

The Mural Mansions of Oxford: Attempted Identifications

By HILARY L. TURNER

SUMMARY

An attempt to identify the properties of those named in a writ of 1227 to the sheriff of Oxford demanding service of repairing the walls shows that a majority lay in the NE ward, within a probable extension of the early Anglo-Saxon burh. It is suggested that this reflects the transference of wall-service from county manors to town-dwellers, replacing the older system of the Burghal Hidage. The article concludes by examining changing conceptions of the service in a wider context.

In this article an attempt is made to identify the properties belonging to citizens of Oxford named in a writ to the sheriff of Oxford dated April 1227. In it he was commanded to demand from those named the service of repairing the wall, which they owed in respect of their tenure of property, the mural mansions. As so often in Oxford history, this effort became feasible because of the work of H.E. Salter on property ownership.

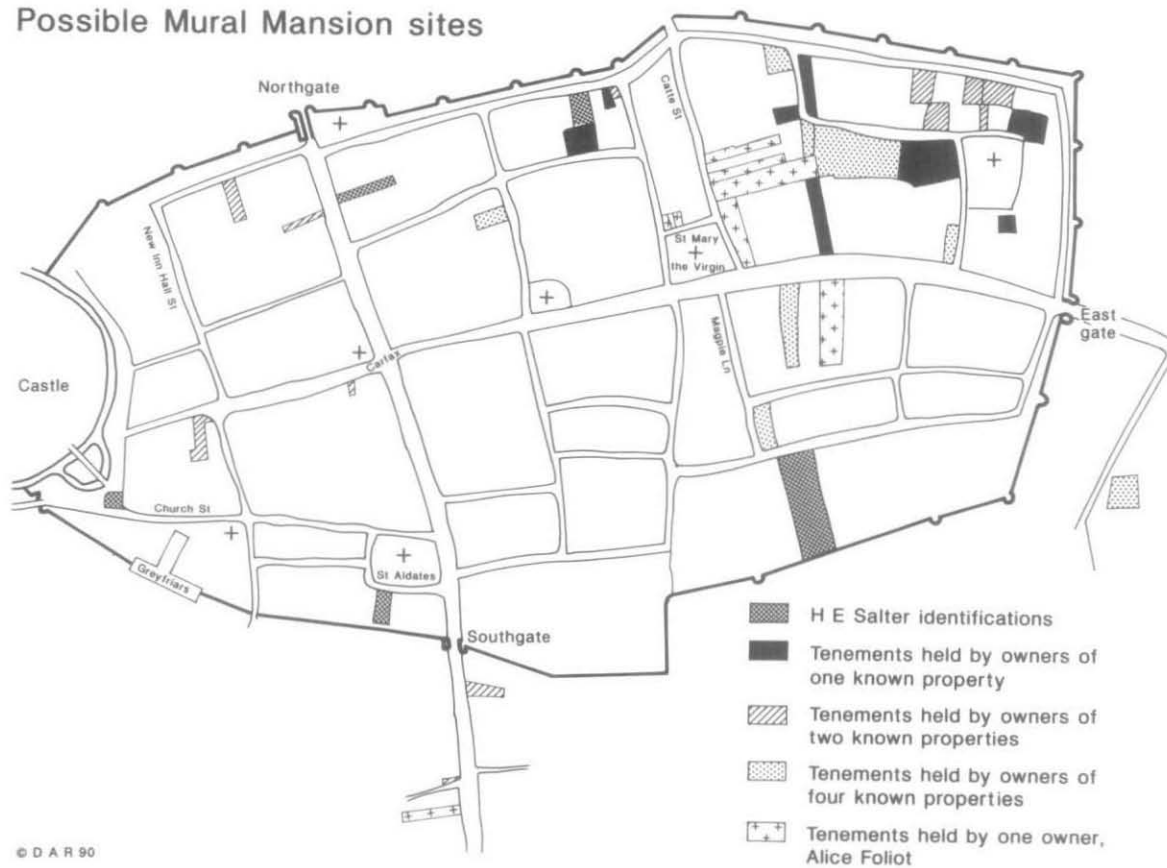
Thirty-four people are named; the two corporate owners, the prior of St. Frideswide (abbreviated to SF) and the master of St. John's Hospital (abbreviated to HSJ), have been excluded from attempted identification on the grounds that they already owned too many properties by 1227, for none of which would it be possible to isolate the obligation to provide labour service; fourteen names make no appearance either in Salter's *Survey of Oxford* or in the series of cartularies printed by the Oxford Historical Society (OHS).

