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William the Conqueror's writ for the City of London*

Nicholas Karn

University of Southampton, United Kingdom

N.E.Karn@soton.ac.uk

ABSTRACT

William the Conqueror's writ for London is a much-cited source, and has hitherto been read as a document that ensured continuity and unity in London against the depredations of the Norman conquerors. This article argues that the writ does not reflect the initial contact between London and the Normans, but rather was written later in the 1060s and was designed to deal with internal disputes in London itself, in which English and French groups clashed over customs and law in the City. This focus on internal difference is a substantial reinterpretation of the document.

William the Conqueror's writ for the people of London is a well-known and much-cited source:

Will(el)m kyng gret Will(el)m bisceop 7 Gosfregð portirefan 7 ealle þa burhwaru binnan Londone frencisce 7 englisce freondlice. 7 ic kyðe eow þæt ic wylle þæt get beon eallra þæra laga weorðe þe gyt wæran on Eadwerdes dæge kynges. 7 ic wylle þæt ælc cyld beo his fæder yrfnume æfter his fæder dæge. 7 ic nelle geþolian þæt ænig man eow ænig wrang beode. God eow gehealde.[1]
(King William warmly greets Bishop William and Geoffrey the portreeve and all the townsfolk within London, French and English. And I tell you that I will that both of you shall be worthy of all those laws as you were in the time of King Edward. And I will that each child shall be his father's heir after his father's day. And I will not allow any man to do any wrong to you. God keep you.)

It has been used to define London's relationship to the Norman conquest of England in terms that stressed continuity, the unity of the City, the closeness to power of London itself, and the ability of the City to defend its interests amid political upheaval. Interpretations along these lines abound in the historiography; as an example, the best-known history of London in the central middle ages summarizes it thus:

The City of London was too rich, and its share in the winning of the throne too crucial, for William to cause it much damage. He took steps to see that it should remember that he was its master; but he did not destroy

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1 It has been printed and discussed many times, but the key publications are the facsimile and notes in T. A. M. Bishop and P. Chaplais, *Facsimiles of English Royal Writs to A.D. 1100 Presented to Vivian Hunter Galbraith* (Oxford, 1957), Plate XIV; the edition and notes in *Regesta Regum Anglo-Normannorum: the Acta of William I (1066–1087)*, ed. D. Bates (Oxford, 1998), no. 180; and the list of manuscripts in D. A. E. Pelteret, *Catalogue of English Post-Conquest Vernacular Documents* (Woodbridge, 1990), pp. 47–51, no. 8. On its authenticity, see Bishop and Chaplais, *Facsimiles of English Royal Writs*, Plate XIV, notes.

any large part of it or expropriate the leading citizens. Soon after his coronation he granted the tiny charter which still remains the earliest surviving royal privilege in the City's Records Office, in form an Old English writ composed by a native scribe, with the earliest surviving impression of William I's seal upon it.[2]

The idea that the London writ was a grant or confirmation of political and legal rights to the people of London has been repeated very widely: 'William the Conqueror's confirmation of the Londoners in their rights and customs is the earliest English civic charter'.[3] Modern interpretations have been guided by those developed within London over centuries, where it was celebrated as the foundation of the liberties and privileges of the City. It first came to prominence in the early fourteenth century. In 1321 the Corporation's lawyers set out the basis of its extensive liberties and privileges in a plea over the rights of the canons of St. Martin's-le-Grand; the liberties were traced back to the City's mythical foundation by Brutus of Troy, but the earliest documentary authority claimed was this charter of William the Conqueror. The City's lawyers asserted that it had been written very early in William's reign, before his diploma in favour of St. Martin's, of 11 May 1068.[4] The idea that the writ was an important one, that is was in some sense a grant or confirmation of rights and privileges to the City, was first clearly set out in this 1321 litigation, and it persisted thereafter. It was inspected alongside the City's other privileges up to the seventeenth century,[5] and has been preserved carefully as a symbol of the City's sense of its own past. This fourteenth-century interpretation of the writ has shaped historians' views over recent centuries, yet there are problems with viewing the London writ as a civic charter for London, one that granted or confirmed something to the townspeople. When viewed in the context of English urban charters, in terms of how writs were used, and in terms of modern understandings of diplomatic, such interpretations tend to leave it looking like a problematic outlier.

Urban charters survive in large quantities from medieval England,[6] but all others are much later in date than the London writ, and their form and content depend on very different legal structures and contrasting forms of urban organization. Thus, the London writ has no real comparators, for there are no authentic eleventh-century charters or writs that grant privileges to towns. Even those purportedly from the earlier twelfth century are mostly forgeries, designed to provide evidence for later claims about how towns should be run;[7] there are genuine writs in favour of gilds in towns from the 1150s onwards, and more ambitious grants of privilege from the 1190s.[8] The lack of comparators and context has to bring into question the view of the London writ as a charter of urban liberties. All these later documents, moreover, are based on the idea of liberty or exemption;[9] they freed some part of the population of those towns from interventions from outside. This often took the form of releasing them from the jurisdiction of the sheriff, or sometimes granting the ability to manage internal business

2 C. Brooke and G. Keir, *London 800–1216: the Shaping of a City* (London, 1975), pp. 28–9.

3 D. Keene, 'London from the post-Roman period to 1300', in *The Cambridge Urban History of Britain*, i: *600–1540*, ed. D. M. Palliser (Cambridge, 2000), pp. 187–216, at p. 204.

