liberty was temporarily taken into the king's hands, and had to be redeemed by Philippa of Warwick. Again, as the lord of Headington had return of writs,³ the hundred bailiff had all the executive duties involved in that liberty.

The lord of the manor could also, apparently, appoint the coroners of the hundred.⁴ Coroners distinct both from those of the hundred and of the county are mentioned for the eyre of 1261,⁵ and the roll of the coroners of Northgate survives for 1377-99.⁶ They are mentioned as holding an inquest in 1556 when there was a great confusion of claims, Dr. Owen, the owner of Godstow and Wolvercote, backing the coroners' rights, and the mayor of Oxford and the bailiff of Northgate hundred opposing them.⁷ Deaths in Northgate hundred

¹ The steward (*senescallus*) is mentioned several times: e.g., *Cart. St. John*, II, 331 (c. 1250); *Balliol Deeds*, 60 (1396), 62 (1422).

² Assize Roll 700, m. 12d.

³ *Rot. Hund.* II, 35.

⁴ Other hundreds which had their own coroners were Lifton hundred, Devon, and Rochford hundred, Essex.

⁵ Assize Roll 701, m. 30d.

⁶ Coroners' Roll, 133.

⁷ W. H. Turner, *Records of the City of Oxford*, pp. 247-55.

were, however, the subject of enquiries by borough coroners on several occasions in the later middle ages.¹

The existence of a separate court for the hundred of Northgate is attested both by statements of suits owed to it and by records of the transactions in it. We have already seen that suit was owed to it every three weeks by the occupants of the houses bought by Devorguilla of Balliol in 1284.² The prior of Bicester also owed suit to the hundred in 1283,³ and in the sixteenth century Godstow made a payment to be released from suit to the hundred.⁴

Of transactions in the court of Northgate hundred there is an abundance of evidence.⁵ Transfers of land are made *coram hundredo* or *in hundredo* from Hugh de Pluggenait's time onwards.⁶ Pleas of land are heard there by the king's writ of right.⁷ Conventions are registered there,⁸ after the pleading of a royal writ of services. Payments are made there.⁹ Royal inquests are taken there.¹⁰ Most interesting activity of all, wills are published,¹¹ and proved there,¹² in one case, *coram senescallo et sectatoribus hundredi*. There is a reference to criminal proceedings in the hundred in 1261, when the bailiff is penalized for having allowed a man to be accused by *querela* instead of appeal.¹³

It is noteworthy that in a few instances acts done in the hundred are done before the mayor and bailiffs of Oxford as well as the bailiff of the hundred.¹⁴ This opens up the vexed question of the rights of the borough and the University to jurisdiction outside the wall. The situation is perhaps best summed up in Wood's phrase: 'Yet the liberty of the hundred was not so great afterwards that it could exclude the right of the University or city; and it was accounted as a suburb.' As to the University, it seems that its jurisdiction was extra-territorial; clerks were doubtless living outside the wall before the foundation of Balliol, and the Chancellor could claim jurisdiction over them. It was when disputes occurred between clerks and laymen that trouble arose, as in 1288 when

¹ Coroners' Roll, 129.

² *Balliol Deeds* (O.H.S.), pp. 12-13.

³ *Cal. Misc. Inq.* 1, 374.

⁴ *Monasticon*, iv, 370.

⁵ I have to thank Mrs. Lobel for most of these references.

⁶ *Oseney Cart.*, II, 195 (1154-63), 314 (1361), IV, 69 (1195-1205); *Cart. St. John*, II, 309 (1230), 258 (1397), 288 (1399), 289 (1413), 314 (1400), 283-4 (1421), 313 (1424); *Balliol Deeds*, 36.

⁷ *Cart. St. John*, II, 309.

⁸ *Op. cit.*, II, 342.

⁹ *Op. cit.*, II, 299 (1236).

¹⁰ *Op. cit.*, II, 335 (1393); *Snape's Formulary*, p. 289 (1286).

