

## PETER DES ROCHES, BISHOP OF WINCHESTER, AND THE PAPAL INTERDICT ON ENGLAND, 1208-1214

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While in recent years the long struggle between John and Innocent III over Stephen Langton's election to Canterbury has received much attention, little has been written about the roles played by individual English bishops in the interdict drama. There has appeared no "Episcopal Colleagues of Archbishop Stephen Langton." For some of the bishops the evidence is probably too scanty to reveal more than simply which side, or sides, they took; but this is not true for Peter des Roches, bishop of Winchester, whose role in the conflict was often substantial, even at times propelling him to the center of the stage.<sup>1</sup>

A native of western France and probably originally a knight, Peter rose to prominence in English affairs through service as the principal financial clerk in John's chamber.<sup>2</sup> His election to Winchester, forced on the cathedral monks by the king in February 1205, produced a dispute which took Peter to Rome, where he was finally consecrated by Innocent on September 5 of that year.<sup>3</sup> Remaining at the curia some months longer, he returned to England the following March. He brought with him papal letters to facilitate his full entry into the possessions of his bishopric, an indult forbidding his excommunication by anyone save the pope himself, and a special papal commission authorizing him to reorganize the collection of Peter's pence in England so that more money from that source might reach Rome.<sup>4</sup>

How diligently the new bishop prosecuted his commission is unknown; the only contemporary account simply states that the mandate concerning Peter's pence "was not admitted by the realm or by the priesthood."<sup>5</sup> What is clear is that Peter lost no time in reestablishing himself at the royal court. He accompanied John to Poitou in May 1206 and, back in England by the end of the year, spent 1207 in regular attendance on the king when the latter was in the southeast. The bishop made himself particularly useful as an advisor on financial matters including the dispersal of royal funds in castle treasuries, an undertaking he seems to have supervised.<sup>6</sup>

Just how close Peter and John were can be seen from the stand of the bishop on one of the great issues of the time, the taking of an aid of a shilling on the mark on movables for the recovery of the king's continental possessions. Not surprisingly, this taking of the "thirteenth" met with stiff resistance.

Two great councils were called—at London and Oxford in January and February 1207—before the lay magnates agreed to the levy, while most of the higher clergy at the meetings, claiming clerical immunity, seem to have tried to avoid any payment at all. Their refusal and subsequent protest (the most extreme coming from the archbishop of York, who fled the country) did not prevent John from collecting sizable amounts from them, however. His agents took the thirteenth from their lay tenants, and the clerics were themselves forced, individually or collectively, to come to terms over what they would give from their own revenues and chattels.<sup>7</sup>

Among the recalcitrant clergy were those of the Canterbury diocese, who had been without a bishop since Hubert Walter's death nearly two years before. On April 30, 1207, they were sent a letter patent attested by the bishop of Winchester at Lambeth, the archbishop's palace, reminding them that they had previously been sent letters requesting the aid, which was for the defense of the English church's freedom and the recovery of the overseas lands.<sup>8</sup> To these they had replied they would give an answer three weeks after Easter, that is, about the middle of May, but this postponement was unacceptable to the king. They were to answer at once and were to see that they provided such a generous aid that John would think well of them and would take their welfare to heart. Clearly in this matter Peter was not standing with his ecclesiastical colleagues. He remained a royal servant who knew John had uses for the money, and he was willing to contribute his efforts and the weight of his episcopal office towards acquiring it for the king.

This same strong allegiance to the king's interests had manifested itself earlier in 1207 in Peter's first recorded involvement in the developing Canterbury election crisis. The previous year Innocent had quashed the elections of Reginald the Canterbury subprior and Bishop John of Norwich, the two men elected in England in 1205 after Hubert Walter's death, and had recommended to the Canterbury monks who had gone to Rome an English cardinal residing there, Stephen Langton. The monks accepted the pope's suggestion, unanimously electing Stephen, and in December Innocent wrote John informing him of their action and requesting his consent to it, although pointing out that it was not really necessary since the election had taken place under papal supervision.<sup>9</sup>

John's reaction to the news was sulphurous: he had pressed hard for the election of the bishop of Norwich, whose ties with him were as close as Peter's. Stephen Langton, while English, was almost unknown to him; and all he did know, he claimed, was that Langton had lived for a time in Paris amongst his enemies. And then, personalities aside, the king felt that his assent was necessary and that his rights and honor had been violated. John, indeed, seems to have believed that he was so clearly right that Innocent, given time, would see reason. In late February 1207, after consulting with the bishop of Winchester, he provided his representatives with money and new instructions and sent them back to Rome.<sup>10</sup>

The evidence of Peter's role in the return of the emissaries is of two kinds: the letters they carried bore his attestation, and some of their details bore the stamp of a man who had had intimate acquaintance with the workings of the curia.<sup>11</sup> One was addressed to the notaries and chaplains of the pope, thanking them for their previous help and asking them to continue it, and another instructed the king's representatives not to part with any more money until the negotiations had been successfully completed. Promises by papal underlings were no longer enough. From this it seems clear that the bishop was willing to help John attempt to change and even, if necessary, by working through avaricious officials surrounding Innocent, to subvert the papal decision.

John's and Peter's efforts of course proved of no avail. Innocent stood by his earlier position, reaffirmed his decision that the king's approval of the election was unnecessary, and consecrated Langton archbishop on June 17, 1207.<sup>12</sup> Finding that the pope would not yield, the king ordered Reginald of Cornhill and Fulk de Cantilupe, two of his most trusted agents, to drive out of England the prior and the monks at Canterbury, the only participants in the election he could get his hands on.<sup>13</sup> In response Innocent ordered the bishop of Rochester to excommunicate Reginald and Fulk and on August 27, 1207, charged the bishops of London, Worcester, and Ely with laying a general interdict on England unless John speedily reformed.<sup>14</sup> Under this threat, on January 21, 1208, the king offered the three bishops a compromise: he would accept Stephen Langton as archbishop in exchange for a guarantee that his rights in ecclesiastical elections would be observed in the future.<sup>15</sup> Hope for a settlement lasted until March 12, when Simon Langton, the archbishop's brother who had come to England as his representative, informed the king that no such guarantee could be given; and John, furious, reaffirmed his opposition to Stephen.<sup>16</sup> The bishops' pronouncement of the interdict speedily followed, coming, it seems, on Sunday, March 23.<sup>17</sup> John's response, which he had decided upon by March 17, was to order the seizure on the twenty-fourth, the day the interdict was to become effective, of the holdings of all churchmen who obeyed it: those who would not hold services and dispense the sacraments were to be denied their revenues.<sup>18</sup> Whether, and to what extent, individual clerics yielded to the king cannot be determined, but it seems clear that the whole of the episcopate chose to observe the interdict, even the curialist bishop of Norwich, the original royal choice for Canterbury, and the bishop of Winchester.

The principal proof that Peter and John of Norwich, the most unlikely prospects, parted with the king at this point is simply that their lands were confiscated and that in late March neither had any clear expectation that he would receive them back quickly. On March 23 Peter acquired an elaborate charter, replete with every conceivable liberty and immunity, confirming his episcopal holdings and those of the prior and monks of his cathedral.<sup>19</sup> With his lands about to pass out of his grasp the bishop evidently wished his

rights in them clearly stated so that no question about the conditions of his tenures could be raised when eventually they were returned. On March 27 royal letters were sent to various sheriffs on behalf of John of Norwich, stating that the bishop was to be allowed to retain all the lands and wards in his custody which were not specifically tied to his episcopal office.<sup>20</sup> Had either anticipated the speedy return of his ecclesiastical holdings, the charter and the letters would have been unnecessary.