4 R. R. Sharpe, *Calendar of Letter-Books, Preserved Among the Archives of the Corporation of the City of London at the Guildhall: Letter-Book K* (London, 1911), pp. 153–4, calendared from London Metropolitan Archives (hereafter L.M.A.), COL/AD/01/010, fol. 120v: 'Et dicunt quod prefatus dominus Will(elmu)s conquestor ante fundacionem ecclesie predicte et confeccionem carte sue de qua superius fit mencio … confirmavit eisdem civibus et successoribus suis quod haberent predictam ac omnes alias libertates et liberas consuetudines suas illesas quas habuerunt tempore dicti sancti regis E(dwardi) progenitoris sui'. The St. Martin's diploma is Bates, *Regesta*, no. 181.

5 Pelteret, *English Post-Conquest Vernacular Documents*, pp. 47–51, no. 8 lists the very numerous inspections of the writ.

6 For a useful if dated overview of urban charters, see A. Ballard, *British Borough Charters, 1042–1216* (Cambridge, 1913), pp. xxvi–xxxiii. Some of these refer to mentions rather than actual charters.

7 The charter attributed to Henry I for London has been much discussed (C. N. L. Brooke, G. Keir and S. Reynolds, 'Henry I's charter for the City of London', *Journal of the Society of Archivists*, iv (1973), 558–78; C. W. Hollister, 'London's first charter of liberties: is it genuine?', in *Monarchy, Magnates and Institutions in the Anglo-Norman World* (London, 1986), pp. 191–208) and is problematic in terms of its format and its relationship to the charter attributed to Henry II. D. X. Carpenter and R. Sharpe, 'Subversive acts: the early charters of the Borough of Beverley', *History*, ciii (2018), 719–36, shows that another civic archive with purportedly early documents is wholly forged. The few genuine royal charters from the first half of the twelfth century are either grants of freedom from toll, which could be claimed by anyone from within a town (e.g., *Regesta Regum Anglo-Normannorum, 1066–1154*, ii: *Regesta Henrici Primi, 1066–1154*, ed. C. Johnson and H. A. Cronne (Oxford, 1956), no. 1275, for Wilton; and *Regesta Regum Anglo-Normannorum, 1066–1154*, iii: *Regesta Regis Stephani ac Mathildis Imperatricis ac Gaufridi et Henrici Ducum Normannorum*, ed. H. A. Cronne and R. H. C. Davis (Oxford, 1968), no. 322, for Folkestone) or writs conveying specific commands (e.g., Johnson and Cronne, *Regesta Henrici Primi, 1066–1154*, no. 1729, which ordered that ships should not unload anywhere in Cambridgeshire other than at Cambridge).

8 For this, see Ballard, *British Borough Charters*, pp. xxvi–xxxiii.

9 S. Reynolds, *An Introduction to the History of English Medieval Towns* (Oxford, 1977), p. 98; for comment on the more limited definitions in place in the later twelfth century, see J. Hudson, *The Oxford History of the Laws of England*, ii: *871–1216* (Oxford, 2012), pp. 818–20, 822–4. The Londoners tried to control the shrievalty of Middlesex rather than obtain exemption from it in the twelfth century (Brooke and Keir, *London, 800–1216*, pp. 217–22).

without control by royal functionaries. Urban liberties were defined against someone or against an office, and those rights were extended to a defined and limited group. None of these attributes can be seen in the London writ; there are no jurisdictional rights, no royal officer is excluded. The later model of urban liberty does not help to explain what the writ does, for its terms do not connect with that model of how towns could operate and relate to their hinterlands, and therefore its inclusion in a collection of urban privileges does not define its meaning. It is essentially anachronistic.

It has been assumed that the writ must be for London because it survives via the archive of the Corporation of the City of London, yet the identity of the beneficiary is much more problematic. Most writs are precise in identifying who would benefit from their use, but the London writ is not, for it merely specifies 'both', referring back to the address clause of the document. This is unique among eleventh-century writs. Yet there is a bigger question here. If the writ was meant to convey specific rights, it is remarkably vague about who was covered by its terms. Indeed, various modern users of the writ have arrived at quite different conclusions about whom it applied to.[10] If it is a grant, then the lack of specificity is a serious problem, for writs are precise about their beneficiaries; it is not clear who could claim such rights, or who might be responsible for managing them. When kings made grants to towns in the later twelfth century and beyond, those grants depended on the presence of hierarchies and functionaries within the towns themselves who could manage the rights in an acceptable manner, and who could be held accountable if matters were not transacted as they should have been. All these are specified precisely in later documents. How this worked varied in practice; there were gilds, often gilds merchant, and there were mayors who could manage such rights. None of this was in place in the eleventh century, and it is not at all clear that there was some functionary who could have acted as defender of the townspeople's interests.[11]

Though a well-known document, the London writ has not yet received a full treatment in terms of its diplomatic and administrative context, especially in the ways that this historiography has developed over recent decades.[12] Royal writs were designed to convey commands from the king to his local agents, and required them to put into effect whatever the king intended; writ-charters commanded that court suitors should know about transactions, so that they could later offer testimony about them. They were functional documents, designed to elicit a specific response, not mere certificates of past actions or expressions of goodwill. As a result, their address clauses are much the most important elements, for these identified the particular agent who was required to act. Many writs were preserved as evidence of a transaction, but they were not designed with this evidentiary purpose in mind; their main function was to ensure local action to put the king's will into effect. For instance, there are many royal writs addressed to sheriffs that ordered that they transfer some asset or property from the custody of the sheriff to a named beneficiary, but were kept by that beneficiary as evidence of the gift. The London writ is clearly a writ, for it is in Old English, is formatted as a writ, and was authenticated by a seal. Its address is to the bishop, portreeve and townspeople of London; how could they be expected to transfer rights or assets to themselves, or provide credible testimony about it? There are no other cases among royal writs of the eleventh century where the addressee of the writ is the same as the beneficiary, and this essentially excludes the possibility that it was a grant or confirmation. Beneficiary addresses were used on some kinds of papal document, but that convention has not otherwise been seen in royal acta; and it would transform our understanding of royal writs and how they were used if that were to be found.