This leaves the possibility of identifying eighteen property-holders, in a total of 36 tenements. Nine people have been shown to hold a single property; of the nine others, six held two properties, two held four and one held seven. There is no way of deciding on which tenement the obligation fell, since there is never any indication, other than the existence of the writ itself, that the obligation was still considered to exist. With one exception, the link to the manors of the county which existed, whether in practice or merely as a memory, when Domesday Book was compiled, had almost certainly disappeared. I suspect that the list was compiled on hearsay and what the neighbours remembered.

There is a further difficulty in so far as the deeds only once relate exactly to the year 1227; in other cases, they date up to 27 years earlier and as far distant as 52 years later. The Hundred Rolls of 1279 are the latest source used. The custom of reciting a property's chain of descent, whether through a family or its various purchasers, here stands us in good stead. A generation has been taken to be between 35 and 40 years.

Only once do two names, that of husband and widow, appear in connection with the same property, NE 125. It has not been counted twice. The ownership details of all

Possible Mural Mansion sites



© D A R 90

Fig. 1. Possible Mural Mansion Sites.

identifications have been summarized; full details are in H.E. Salter, *A Survey of Oxford* (OHS n.s.14, 20, 1960, 1969), *passim*. Other abbreviations are:

Cart. HSJ = *Cartulary of the Hospital of St. John the Baptist*, ed. H.E. Salter (OHS 66, 68, 69, 1914-17).

Cart. SF = *Cartulary of St. Frideswide's*, ed. S.R. Wigram (OHS 28, 31, 1894-96).

Cart. Osen. = *A Cartulary of Oseney Abbey*, ed. H.E. Salter (OHS 89, 90, 91, 97, 98, 1929-36).

All the identifiable properties have been marked on the map, fig. 1.

Those named in the writ:

Thom' de Godestow

NE 75 c.1228 Henry Unwas grants to HSJ a rent . . . on his land between Thomas de Godestow (W) and HU (E). Salter stated that this ten. was attached to a manor in the county, but could not identify it.

Walterus Longus

NE 76 c.1228 Henry Unwas grants to HSJ a rent paid by WL on his land.
SW 19 1279 Rad. Plumbarius holds a ten. which WL gave him in marr. to his dau. Salter also traced WL owning a ten. in St. Giles (not numbered) destroyed by 1279: ii, 92.

Simon son of John

NE 186 c.1225 Emma . . . holds land betw. Harding Palmer (W) and Simon fil' Iohannis (E across the road), s.v. NE 187.
NE 201 1226 Simon s. of John sells . . .
SE 37 c.1220 Simon fil' Iohannis grants his portion of land . . .
SE 56 c.1250 A. de S. and his wife Agnes fil' Simonis fil' Iohannis grant to S. Frid. . . . *Cart. SF*, i, 374. The house was 12 ft. wide with an archway 17 ft. wide.

John son of Wm. de St John

NE 55 c.1200 Roger Pompe sells to Will. de St. John.
c.1231 John de St. John clericus gives to Oseney.
NE 206 c.1225 Will. de St. John bought land from Torald cordwainer.
1231 John de St. John gives it to Oseney.
NE 207 1248 John Pileth gives to Oseney a rent of 12d. from a ten. wh Will. Culverd holds . . . once of Will. de St John.
SE 71 c.1206 Walter de Brehull sells to Will. de St. John, *Cart. Osen.* i, p. 310.
c.1234 John de St. John clerk leaves it to Osen.

Ric' Balric

NE 230 1235 Prior of Hosp. of Jerusalem to hear a dispute betw. Ric' Barliche and Will. Furner: *Cart. Osen.* i, p.269.

Alice . . . (Almost certainly this should be identified as Alice Foliot, heiress of John de Oxonia, bp. of Norwich: *Cart. Osen.* s.v. no. 308).

NE 99 c.1220 Alice (F.) gives to S. Frid. a rent of 6d.
NE 125 c.1230 Alice, d. of Walter Foliot, widow of Rad. s. of Robert grants a rent . . . to S. Frid.
NE 126 c.1230 Alice F. grants S. Frid. a rent . . .
NE 128 c.1230 Alice F. grants to S. Frid. a rent . . .
NE 164 c.1220 Alice F. grants to S. Frid. a rent . . .
SE 39 c.1260 Alice dau. of Walter F. grants to S. Frid. a rent . . .
SW 13 c.1220 10d. given by Alice F. to S. Frid.: *Cart. SF* i, 173.