There is also other evidence which can be interpreted as showing that Peter was not altogether in step with the king at this time. On January 25, 1208, four days after John had announced his willingness to accept a compromise, the king had ordered the bailiffs of Dover to provide good and safe ships for Peter and Hugh, archdeacon of Wells, who were crossing to the continent on royal business.<sup>21</sup> The bishop next appears in court records on February 18. On the nineteenth, together with the bishop of Norwich, Geoffrey fitz Peter, the justiciar, and William Briwer, he witnessed a letter patent granting Simon Langton safe-conduct to come to England to confer with the king.<sup>22</sup> While the hypothesis cannot be proved, it seems likely that Peter had carried to the continent news of the king's desire for a settlement and that he had carried it to the Langtons. From the coincidence of his return with the issuance of the letter of safe-conduct witnessed by him, it seems probable that his mission had been to arrange a meeting between John and a representative of the archbishop. Peter's success (if this was the purpose of his mission) thus produced the disastrous confrontation at Winchester, where the parties proved completely at odds—a development which would lead one to conclude that the arranger of the meeting, probably in his eagerness for a settlement, had overstated each party's willingness to compromise to the other.

Then finally, from the available evidence it appears at least possible that Peter had joined his colleagues assembled at Winchester in urging the king to yield to Langton. On March 14, at the beginning of an angry letter to the men of Kent, John stated that the Winchester meeting had taken place "in the presence of our bishops" and towards its end implied that he was on one side and that the "aforesaid bishops" and Simon Langton were on the other.<sup>23</sup> On March 17 in a letter to the men of the bishopric of Durham the King spoke of what went on between him and "our bishops" at Winchester.<sup>24</sup> John may, of course, have been referring simply to the bishops of London, Worcester, and Ely, the three charged with pronouncing the interdict, who, according to the Waverley annalist, had been working frantically for peace; but the letters do not say this, and it seems at least as likely that he meant the episcopate generally.<sup>25</sup> On November 19, 1207, Innocent had sent a letter to the bishops of England and Wales stating that he had heard that some of them (he did not say which ones) had been "tepid" and "remiss" in their response to the Canterbury crisis, and exhorting them to stand firm for the liberty of the church against the king and to shrink not from their

duty in the face of danger and harassment.<sup>26</sup> While this may have had little effect, it does not appear unlikely that all the bishops gathered at Winchester, confronted with the threat of an imminent interdict, had put what pressure they could on the king.

If Peter in this crisis demonstrated that he was not completely John's creature, it is at the same time clear that the breach between the two men was hardly of chasmal proportions. Besides granting the bishop the charter confirming his holdings on the eve of the interdict, John a week earlier had promised Peter's nephew, Peter des Rivaux, the next prebend to fall vacant in Lincoln cathedral.<sup>27</sup> Also, the bishop did not recede from court but continued to appear there in the days preceding and following the interdict's pronouncement and the concurrent confiscations.<sup>28</sup> And then finally, Peter, along with John of Norwich, was among the first clerics to receive back his holdings. The order in his behalf, which was issued on April 5, returned to him "to hold in peace the bishopric of Winchester and all his lands, things, and rents, possessions, and his wards, and everything taken into the hands of the king because of the interdict."<sup>29</sup> At that time John retained in his own hands all the lands and possessions of abbots, priors, religious houses, and clerks in the Winchester diocese; but a few days later Peter made considerable inroads into these. On April 10 he was granted to hold in peace all the lands, things, and rents of the cathedral priory taken into royal hands because of the interdict and on the twelfth he was regranted custody of the nunnery of Winchester, for which he was to answer to the king.<sup>30</sup> Also on the same day it was ordered that the bishop be allowed to hold in peace all religious houses, churches, rents, and holdings of clerics which were of his fief or gift.<sup>31</sup> Thus by mid-April Peter had not only regained all he had lost but had emerged well ahead of the game. He had not suffered long.

In the course of the month various other clerics closely associated with the king, including Jocelyn of Wells, bishop of Bath, received back their lands to hold in peace; and a number of others not so fortunately situated had their lands returned to their own custody with the stipulation that they answer to the king for them.<sup>32</sup> A further sign of diminishing tensions was a royal warning sent out on the eleventh to all laymen that the king's peace still extended to churchmen.<sup>33</sup> By this time also, it seems, the king had decided again to seek a settlement and to that end had dispatched to Rome, bypassing the Langtons, a delegation headed by Hugh, abbot of Beaulieu. By late May, moreover, Innocent and the abbot had come to an agreement, which probably hinged on a papal promise to issue a bull stating that Langton's election had not prejudiced John's rights and liberties.<sup>34</sup> The bull, however, was not given to Hugh but was deposited for safekeeping at the abbey of Clairmarais in western France, a circumstance which seems not to have satisfied the king.<sup>35</sup>

Innocent, though, believed that the matter was settled and that it only remained for John to ratify the agreement and to work out its details with



the Langtons. Some efforts in this direction were probably made during the summer, since at various times royal letters of safe-conduct were issued for the bishops of London, Worcester, and Ely (who had prudently withdrawn to the continent after proclaiming the interdict), Simon Langton, and Stephen Langton himself.<sup>36</sup> By the end of the year, however, John and the Langtons were still apart, and the interdict was still in effect.

Probably at some time during this phase of the dispute there appeared one of the few extant descriptions of Peter des Roches. Written by a bitter, anonymous partisan of Langton, it was included in an overall estimate of the English episcopate, which glowingly praised the bishops of London, Worcester, and Ely, damned the bishop of Bath, and hailed John of Norwich as "Tu, Norwicensis bestia."

The arm-bearer of Winchester  
Presides at the exchequer,  
Diligent in computing,  
Sluggish at the gospel,  
Turning over the king's roll;  
Thus lucre overcomes Luke;  
He makes a marc weight heavier than Mark,  
And subjects the Bible to the scales.<sup>37</sup>

While the description is obviously biased and cliché-ridden, it doubtless had some truth to it: Peter witnessed Simon Langton's letter of safe-conduct, but otherwise there is nothing in the records from the spring of 1208 to early 1209 to indicate that the bishop was much involved in seeking a settlement to the Canterbury dispute, and there is a good deal to show that he was engaged in business-as-usual at the royal court. Indeed, during the period only the names of Geoffrey fitz Peter and William Briwer rival the bishop's in the frequency of their appearance on the rolls as he concerned himself with royal problems ranging from domestic finance to foreign policy.<sup>38</sup>

This comfortable state of affairs came to an end for the bishop and the king in 1209. About the beginning of the new year Innocent reluctantly concluded that John did not intend to honor the agreement the abbot of Beaulieu had made in his behalf the preceding May and that therefore more pressure had to be applied. His letters to England that January were grim: to John he wrote, "in your case we now approach the final remedies." Either John would accept Langton and the rest of the Roman settlement or his excommunication would follow three months after his receipt of the warning.<sup>39</sup> On the thirteenth the pope dispatched a barbed letter to Peter, strictly ordering him to seek to fulfill those injunctions regarding the Canterbury dispute which the bishops of London, Worcester, and Ely, or any two of them, should give him. He was to raise no obstacles or difficulties, to seek no delays, or it would redound most gravely on his head.<sup>40</sup> What the bishops were to enjoin him to do is not stated, but it was probably to publish the sentence of excommunication at the proper time.<sup>41</sup>

The papal letters, which most likely reached England in March, had their desired effect. While John, after the initial shock, seemingly had borne up under the interdict rather well, he does not seem to have relished the idea of his excommunication; and this certainly was true of his advisors. Peter, of course, had the papal threat to spur him on, but other counselors also seem genuinely to have wished to prevent the passage of the sentence which would place a considerable and in some cases an intolerable strain on their relations with the king. The first sign of a new drive towards accommodation was a letter patent, witnessed March 23 by Peter, the justiciar, and the bishop of Bath, granting Simon Langton a safe-conduct until three weeks after Easter to come to England to confer with themselves and others of the royal council concerning ending the dispute.<sup>42</sup>

