

E. DOCUMENTS OF THE ANGLO-NORMAN PERIOD

CARL STEPHENSON & FREDERICK GEORGE MARCHAM, ED., SOURCES OF ENGLISH CONSTITUTIONAL HISTORY
(rev. ed., New York, 1972), pp. 1:39-46, 49-54 (Nos. 20-22, 25)

WILLIAM I: WRITS CONCERNING INQUESTS AT ELY

(A) CONFIRMATION OF LIBERTIES FOR THE ABBOT OF ELY (c. 1080)

William, king of the English, to all his faithful men and his sheriffs in those counties where the abbey of Ely possesses lands, greeting. I command that, in borough and out of borough, the abbey of Ely shall have all its customs: namely, *sac* and *soke*, *toll* and *team*, *infangenþeof*, *hamsocn*, *gryðbryce*, *fihtwite*, *fyrðwite*,¹ and all other forfeitures within its own land and from its own men. These [liberties], I say, it shall have as it had them on the day King Edward was alive and dead and as, according to my command, they were proved at Kentford by [the oaths of] various shires in the presence of my barons: namely, Geoffrey, bishop of Coutances; Abbot Baldwin, Ivo Taillebois, Peter de Valognes; Picot, sheriff [of Cambridge]; Tihel de Heluin, Hugh de Hosdeng, Jocelyn of Norwich, and many others.

Witness, Roger Bigod.

(Latin) Hamilton, *Inquisitio Comitatus Cantabrigiensis*, p. xviii.

(B) MANDATE FOR A RENEWED INQUEST (1082)

William, king of the English, to Lanfranc, archbishop [of Canterbury], and Roger, count of Mortain, and Geoffrey, bishop of Coutances, greeting. I command and instruct you that you again cause to be assembled all the shires that were present at the plea held concerning the lands of the church of Ely before my wife last came to Normandy. Let there also be present with them those of my barons who can suitably attend, those men who were at the aforesaid plea, and those who hold lands of the same church. When these men have been brought together, let several be chosen of those Englishmen who know how the lands of the said church lay on the day that King Edward died, and let whatever they may say in that connection be testified to on oath. When that is done, let restitution be made to the church of those lands that were in its demesne on the day of Edward's death, except those which men shall claim as having been given them by me. These [lands] then signify to me by letters, [telling] what they are and who holds them. But those holding thegnlands² that beyond doubt should be held of the church shall make peace with the abbot as best they may; and if they refuse [to do so], the church shall keep their lands. Let the same be done with regard to those holding *sac* and *soc*. Lastly, order those men to repair the bridge of Ely who up to now, by my disposition and command have been accustomed to do so.

(Latin) *Ibid.*, p. xviii.

RETURN FROM THE DOMESDAY INQUEST (1086)

Here is written down the inquisition of the lands [of Cambridgeshire] as made by the king's barons:³ namely, by the oath of the sheriff of the shire; of all the barons, their Frenchmen, and the whole hundred [court]; of the priest, the reeve, and six villeins from each vill.⁴ Then [is set down] how the manor is called, who held it in the time of King Edward, who holds it now, how many hides there are, how many ploughs in demesne, how many ploughs of the men, how many men, how many villeins, how many cotters, how many serfs, how many freemen, how many sokemen, how much woods, how much meadow, how many pastures, how many mills, how many fishponds, how much has been added or taken away,

¹ [All these terms appear in Anglo-Saxon documents. Their meaning is controverted, but they seem to refer, respectively, to the following: *sac* and *soke* 'jurisdictional rights over certain persons or profits of justice in certain places'; *toll*, as in modern English, the right to collect 'toll'; *team*, 'vouching to warranty or the right to collect fees for it on one's own land or elsewhere'; *infangenþeof*, 'the right to punish thieves caught on the property'; *hamsocn*, 'jurisdiction over house-breaking'; *gryðbryce*, 'jurisdiction over breaches of the peace'; *fihtwite*, 'jurisdiction or fines for cases involving bloodshed'; *fyrðwite*, 'jurisdiction or fines for cases involving neglect of military service.']

² Lands that before the Conquest had been held of the church by thegns. Men styled thegns occasionally appear in Norman documents, but they were generally supplanted by French knights.

³ See Round, *Feudal England*, pp. 3 f., 118 f. On this fundamental criticism all subsequent study of Domesday is based.

⁴ [The same collection of people are described in article 7 of the so-called 'Laws of Henry I' as attending the county court.]

how much it was worth altogether and how much now, and how much each freeman or sokeman had or has there. All this [information is given] three times over: namely, in the time of King Edward, when King William gave it out, and how it is now—and whether more can be had [from it] than is being had.

These men swore. ...⁵

(Latin) *Ibid.*, pp. 97 f.