There is also a problem about what the writ actually means. If it is a grant to the City, then it must have granted or confirmed something; yet there is no clarity or agreement about what that meant. Attempts to define the specific content of the writ have largely divided into two camps; some have used a literal translation of the most important phrase, 'Both of you shall be worthy of all those laws', but without much consideration of what, specifically, that may have meant at the time; while some commentators have treated the phrase more as a figure of speech, and equated laws and rights,[13] even though this cannot be paralleled in other contemporary texts. Any attempt to assign a definite meaning

10 See note 35 below.

11 The portreeve was the king's agent in the town, and was not controlled by the townspeople.

12 The seminal works are F. E. Harmer, *Anglo-Saxon Writs* (2nd edn., Stamford, 1989); Bishop and Chaplais, *Facsimiles of English Royal Writs*; and R. Sharpe, 'The use of writs in the eleventh century', *Anglo-Saxon England*, xxxii (2003), 247–91.

13 See note 36 below.

to the writ has to follow recent historiography in reading it in relation to its other features, especially the identity of those to whom the writ applied, and those to whom it was addressed.

These readings of the writ have generally contextualized it in relation to the archive of the Corporation of the City of London, where it has been preserved over the last few centuries, and where it can be drawn into relation with the other documents concerning the liberties and privileges of the City. Many of the studies that have drawn on the writ have, after all, been principally concerned with the history of the City of London, and so the choice of context is a natural one. It has allowed readers to treat William the Conqueror's writ as a precursor of the later charters concerned with the City's liberties and privileges, and so provide some meaning and interpretation for this puzzling document. Yet this is not the only option for contextualizing the writ; there is now a large body of historiography about the diplomatic of writs and writ-charters from the eleventh and twelfth centuries, and about the administrative habits and structures that housed them.[14] This research has shown how these documents were used to animate government, and how their terms and structures reflected how they were meant to be used. This broader diplomatic understanding of writs can be used to reconsider how the London writ was used, and how its terms fitted into the structure of meetings and functionaries in Middlesex in the middle of the eleventh century.

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Interpretation of the writ has been shaped by the idea that it was written very early in the Conqueror's reign, at the very end of 1066 or early in 1067.[15] The evidence for this early date is weak. The idea that the writ was very early was first raised in 1321, when the Corporation's lawyers insisted that it was written right at the start of the Conqueror's reign, so that it had priority over the St. Martin's-le-Grand diploma of 1068.[16] This interpretation was an assertion based on legal need, not something based on close study of the content of the document. Since the nineteenth century it has been associated with a passage in the *Gesta Guillelmi* of William of Poitiers, which describes some of William the Conqueror's actions soon after his coronation:

> At London, after his coronation, he made many wise, just and merciful provisions; some were for the interest and honour of the City, others to the profit of the whole people, and some to the advantage of the churches of the land. Whatever laws he promulgated, he promulgated for the best of reasons.[17]

There is no date given, but it must refer to the period after his coronation on 25 December 1066 and before his return to Normandy in March 1067.[18] The comments of William of Poitiers have helped to frame how the London writ has been read, for they suggest that the Conqueror made some kind of wide-ranging settlement with the City. It can only be doubted how far these comments can be connected with the London writ. Poitiers suggests something much bigger than the London writ contains, for apparently the Conqueror made provisions that applied to London, to the people as a whole and to the church. This sounds like an ambitious legal settlement, perhaps a general acceptance and confirmation of the laws of Cnut, like Edward the Confessor made just after he became king.[19] It is hard to reconcile the words of Poitiers with the contents of the London writ.

14 See note 12 above.

15 It is dated to 1067 in a marginal note in one of the late City of London registers (British Library, MS. Cotton Vespasian D XVI, fol. 57r). The dating to 1067 is asserted strongly in Bishop and Chaplais, *Facsimiles of English Royal Writs*, Plate XIV, notes, and has been repeated in many places, such as R. Naismith, *Citadel of the Saxons: the Rise of Early London* (London, 2019), pp. 190–3.

16 See note 4 above.

17 William of Poitiers, *Gesta Guillelmi*, ed. and trans. R. H. C. Davis and M. Chibnall (Oxford, 1998), ch. 33, pp. 158–9: 'Multa Lundoniae posteaquam coronatus est prudenter, iuste, clementerque disposuit, quaedam ad ipsius ciuitatis commoda siue dignitatem, alia quae genti proficerent uniuersae, nonnulla quibus ecclesiis terrae consuleretur. Iura quaecunque dictauit optimis rationibus sanxit'. Ch. 32 in the same work (pp. 154–5) mentions January weather, so the dispositions mentioned in ch. 33 should probably be understood as subsequent to January. Like much of the work of William of Poitiers, Orderic Vitalis copied it into his *History* with minor adaptations, and it can be found in *The Ecclesiastical History of Orderic Vitalis*, ii, ed. and trans. M. Chibnall (Oxford, 1969), pp. 192–3.

18 D. Bates, *William the Conqueror* (New Haven, Conn., 2016), pp. 265–81.

19 J. R. Maddicott, 'Edward the Confessor's return to England in 1041', *English Historical Review*, cxix (2004), 650–66.