There is no record that the proposed spring meeting took place, but the efforts of the king and his advisors continued, and by mid-July a conference was in sight. Our knowledge of its preliminaries comes principally from a royal letter to the bishops of London, Worcester, and Ely, issued at Gloucester on July 13, and from two letters to the same bishops from Geoffrey fitz Peter.<sup>43</sup> John's letters stated that he had conferred with the bishops of Winchester and Bath, the bishop-elect of Lincoln, the justiciar, and others of his council, and that he had decided, because of his love of God and the petition of the pope, to render satisfaction to the church.<sup>44</sup> He was therefore sending the above-named men, together with the earls of Arundel and Oxford, William Briwer, the abbot of Beaulieu, and the archdeacons of Stafford and Huntingdon, to Dover to negotiate a settlement.<sup>45</sup> He had given his representatives "full power to satisfy holy church in all things on our behalf." For their part the three bishops should hurry to England, protected by letters of safe-conduct he was sending, and should bring with them the papal bull deposited at Clairmarais, which guaranteed the royal rights in ecclesiastical elections. If they could not bring the document, they should bring a copy. Finally, under no circumstance should they publish the sentence of excommunication against him, for he was ready to satisfy the church.

Geoffrey's letters were addressed to the same bishops, and one of them was also evidently written on July 13 since it repeated the main points of the king's letter and contained a clause stating that it was being carried by the same messenger as the royal one.<sup>46</sup> It went on to state that Geoffrey was certain that peace was coming, but that at the time he was writing, the other barons and earls at court were not willing to obligate themselves to assure it in the same manner as he was. Before he left court, however, he would have their assurances, and restitution of ecclesiastical property would be under way.

In the second letter, probably written not long after the first, the justiciar spoke not only for himself but also for Peter and the other curialists.<sup>47</sup>

Geoffrey fitz Peter, etc., to the bishops of London, Worcester, and Ely. Greeting. Know that the lord bishops of Winchester and Bath, Hugh, bishop-elect of Lincoln, and we have spoken with the lord king concerning the troubles of the English church so that peace might be made between the royal and priestly powers, and that he, in consideration of the petition of the pope and of his reverence for him and in consideration of our prayers, sends us into the meeting at Dover with full power to satisfy holy church in all things on his behalf both as to churches and to ecclesiastical persons. Wherefore we ask and counsel you in faith and truth, just as you love the peace of the realm, and of the church, and the honor of God, and us, to come to Dover under the royal safe-conduct and ours, which we are sending you, not omitting to do so for any reason or occasion; and we promise firmly and give assurance by the stipulations of the present letter, and we constitute ourselves warrantors on our Christianity, that the king will give satisfaction both to churches and to ecclesiastical persons in the restoration of things carried away and other things; so that if the lord king shall not have given satisfaction, we ourselves as guarantors and debtors shall give satisfaction concerning it in all things.

Obviously Geoffrey had been unable to get the baronage to guarantee reparations for the losses of the clergy in exile. The bishop of Winchester and other curialists, however, had agreed to stand with him as "*fidejussores et debitores*." There could hardly be clearer evidence of their intense desire for a settlement.

The Dover conference began around the end of July, and by August 9 an agreement highly favorable to the exiles had been reached.<sup>48</sup> Stephen Langton was to hold the archbishopric of Canterbury just as Hubert Walter had held it. The immovables of the archbishopric, the bishoprics of London, Worcester, Ely, and Hereford, those of the monks of Canterbury, and those of other ecclesiastics whose lands had been confiscated were to be returned, and they were all to be allowed to manage them freely.<sup>49</sup> Restitution of movables taken into the hands of the king by tallage or other means was to begin at once and was to be completed by the end of August. It was to include all things other than those the king ought to have, had there been peace in church; and where there was a question concerning this, an inquest was to be held. Royal letters of safe-conduct were to be issued for the archbishop and the other exiles, and John was also to promise their safety orally in the presence of his magnates. Lay magnates and bishops designated by the exiles were to add their letters to the royal ones. When the archbishop had come to England and had received his regalia, he was to do homage to the king just as his predecessors had done. When all had returned safely and everything had been restored, the interdict was to be lifted. In regard to the king's rights, the exiles would do all they could, consonant with the freedom of the church, to preserve them and to see that they were not lessened by the agreement. The representatives of the king were to work in good faith to see that the terms of the agreement were carried out. Because of the hope of peace stemming from the agreement, the pronouncement of the sentence of excommunication against John was to be postponed for five weeks.

While most of the negotiators remained at Dover, Peter and William



Briwer journeyed north to convey the terms of the agreement to the king.<sup>50</sup> By August 19 they had joined the court at Lound in Nottinghamshire, where their reception was probably not very cordial, since it seems John was not pleased with the terms of restitution or with the failure of the exiles to produce the papal bull guaranteeing the royal rights in ecclesiastical elections.<sup>51</sup> The exiles' promise to do all they could to insure his rights was better than Simon Langton's suggestion the previous year that he place himself in mercy, but it still was not good enough.

On August 23 after several days' discussion John sent a letter to the bishops of London, Worcester, and Ely at Dover, claiming the matter of settlement was too important and difficult for him to come to a decision about without the counsel of his justiciar.<sup>52</sup> He was therefore asking Geoffrey to join himself, the bishop of Winchester, and William Briwer at Nottingham, and he was extending the exiles' safe-conduct until the middle of September so that they could come also and confer further either with him or his agents. From this it is clear that John had decided to ignore his previous statement that his negotiators had been given full power to reach an agreement: the power to reject was still his.

The bishops gave their answer in two letters, one to the king, the other to the bishop of Winchester.<sup>53</sup> To John they were respectful yet firm: they had come to England to draw up terms of peace, and this had been done; but now he was asking for more discussion. His letter extending their safe-conduct was a letter close, not patent, whose efficacy they doubted; and also it did not mention Simon Langton or the representatives of the Canterbury monks without whom they could not negotiate. Beyond this, the terms arrived at in Dover were those the pope had authorized them to agree to, and they could not deviate from them in any fashion. Further discussion was therefore pointless.

Their letter to Peter began with a summary of the points made in the one to the king, but then became much more personal.

... we cannot wonder enough that in the matter of making restitution of the moveables which passed into the hands of the king or were reserved for his use, so long a time has gone by and we have heard nothing; especially since, as we well remember, you yourself, when we were in council, said you were certain that restitution would be made within the set time. Also in certain letters sealed with your own seal the statement is contained that you believed the period of the first safe-conduct—good until August 15—was time enough to reach a conclusion to the business. Moreover, we do not wish you to conceal your discernment that so far nothing has been done in the matter of restitution of immovables and liberties, together with their free administration, as was agreed upon in our terms. Wherefore, since the matter has not proceeded to the consummation of peace as was hoped and was promised, we most attentively ask and under the debt of your fraternity summon and demand, through the faith of your safe-conduct by which through your letters patent you especially bound yourself to us, that as fitly as you can, you will hurry to Dover. For you know that the time-limit on our safe-conduct draws nigh and that the wind and the sea are not in our power but that it is necessary for us to await the opportune time to sail.<sup>54</sup>

The bishops were evidently both angry and fearful: despite all the promises that had been made, it did not appear that John was going to honor the terms of the agreement. Not even sure of their own safety, they were of course in no position to vent their wrath on the king; but they could let the bishop of Winchester know how they felt. Probably by throwing Peter's words back in his face they relieved their feelings somewhat.