EXCERPTS FROM DOMESDAY BOOK

(A) HEREFORDSHIRE

In the city of Hereford, in the time of King Edward [TRE],⁶ there were 103 men dwelling together inside and outside the wall, and they had the customs hereunder noted.⁷ If any one of them wished to leave the city, he could, with the consent of the reeve, sell his house to another man who was willing to perform the service owed from it, and the reeve got the third penny from this sale. But if any one, because of his poverty, could not perform the service, he gave up his house without payment to the reeve, who saw to it that the house did not remain vacant and that the king did not lose the service. Every entire messuage (*integra masura*) inside the wall rendered 7½*d.*, and [also] 4*d.* for the hire of horses; and [the holder] reaped for three days at Marden⁸ and spent one day gathering hay wherever the sheriff wished. Whoever had a horse went thrice a year with the sheriff to the pleas and the hundred [court] at Wormelow.⁹ When the king engaged in a hunting expedition, one man customarily went from each house to serve as a beater (*ad stabilationem*) in the wood. Other men, who did not have entire messuages, found guards for the [royal] hall when the king was in the city. On the death of a burgess who served with a horse, the king had his horse and arms.¹⁰ From him who had no horse, when he died, the king had either 10*s.* or his land, together with the houses [on it]. If any one, overtaken by death, had not divided what he possessed, the king had all his chattels (*pecunia*). These customs were had alike by those living in the city and by those dwelling outside the wall, except that an entire messuage outside the wall rendered only 3½*d.* The other customs were common [to both groups].

Any man's wife who brewed inside or outside the city gave 10*d.* according to custom. There are six smiths in the city, each of whom gave 1*d.* for his forge. Each of them made 120 shoes (*ferra*) from the king's iron, and to each of them 3*d.* was customarily paid on that account, and these smiths were quit of all other custom. Seven moneyers were there; one of them was the bishop's moneyer. When the coinage was changed, each of them gave 18*s.* to obtain the dies, and from the day on which they returned each of them gave the king 20*s.* for one month.¹¹ When the king came to the city, the moneyers made for him as many pennies as he wished—that is to say, of the king's silver. And these seven had their *sac* and *soc*. When any moneyer of the king died, the king had 20*s.* as relief.¹² But if he died without having divided his cash (*censum*), the king had all of it. If the sheriff went into Wales with an army, these men [of Hereford] went with him. But if any one was summoned to go and did not do so, he paid 40*s.* fine to the king.

In this city Earl Harold¹³ had 27 burgesses enjoying the same customs as the other burgesses. From this city the reeve rendered £12 to King Edward and £6 to Earl Harold, and he had in his farm all the

⁵ Here follows a long list of names, arranged hundred by hundred. These groups were the juries that made the original returns. Domesday Book is a compilation made by condensing such material and rearranging it, so that the manors are enumerated as land of the king or land of a particular baron.

⁶ [TRE is the Domesday abbreviation for "in the time of King Edward" (*tempore regis Edwardi*). CD]

⁷ On the interpretation of the following entries, see especially Round, in *Victoria History of the County of Herefordshire*, I, 263 f.

⁸ A nearby royal manor.

⁹ This was south of Hereford, toward the wild region of Archenfield. On such a trip the sheriff needed an armed escort.

¹⁰ The heriot of the ordinary thegn in Canute, II, 71 (above, p. 24). Cf. the moneyers of Hereford, the Welshmen of Archenfield, and the thegns of Nottinghamshire in the following passages.

¹¹ Presumably a pound a month, for relatively large sums were reported from mints elsewhere.

¹² The Anglo-Saxon heriot. See n. 9 [above].

¹³ The Normans refused to recognize Harold's title to the throne.

aforesaid customs.¹⁴ The king, however, had in his demesne three forfeitures: namely, breach of his peace, house-breaking, and assault by ambush. Whoever committed one of these [offenses] paid the king 100s. fine, whosoever man he was.¹⁵ Now the king has the city of Hereford in demesne,¹⁶ and the English burgesses who dwell there have their previous customs. The French burgesses, however, are quit, through [payment of] 12d., of all forfeitures except the three aforesaid.¹⁷ This city renders to the king £60 by tale in assayed money.¹⁸ Between the city and the eighteen manors that render their farms in Hereford £335 18s. are accounted for, besides the pleas of the hundred and county [courts].¹⁹

In Archenfield the king has three churches. The priests of these churches undertake the king's embassies into Wales, and each of them sings for the king two masses every week. When any one of them dies, the king customarily has 20s. from him. If any Welshman steals a man or a woman, a horse, an ox, or a cow, on being convicted, he first returns what is stolen and [then] pays 20s. as a fine. For theft of a sheep, however, or of a bundle of sheaves, he pays 2s. fine. If any one kills a man of the king or commits house-breaking, he pays the king 20s. compensation for the man and 100s. as a fine. If he kills any thegn's man, he gives 10s. to the lord of the slain man. But if a Welshman kills a Welshman, the relatives of the slain man come together and plunder the slayer and his kin and burn their houses until, toward noon on the third day, the body of the slain man is buried. Of this plunder the king has a third part, but they enjoy all the rest of it in peace. He, however, who burns a house in another fashion, on being accused of doing so, defends himself by [the oaths of] forty men. But if he cannot [clear himself], he has to pay 20s. fine to the king. If any one conceals a sester of honey out of a customary payment, and is convicted of it, he renders five sesters for one, should he hold enough land to warrant the payment. If the sheriff calls them to the shire court, six or seven of the better men among them go with him [as escort]. He who is summoned [to the court] and does not go gives the king 2s. or an ox; and whoever stays away from the hundred [court] pays the same amount. He who is commanded by the sheriff to go with him to Wales, and does not do so, pays a similar fine. But if the sheriff does not go, none of them go. When the army advances against the enemy, they customarily form an advance guard, and on return [they form] the rear guard. These were the customs of the Welshmen in Archenfield during the time of King Edward.