- Roger Wistle and Emma his wife*
NE 79 c.1240 Roger Wistle gives to Nic. Wistle. . . .
- John de Estgate*
NE -?- 1231/44 *Cart. HSJ* i, p.403-7; no Salter number.
- Will' Piggessfote*
NE 204 c.1228
1257 WP sells to Peter son of Thorold
Elinor widow of Hen Thorold agrees . . . that the rent of two houses shall be
used to pay a debt of P. Thorold, her father-in-law: *Cart. Osen.* i, pp. 257-8.
- Rog' fil' Stephani*
NE 224 1272
NW 49 1260 Simon son of Roger son of Stephen . . . grants the land . . .
Roger son of Stephen mentioned as the heir: *Cart. Osen.* ii, p.46.
- Mabiliam q.f.uxor Will' de Reyns*
NE 221 1272 MR gives to Hugh of Bridgewater a house: *Cart. HSJ* i, p.364. Salter suggested
she should be seen as the daughter of William, not his wife.
- Galf' Picot (Malin)*
NE 222 1227 HSJ grants to Galf' Malin (alias Picot) and Mabilla his wife. . . . *Cart. HSJ* i,
364.
- Walterus le Serjant*
NE 234 1253 M. Quatermayn grants a mess. betw Osen. (W) and land of Is. Lavender (E),
w. a rent to Rikeyse dau. of Walter le Serjent: *Cart. Osen.* i, p. 245-6.
NE 227 1248 MQ grants another ten. (NE 232) which had Rikoisa [sic] to S: *Cart. Osen.* i,
p.247.
- Isabella la Lavendere*
NE 235 1252 s.v. NE 232-4: mention of IL to the E, which gives us NE 235.
NE 231 1248 M. Quatermayn grants NE 232 with Isabella Lotrix to E. *Cart. Osen.* i, p.247.
- Vivian de Bray*
NE 208 c.1234 mentioned *Cart. Osen.* i, pp.276-9. Vivian the son of Radulfus fil' Roberti and
Alice Foliot; there was a lawsuit betw. father & son in 1224 about a house in
Oxford, prob. this one: *Bracton's Notebook*, ii, 717. *Cart. Osen.* i, no. 308.
- Hen fil' Petri et Alic' matrem eius*
SW 152 1180-c.1230 land leased to Hen. fil. Petri, the rent given to S. Frid. c.1230.
NW 83 1279 Mag. Guido has a large ten. by Agnes his wife, she of Hen. her father, he of
Pet. fil' Gaufridi.
- Rad. son of Robert*
NE 172 c.1250 Rob. s. of Ralf s. of Rob son of Durand gives to S. Frid. the land which Rob.
Calvus held of his grandfather. It is far from clear which grandfather is
meant; it could be either without making any difference in terms of
generations.
- Rad' le Palmer*
SE 148 c.1275 Hugh s. of Ralf Palmer grants to Godstow a rent . . . under the wall 'at
Shullewyngstole': *Godstow Eng. Cart.* 396.
SW 138 c.1260 Nic. le Palmer son of Ralf le Palmer gives to Littlemore a rent . . . from a
house where Rob. de Egnesham once dwelt: *Cart. Osen.* ii, 56.
- Less certain identifications:*
- Aliciam . . .*
N 53 c.1240 Walter de Cestreton . . . grants . . . a mess. acquired from Alicia d. of
Augustine . . .

NW 61 1279

Oseney has a seld of Phil. Molend, he of Cecilia his wife, she of Alice her mother, she of Adam her father. Phil M. had it by 1247. (But it is more likely to be Alice Foliot, see above).

No identification possible:

Joh. Crape, Mat' fil' Will', Will de Moy, Ric' de Cruce, Rob' de Beckhampton, Galf le Macun, Rob' Operarium, Gunnildam wid. Godwini Carretar', Phil' Scriptor, Andree fil' Wigod, Gilebert Bagge, Thom' le Canun, Will' le Batur, Will Burnet.