More important to us than their reasons for doing so is simply the fact that the bishops did repeat Peter's words, for their letter to him provides the strongest evidence of his position in this phase of the controversy. From the letter it becomes clear that in his anxiety for a settlement, he had strived to meet their terms at Dover, even to the point of agreeing to conditions he knew to be displeasing to the king. From this it would seem naturally to follow, moreover, that he had spent the time between August 19 and 23 trying to get John to agree to the settlement, and that the king's failure to do so was a considerable disappointment to him—a disappointment, though probably not a great surprise, since doubtless he had always known that any "full power" the king might have given out, he was perfectly capable of retracting.

Whether Peter returned to Dover in answer to the bishops' summons is not clear. All that is certain is that he was not there by September 2 and that for several weeks after that time his presence was not required because Geoffrey fitz Peter and other royal councilors at the port had managed to allay the fears of the exiles and to convince them that the possibility of peace was still good.<sup>55</sup> As a result the bishops agreed to postpone pronouncing the sentence of excommunication, and the situation became less tense.

Indeed prospects for a settlement seemed bright enough to Stephen Langton for him to decide to come to England himself to seek a final agreement.<sup>56</sup> He landed at Dover on October 2, and John and his court, then in Hampshire, traveled eastward for the meeting. The king stopped at Chilham, some twenty miles away, but sent a large delegation headed by the justiciar and the bishop of Winchester to treat with the archbishop.<sup>57</sup> As things turned out, Langton could have saved himself the channel crossings. He was not prepared to go beyond the original Dover agreement; and Peter and Geoffrey, this time kept on a short lead by John, were no longer in a position to accept it. The principal point of dispute was the king's rights, which the archbishop could offer nothing specific to insure. He could not produce the papal bull deposited at Clairmarais, and John had charged his negotiators to come to no agreement without it.<sup>58</sup> Thus the efforts of those, including Peter, who sought a settlement before the king should be excommunicated finally came to nothing. The exiles went back to the continent; and safe in France early in November, the bishops of London, Worcester, and Ely pronounced the sentence of excommunication.<sup>59</sup>

Because of various vacancies and previous departures there were in the

fall of 1209 only four bishops left in England to be affected by the king's excommunication. Of these, three chose exile—the bishops of Salisbury and Rochester going to Scotland, and Jocelyn of Bath traveling to the continent with his brother, the bishop-elect of Lincoln. By Christmas Peter of Winchester was probably the only bishop in England.<sup>60</sup> His principal reason for staying seems obvious enough: his ties with John were too close for him to leave. Details concerning the conditions under which he remained, however, are much less clear since unfortunately the records for 1210 and 1211 have practically all disappeared, those years bring the least well-documented of John's reign. Still, from the few documents which remain at least fragmentary answers can be construed.

Peter's initial response to John's excommunication seems to have been a withdrawal from court. The Misae roll, the period's principal extant record, does not show him present between October 23, 1209, and March 15, 1210, when at London he warranted payments to a burgess returning to Bayonne and a messenger going to Normandy.<sup>61</sup> The roll next records his presence on May 21 at Neath in Glamorganshire where the king was making preparations for an expedition to Ireland.<sup>62</sup> For the two years following no evidence exists from which an attendance record can be constructed: about all that remains are a few entries on the Winchester Pipe rolls showing the king at various times at the episcopal manors of Downton, Knoyle, Marwell, Farnham, and Clere.<sup>63</sup> It appears reasonably clear, however, that at some time during this obscure period Peter began appearing at court more often than in the months immediately following the excommunication pronouncement; for when the chancery rolls resume in May 1212, they show the bishop not infrequently there—although not as regularly as in the pre-excommunication days.

Aside from the evidence of a limited withdrawal there is nothing in the records to suggest any estrangement between king and bishop during this difficult period, and indeed it seems likely that the bishop's action was understood by the king and was acceptable to him. Amicable communication between the two men seems never to have been cut off: on December 11, 1209, soon after his excommunication, John sent Peter a letter retailing the latest rumors from the continent concerning the situation of the German emperor.<sup>64</sup> Of course the silence of the period's records may conceal rifts between the two, but the scattered references which do remain suggest the contrary. The 1211 royal Pipe roll records the fact that Peter, in exchange for two fur coverlets, was pardoned the scutage levied for the Welsh campaign of that year, and that he also had pardons, one through a writ under the small seal, for the scutage owed by the knights of his custodies.<sup>65</sup> Other evidence from the period indicates that in 1210 the bishop was working at the exchequer and was continuing to enjoy his eminent position there.<sup>66</sup> The Prestita roll for 1211 includes an order to advance Peter ten marks, which he warranted himself—from which it is clear that his word was still

obeyed by chamber officials.<sup>67</sup> An entry on the Curia Regis roll from the Easter term of 1210 states that a case involving the bishop was postponed because he was in the service of the king.<sup>68</sup> Possibly Peter's single most important contribution came in the summer of that year when, with John in Ireland, a Welsh uprising was subdued by a large army led by the justiciar, the earl of Chester, and the bishop of Winchester.<sup>69</sup> There is also evidence from the period showing some of Peter's men serving the king: his knights accompanied John to Ireland; and in April 1211 four of them were entrusted with carrying the king's jewels from Chelmsford in Essex to Northampton.<sup>70</sup> And then finally, not only did John continue to stay on Peter's manors, but also the bishop boarded royal dogs and horses and supplied staples and delicacies for the table of the king and queen as he had done before the excommunication.<sup>71</sup>

The fragments left from the period record only one instance when Peter and John's relations were other than sunny. An entry on the royal Pipe roll for 1210 states that Hugh de Neville, the king's chief forester, was fined 1,000 marks for allowing the bishop of Winchester to enclose his park at Taunton without a royal license.<sup>72</sup> No one including Peter could abridge royal rights, and one imagines that when on a visit to the castle the king beheld the episcopal fence, his words concerning his host were not soft. Still, the weight of John's wrath seems to have fallen on Hugh, not Peter, and it does not seem to have been long-sustained since the king eventually forgave the fine.<sup>73</sup>

At first glance it might seem that Innocent could only have deplored the bishop's continuing service to the excommunicate king. There are, however, no extant threatening papal letters to Peter from this period; and the possibility exists that there were none, since, when several years later the conflict ended, Peter did not find it necessary, as some clerics did, to go to Rome personally to sue for peace.<sup>74</sup> Why he escaped this necessity is perhaps hinted at in the only extant papal letter from the period which does mention him. Addressed to Pandulf, a papal sub-deacon, and Durand, a Templar, who were being sent to England in 1211 to attempt a settlement, it instructed them, when exhorting the king, to do so in company with the bishop of Winchester and the prior of Coventry (or with one of them if both could not act).<sup>75</sup> From this it seems clear that Innocent assumed Peter to be a force—however weak—for ecclesiastical peace in England. Doubtless the pope had heard of the bishop's efforts towards a solution after Peter had received the papal warning in 1209; and he may also have heard that Peter was still ready to accept peace on papal terms, for a letter from no less a person than Stephen Langton raises that possibility.