Here are set down those holding lands in Herefordshire and in Archenfield and in Wales. ...²⁰

The land of the king. ... The king holds Leominster.²¹ Queen Edith held it. ... In this manor ... there were 80 hides, and in demesne 30 ploughs.²² In it were 8 reeves, 8 ridingmen, 238 villeins, 75 bordars, and 82 serfs and bondwomen.²³ These together had 230 ploughs. The villeins ploughed 140 acres of the

¹⁴ The borough, including the revenues described above, was farmed by the portreeve for £18 a year, two-thirds to the king and one-third to the earl.

¹⁵ The list of crown pleas varied from region to region; cf. the customs of Worcestershire and Nottinghamshire below, and Canute, II, 12[: 'These are the rights which the king enjoys over all men in Wessex: namely, [compensations for] breach of his personal protection *mundbryce*, housebreaking (*hamsocn*), assault by ambush (*forsteal*), and neglect of army service (*fyrdwite*). See p. 38, n.46 above.]

¹⁶ Earlier there had been three great border earls who enjoyed all regalian rights within their respective territories: Roger de Montgomery, earl of Shrewsbury; Hugh d'Avranches, earl of Chester; and William Fitz-Osbern, earl of Hereford. Before 1086, however, the third of these earldoms had been forfeited as the consequence of a rebellion.

¹⁷ Cf. the entry for Rhuddlan, below.

¹⁸ [Payment by tale was made by counting out 240d. to the pound, as distinguished from payment by weight, when an actual pound of silver was demanded. If, furthermore, sample coins were melted down and an additional sum was thrown in as compensation for proved debasement, payment was said to be by blanch. For a description of this procedure and of the whole exchequer system, see R. L. Poole, *The Exchequer in the Twelfth Century*.]

¹⁹ These manors had earlier belonged to Earl William, and so had been brought into a financial organization centering in Hereford.

²⁰ According to the regular plan, the king heads the list of landholders and is followed by his barons, first the ecclesiastics and after them the laymen. The lands held by each person in the list are then described in turn, manor by manor.

²¹ On this "gigantic manor" see Maitland, *Domesday Book and Beyond*, p. 112.

²² By *caruca* is meant, not merely the plough proper, but also the team of eight oxen. The hide in Domesday is a unit of assessment for geld and other royal services. It was divided into 4 virgates or yardlands, 8 bovates, and 120 acres.

²³ The beadle appears in Domesday as the subordinate of a manorial reeve. The *radniht* or ridingman seems to have been much the same as a *geneat*, who appears in Ine 19, and who 'might enjoy relatively high or low status, but was always a man of honorable rank. As described in the later sources, his chief duty was that of riding on errands.'] The *villani* of Domesday, being

lord's land and sowed it with their own seed grain, and by custom they paid £11. 52*d*. The ridingmen paid 14*s*. 4*d*. and 3 sesters of honey; and there were eight mills [with an income] of 73*s*. and 30 sticks of eels.²⁴ The wood rendered 24*s*. besides pannage.²⁵ Now in this manor the king has in his demesne 60 hides and 29 ploughs; and 6 priests, 6 ridingmen, 7 reeves, 7 beadles, 224 villeins, 81 bordars and 25 serfs and bondwomen. Among them all they have 201 ploughs. They plough and sow with their own grain 125 acres, and by custom they pay £7. 14*s*. 8½*d*; also 17*s*. [worth] of fish, 8*s*. of salt, and 65*s*. of honey. In it are eight mills [with an income] of 108*s*. and 100 sticks of eels less 10. A wood 6 leagues²⁶ long and 3 leagues wide renders 22*s*. Of these shillings 5 are paid for buying wood at Droitwich, and thence are obtained 30 mitts of salt.²⁷ Each villein possessing ten pigs gives one pig for pannage. From woodland brought under cultivation come 17*s*. 4*d*. An eyrie of hawks is there. ... Altogether this revenue, except the eels, is computed at £23. 2*s*. This manor is at farm for £60 in addition to the maintenance of the nuns. The county²⁸ say that, if it were freed [of that obligation], this manor would be worth six score, that is to say, £120. ...

(Latin) *Domesday Book*, I, 179–183b.

(A1) [ADDITIONAL ENTIRES FOR HEREFORDSHIRE]²⁹

In “Cutestornes” Hundred.³⁰ In the jurisdiction of Ewyas Harold Castle, Earl William gave to Walter de Lacy 4 carucates of waste land.³¹ Roger de Lacy his son holds them, and William and Osbern [hold] of him. In demesne they have 2 ploughs; and 4 Welshmen rendering 2 sesters of honey, and they have 1 plough. There they have 3 slaves and 2 bordars. This land is worth 20*s*.³²

In “Tornelaus” Hundred. The same Roger holds Ocle Pychard. 6 free men held it as 6 manors [?TRE] and could go where they would. There are 7 hides paying geld. In demesne are 2 ploughs; and 7 villains and 10 bordars and a reeve and a smith with 9 ploughs among them all. There are 12 slaves. Of this land Walter de Lacy gave to St Peter of Hereford³³ 2 carucates of land with the consent of King William, and 1 villain and 1 bordar with their lands. There are in demesne 2 ploughs; and 1 villain and 1 bordar with 1 plough, and there is 1 slave. It is worth 25*s*. What Roger holds [is worth] 75*s*. The whole TRE was worth 7/[pounds] 15*s*.³⁴

(B) CHESHIRE

Earl Hugh³⁵ holds Rhuddlan of the king. There in the time of King Edward lay Englefield, and it was entirely waste. Earl Edwin held it [in the time of King Edward]. It was likewise waste when Earl Hugh received it. Now he has in demesne half a castle that is called Rhuddlan, and it is the administrative centre (*caput*) of this land. There he has eight burgesses and half of the church, half of the mint, half of

distinguished from *servi*, were legally free; for it was only later that serfdom and villeinage came to be arbitrarily identified. According to Domesday, the normal villein holding was thirty acres of arable. The bordar or cotter, on the other hand, held only a hut and a garden plot. See especially Maitland, *Domesday Book and Beyond*, pp. 26 f; Vinogradoff, *Villeinage in England*.