¹¹ *Oseney Cart.*, II, 311-5 (1361); *Balliol Deeds*, p. 36.

¹² *Op. cit.*, pp. 59-60; *Cart. St. John*, II, 287.

¹³ Assize Roll 701, m. 30d.

¹⁴ E.g., *Oseney Cart.*, II, 328 (circ. 1240), *Med. Arch. Univ.* (O.H.S.), p. 321 (1264-5), *Cart. St. John*, II, 343 (1276), 322 (1287-8), 324 (1293-4).

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Robert of Welles, bailiff of Northgate hundred, was charged with impleading M.A.s in *curia privata* and stirring up the inhabitants of the suburb to rebel against the ancient liberties of the University.¹ The frontiers of the two jurisdictions were defined in 1356, in an indenture between Sir Richard d'Amory and the Chancellor, Masters and Scholars, which indicates that there had been conflict not only over pleas of contract, but over breaches of the peace² and the regulation of the sale of victuals, since the lord of the hundred had the assize of bread and ale and the Chancellor of the University claimed to regulate the prices of victuals to prevent the exploitation of the scholars by the townsmen. The dispute was finally settled before the King's Council, by the agreement of both parties.³

The relations with the borough implied by the presence of the mayor at the hundred courts probably began similarly, with burgesses acquiring property and even residing in the northern suburb. It is possible that here, as at Northampton,⁴ men may have moved out of the borough to escape industrial or mercantile regulation or the payment of borough dues. It was at St. Giles's Church that the lesser burgesses met in 1253 to draw up their protest against the oppressions of the town oligarchy, but even there they were disturbed before they could affix their seals.⁵ Close relations were inevitable; not only was private property outside the north gate owned by burgesses, but their common pasture, Portmeadow, lay within the hundred. The same man served as bailiff of Northgate hundred and as bailiff or mayor of Oxford;⁶ John le Sauser's will was proved before the mayor of Oxford, 'according to the custom of the town of Oxford' and before the seneschal and suitors of Northgate hundred 'according to the customs of the said hundred' in January and March respectively of 1340,⁷ presumably because he owned property both within and without the wall. A conveyance made in the hundred was recognized and enrolled before the mayor six months later.⁸ It is highly probable that the mayor's jurisdiction pursued the burgesses in matters of trade as well as of landed property.⁹ References to

¹ *Mun. Acad. Oxon.*, (R.S.), I, 43-5.

² Note ruling of Feb. 10, 1338; Chancellor to have jurisdiction of trespass, felonies reserved (to lord of hundred). *Close Roll Cal.* p. 319.

³ *Mun. Acad. Oxon.*, I, 173-80.

⁴ *Victoria County History, Northants*, III, 7, 31.

⁵ *Cal. Misc. Inq.*, I, no. 238; *Snape's Formulary*, p. 278.

⁶ William le Sauser, hundred bailiff 1235-1249; mayor of Oxford 1258-9; William de Wodestone, hundred bailiff 1295-6, bailiff of Oxford 1291-2, 1293-4.

⁷ *Balliol Deeds*, pp. 59-60.

⁸ *Op. cit.*, p. 38. Mrs. Lobel tells me that cases about land in the hundred are frequently found on the Hastings Roll in the fourteenth century.

⁹ In 1249 a plea about the sale of a horse was retried in the mayor's court after it had been heard and determined before the steward of Northgate hundred. Twyne, 23, 382. In 1293 the mayor successfully claimed jurisdiction in a plea between the Prior of St. Frideswide and Richard Aumfrey, and it was removed from the hundred to his court. *Op. cit.*, 23, 330.