At some time in 1210 John asked the archbishop to come again to England to negotiate, but Stephen refused, citing as one of his reasons that he had learned that the position of the English baronage, including Geoffrey fitz Peter, was no longer as favorable to peace as it had been on his previous,

unsuccessful visit. He had heard that at a great council all the magnates except one had come to agree with John's position that an absolute papal guarantee of royal rights was necessary before a settlement could be concluded, and that they had thus advised the king. The only man present who had not given this counsel was the bishop of Winchester.<sup>76</sup>

Unfortunately, the archbishop's letter only states what Peter did not do. Whether the bishop on this occasion openly counseled unconditional acceptance of the papal terms is not recorded. It does seem entirely possible, though, given his previous actions and Innocent's letter to Durand, that this was the course he took. On the other hand, even if he remained silent, giving no counsel at all, he would have been able to maintain that he was doing nothing to aid John in the latter's struggle against the papacy; and it seems that the very least one should infer from Langton's letter is that Peter was taking care to establish a safe position for himself.<sup>77</sup>

One of the bishop's concerns, of course, must have been to make sure that the papal party knew of his position; and in this regard Langton's comments seem highly significant. One imagines it quite possible that Stephen was able to cite Peter's refusal to concur with the other magnates' counsel because Peter made certain that he was informed of it. The 1211 mission of Pandulf and Durand to England ended in failure, but it could not have seemed entirely so to the bishop since it gave him a chance to present his case to men who counted at Rome.<sup>78</sup> It was an opportunity, moreover, which he does not seem to have missed: the nuncios stayed for two days at his manor of Southwark and traveled at his expense.<sup>79</sup>

When the king finally yielded—a year and a half later—it was obviously not so much to the pleadings of his associates as it was to the pressures mounting against him. In November 1212, when he sent an embassy to Rome to sue for peace, he was faced with the threat of a baronial rebellion, a Welsh uprising, a French invasion, and papal deposition, which would in one degree or another have legitimized the aims of his various enemies. After negotiations in Rome early in 1213, Innocent dispatched his nuncio Pandulf to England to arrange the final capitulation.

The groundwork for a conference between the king and the nuncio was laid on May 8 when a messenger from the latter reached John, then in Kent with a large army awaiting the threatened French invasion.<sup>80</sup> Pandulf himself landed at Dover on May 13, and an agreement was immediately reached, which was embodied in a royal letter patent issued the same day.<sup>81</sup> The king promised to accept the exiles, to guarantee their safety, and to return all they had lost; and four of his barons swore on his soul that he would indeed do these things. Also as the pope had asked, he agreed at once to deliver eight thousand pounds to the nuncio, to be carried to the exiles as a first installment on their reparations.

On May 15 at Temple Ewell, not far from Dover, the king issued a charter which announced that for the remission of his and his ancestors' sins and



with the counsel of his barons he "offered and freely committed" to Innocent and his successors the overlordship of England and Ireland, the kingdoms to be held henceforth by himself and his successors as fiefs of the papacy.<sup>82</sup> Further, if he ever came into Innocent's presence, he would do him liege homage; and as a condition of his tenure he would send one thousand marks annually to Rome.

The letter patent of May 13 was witnessed by the king himself. The charter of May 15 was attested by John in the presence of the archbishop of Dublin, the bishop of Norwich, Geoffrey fitz Peter, Earl William Marshal, Count Reginald of Boulogne, the earls of Salisbury, Surrey, Winchester, Arundel, and Derby, William Briwer, Peter fitz Herbert, and Warin fitz Gerold.<sup>83</sup> Whether any particular significance should be attached to the absence of the bishop of Winchester's name from the document is of course impossible to determine definitely, but it seems unlikely. Peter had been away from court the previous week when Pandulf's messenger had arrived, and it is probable, with the kingdom under the threat of invasion, that the king had important business for him elsewhere.<sup>84</sup> Also, as we shall see, the bishop's later relations with the nuncio and other papal representatives were demonstrably close, and it would be surprising if he were in strong opposition on a matter as important to the pope as the above.

By May 24 Peter had joined the king at Temple Ewell, and from then until July 20—when the agreement reached with Pandulf culminated in John's reception of the exiles and his absolution from the sentence of excommunication—the bishop's normal place seems to have been at the side of the king.<sup>85</sup> During these weeks much of Peter's time was occupied with the routine affairs of court. Orders to customs agents, to sheriffs, to the administrators of vacant bishoprics, to the barons of the exchequer; the setting of fines; the disposition of prisoners; provisions for the construction of Beaulieu Abbey—all claimed his attention.<sup>86</sup>

Possibly his chief concern, though, was making preparations for the return of the exiles. In accordance with one of the provisions of the agreement with Pandulf, Peter, along with the archbishop of Dublin, John of Norwich, and twelve barons, drew up his own letter patent promising Langton's full acceptance by John. All these were ready by May 24, and a royal letter patent of that date, attested by Peter, the archbishop of Dublin, and William Marshal, informed Stephen of the fact.<sup>87</sup> On May 25 Peter witnessed safe-conducts for Simon Langton and the rebellious barons, Eustace de Vescy and Robert fitz Walter, who had joined the ecclesiastical exiles on the continent and had managed to get themselves included in the terms of settlement.<sup>88</sup> The letters to the barons were stiffly formal: their security had been guaranteed under the agreement with Innocent; they could return to England. Simon on the other hand was urged to hurry to England with Stephen and the other bishops because John wished to number him among his friends. On June 1 at Wingham in Kent Peter witnessed

a safe-conduct for the ship which would transport the belongings of the bishop of London, and on the same day attested seven other letters patent providing for the transfer of the exiles' holdings from the hands of the king's custodians to their own procurators.<sup>89</sup>

The archbishop landed at Dover on July 9 and journeyed with the other exiles to Hampshire where he met with the king at Porchester on the eighteenth.<sup>90</sup> The meeting must have gone smoothly, for two days later at Winchester a great event took place. According to Roger of Wendover, on the twentieth John awaited outside the cathedral the advent of the archbishop and his suffragans, and upon their approach threw himself upon the ground prostrate at their feet, weeping copiously for his sins.<sup>91</sup> At the sight of his humility Stephen and the bishops raised him up and led him to the doors of the cathedral where, reciting the fiftieth psalm, they absolved him from the sentence of excommunication. Thereupon John promised he would love and defend holy church, would renew all the good laws of his ancestors, and would restore all confiscated property before the following Easter. Langton then led the king into the cathedral and celebrated mass, after which John sat down to a joyous meal with his bishops and barons. Probably among those joining in the general euphoria was the bishop of Winchester, who in his own fashion, at least at times, had sought the consummation of the event which took place at his cathedral door.<sup>92</sup>

According to the terms of John's capitulation a final agreement had to be reached concerning reparations to the English clergy before the interdict itself could be relaxed. This not surprisingly proved difficult to arrange, since Stephen Langton, rightly suspicious of the king, wanted full reparations paid before the relaxation, while John, planning a massive continental campaign, wanted to get out as cheaply as possible.<sup>93</sup> The victor in the struggle was clearly the king: when the papal legate, Nicholas of Tusculum, proclaimed the relaxation at St. Paul's on July 2, 1214, it was amidst the ringing of bells, the singing of the *Te Deum*, and the wailing of unrecompensed clergy.<sup>94</sup> Those most responsible for bringing this about were probably the king's representatives at Rome led by John of Norwich and Richard Marsh, who prevailed upon Innocent to lighten the terms to be met by John before peace could come, and the papal representatives in England, Nicholas and the nuncio Pandulf, who, when these terms were not met, lightened them still further.<sup>95</sup> Others, however, played their part, including the bishop of Winchester, who in 1214 was serving as justiciar and vice-regent while the king was on the continent.