²⁴ About two dozen eels were counted as a stick. Most of them, obviously, were taken from mill-ponds.

²⁵ Swine were commonly allowed to run wild in woodland. Rent paid for the privilege was called pannage; see immediately below.

²⁶ The Domesday league is a mile and half, but these measurements are only rough approximations.

²⁷ Salt-wiches are a prominent feature of this region; see Tait, *The Domesday Survey of Cheshire*, pp. 39 f. The wood bought at Droitwich was for the furnaces used in connection with salt-pans. The mitt included two ambers of four bushels each.

²⁸ I.e., the jury that spoke for it.

²⁹ [Added and translated by CD. These are part of the holdings of Roger de Lacy who is tenth on the list of Domesday barons in Herefordshire.]

³⁰ [The hundred names in quotation marks do not correspond to the later hundred names, though they clearly refer to hundred names that existed at the time. CD]

³¹ [Earl William is William fitz Osborn, who held the entire county virtually independently right after the Conquest. He rebelled, and King William took the lordship into his own hands. CD]

³² [Notice that William subinfeudated to Walter; Walter died and his son Roger inherited, Roger has two subtenants on the land. They, in turn, hold part of the land directly (“in demesne” as the phrase goes) and four Welshmen hold the other part of them. The land was waste at the time of the Conquest. It's now worth 20*s* annually. Things here are looking a bit up. CD]

³³ [That's a big parish church in the city of Hereford. CD]

³⁴ [We've got a loss here. What Roger holds and what the parish holds adds up to £5. TRE it was almost £8.]

³⁵ See above, p. 40 n.16; and for illuminating comment on the whole entry, the introduction to Tait's work just cited.

the mining or iron wherever it may be found in this manor, half of the water of Clwyd in both mills and fisheries that may be conducted there—that is to say, in the part of the river that belongs to the earl's fief—half of the forests that do not belong to any vill of this manor, half of the toll, and half of the vill called Bryn. There is land for three ploughs and they are in demesne, together with seven serfs. ... Robert of Rhuddlan holds of Earl Hugh half of the same castle and borough, in which Robert himself has ten burgesses. ...

In the manor of Rhuddlan there was recently build a castle, likewise called Rhuddlan. A new borough is there, and in it [are] eighteen burgesses [divided] between the earl and Robert, as mentioned above. To these burgesses they granted the laws and customs that are [enjoyed] in Hereford and in Breteuil: namely, that during an entire year they shall give for any misdeed no more than 12*d.*, except for homicide, theft and premeditated house-breaking.³⁶ In the year of this description,³⁷ the toll of this borough was placed at farm for 3*s.* The income of Earl Hugh from Rhuddlan and Englefield is valued at £6. 10*s.*; Robert's share at £17.

(Latin) *Ibid*, I, 269.

(C) BERKSHIRE³⁸

When the geld was given in the time of King Edward, commonly throughout all Berkshire the hide gave 3½*d.* before Christmas and the same amount at Pentecost. If the king sent an army anywhere, only one soldier went from five hides, and 4*s.* were given him from each hide as food and pay for two months. This money, indeed, was not sent to the king, but was given to the soldiers. If any one was summoned for an expedition and did not go, he forfeited all his land to the king. But if any one, for the sake of remaining [at home], promised to send another in his place, and yet he remained who was to have been sent, his lord was quit through [payment of] 50*s.* On the death of a king's household thegn or *cniht*,³⁹ all his arms, as well as one horse with a saddle and one without, were sent to the king as relief. But if he possessed dogs or hawks, they were given to the king as a present, if the latter was willing to accept them. If any one slew a man enjoying the king's peace, he forfeited to the king both his body and all his substance. He who broke into a city⁴⁰ by night paid 100*s.* fine to the king, not to the sheriff.⁴¹ He who was summoned as a bearer for hunting, and did not go, paid the king 50*s.* fine.

(Latin) *Ibid*, I, 56b.

(D) WORCESTERSHIRE

In this county, if anyone knowingly breaks the peace which the king has given by his own hand, he is outlawed.⁴² If anyone knowingly breaks the king's peace given by the sheriff, he pays 100*s.* fine. He who commits assault by ambush pays 100*s.* fine. He who commits rape can offer no atonement save judgment upon his body. These forfeitures the king has in the said county except on the land of St. Peter of Westminster, to which King Edward gave whatever [rights] he had there⁴³—so the county says. When the king advances against the enemy, any one who is summoned and who remains behind, if he is so free a man that he has his *sac* and *soc* and can go with his land whither he pleases,⁴⁴ is in the king's mercy⁴⁵ for all his land. If however, the freeman of some other lord remains away from the host, and if his lord takes another man in his place, he has to pay 40*s.* to his lord who received the summons. If, however, no one goes for him at all, he shall indeed give to his lord the 40*s.*, but the lord has to pay the same amount to the king.