If the link to the 1321 litigation and William of Poitiers is broken, then the writ can be dated only on the basis of the evidence contained within it. It must date from after William's coronation as king, and it must have been written before the death in 1075 of William, bishop of London, who is named within it.[20] The writ is in Old English, which strongly suggests a date early in the Conqueror's reign, within the first half decade or so. Other indicators in the writ are less precisely datable, but the address clause contains a clue in its reference to French people in the London courts. The assumption that there were many French who were permanently settled in London to the extent that they took part in the folkmoot means that the writ could not have been written in the immediate aftermath of the Hastings campaign. This strongly suggests that a date later in the 1060s should be preferred for the writ. Moreover, it shows that the portreeve of London was Gosfregð, probably but not certainly to be identified with Geoffrey I de Mandeville. It is not known when he was first established in London, though it may have been at an early point if he was associated with the eastern castle in London, the predecessor of the Tower.[21] Yet his inclusion here shows that his position within the folkmoot of London was understood and accepted, which suggests that he had not been appointed only recently.

There are other indications in the writ that it cannot have been of the period immediately following William's coronation. Its main point of reference in time is the reign of King Edward, and presumably in practice the day on which he was alive and dead; that point in time was used to define how rights should be held. This formulation is commonly seen in documents written after the Norman conquest, and abounds in Great Domesday Book, but it is not characteristic of the earliest of King William's documents.[22] Writs of 1067 refer to King Harold's time to define how rights should be held. This looked anomalous to later copyists, and in at least one case cartulary copies amend Harold to Edward to match the usual pattern.[23] The practice of using Edward's reign as definitive depended on the doctrine of conquest evolved by William, Lanfranc and others, which deemed Harold a faithless usurper rather than a legitimate king, and which claimed that William was not merely the heir, but also the direct successor to Edward the Confessor. Thus, rights had to be defined in terms of the reign of the Confessor as William's last legitimate predecessor. This set of arguments to legitimize the conquest developed over time, and perhaps reached a settled form only around the time of the councils of 1070; yet the London writ includes these assumptions implicit in the full form of this scheme. It makes Edward the Confessor's time the point from which legitimacy should be defined, which is problematic from the perspective of very late 1066 or 1067. There is nothing in the writ that suggests a local reason why reference should have been made to the time of Edward rather than Harold, though it remains a possibility that there was something unstated and now unknown that made the reference to Edward necessary. It therefore looks as though the conventional dating to the end of 1066 or the early part of 1067 is impossible because the writ contains anachronisms incompatible with those times. Though the writ cannot be dated very precisely, it might be associated with the end of the 1060s, when King William was concerned with the stability of his kingdom, and so was prone to intervene to protect its structures.[24]

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The address of a writ was one of its most important elements. It distinguished a diploma from a writ, and it showed that the writ was meant to be used by specific persons. A diploma, in contrast, was more like a certificate that documented something, but which was not meant to be part of the process of putting a grant into effect. The address clause showed that a writ was an active document, and that it was intended that it should initiate action on the part of those to whom it was addressed. This means

20 D. E. Greenway, *John Le Neve, Fasti Ecclesiae Anglicanae, 1066–1300*, i: *St Paul's, London* (London, 1968), p. 1; and Bates, *Regesta*, no. 180.

21 E. Impey, 'William the Conqueror and London's early castles', in *1066 in Perspective*, ed. D. Bates (Leeds, 2018), pp. 96–108, 287–95, at p. 96; C. W. Hollister, 'The misfortunes of the Mandevilles', in Hollister, *Monarchy, Magnates and Institutions in the Anglo-Norman World* (London, 1986), pp. 117–27, at p. 118.

22 G. Garnett, *Conquered England: Kingship, Succession and Tenure, 1066–1166* (Oxford, 2007), pp. 10–11.

23 Garnett, *Conquered England*, pp. 11–12; and Bates, *Regesta*, no. 300.

24 D. Bates, 'William the Conqueror and Wessex', in *The Land of the English Kin: Studies in Wessex and Anglo-Saxon England in Honour of Professor Barbara Yorke*, ed. A. J. Langlands and R. Lavelle (Leiden, 2020), pp. 517–37, esp. at pp. 515–17, 532–3.

that the address clause is closely linked to the action or command in the rest of the writ. Writs were addressed to whoever among the king's functionaries and underlings would be able to put the terms of the writ into effect; the address clause helps to define how readers understood the terms of the rest of the writ.[25]

The London writ was addressed to the townspeople of London collectively, in the form in which they gathered for regular meetings or courts. As is standard in such address clauses, it starts with those persons whose dignity was such that they had to be named individually. William, sometimes called William the Norman, had been consecrated as bishop of London in 1051 and, within the post-conquest settlement, he was classed as English rather than Norman, because he had been within the loyalty of the king of England before 1066.[26] Gosfregð the portreeve has plausibly been identified as Geoffrey I de Mandeville, portreeve or royal official in the City of London, sheriff of Middlesex and later first constable of the Tower of London.[27] Yet the address clause also includes the townspeople dwelling in London. This immediately shows that this is not an address to the shire court of Middlesex, but rather an address to the court or folkmoot of London, which met regularly on the open ground east of St. Paul's into the thirteenth century.[28] The bishop and the portreeve would have led the proceedings of the court or folkmoot of the City, even though they did not control them. Usually, the king's rights in each shire were managed by the sheriff, and any grants made by kings were addressed to the sheriffs, for they would have to hand over any property, or ensure that the collection and enforcement of any rights was stopped.[29] That the sheriff is not addressed, or is addressed only in his role as portreeve, is therefore a point of some significance. Arrangements in Middlesex were probably similar, notwithstanding the size and wealth of London; throughout the twelfth century, the townspeople of London tried to control the sheriffs of Middlesex by ensuring the appointment of one of their own.[30]