Early in March John sent Peter a letter he had received from Innocent demanding the payment of one hundred thousand marks in compensation before the interdict could be lifted, and about the same time the king also sent letters of his own to all the principal English towns asking for a loan (later called both an aid and a tallage) to help meet the pope's demands.<sup>96</sup> The townsmen were to follow the bishop's instructions in providing the

money, and it seems clear that as justiciar Peter was responsible for its levy and collection. When in the late spring Innocent reduced his terms to the payment of forty thousand marks before the relaxation, with the remainder to be paid in semi-annual installments of six thousand marks, Peter was one of the six men the pope required to guarantee the arrangement, and then, when in July John fell thirteen thousand marks short of the reduced sum, Peter, along with John of Norwich and the king himself, was required to guarantee this payment also.<sup>97</sup>

It was probably not as a fund collector or a guarantor that the bishop made his principal contribution to the events of July 2, however, but it was rather through his maintaining a close and amicable relationship with the pope's representatives. Unlike Stephen Langton, Peter seems to have achieved a rapport with the legate soon after the latter's arrival. In a lengthy letter to the pope on October 13, 1213, Nicholas wrote of a problem which had arisen over Langton's possession of papal letters threatening the king, which the archbishop claimed were outside the legate's purview, and which he said he planned to use unless the reparations were paid.<sup>98</sup> Further along in the letter Nicholas referred to a friendly meeting between himself and the king, which took place in Peter and Pandulf's presence. During it John promised to make various payments after the interdict's relaxation, including ten thousand marks as an aid for a crusade to the holy land, and annually one hundred marks and one hundred fifty marks respectively to two of Innocent's building projects in Rome, the hospital of S. Spirito in Sassia and the monastery of S. Sisto. As justiciar, during John's absence Peter regularly authorized the payments of Nicholas's expenses and upon various occasions entertained the legate upon his own manors.<sup>99</sup> With Pandulf, whom he had known since at least 1211, his association seems to have been closer still. Upon one occasion the nuncio spent nine days at the episcopal manor of Southwark, and his men and horses remained on the same manor some two weeks.<sup>100</sup> Also Pandulf's nephew seems to have consorted with the bishop's nephew, Peter des Rivaux.<sup>101</sup> Ever since John's submission to Rome the papal representatives had been favorably disposed to the king, but Peter's treatment of them could only have increased their inclination to see ecclesiastical matters from the royal point of view.

Such then is the record of the bishop of Winchester's role in the interdict crisis. While obviously much concerning his conduct remains obscure, enough evidence is available to allow some general conclusions. First, clearly Peter's loyalties and sympathies lay principally with John throughout the contest—as they were to do until the day of the king's death. At the same time, there were limits to what the bishop would do for his royal overlord: he observed the interdict and he took care, in the strict interpretation at least, not to furnish "service, counsel or support" to the excommunicate king in the latter's efforts against the church. Also he seems to have been more ready than John to accept the papal peace terms and probably tried

at times to nudge the king towards accommodation. Furthermore, while Peter's actions in this period may not have won Innocent's full approval (although there is no actual proof of this), he does seem to have been bishop enough for the officials at the papal curia. Indeed his good relationship with its representatives when they came to England is one of the most striking aspects of the story.

How did Langton's supporters view the "arm-bearer of Winchester"? He does not seem to have been ostracized by them: after his return from exile, the bishop of Ely, the patriarch of the archbishop's party, was a guest on Peter's manor of Farnham at a cost to his host of over forty shillings.<sup>102</sup> Still, Peter could not have been a popular figure with these clerics, and a better indication of his standing can probably be seen in the rejection of his nephew, Bartholomew, as dean of York. In April 1214 John wrote Peter that he was appointing Bartholomew dean, but on September 21 he had regretfully to inform the bishop that the appointment had proved impossible because of the uproar it had caused in the chapter which in the following year was to elect Simon Langton archbishop.<sup>103</sup> With whatever distaste the adherents of Langton may have viewed the bishop, however, his unshakeable position at the royal court, his strong ties at the papal curia, and his ability demonstrated over the interdict years to steer his course through dangerous shoals must have made him appear to them a formidable figure and a dangerous opponent.

## NOTES

1. The only account dealing at length with the actions of a particular bishop is that of J. Armitage Robinson, "Bishop Jocelin and the Interdict," *Somerset Historical Essays* (Oxford, 1921), 141-159.

2. Roger of Wendover, *Chronica sive Flores historiarum*, ed. H. O. Coxe (London, 1841-42), iii, 181, described Peter as "vir equestris ordinis et in rebus bellicis eruditus."

3. *Patrologiae latinae cursus completus*, ed. J. P. Migne, ccxv (Paris, 1891), 671-673, 754; *Regesta pontificum Romanorum, 1198-1304*, ed. A. Potthast, i (Berlin, 1874), 2549, 2636; *The Letters of Pope Innocent III (1198-1216) Concerning England and Wales*, ed. C. R. Cheney and M. G. Cheney (Oxford, 1967), 631, 664; *Annals of Winchester (Annales monastici, ii)* (London, 1865), 79.

4. Migne, ccxv, 724-725, 754-755; Potthast, i, 2595, 2601, 2635, 2636; Cheney, *Letters*, 644, 650, 664, 673; *Selected Letters of Pope Innocent III Concerning England (1198-1216)*, ed. C. R. Cheney and W. H. Semple (London, 1953), 80; W. E. Lunt, *Papal Revenues in England in the Middle Ages* (New York, 1934), ii, 62.

5. *Annals of Waverley (Annales monastici, ii)*, 257; Lunt, *Papal Revenues*, 63.

6. All the extant writs from the period dealing with castle treasuries are attested or warranted by Peter. See *Rotuli litterarum clausarum* . . . , i (Record Commission, 1833), 86b-88, 95, 99b, 100b; cf. J. E. A. Jolliffe, "The Chamber and the Castle Treasures under King John," *Studies in Medieval History Presented to F. M. Powicke* (Oxford, 1948), 117-142. By my count, during 1207 Peter's presence is actually recorded in court records on one-third of the days the king was in Hampshire, Surrey, and London-Westminster, and on one-fourth of the days John was in Wiltshire and Berkshire. The king was in this area nearly three-fifths of the time.

7. The thirteenth is discussed in *Councils and Synods*, ed. F. M. Powicke and C. R. Cheney, ii, pt. 1 (Oxford, 1964), 5-6, and S. K. Mitchell, *Taxation in Medieval England*, ed. S. Painter (New Haven, 1951), 177-178.

8. *Rotuli litterarum patentium* . . . , i, pt. 1 (Record Commission, 1835), 71b.

9. Migne, ccxv, 1044; Cheney, *Letters*, 725; D. M. Knowles, "The Canterbury Election of 1205-6," *English Historical Review* 53 (1938), 211-220.

10. Unraveling the king's reaction to the proceedings in Rome is fairly complicated because Wendover, iii, 212-213, the principal source, telescopes the distinct events of Langton's election and consecration and John's reactions to them. The best evidence of the arguments adduced by John and of his anger over Langton's election is a letter of Innocent to the king on May 26, 1207 (Migne, ccxv, 1327-30; Cheney, *Selected Letters*, 86-90, *Letters*, 756), in which the pope countered John's arguments and chastised him for his "violent and contumacious" reaction. The evidence of John's continuing hope for a favorable outcome is contained in the letters he gave his representatives returning to Rome (*Rot. lit. pat.* i, pt. 1, 69; *Rot. lit. claus.*, i, 78).

11. *Rot. lit. pat.*, i, pt. 1, 69.

12. Cheney, *Selected Letters*, 86, *Letters*, 756; Migne, ccxv, 1327; Potthast, i, 3111; *Annals of Winchester*, 80.

13. Gervase of Canterbury, *Historical Works*, ed. W. Stubbs (London, 1878-79) ii, 100; *Rot. lit. pat.*, i, pt. 1, 74.

14. Cheney, *Selected Letters*, 91-95, *Letters*, 763 and 764; Potthast, i, 3167 and 3189.

15. *Rot. lit. pat.*, i, pt. 1, 78b.

16. *Ibid.*, 80.

17. C. R. Cheney, "King John and the Papal Interdict," *Bulletin of the John Rylands Library* 31 (1948), 295.

18. *Rot. lit. pat.*, i, pt. 1, 80.