³⁶ On the significance of these customs, see Mary Bateson, "The Laws of Breteuil," in the *English Historical Review*, vols. XV, XVI; C. Stephenson, *Borough and Town*, pp. 88 f., 120 f.

³⁷ The year of the Domesday inquest, 1086.

³⁸ Round (in *Domesday Studies*, pp. 77 f.) was the first to explain the significance of the Berkshire custom. For further comment on this and the following entries, see the appropriate volumes of the *Victoria County History*.

³⁹ See above, p. 39 n.10. The *cniht* was a sort of lesser thegn; see Gross, *Gild Merchant*, I, 183 f.

⁴⁰ Cf. Ine, 45 ...; [the *civitas* of this passage is apparently a mere translation of *port* or *burh*].

⁴¹ The meaning of this provision and similar ones below is probably that small fines were included in the sheriff's farm, while more extraordinary ones were not.

⁴² Although the present tense is used, the customs described were those of the Anglo-Saxon period.

⁴³ Cf. [S&M] no. 15G [for a transcript of this charter].

⁴⁴ That is to say, can commend himself, with his land, to a lord of his own choosing.

⁴⁵ [I.e., subject to arbitrary fine.]

(Latin) *Ibid*, I, 172.

(E) NOTTINGHAMSHIRE

In Nottinghamshire and Derbyshire breach of the king's peace, given under [his own] hand and seal, is atoned for by [a fine of] 18 hundreds, each hundred being £8.⁴⁶ Of this fine the king has two parts, the earl the third; that is to say, 12 hundreds go to the king and 6 to the earl. If any one, on conviction of anything, is exiled according to law, no one except the king can restore peace to him. A thegn having more than six manors pays no relief for his land except to the king, [namely,] 3*m.* of silver—wherever he may live, in borough or out of borough. If a thegn having *sac* and *soc* forfeits his land, half of his land and his chattels is shared between the king and the earl; his lawful wife, together with his legitimate heirs if there are any, has the other half.

(Latin) *Ibid*, I, 280b.

HENRY I: CORONATION CHARTER (1100)

S&M No. 23, with modifications by CD

Henry, king of the English, to Samson, bishop [of Worcester], and to Urse d'Abetot⁴⁷, and to all his barons and faithful men of Worcestershire, both French and English, greeting.

1. Know that by the mercy of God, and by the common counsel of the barons of the whole kingdom of England, I have been crowned king of the same kingdom. And since the kingdom has been oppressed by unjust exactions, I, through fear of God and through the love that I have for you all, in the first place make the Holy Church of God free, so that I will neither sell nor put at farm nor, on the death of an archbishop, bishop, or abbot, take anything from the demesne of a church, or from its men, until a successor enters upon it.⁴⁸ And I henceforth remove all the bad customs through which the kingdom of England has been unjustly oppressed; which bad customs I here in part set down.

2. If any one of my barons, earl, or other men who hold of me dies, his heir shall not redeem his land as he did in the time of my brother, but he shall relieve it by a just and legitimate relief. In the same way, furthermore, the men of my barons shall relieve their lands from their lords by just and legitimate reliefs.

3. And if any one of my barons or other men wishes to give in marriage his daughter, sister, niece, or [other] female relative, let him talk with my about the matter; but I will neither take anything from his property for this permission nor prohibit him from giving her [in marriage], unless he wishes to wed her to an enemy of mine. And if, on the death of a baron or other man of mine, a daughter remains as heiress, I will give her [in marriage], together with her land, by the counsel of my barons. And if, on the death of a husband, his wife survives and is without children, she shall have her dower and *maritagium*,⁴⁹ and I will not give her to a husband unless it is in accord with her own wish.

4. If, moreover, the wife survives with children, she shall yet have her dower and *maritagium* so long as she keeps her body legitimately, and I will not give her [in marriage] except in accord with her wish. And the guardian of the land and the children shall be either the widow or another one of the relatives who more rightly ought to be [in that position]. And I command that my barons shall conduct themselves in the same way toward the sons or daughters or wives of their men.

5. The common *monetagium*,⁵⁰ which has been collected throughout the cities and counties, and which did not exist in the time of King Edward, I utterly abolish for the future. If [however] any one, whether a moneyer or some one else, is taken with false money, let justice be done in the matter.

⁴⁶ A method of reckoning peculiar to certain Danish regions; see Round, *Feudal England*, p. 73.

⁴⁷ Sheriff of Worcester. Other forms of address were of course used for the other counties.

⁴⁸ For examples of this feudal usage and of many others abolished or restricted in the Coronation Charter, see Henry's own pipe roll (no. 25).

⁴⁹ The *maritagium* (roughly, 'marriage-portion') was the land conferred on a woman by her father or other relative; the dower that given her by her husband. To the former she had, in some sense, an absolute title if she survived her husband; in the latter she had only a life estate. Cf. no. 27E, G. [See also S.F.C. Milsom, 'Inheritance by Women in the Twelfth and Early Thirteenth Centuries', in M. Arnold, et al., ed., *On the Laws and Customs of England* (1981), pp. 60–89.]