The final component of the address specifies that it was meant to go to both the French and the English inhabitants of London. Later, the inclusion of a phrase in the address that named both these groups was standard, and was used through the twelfth century on royal acta addressed to shires, towns and other entities. It seems probable that it referred to the languages spoken by different groups.[31] It was not, however, standard this early. No such phrase appears in pre-conquest writs and writ-charters, for obvious reasons, and it appeared only on a small minority of William I's acta. Even among those documents in Old English, the address to French and English appears on only six documents beside this, of which one is a clear forgery.[32] In William I's reign, this phrase had not yet attained to the status of common form, as one of the elements included as a matter of course. Its inclusion here must have been a choice, not merely automatic, and requires explanation. The simplest interpretation would be

25 On the structure and classification of documents, this analysis follows Sharpe, 'Use of writs', pp. 248–54.

26 *Ten Articles of William I*, articles 3–4, in *Die Gesetze der Angelsachsen*, ed. F. Liebermann (3 vols., Halle, 1903–16), i. 487.

27 Hollister, 'Misfortunes of the Mandevilles', p. 118.

28 On this, see *Munimenta Gildhallæ Londoniensis; Liber Albus, Liber Custumarum, et Liber Horn*, ii.i: *Liber Custumarum, With Extracts From the Cottonian MS. Claudius D. II*, ed. H. T. Riley (London, 1860), p. 635; M. Bateson, 'A London municipal collection of the reign of John', *English Historical Review*, xvii (1902), 480–511, 707–30, at pp. 502–3; M. Weinbaum, *London unter Eduard I. und II. Verfassungs- und wirtschaftsgeschichtliche Studien* (Stuttgart, 1933), pp. 18–29, no. 5; G. A. Williams, *Medieval London From Commune to Capital* (London, 1963), pp. 35–6; F. Stenton, 'Norman London', in *Preparatory to Anglo-Saxon England, Being the Collected Papers of Frank Merry Stenton*, ed. D. M. Stenton (Oxford, 1970), pp. 23–47, at pp. 29–31; Brooke and Keir, *London, 800–1216*, p. 249; Reynolds, *English Medieval Towns*, pp. 92–4; P. Nightingale, 'The origin of the Court of Husting and Danish influence on London's development into a capital city', *English Historical Review*, cii (1987), 559–78, at p. 563; C. Barron, *London in the Later Middle Ages: Government and People, 1200–1500* (Oxford, 2004), pp. 127–8; Hudson, *Oxford History*, pp. 818–19, 821; and R. Naismith, 'The origins of the husting and the folkmoot', *History*, civ (2019), 409–24.

29 Sharpe, 'Use of writs', pp. 250–4.

30 See Brooke and Keir, *London, 800–1216*, pp. 217–22.

31 R. Sharpe, 'Peoples and languages in eleventh- and twelfth-century Britain and Ireland: reading the charter evidence', in *The Reality Behind Charter Diplomatic in Anglo-Norman Britain*, ed. D. Broun (Glasgow, 2011), pp. 1–119, at p. 103. George Garnett ('Franci et Angli: the legal distinctions between peoples after the conquest', *Anglo-Norman Studies*, viii (1985), 109–37, at pp. 113–14) sees them as reflecting geographical origins. The London Jews were not addressed in this way, and were governed according to their own and the king's customs.

32 Bates, *Regesta*, nos. 31 (for Beverley), 66.i (for Christ Church, Canterbury, forged), 80 (for St. Augustine's, Canterbury), 189 (for St. Paul's, London), 276 (for Stow), 338 (for Winchester). French and English appear in the body of texts a few times as well, in Bates, *Regesta*, nos. 107 (for Deorman), 130 (on exculpation), and 351 (for York), where French, Flemish and English were cited. Another twenty do not include it, so it was not the norm in William's acta. See Sharpe, 'Peoples and languages', pp. 4, 10; on pp. 24–5 he calls it 'functionally optional', and on p. 5 suggests that its aim was merely to remind both sides that William was their king. This does not account for how it was used so rarely and inconsistently in the aftermath of 1066, when the reminder would have been particularly important.

that the two language groups were named here because William the Conqueror believed that the terms of the writ applied to them in particular, for writs conveying specific commands were often addressed to individuals or to specific groups, sometimes as part of broader collectives. The inclusion of 'French and English' is therefore an important and specific hint about the context in which it should be read.

The interpretation of the address clause is tied very closely to the understanding of the rest of the writ, for what follows are not nouns that define the identity of the beneficiary, but pronouns that refer back to the address clause to define who was meant to benefit from the writ. It is worth emphasizing that this is an exceptionally rare feature in early royal writs. 'You', *ðu*, appears twice in the clause, and there is a distinction over what it meant. The scribe started the clause with the notificatory phrase and the plural form for the addressees (*ic kyðe eow*), but then progressed to use *git*.[33] *Git* means 'you two/both', as opposed to the more open 'you' of *eow*.[34] The sense here is that the scribe is distinguishing between the broader, more open-ended group to which the writ as a whole was addressed and the more specific two to which the writ applied. The first group (*eow*) is unproblematic; it is the same group described in the address clause to the writ, the attendees of the folkmoot of London. The second (*git*) is harder to pin down. There is no pair in this clause to which *git* could apply; it must be sought in the only other source of nouns, the address clause. Two pairs might be seen there. Stenton thought it might apply to the bishop, portreeve and people of London.[35] This is problematic because this clause specifies two (*git*) while the address actually includes three. He did not explain why he thought this a plausible reading, and there is no other evidence that points towards a dispute between bishop, portreeve and people at this date, which might make such a specification useful. His must therefore be regarded as a speculative reading. The second pair of nouns to which *git* might apply are groups, the French and English of the address clause. As discussed above, they are the most anomalous element, for they were not a standard inclusion at this early date; their presence in the address looks as though it was intentional rather than routine, and that the specification of these two was linked to the functions and implementation of the writ. Moreover, if it is accepted that the French and English were the *git* of this clause, there is no need to invent some difficulties between the bishop and the people of London; tensions between French and English would be entirely believable in the aftermath of the Norman conquest, and while the Norman settlement of England was under way.