Five other mural mansions were identified by H.E. Salter,¹ using other sources than mine: SE 204, SW 85b, SW 99, NE 14 and NE 74. NE 14 had links to Pyrton, SE 204 to Watlington. For the sake of completeness, they too have been shown on the map.

Looking at the distribution of the identifiable tenements in more detail, it is immediately clear that the majority lie in the north-east ward: 27 out of the total of 41. The nine properties of the single owners all fall in the NE ward, and all but two of the nine lie east of a line south down Catte Street. The same proportion is true of Salter's identifications; two of his five lie in the NE ward, both west of this line.

Out of the 27 properties held by the nine owners of more than one property, 11 lie outside the NE ward and 16 inside it. The majority, 16, thus still fall within the boundaries of the NE ward; 3 lie west of Catte Street (NE 56, 76, 99).

Thus, setting aside the problem of exactly identifying the mural mansions amongst the identifiable tenements, we are left with the majority of possible mural mansions sited not only in the NE ward, but also east of the line which ran roughly to the west of Catte Street and Magpie Lane and which may represent an eastward extension of the original Saxon *burh* of Oxford.²

It is a reasonable assumption that the houses of 1227 include at least some of the 282 noted in Domesday Book, 117 of which were even then 'waste', i.e. it was probably not possible to secure from them the service of repairing the wall.³ In 1086 therefore, a theoretical maximum of 282 houses, but in fact only 165, could actually be called upon to perform the service laid on them. In 1227 we have identified a maximum of 41, and in reality probably far fewer.

If we turn to Salter's *Survey* and count the number of tenements lying east of Catte Street we arrive at a total of 169. Except for sub-division or amalgamation, property boundaries in Oxford changed little from century to century, and it thus does not seem to me to be entirely implausible to argue that these same properties had been the newest in the town in 1086, those sheltering within a postulated extension of the original *burh*.

This concentration in the NE ward of properties liable to wall-service may show the transference of the duty from the men of the shire (and the manors in the county) to the town-dwellers, and mark the first stage of the development of civic responsibility for civic property; it should be noted that four of Salter's mural mansions, each with a definite link to a manor, are sited within the original *burh*. I suggest that these identifications, together with those of mine west of the postulated Catte Street extension, represent the older

¹ 'An Oxford Mural Mansion', in J.G. Edwards, V.H. Galbraith and E.F. Jacob (eds.), *Essays presented to Tait* (1933), 299-303.

² *V.C.H. Oxon.* iv (1979), 6, 8, 10.

³ I cannot achieve either the totals quoted by Salter in *Medieval Oxford* (Oxf.Hist.Soc. 100), 22-25, or those in *V.C.H. Oxon.* i (1939), 389-391, from the text printed in *ibid.* 396-398.

system of the Burghal Hidage, where responsibility for *burh-bot* lay on the men and manors of the shire.

Secondly, the incidence of mural mansions within this postulated extension may in fact confirm its existence. The dimensions of the original *burh* of Oxford, rather smaller than those of the late medieval town, can be roughly established from the Burghal Hidage; in the extension, those who benefited from protection had also to contribute towards it.⁴

Without doubt, by the early 13th century it was virtually impossible to enforce the labour service, either in Oxford or wherever else it can be traced, for example Malmesbury. Clause 23 in Magna Carta, which states that no man shall be distrained to make bridges unless he owed the duty of old, suggests difficulty in compelling *burh-bot*, another of the services of the *trinoda necessitas*. If they were indeed impractical, it would explain the emergence of the murage tax, levied on goods coming for sale in the town which sought to build walls, first found in the 1220s.