⁵⁰ The *monetagium*, which is obscurely referred to in Domesday, was, apparently, an exaction introduced in England by William I. [It is generally thought to have been justified as a means of compensating the Crown for the loss of value of coinage through wear and clipping. See Liebermann, *Gesetze*, II, s.v., Münzänderung.]

6. I pardon all pleas and debts that were owed to my brother, except my rightful dues and except those promised for the heirs of others or for the lands that belonged to others, and all rightful reliefs agreed upon for inheritances. If any one has promised something more than is right, that I remit.⁵¹

7. And if any one of my barons or men becomes infirm, as he himself may bestow his chattels or provide [by will] for their bestowal, so, I grant, shall they be bestowed. But if he, prevented by arms or infirmity, has not bestowed his chattels or provided [by will] for their bestowal, his widow or his children or his relatives or his liegemen shall divide them for the good of this soul as my seem to them best.

8. If any one of my barons or men commits an offence, he shall not [be declared] in mercy [and be required to] give a pledge from his chattels,⁵² as he was in the time of my father and my brother; but he shall pay compensation according to the measure of the offence, as was done before the time of my father, in the time of my other predecessors. But if he is convicted of treason or disgraceful crime,⁵³ let him make amends as is just.

9. I also pardon all murders⁵⁴ [committed] before that day on which I was crowned king, and those that have been committed afterwards are to be paid for by just compensation according to the law of King Edward.

10. By the common counsel of my barons, I have kept in my hands the forests as they were held by my father.⁵⁵

11. To knights who hold their land by military service (*per loricas*) I grant, of my own gift, the lands of their demesne ploughs⁵⁶ quit of all gelds and of all work; so that, inasmuch as they are thus relieved of a heavy burden, they may the better provide themselves with arms and horses, to be fit and ready for my service and the defence of my kingdom.

12. I establish my firm peace throughout the whole kingdom and command that it be henceforth maintained.

13. I restore to you the law of King Edward, together with those amendments by which my father, with the counsel of his barons, amended it.⁵⁷

14. If any one, since the death of my brother William, has taken anything from my property or from the property of any one else, let him at once restore it without penalty; but if any one keeps anything [of that sort], he on whom it may be found shall pay me heavy compensation.

Witnesses: Marice, bishop of London; William, bishop elect of Winchester; Gerard, bishop of Hereford; Henry, earl [of Warwick]; Simon, earl [of Northampton]; Walter Giffard, Robert de Montfort, Roger Bigot, Odo the Steward, Robert Fits-Hamon, Robert Malet. At Westminster, when I was crowned. Farewell!

(Latin) Liebermann, *Gesetze*, I, 521 f.

THE PIPE ROLL OF 31 HENRY I (1130)

S&M No. 25, with additions and deletions by CD

(A) WARWICKSHIRE ACCOUNT

⁵¹ [For this translation and the emendations that support it, see S.E. Thorne, 'Henry I's Coronation Charter, Ch. 6', *E.H.R.*, 13 (1978) 794.]

⁵² This was a promise to abolish the system of amercement, or arbitrary fine, introduced by the Conqueror, and to revert to the older system of *bot* and *wite*, but it was not kept; see Pollock and Maitland, II, 513 f. Many examples of amercement will be found in the following documents.

⁵³ *Perfidiae vel sceleris*—offenses for which there was no lawful compensation in money; cf. Alfred, 4, ... and the subsequent dooms.

⁵⁴ [This is normally taken to be a fine that the community (or perhaps it was the lord of the slayer) paid when a man was killed and the community could not prove that the man was of English rather than French ancestry.]

⁵⁵ See no. 35 and the references given there.

⁵⁶ Cf. no. 22A. If carried out, the reform would have been equivalent to a heavy reduction of hidage on all baronial manors.

⁵⁷ Cf. no. 18, art. 7.

Geoffrey de Clinton renders account of 44s. [shillings] 8*d.* [pence] blanch⁵⁸ from the old farm. He has paid it into the treasury. And he is quit.

And the same man [renders account] of the new farm. In the treasury £100. 4*s.* 4*d.* by weight. And he owes £32. 9*s.* 4*d.* blanch.

And the same Geoffrey renders account of 310*m.* [marks, 13*s.* 4*d.*, or $\frac{2}{3}$ of a pound] of silver for an office in the treasury at Winchester. In the treasury 100*m.* of silver. And he owes 210*m.* of silver.

And the same man owes 40*m.* of silver on behalf of the earl of Leicester [Robert de Beaumont] for the debt of Ernald de Vêtheuil.

And the same man owes 20*m.* of silver and 1*m.* of gold that the king will confirm in a charter for his church of Arden everything that the earl of Warwick [Roger de Beaumont] gave him for the benefit of the said church.

And the same man owes £7. 13*s.* 8*d.* from the old farm of the land of William de Roumare.

And the same man owes 40*m.* of silver with which he should acquit Nicholas Fitz-Gundewin of Rouen.

Geoffrey Lovet owes £9. 13*s.* 4*d.* for the security that he unjustly took from a certain man; of which the pledges are Geoffrey de Clinton and Robert de Neufbourg.

Osbert of Arden renders account of £10. for the pleas of William Hubold.⁵⁹ In the treasury 40*s.* And he owes £8.

And the same sheriff renders account of 100*s.* from old pleas and murders.⁶⁰ In pardon by the king's writ to the earl of Warwick 100*s.* And he is quit.