the ward outside the north gate in 1261¹ and to the constables in the north suburb in 1390-94² suggest co-operation in the keeping of the peace between the authorities of borough and hundred. In the fifteenth century presentments in the views of frankpledge before the mayor frequently concerned nuisances and purprestures in the hundred.³ It seems certain that the activities of other borough officials besides coroners extended into the hundred. But it was not until 1592 that, as we have seen, the city purchased from George Brome 'the hundred court, the courts leet, the appointment of officers within the hundred, perquisites of courts, fees, waifs and strays' as well as the quit rents, the tenements and the waste land within the hundred that belonged to the lord of Headington manor.⁴

It remains to consider the origin of the hundred outside the north gate. It does not seem probable that the two hundreds annexed to the manor of Headington in Domesday book were divided by the Cherwell. The fact that one of them was still called Soterlawa as late as 1199 strongly suggests that the modern Bullingdon hundred is larger than the Bolenden hundred of the Pipe Rolls. But as early as 1163, as we have seen, one of Hugh de Pluggenait's two hundreds was meeting outside the north gate of Oxford.

It is probable that but for the growth of population north of the city wall, which must have begun well before 1086,⁵ the two hundreds of Headington would have become one, like the two of Bampton or the three of Shipton. The suitors of the double hundred would have met at 'Soterlawa' or at 'Bulesdon' very possibly turn and turn about. But the craftsmen and tradesmen round St. Mary Magdalen's and St. Giles's churches⁶ would resent being dragged to Wheatley or Shotover every three weeks, whilst on the other hand their litigation would make the court far more profitable than that of the ordinary rural hundred, and induce the lord of the hundred to meet his suitors' convenience. Thus the place of meeting might be shifted from Shotover to the north gate even before the old name was abandoned. The next step—the re-division of the whole area dependent on Headington into a large rural area east of Cherwell and a small suburban area west of Cherwell, probably took place at some date between 1190 and 1220. It must have taken place before 1240, when Bolendon hundred sat at Cowley. The change would be due to fiscal and administrative considerations.

¹ Assize Roll 701, m. 30d.

² *Med. Arch. Univ.*, II, xix, 56-67, 81, 102.

³ Dr. Salter, *Oxford Studies*, pp. 146-152, prints Twyne's transcripts from the rolls of the Views.

⁴ *Oxford City Properties* (O.H.S.), p. 254.

⁵ St. Mary Magdalen's church goes back to 1074. Parker, *Early History of Oxford* (O.H.S.), p. 283.

⁶ St. Giles's was dedicated in 1138. *Monasticon*, IV, 362.

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A bailiff might find his time fully occupied in handling the business of the residents west of Cherwell, whilst the forest of Shotover was better managed independently. From the fiscal point of view, the suburban area was probably more valuable than the rural area as early as 1190. In 1281 the hundred of Bolendon was valued at £6 9s. 1d. and the hundred outside the north gate was farmed for £20,¹ which undoubtedly left a margin of profit to the farmer.

The fact that the re-distribution was accepted and endorsed by the central government, as the roll of the eyre of 1247 shows, might seem to suggest that it had taken place before the hundreds had been granted to Hugh de Pluggenait by the Empress. On the other hand, it may have been officially authorized during the period (1200-1203) when the manor and hundreds had reverted to the Crown before they were granted out again by John. The statement of the jurors of 1231 that 'Thomas Basset had held the manor 'cum hundredo de Bolendena et quodam alio hundredo' almost suggests a consciousness that the other hundred had changed its character if not its name within living memory. It is not likely that the boundaries of Soterlawa hundred or the date of its final disappearance will ever be precisely definable.

If the theory suggested above for the origin of the hundred of Northgate be accepted, its history is, I think, unique among English hundreds.

LIST OF BAILIFFS OF NORTHGATE HUNDRED

F. = Cartulary of St. Frideswide	}	Oxford Historical Society
O. = Oseney Cartulary		
B. = Balliol Deeds		
J. = St. John Baptist Cartulary		
A.R. = Assize Roll		

An italicised date indicates an exactly dated document.