The change-over may be studied by looking at the development and change of *brig-bot*, the duty of repairing bridges, for which there is some 13th-century evidence. As with fortification, the immediate obligation to repair bridges rested generally on the land, and from there was commuted into either a money payment or a toll. By the end of the 12th century the inhabitants of a chartered borough might be able to claim exemption from the payment of a long list of tolls, amongst which was one called pontage. First added to the list of exemptions in the charter granted to the burgesses of Colchester in 1189,⁵ it became a widely granted exemption in the following years. By this time the duty had already changed its nature, and had become a money payment, though whether it was regarded as a commuted duty or a toll is not clear. The Pipe Roll for 1202 contains an incomplete entry headed pontage,⁶ but again it is not clear whether this represents the collection of toll by a royal official or the payment of the commuted duty. The provision in Magna Carta, referred to above, suggests that the obligation was normally thought of in terms of labour service, and one which was no longer adequate. In 1227 pontage as a toll appears again,⁷ suggesting that *brig-bot*, its development and continued use traceable through 12th-century evidence, had reached the same stage of development as murage when first it receives documentary notice. As with the obligation to fortify, *brig-bot* continued to exist, and it remained important into the 14th century as the means whereby, for example, the bridge at Rochester was maintained.⁸ Lands could in the course of time secure a chartered or prescriptive immunity from the charge. If they did not, the system remained in operation, at least in theory, as is shown by Maitland's example of the lands of the Duke of Bedford charged in the middle of the 18th century with the maintenance of the bridge at Cambridge.⁹ It seems possible that the two systems providing for the maintenance of bridges may have worked concurrently rather than consecutively throughout the middle ages.

The development of murage almost certainly runs on the same lines, for *burh-bot* had the same connection with land as *brig-bot*; it is demonstrated in charter evidence from Ipswich, Bury St. Edmunds and Wallingford.¹⁰ The link can be shown to have continued

⁴ The evidence is summarized in *V.C.H. Oxon.* iv, 300-304.

⁵ *Cal. Charter Rolls*, i, 140.

⁶ *Pipe Roll*, 4 John, 72-3.

⁷ *Cal. Pat. Rolls 1225-32*, 173.

⁸ *Cal. Inquis. Misc.* ii, no. 1846, p. 459.

⁹ W. Maitland, *Township and Borough* (1898), 37.

¹⁰ H.L. Turner, *Town Defences in England and Wales* (1971), 30.

in the 13th and later centuries. At Winchester, the priory of St. Swithun was responsible for the repair of the wall between the South gate and King's gate,¹¹ and in Southampton the priory of St. Denys was responsible for the tower of the same name.¹² At the end of the 13th century it was still considered worthwhile at the abbey of Malmesbury to bring up to date the list of those on whom responsibility for wall repairs fell.¹³ In 1325 at King's Lynn jurors asserted that various named towns were responsible for the repair of the southern bretasche, and the community of Lynn for that of the south bridge.¹⁴ The last example of the relationship between murage and land comes from a deed of the time of Henry VI in which William Lord le Zouch of Totnes granted to Reginald Wise 'all his murage land without the East gate of the vill'.¹⁵

There is, however, also evidence to show that the connection between land and service was becoming weaker, and that it was finally replaced by the murage toll. At Lewes, earl John de Warenne was said to have exacted £5 from each knight's fee in the Honor of Lewes towards the cost of walling the town.¹⁶ This was probably in 1267, in which year the earl specifically released the abbey of Hyde from all claims for walling the town due from their manors of Southease and Telscombe. The previous year a grant of murage had been made to the town at the earl's request.¹⁷

The Oxford writ of 1227 was demanding the old labour service. In most cases it was refused, and commuted for a cash payment. It does, however, fit into the same pattern as evidence found elsewhere, namely that until it was deliberately severed, the link between labour and land was acknowledged to exist.

That it was thought feasible in 1227 to summons the owners of properties recorded as liable for *burh-bot* 141 years before should not, however, cause any surprise. In the late 14th century the idea of levying a cash rate on properties for wall repair became widespread; extended still further in later centuries to pay for other services, the link between property and the financing of local government schemes lasted until March 1990.

The Society is grateful to New College and Pembroke College, Oxford, for grants towards publication of this paper.

¹¹ *Cal. Close Rolls 1237-42*, 449.

¹² Quoted from *Procs. Hants. Field Club*, iv (1905), 94.

¹³ A. Ballard, 'The Walls of Malmesbury', *Eng. Hist. Rev.* xxi (1906), 98-105. The wall was divided into 26 sections; liability for repair can be traced in 25 cases. Ballard traced contributory properties in other towns, *Domesday Boroughs* (1904), 39-40.

¹⁴ Quoted from H.J. Hillen, *History of the Borough of King's Lynn* (1907), 760.

¹⁵ H.R. Watkins, *History of Totnes Priory and Medieval Town* (1914), i, 347; the document was missing in 1913 and 1972.

¹⁶ *Rot. Hund.* ii, 210.

¹⁷ Quoted from *V.C.H. Sussex*, vii, 7; B.L. Add. MSS. 5700, f.91.