The London writ is unique among pre-conquest and Anglo-Norman writs in that the beneficiaries of the writ are also named in the address clause. This is important in that it defines how the writ was meant to be used. No transfer of rights was intended; it would hardly have been possible for someone to transfer rights to themselves, or offer independent testimony about it. What the address shows is that the matter addressed by the writ was essentially one that was local and internal to London itself, not something about its relationship to other powers or functionaries in the countryside beyond. It was, rather, about how Londoners behaved towards each other and how they allotted power among themselves.

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The meaning of the writ has generated divergent responses, largely because the main idea, 'lawworthiness', is not one that has been discussed much, so that its import and significance have not been defined in the literature. Most commentators have chosen not to analyse this idea, and to present it as though it were merely an unproblematic instruction that some should benefit from the protection of the law.[36] Robertson suggested a slightly more concrete version, translating the phrase as 'You shall be

33 The original writ reads, 'Get', which has to be a scribal error for *git*, for it means nothing by itself (*Dictionary of Old English: A to I Online*, ed. A. Cameron and others, under 'git 1' <https://tapor.library.utoronto.ca/doe/> [accessed 22 Aug. 2022]; and *An Anglo-Saxon Dictionary Based on the Manuscript Collections of Joseph Bosworth*, ed. T. Northcote Toller and A. Campbell (Oxford, 1972), under 'git').

34 Stenton ('Norman London', p. 25) translates it with 'both'; Felix Liebermann (*Die Gesetze der Angelsachsen* (3 vols., Halle, 1903–16), i. 486) translates it with 'beide'. Patrick Wormald (*The Making of English Law: King Alfred to the Twelfth Century*, i: *Legislation and Its Limits* (Oxford, 1999), p. 399) translates this as 'you shall be worthy of all those laws that yet were in the time of King Edward', though the basis for this is not clear. Most of the translations ignore *get*.

35 Stenton, 'Norman London', p. 25. His view may be based on Liebermann's discussion of the writ in terms of 'Bistum und stadt' (Liebermann, *Die Gesetze der Angelsachsen*, ii. 276).

36 For instance, 'William I confirmed to the Londoners their laws [*laga*] of which they were worthy in the time of King Edward, but we do not know the content of these laws' (Hudson, *Oxford History*, p. 813).

entitled to all the rights', and this or variants of it seem to be widely accepted.[37] This is rather vague, and royal writs of the eleventh century were not vague. They were commands from the king to named individuals or functionaries to carry out or desist from specific actions. If William the Conqueror had, for example, wanted to protect London from interference by his barons, the logic of the writ system demanded that he would have sent a writ addressed to specific barons or to the baronage as a whole, ordering that they should not interfere. No writ survives that is merely a statement of royal goodwill; if such ever existed, it would presumably have had a general address, so that the king's goodwill could have been made known to anyone. The writ is addressed to a highly specific group, and so we have to look to that group to understand its applicability; as argued above, the focus on the divide between French and English is the most prominent feature.

It is likely that something quite concrete was in mind. For *weorþ*, worth, was used in Old English documents to indicate not just value,[38] but also ownership of a kind, especially in relation to intangible rights. Thus, royal writs often ordered that someone should hold soke in the form that that person was worthy of his or her soke;[39] more rarely someone could be said to be worthy of land,[40] other rights,[41] or a post or position.[42] The meaning of *weorþ* in this sense can best be seen from how it was translated into Latin. While literal translations such as *sua saca et sua socna dignus* were attempted,[43] this form was rare and more usually *weorþ* was translated into Latin using forms of *habere*, 'to have', such as *ut habeant suum sake et sokne*.[44] To be worthy of something was not just about status,[45] but about claims or even ownership, and had effects for others. If someone was worthy of soke, then it meant that they were in a position to control others through that soke; if someone was worthy of law, should it be read in the same way, as 'both have/control all their laws', with implications for how their rights and those of others were handled?

Law-worthiness appears almost entirely in royal writs connected with London. Clearly the question of who was law-worthy, and who was not, was of greater significance in the courts and assemblies there than elsewhere. Edward the Confessor ordered that the men of the English Cnihtengild in London should be worthy of their laws,[46] and kings Æthelred and Edward ordered that the priests of St. Paul's in London should likewise be worthy of their laws;[47] a writ of William the Conqueror ordered that Bishop Maurice of London should be worthy of his laws.[48] As well as these Old English writs, William ordered that the abbess of Barking was to have *omnes leges suas in civitate et extra civitatem* ('all her laws in the City and outside the City'),[49] which suggests a similar underlying phrase and which clearly links this document to London. There seems to be only one writ from outside London that specifically mentions law-worthiness; it was in the name of William, and ordered that Walchelin, bishop of Winchester, was to be as worthy of good laws as his predecessor Ælfwine had been.[50] Walchelin's immediate predecessor had been the notorious Stigand, but he was

37 A. J. Robertson, *The Laws of the Kings of England From Edmund to Henry I* (Cambridge, 1925), p. 231. This is also in Harmer, *Anglo-Saxon Writs*, p. 468. On this, see also Harmer, *Anglo-Saxon Writs*, pp. 63–4.