Hugh Fitz-Richard renders account of 200*m.* of silver and one valuable horse (*equo de pretio*) and two war-horses (*dextrariis*) for the land that Geoffrey de Lovet holds of him. In the treasury £30. And by the witness of Miles of Gloucester he has acquitted himself toward the king of the valuable war-horse (*dextrario pretioso*). And he owes the king 155*m.* of silver and two horses. And thereof [these men] are pledges: the earl of Warwick, 60*m.* of silver; Henry de Sai, 20*m.* of silver; Henry de Armentières, 20*m.* of silver.

William Fitz-Ralph renders account of 113*s.* 4*d.* and one war-horse that he may have the land of his father. In the treasury 30*s.* And he owes £4. 3*s.* 4*d.* and one war-horse.

Robert Fitz-Ralph renders account of £4. for his portion of his father's land. In the treasury 20*s.* And he owes 60*s.*

The earl of Warwick renders account of £72. 16*s.* 8*d.* and two war-horses for pleas concerning stags;⁶¹ and of 20*m.* of silver that the king will pardon him the surplus hidage of his manor of Brailles.⁶² In the treasury £43. 6*s.* 8*d.* And he owes £176. 2*s.* 4*d.*

Guibert, steward of Robert de Mowbray, renders account of 1*m.* of silver from the pleas of Geoffrey de Clinton. He has paid it into the treasury. And he is quit.

Agnes de Clincamp renders account of 40*s.* that her sons may secure the inheritance of their father's land. She has paid it into the treasury and she is quit.

And the same sheriff renders account of £8. 5*d.* from arrears of Danegeld. In the treasury 70*s.* 5*d.* And in pardons by the king's writ to the chancellor £4. 10*s.* And he is quit.

⁵⁸ See p. 40 n.18 above.

⁵⁹ Entries of this sort normally refer to trials held before the king's justices on mission—already an important source of revenue.

⁶⁰ See above, page 40, n.50.

⁶¹ Violations of forest law. There are many such entries on the roll.

⁶² A reduction of hidage would, of course, mean a reduction of Danegeld, which, as this roll testifies, was by now an annual exaction.

Walter Croc renders account of 33s. 4d. from the old rent of the forest during four years. He has paid it into the treasury. And he is quit.

And the same Walter renders account of 10*m.* of silver from the new rent of the forest. In the treasury 106s. 8d. And he owes 26s. 8d.

And the same man owes 3*m.* of gold for having his office again; and £13. 11s. 5d. for the land of Richard Chienewe; and £7. 6s. 8d. for the plea of Roger, son of Eli the *scutellarius*;⁶³ and £18. 5s. from the pleas of William of Gloucester; and 10 horses and 106 oxen and 200 pigs he took from the forest, and which did not belong to him but to the forester. And he is in the king's mercy unless the king will be his warrantor for the 30s. that he unlawfully took and did not return.

And the same sheriff renders account of £12. 3s. 10d. from arrears of Danegeld. In the treasury 19s. And in pardons by the king's writ: to Ralph the Butler 60s.; to the count of Meulan 24s.; to Geoffrey de Mandeville 60s. 9d.; to Curtis 10s.; to the earl of Warwick £4. 4s. Total £11. 4s. 10d. And he is quit.

And the same sheriff renders ac[c]ount of 37s. 2d. from arrears of aid from the borough of Tamworth.⁶⁴ He has paid it into the treasury. And he is quit.

New Pleas and Obligations⁶⁵

Robert Tortran renders account of 60*m.* of silver for the chattels of William de Chenfara that he took. In the treasury 30*m.* of silver. And he owes 30*m.* of silver.

Hugh Hall (*de Hella*) renders account of 100s. for the claims of Leofric Lock. In the treasury 30s.. And he owes 70s.

Rodbricht of Bradwell renders account of 100s. from the same pleas. In the treasury 30s. And in pardon by the king's writ to the same Rodbricht 20s. And he owes 50s.

Ralph, son of Godwin Hall (*de Halla*) renders account of 10*m.* of silver from the same pleas. In the treasury 40s. And he owes 7*m.* of silver.

Fulk of Mauritania renders account of 30*m.* of silver for the plea concerning the chattels of Matilda of Stafford. In the treasury 5*m.* of silver. And he owes 25*m.* of silver.

Ivo, son of Hugh of Leicester, owes 20*m.* of silver for the grant of the land which belonged to William de Beaumont, and which the earl of Warwick gave him.

And the same sheriff renders account of Danegeld. In the treasury £78. 12s. 1d. And in pardons by the king's writ: To William Comyn 13s.; to the earl of Chester [Ranulph 'de Gernon'] 24s. ...⁶⁶ Total £50. 5d. And he is quit.

And the same sheriff owes 30s. from the aid of the borough of Tamworth.

Geoffrey de Clinton renders account of the farm of Wargrave. In the treasury £80. And he is quit.

And the same Geoffrey renders account of £20 from the old farm of Wallop. He has paid it into the treasury. And he is quit.

And the same Geoffrey renders account of the new farm of Wallop. In the treasury £20. And he owes £20.

And the same Geoffrey renders account of the revenues of the abbey of Evesham. In the treasury £40. [...]

(Latin) Pipe Roll of 31 Henry I, pp. 104 f.

[(B) NORFOLK ...]

Benjamin renders account of £4. 5s. that he may keep the pleas that belong to the king's crown. In the treasury 56s. 8d. And he owes 28s. 4d.; and [guarantees] to make a profit of 500*m.* for the king. [...]