19. *Rotuli chartarum* . . . , i, pt. 1 (Record Commission, 1837), 183b.

20. *Rot. lit. claus.*, i, 107b.

21. *Ibid.*, 101.

22. *Ibid.*, 102b; *Rot. lit. pat.*, i, pt. 1, 79.

23. *Rot. lit. pat.*, i, pt. 1, 80.

24. *Ibid.*

25. *Annales monastici*, ii, 260.

26. Migne, ccxv, 1251-53; Cheney, *Letters*, 769.

27. *Rot. lit. pat.*, i, pt. 1, 80b.

28. *Rot. chart.*, 175b-180, *passim*; *Rot. lit. claus.*, i, 105b-108, *passim*. Peter attested writs or charters March 15, 17, 18, 19, 20, 22, 23, and 26, and April 2 and 4.

29. *Ibid.*, 108b. The return order for John of Norwich's lands is not dated, but it follows immediately after Peter's on the roll and employs much the same language.

30. *Ibid.*, 111.

31. *Ibid.*

32. *Ibid.*, 108b-115, *passim*.

33. *Ibid.*, 111.

34. Migne, ccxv, 1406-09; Potthast, i, 3419-22; Cheney, *Letters*, 792-796.

35. The proof of the document's existence appears in a royal letter of July 13, 1209, to



the bishops of London, Worcester, and Ely, in which John told them "et afferatis vobiscum privilegium domini papae quod de indemnitate nostra conservanda impetratum est et repositum apud Clarum Mariscum, si quomodo fieri poterit vel saltem transcriptum illius" (Gervase of Canterbury, *Historical Works*, ii, c). My interpretation of the bull's significance generally follows Sidney Painter's in *The Reign of King John* (Baltimore, 1949), 173-174, 178-182.

36. *Rot. lit. pat.*, i, pt. 1, 85-86; Cheney, "Interdict," 300-301. The whereabouts of these men is uncertain, but probably they spent most of their time in France. Philip Augustus's enmity with John, stemming from the Norman Wars, would have made them welcome there.

37. *Political Songs of England from the Reign of John to that of Edward II*, ed. and trans. by Thomas Wright (London, 1839), 10-11; also quoted in W. E. Rhodes's article on Peter des Roches in the *D. N. B.*, xv, 939. Neither the author nor the exact date of the poem's composition can be ascertained. From internal evidence it seems clear that the author, besides being passionately committed to Langton's side in the Canterbury struggle, was fairly well informed about ecclesiastical and governmental affairs. One imagines that he was a well-educated clerk residing in the southeast of England, possibly around London. All that can be definitely stated about the date of the poem's composition is that it was written between July 11, 1207, and the end of 1209. The author mentions the expulsion of the Canterbury monks, which took place on the earlier date, and also states that various bishops were in England who are known to have left the country when John was excommunicated. To narrow the time further, it seems probable that it was written after March, 1208; but this is less certain. The author depicts his heroes, the bishops of London, Worcester, and Ely, as locked in battle with the king; and the real war did not break out until the interdict was proclaimed. Also the author makes a point of stating that the fairly neutral bishops of Salisbury and Rochester were still in the country—a circumstance which makes it likely that some other bishops, namely his heroes, were not.

38. *Rot. lit. pat.*, i, pt. 1, 81-92, *passim*; *Rot. lit. claus.*, i, 108-115.

39. Cheney, *Selected Letters*, 110-114, 117-120; *Letters*, 823 and 824.

40. Migne, ccxv, 1531; Potthast, i, 3605; Cheney, *Letters*, 834.

41. Peter was the ranking bishop then in England. The bishop of London was dean of the Canterbury province, the bishop of Winchester, precentor (A. Morey and C. N. L. Brooke, *Gilbert Foliot and His Letters* [Cambridge, 1965], 227).

42. *Rot. lit. pat.*, i, pt. 1, 89b-90.

43. Gervase of Canterbury, ii, c-ci.

44. The bishop-elect of Lincoln was Hugh of Wells, the brother of the bishop of Bath. He had been one of John's foremost chancery clerks (Painter, *King John*, 79; Armitage Robinson, "Bishop Jocelin," 152-154).

45. The archdeacon of Stafford was Henry of London, a royal clerk and custodian, who was to become archbishop of Dublin in 1213 (*Handbook of British Chronology*, ed. F. M. Powicke and E. B. Fryde, 2nd ed. [London, 1961], 336). The archdeacon of Huntingdon was William of Cornhill, also a royal clerk and custodian, who was to become bishop of Coventry in 1215 (*ibid.*, 233).

46. Gervase of Canterbury, ii, c-ci.

47. *Ibid.*, ci; John of Norwich had gone to Ireland to serve as justiciar (*Annals of Dunstable* [Annales monastici, iii (London, 1866)], 30).

48. The terms are given in a document claiming to be a resumé of the conference; Gervase of Canterbury, ii, ci-ciii.

49. Giles de Briouse, bishop of Hereford, had left England in the summer of 1208 because of a bitter feud raging between his father, William de Briouse, and the king. He had, however, joined the religious exiles in France, and as other political exiles were to do later, had got himself included in the terms of the religious settlement (Painter, *King John*, 175 and 178).

50. *Rotuli de Liberate ac de Misis et Praestitis* (Record Commission, 1844), 128.

51. The Waverley annalist (*Annales monastici*, ii, 262-263), cites John's displeasure over the restitution clauses. Painter in *King John*, 180-182, concludes convincingly that the failure to produce the Clairmarais document was at least as upsetting to the king.

52. Gervase of Canterbury, ii, ciii.

53. *Ibid.*, civ-cv.

54. *Ibid.*, civ.

55. *Ibid.*, cv-cvi.

56. *Rot. lib.*, 132; *Annals of Waverley*, 263.

57. *Ibid.*

58. Gervase of Canterbury, ii, cxi-cxii.

59. Cheney, *Selected Letters*, 123.

60. The bishoprics of Durham, Exeter, Coventry, Chichester, and Lincoln were vacant (*Handbook of British Chronology*, *passim*). Besides the interdict trio, Giles of Hereford had fled the previous year because of a feud between his father and John (see note 49), and Geoffrey of York had left earlier still over the king's taxation policies. John of Norwich had been made justiciar of Ireland the previous year, last appearing in extant records in England on July 17, 1208 (*Annals of Dunstable* [*Annales monastici*, iii], 30; *Rot. lit. pat.*, i, pt. 1, 85). Bernard of Carlisle's whereabouts are unknown (Cheney, *Selected Letters*, 125); but since his was easily the most remote of the English dioceses, it seems safe to assume, whether he remained in his diocese or not, he had no contact with the king. The bishops of Salisbury and Rochester may have remained in Scotland with John's consent since between 1209 and 1212 he largely controlled the policies of the Scottish royal house (*Interdict Documents*, 4-5); for Jocelyn of Bath, see *Councils and Synods*, ii, pt. 1, 12.

61. *Rot. lib.*, 134, 156. The roll probably affords a reasonably accurate picture of the bishop's attendance pattern. His name often appears in the earlier portions of the roll, stemming from the period prior to John's excommunication (*Ibid.*, 110-112, 117-122).

62. *Ibid.*, 169.

63. One cannot be sure that the bishop was at the manors when the king was because, unlike the earliest extant Winchester roll, the later ones do not give the dates of royal or episcopal visits. *Pipe Roll of the Bishopric of Winchester, 1210-1*, ed. by N. R. Holt (Manchester, 1964), 35, 43, and 97; *Pipe Roll of the Bishopric of Winchester, 7 Peter des Roches (1211-12)* (Ref. Ch. Comm. 159271), Twyford, Knoyle, and Downton membranes.

64. *Rot. lib.*, 142.