38 The Toronto dictionary project has not yet reached this far into the alphabet. See Northcote Toller and Campbell, *Anglo-Saxon Dictionary*, under 'weorþ'.

39 Harmer, *Anglo-Saxon Writs*, no. 11, for Bury St. Edmunds may stand as an example: 'Beon heora sake 7 heora socne wurðe'. Other examples can be found in the same volume, nos. 12, 28, 33, 38, 42, 43, 44, 51, 52, 53, 54, 71, 109, 116, 118, and Bromfield and Coventry writs in appendix. The same formulation can be seen in Bates, *Regesta*, nos. 1, 12, 34, 66, 80, 184, 189.

40 Harmer, *Anglo-Saxon Writs*, nos. 16, 34, 63, 71, 80; and Bates, *Regesta*, no. 98.

41 Harmer, *Anglo-Saxon Writs*, no. 24.

42 Harmer, *Anglo-Saxon Writs*, nos. 8, 27, 65. The same formulation can be seen in Bates, *Regesta*, nos. 337, 338, 351.

43 Harmer, *Anglo-Saxon Writs*, no. 46, for Coventry. There are Latin translations of the London writ in manuscripts originating in the City of London, and they also offer literal translations. One, dated 1314, has 'Et ego vobis notum facio quod ego volo quod vos sitis omni lege illa digni qua fuistis Edwardi diebus regis' (Brit. Libr., MS. Cotton Vespasian D XVI, fol. 57r–v; Brit. Libr., MS. Additional 38131, fol. 85v; L.M.A., COL/CH/01/001/B; L.M.A., COL/CS/01/002, fols. 203v, 362r; L.M.A., COL/CS/01/003, fols. 110v–111r; and L.M.A., COL/CS/01/006, fol. 187r, printed from the latter in *Liber Custumarum*, p. 247). There is a variant text in the *Liber Ordinationum* (L.M.A., COL/CS/01/005, fol. 246v), which reads, 'Et ego notum vobis facio quod ego volo quod vos sitis omni illa lege et ritu digni quibus fuistis Edwardi diebus regis'.

44 Bates, *Regesta*, no. 80. The Old English original has 'bien heore sace weorðe 7 heora socna'.

45 Later forged or interpolated charters use the idea of worthiness in other senses, such as 'moot-worthy' in a Ramsey forgery (Harmer, *Anglo-Saxon Writs*, no. 61).

46 Harmer, *Anglo-Saxon Writs*, no. 51; and S. Kelly, *Anglo-Saxon Charters*, x: *Charters of St Paul's, London* (Oxford, 2004), pp. 216–19, no. 32.

47 Harmer, *Anglo-Saxon Writs*, nos. 52, 54. The latter has probably been interpolated; see Harmer, *Anglo-Saxon Writs*, pp. 237–8; and Kelly, *Charters of St Paul's*, pp. 191–2, no. 24; pp. 206–10, no. 28.

48 Bates, *Regesta*, no. 189.

49 Bates, *Regesta*, no. 10.

50 Bates, *Regesta*, no. 339.

delegitimized after 1070.[51] This is therefore not a normal writ in merely defining the position of the bishop; moreover, its highly specific address clause suggests that it was meant as a response to some specific if irrecoverable problem. It is notable that all of these occurrences are about individuals of high status, not townspeople, and that their exercise of their rights would have had consequences for their dependents and others.

The command about law-worthiness has often been interpreted as a statement that the people of London were to continue to enjoy the protection of the law. It has been argued above that this is very unlikely, and that it ignores both the meaning of some of the words and the patterns of their use. It was instead a command that two groups – the French and English – should both be worthy of their law, which probably in practice meant that the elite from those two groups should be able to define how their persons and interests were treated; it was about the privileges of particular status groups rather than something accessible to the whole population of London. The idea of law-worthiness was almost exclusively used in London, and this pattern in the sources indicates that there was something distinctive about how rights were claimed and exercised in London compared to other places.

London's courts were in many ways anomalous from an early date. They had distinguishing practices that drew unfavourable comment from outsiders, such as *miskenning*,[52] but also a distinctive structure. The folkmoot was a large, general meeting three times a year that involved widespread participation from among the people, and was in many ways comparable to the shire and hundred courts seen elsewhere.[53] Yet it was an unusually large, ungovernable and inconvenient committee due to the size of the City in which it lay; moreover, the number of people in London meant that it generated more business than other districts. Thus, by the early eleventh century it was supplanted in many of its roles by the husting. The husting was a much smaller weekly assembly, and it came to determine much of the legal business of London, including matters such as inheritance and dispute settlement, albeit within the overall framework of the folkmoot from which it descended.[54] The development of the husting meant that legal business was done by a select group, even if the basis for that selection is not always apparent. The idea that the making of judgements was in the hands of a select group can be seen elsewhere, but the husting was unique in the frequency of its activity and in that it made judgements without the supervision of the bigger folkmoot. This must have meant that there was a special impetus to obtain a measure of access to or influence over the deliberations of the husting, or to be able to claim the ability to own and define law separately from the deliberations of the husting. This link to the husting is conjectural, but the unusual nature of the structure of folkmoot and separate husting provides the most obvious context for why distinctive wording appears in royal documents concerning London.