Year	Name and description	Reference
? 1190-1200	William, <i>prepositus de extra Portam del North</i>	F. II, 27
ca. 1230-1240	Simon Balehorn, <i>ballivus : ballivus hundredi extra portam aquilonarem Oxonie</i>	O. II, 339 ; J. II, 309, 325
ca. 1235-1236,	William le Saucer, Sauser, <i>ball. extra portam aq.</i>	J. II, 298, 299, 304, 327,
1237, 1238	Salsarius. <i>Ox. : ball. hundredi extra portam aq. Ox.</i>	332, 335
1239, 1240		O. II, 259, 260, 263, 269,
1242, 1243		270, 292
1245, 1247		<i>Med. Archives of Univ. of Oxford</i> 307, 308, 315,
1248, 1249		316, 317
		A.R. 697, m. 26d, 700, m. 12d, m. 13d
ca. 1240	Simon de Elthrop, <i>ball. extra portam aq.</i>	<i>Med. Arch. Univ.</i> 317
ca. 1240-1250	William de Cuteler, " " " "	" " " 309
ca. 1250	William de Ybernica, " " " "	O. II, 73, 267, 272, 293
1255, 1256	Hiberniense, " " " "	J. II, 300, 334
1257, 1260	Ybernicius, " " " "	
1261,	le Yreis, " " " "	A.R. 701, m. 31
1264, 1265	le Irreys, " " " "	<i>Med. Arch. Univ.</i> 312, 313, 314, 321

¹ *Cal. Misc. Inq.*, p. 368 (no. 1253).

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LIST OF BAILIFFS OF NORTHGATE HUNDRED—*continued.*

Year	Name and description	Reference
ca. 1260	Richard le Clerik, Clericus } <i>ballivi</i>	A.R. 701, m. 30d
	Richard le Messer }	O. 11, 272
Aug. 18, 1276	Radulfus de Swereford, <i>ball. extra portam aq.</i>	J. 11, 343
Mich. 1277—	Henry fil. Milonis, <i>ball. extra portam borealem</i>	J. 11, 304 ; B. 20
Mich. 1278 ;	<i>ball. hundredi extra port. bor.</i>	
1279		
1280	Robert de Welles, <i>ball. hundredi extra port. bor.</i>	B. 65
May 28, 1281	Henry Dymock (appointed for ten years)	<i>Fine Roll Cal.</i> 148
Mich. 1287—8	Philip Mimekan, <i>ball. de hundredo extra p.b.O.</i>	J. 11, 322
1288 ?	Robert de Welles (deprived by Council)	<i>Mun. Acad. Oxon.</i> 1, 43-5
Mich. 1293—4	John de Croxford, <i>ball. extra portam bor. Ox.</i>	J. 11, 324
1295, 1296	William de Wodestone, <i>ball. hund. extra port. bor. Ox.</i>	O. 11, 285, 309
July 1310	John de le Haye, <i>ball. hund. extra port. bor. Ox.</i>	O. 11, 213, 309
Jan. 1312		
1316 Oct.—	William de Hakeburne, <i>ball. hund. extra port. bor. Ox.</i>	O. 11, 301, 310, 321
Dec. 1317		<i>Mun. Ac. Ox.</i> 1, 41
1320	Thomas de Saunforde, <i>ball. illius hundredi</i>	B. 65
1332	John (or Josep) de Wodestoke, <i>ball. illius hundredi</i>	J. 11, 286 ; B. 221
May 1352	? John de Uppehege, <i>firmarius Th. de Ferers de hundredo de North</i>	J. 11, 339
1355	Henry le Porter, <i>ball. hundredi extra port. bor.</i>	<i>Med. Arch. Univ.</i> 11, 127
1515	John Royse, <i>bailiff of the North Gate hundred</i>	Turner, <i>Records of the City of Oxford</i> , p. 14
1535—40	Sir John Brome, <i>firmarius hundredi de Northgate extra portam borealem.</i>	<i>Monasticon</i> , IV, 370