65. *Pipe Roll 13 John* (London, 1953), 162, 185, and 259-260. There seems to have been some question over the validity of the quittances for the knights of his custodies. Their scutage was demanded from him the next year (*Pipe Roll 14 John* [London, 1955], 69 and 74); but he did not pay it then, nor does he seem to have done so later.

66. D. M. Stenton, *English Justice, 1066-1215* (Philadelphia, 1964), 212-213; *Pipe Roll 12 John*, 168.

67. *Rot. lib.*, 237.

68. *Curia Regis Rolls of the Reigns of Richard I and John*, vi, 30.

69. *Annals of Dunstable*, 32.

70. *Rot. lib.*, 188, 197, 203, and 246.

71. *Winchester Pipe Roll 1210-1*, 35, 41-43, 64, 92, and 98; *Winchester Pipe Roll, 7 des Roches, Downton, Cheriton, and Knoyle membranes*.

72. *Pipe Roll 12 John*, 203.

73. Ibid.

74. In March 1213, after John had agreed to accept Langton, the pope ordered the archbishop to suspend from their offices and benefices in England all clerics who had "furnished to John king of England, while excommunicated, service, counsel, or support in what he had presumed to do contrary to justice and ecclesiastical liberty." The guilty could get their offices back only if the pope should decide to restore them after they had traveled to Rome as supplicants (Cheney, *Selected Letters*, 139-140; *Letters*, 908). Richard Marsh, possibly John's chief agent in wringing money from the clergy during the interdict, went to Rome to seek absolution late in 1213. According to the *Chronica de monasterii de Melso*, ed. E. A. Bond (London, 1866-68), i, 326-327, Richard was the man "qui praedictae exactioni praeerat, et cujus consiliis rex Johannes eo tempore innitebatur." He made an excellent impression on Innocent, was absolved and put under papal protection (Cheney, *Letters*, 949-951; Potthast, i, 4892, 4893, and 4895). He was accompanied on the trip by John of Norwich, who may also have been seeking absolution or may simply have gone to transact royal diplomatic business—an undertaking in which Richard too was engaged.

75. Cheney, *Selected Letters*, 125-127; *Letters*, 892.

76. Gervase of Canterbury, ii, cx-cxii. Langton cites Peter's case twice: "Adjecerunt etiam quod justitarius praesentibus magnatibus Angliae dixit quod nullus eorum consuleret regi quod pacem faceret, nisi provisum esset ei sufficienter in dignitate sua salvanda; quia consequenter possent timere quod dignitates ipsorum magnatum laederentur. Adjecit etiam quod ab hoc consilio nullum magnatum excludere nisi dominum Wintoniensem, qui tunc praesens erat sicut ipsi nuntii dixerunt." Also, "Dixerunt enim ut supradiximus quod in hoc omnes magnates convenerunt sicut justitarius dicebat, qui solum dominum Wintoniensem excludere, quod de consilio eorum rex non faceret pacem nisi haberet privilegium de dignitate sua salvanda."

77. If Peter limited his services to the excommunicate king strictly to the secular sphere, this would probably have been enough to prevent papal sanctions from being imposed against him. It is, of course, unnecessary to believe that Innocent viewed Peter's tight rope act with any great favor. In 1214 the pope seems to have refused to allow the bishop's postulation to York, and Peter's actions during the interdict may have been a factor in his decision. See Cheney, *Selected Letters*, 211. The announcement of Peter's postulation appears in Geoffrey of Coldingham (*Historia Dunelmensis Scriptores Tres* [Surtees Society, 1839], 28-29). I owe this reference to Professor Cheney.

78. *Annals of Burton (Annales Monastici)*, i (London, 1864), 209-217.

79. *Pipe Roll of the Bishopric of Winchester, 1210-1211*, 154.

80. *Documents Illustrative of English History in the Thirteenth and Fourteenth Centuries*, ed. H. Cole (Record Commission, 1844), 263.

81. *Councils and Synods*, ii, pt. I, 13-17.

82. Ibid., 17-19.

83. John of Norwich and William Marshal had come from Ireland with a levy of troops to help in the defense against Philip Augustus. See Roger of Wendover, iii, 245-246, and Sidney Painter's *William Marshal* (Baltimore, 1933), 175.

84. On May 8 John had sent a single messenger to Peter and Richard Marsh (Cole, *Documents*, 263).

85. Peter's presence at court can actually be proved on nearly half the days within the eight weeks. See *Rot. lit. pat.*, i, pt. I, 98b-99 and 101-102; *Rot. chart.*, 192b-194; *Rot. lit. claus.*, i, 134b, 136-137, 138, and 143b-144; *Rotuli de oblatiis et finibus* (Record commission), 466-475.

86. Ibid.; *Rot. lit. pat.*, i, pt. I, 99b and 102; *Rot. lit. claus.*, i, 137, 138, and 144.

87. *Councils and Synods*, ii, pt. I, 15; *Rot. lit. pat.*, i, pt. I, 98b-99.

88. *Rot. lit. pat.*, i, pt. i, 99.

89. *Ibid.*

90. For the date of the archbishop's return, see Fred A. Cazel, "The Last Years of Stephen Langton" in the *English Historical Review*, 71 (1964), 689. It is possible that various exiles returned at different times. Walter of Coventry, ii, 213, gives June as the time of their return, and John of Norwich left court around June 11 to bring some of them back (*Rot. lit. claus.*, i, 137b). John had returned by June 27 (*ibid.*, 144). The time of the Porchester meeting appears in *Rot. chart.*, 193b-194.

91. Roger of Wendover, iii, 260-261.

92. There is no document to show Peter present at Winchester on the twentieth, but obviously he must have been there. *Rot. chart.*, 194b, shows him there on July 21.

93. For Langton's position, see F. M. Powicke, *Stephen Langton* (Oxford, 1928), 104; and H. G. Richardson and G. O. Sayles, *The Governance of Mediaeval England* (Edinburgh, 1963), 352-354; for John's position, see Painter, *King John*, 195-197.

94. Roger of Wendover, iii, 283-285.

95. Cheney, *Selected Letters*, 188-190; *Letters*, 976.

96. *Rot. lit. pat.*, i, pt. I, 111b; *Pipe Roll 16 John* (London, 1962), xvii; *Foedera, conventiones, litterae*, ed. T. Rymer (Record Commission, 1816-1830), i, pt. I, 118.

97. Roger of Wendover, iii, 283-284; Cheney, *Selected Letters*, 188-190, *Letters*, 976.

98. "La prima relazione del Cardinale Nicolo de Romanis sulla sua legazione in Inghilterra," ed. A. Mercati, *Essays in History presented to R. L. Poole* (Oxford, 1927), 274-289. Powicke in *Stephen Langton*, 104, writes of the division between Nicholas and Stephen in a manner favorable to the latter while Richardson and Sayles, *Governance of Mediaeval England*, 352-354, strongly side with the legate.

99. *Rot. lit. claus.*, i, 205b, 210, 211; *Pipe Roll 16 John*, 28, 123; Pipe Roll of the bishopric of Winchester, 9 Peter des Roches (1213-14) (Ref. Ch. Comm. 159272), Mardon, Clere, Downton, and Taunton membranes.

100. Winchester Pipe Roll, 9 des Roches, Farnham and Southwark membranes.

101. *Ibid.*, Southwark membrane.

102. *Ibid.*, Farnham Membrane.

103. *Rot. lit. pat.*, i, pt. I, 1136; *Rot. lit. claus.*, i, 202b; in the Winchester Pipe Roll for 1213-1214 (9 des Roches, Clere and Itchingswell membranes) Bartholomew is referred to as dean of York. Innocent quashed Simon's election (Cheney, *Selected Letters*, 210-211; *Letters*, 1017).