⁶³ Probably keeper of the dishes in the royal kitchen. See [S&M no. 29: 'The Constitution of the King's Household'].

⁶⁴ On the annual *auxilia burgorum* that accompanied the Danegeld, see C. Stephenson, *Borough and Town*, pp. 160 f.

⁶⁵ *Conventiones* is the regular form, but it covered a variety of payments besides those based on agreement.

⁶⁶ Thirty-five other items enumerated.

[(D) YORKSHIRE ...

Roger de Flamenvilla renders account of 20*m.* silver from pleas of G[eoffrey] de Clinton and his companion at Blyth. In the treasury, 10*m.* silver. And he owes 10*m.* silver. ...

And the same sheriff [of Yorkshire] renders account of 31*m.* silver from 9 “judicators” (*judicatoribus*) of the county from the same pleas. In the treasury £9. 7*s.* 8*d.* And in pardons to Count Stephen of Brittany, 5*m.* silver for William de Lamara; for Robert de Bruis, 1*m.* silver; for Jordan de Buisili, 1*m.* silver. Sum: £4. 13*s.* 4*d.* And he owes 10*m.* silver. ...

And the same sheriff renders account of 335*m.* silver, 5*s.* 6*d.* from the lesser judges and jurors of the county (*de minutis iudicibus et juratoribus comitatus*) from the same pleas. In the treasury: £148. 13*s.* In the King’s works at York, £4. 1*m.* silver. And in livery for Eustace fitz John, 20*s.* 10*d.* And in pardons by the King’s writ for the count of Brittany, 21*m.* silver from the lesser men; for fitz Ribald, 5*m.* silver; for the archbishop of York, [... illegible]; for Gamel de Hochesworda, 20*s.*; for Chetel fitz Sueini, 1*m.* silver; for Alan de Moncell, 70*s.*; for the earl of Warenne [William earl of Surrey], 107*s.*; for Ougrim de Frisemareis, 40*s.*; in the lordship of Roger de Molbrai, £4. 7*s.* from his “Dreini”; for William fitz Ralph, 40*s.*; for the prior of St. Oswald, 42*s.*; for Bernard de Bailleol, £6. 15*s.*; for the men of Blyth, 2*m.* silver; for Robert de Bruis, 4*m.* silver; for Geoffrey fitz Pain, 6*s.* 8*d.* Sum: £54. 15*s.* 8*d.* And he owes £15. 20*d.*

William fitz Rannulf, sheriff, renders account of 20*m.* silver from the same pleas. In the treasury 10*m.* silver. And he owes 10*m.*

William de Albamara renders account of 154*m.* silver from the same pleas from his land of Holderness. And in pardons by the King’s writ to Alan de Moncell, 45*s.*; to Ougrim de Frisemareis, 30*s.* And he owes £49. 18*s.* 4*d.*

And the same William owes 100*m.* silver that he not plead against his men concerning land, for his father held in demesne. ...

Robert Fossard renders account of 10*m.* silver from the same pleas and of 40*m.* silver that he be resealed of his land. In the treasury 10*m.* silver. And in pardon by the King’s writ to the same Robert 40*s.* And he owes £38. ...

Godereda, daughter of Gospatric son of Aldret, owes 10*m.* silver for right of the land of her father. ...

Walter Espec renders account of 200*m.* silver from pleas of the stag. In the treasury 50*m.* silver. And he owes £100. ...

And the same renders account of one gold ring of 5-penny weight from a certain finding. He has paid to the treasury. And he is quit.

Grento of York renders account of 10*m.* silver for a plea of the land of his wife. In the treasury 40*s.* And he owes 73 shillings, 4 pence.

Nigel of Doncaster renders account of 20*m.* silver for the forfeiture of his sons who killed a man. In the treasury 5*m.* silver. And he owes 15*m.* silver. ...

William fitz Hugh renders account of 10*m.* silver that he may hold in peace the land of Sulinga. In the treasury £5. [*sic*]. And he owes 4*m.* ...

Turbert fitz Gamel renders account of 40*m.* silver that the king might make him have seisin of his land from William de Albamara. In the treasury 7*m.* silver. And he owes 43*m.* silver. ...

The barons of Blyth render account of £20. for the forfeiture of the wall of the castle of Blyth. They paid Eustace fitz John for the works of the same castle. And they are quit. ...

BETWEEN RIBBLE AND MERSY⁶⁷

The men of the count of Mortain. Sweign son of Lesing owes 40*m.* silver for concord between him and the earl [probably of Chester]. Lesin his brother owes 30*m.* silver for the same concord. Edward de Cardiner owes 40*m.* for the same concord. Ailsa fitz Ulf owes 40*m.* for the same concord. Roger fitz

⁶⁷ Two rivers in Northwest England, not in present-day Yorkshire.

Ranchil owes 30*m.* for the same concord. Osbert fitz Edmund and Uctied his brother owes 40*m.* for the same concord. ...

William Maltravers owes 1000*m.* and £100. to be given to whom the King wishes for the wife of Hugh de Laval with all the land of Hugh for 15 years and for 15 years to have her dower and marriage portion. ...

Pleas of W. Espec and Eustace fitz John

The judges and jurors [*judices et juratores*] of Yorkshire owe £100. that they may no longer be judges and jurors. ...