The writ, moreover, orders that two were to have law-worthy status, and, as explained above, this means that William commanded that both French and English should have that status. The command raises the probability that one of the two sides had been excluded from it. In the aftermath of the conquest, it might naturally be assumed that it would have been French speakers who would have been able to exclude English speakers, rather than the other way round. Some confirmation of this might be found in the final words of the clause, which state that the rights that William wanted observed were those that had been in place before 1066. In this reading, the main function of the writ was to regulate relations between named groups within the City, not to recognize or set up the City of London as a privileged community. It fitted into an established and distinctive structure for managing law and custom, and used phrases that had long been in use in relation to London, but not elsewhere.

51 Garnett, *Conquered England*, p. 34.

52 *Leges Henrici Primi*, ed. L. J. Downer (Oxford, 1972), c. 22.1, p. 124.

53 See note 28 above.

54 On the husting, see Stenton, 'Norman London', pp. 29–31; Reynolds, *English Medieval Towns*, p. 119; P. Nightingale, 'Some London moneyers and reflections on the organization of English mints in the eleventh and twelfth centuries', *Numismatic Chronicle*, cxlii (1982), 34–50; Nightingale, 'Origin of the Court of Husting'; M. K. Lawson, *Cnut, England's Viking King, 1016–35* (2nd edn., Stroud, 2011), pp. 187–8, which points out that the term need not have a Scandinavian origin; Keene, 'London from the post-Roman Period to 1300', p. 204; Brooke and Keir, *London, 800–1216*, pp. 250–1; Hudson, *Oxford History*, pp. 818–20; J. Campbell, 'Power and authority', in Palliser, *The Cambridge Urban History of Britain*, i: *600–1540*, pp. 51–78, at pp. 58, 72–6; Williams, *Medieval London*, pp. 82–4; and Barron, *London in the Later Middle Ages*, pp. 128–9. For some medieval analysis of the husting, see *Munimenta Gildhallæ Londoniensis; Liber Albus, Liber Custumarum, et Liber Horn: 1, Liber Albus, compiled A.D. 1419*, ed. Henry Thomas Riley (London, 1859), pp. 172–85, 403, 472, 498.

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The second main clause of the writ is concerned with inheritance. It has been read as a general approval for the continuation of inheritance in London, as part of the idea that London could survive the conquest without some of the disruption to inheritance and other matters seen elsewhere.[55] That interpretation depends on the absence of the London sections from Great Domesday Book, which means that it is hard to see the extent of destruction and expropriation within London; yet these were presumably substantial, perhaps involving fighting in the winter of 1066 and more certainly the construction of two castles within the walls.[56] Like the previous clause, its phrasing deserves close attention, for it has usually been read in the most general terms, whereas it probably had a much more specific meaning. Once again, it is a command. It implies that there was a perceived likelihood that the terms ordered here would not be carried out; the point of the clause was to ensure that these arrangements were actually enforced.

This was not the only writ in which William was concerned with ensuring inheritance. For instance, one of his writs in favour of Regenbald his priest allowed that Regenbald could dispose of those lands granted to him by the king as he wished.[57] This, like the London writ, provided that transfer from one person to another should take place in a regular way, but there is a considerable difference in perspective. Regenbald's writ puts his position as the testator at the centre of the writ, so focusing on his right to give or bequeath his lands; the London writ, meanwhile, emphasizes the right of the legatees to receive an inheritance. The difference between the two writs shows something important about the London writ. It was not merely an injunction that inheritance should continue to be practised, but rather was about who should receive the inheritance.

What did William mean when he instructed that *ælc cyld*, each, every or any child,[58] should be *yrfnuma* or heir?[59] It immediately suggests a broad view of inheritance rather than a concern with primogeniture; it could apply to any or all children of a testator, rather than a single line of inheritance, even where only one testator was involved. Moreover, it specifies a child rather than a son, which could imply that inheritance as envisaged by William the Conqueror here was not restricted to one gender. Overall, it could be taken as an injunction in favour of partible inheritance, that any child should receive a stake in an inheritance, which in practice may have meant that every child did so. Much has been written on how an expectation of inheritance developed that ultimately resulted in a form of male-preference primogeniture becoming one of the central customs of the early Common Law.[60] Yet towns later stood outside this pattern in allowing more flexible and more generous inheritance customs, including partibility.[61] These are documented in some detail in the custumals that many towns made from the later twelfth century onwards,[62] and these show that the exclusive focus on the eldest male heir was not followed in towns. The exact customs followed in particular towns varied widely, but in some it was possible for women to inherit, in others inheritances could be divided, bequests were more widely accepted, and in some there could be found the custom of ultimogeniture

55 See notes 2 and 3 above for interpretations of the writ and this clause.

56 E. Impey, 'London's early castles and the context of their creation', in *The White Tower*, ed. E. Impey (New Haven, Conn., 2008), pp. 13–26; and Impey, 'William the Conqueror and London's early castles'.

57 Bates, *Regesta*, no. 223; see also D. C. Douglas and G. W. Greenaway, *English Historical Documents*, ii: *1042–1189* (London, 1953), pp. 430–1, no. 35. For another writ that takes the testator's viewpoint, see Harmer, *Anglo-Saxon Writs*, no. 2, for Abbotsbury.

58 Cameron and others, *Dictionary of Old English*, under 'ǣlc 1', 'cild 1'; and Northcote Toller and Campbell, *Anglo-Saxon Dictionary*, under 'ælc', 'cild'.

59 The Toronto dictionary project has not yet reached this far into the alphabet (Northcote Toller and Campbell, *Anglo-Saxon Dictionary*, under 'irfe-numa'; see also *Middle English Dictionary*, ed. H. Kurath and others, under 'erv-ward', 'erv-name' <https://quod.lib.umich.edu/m/middle-english-dictionary/dictionary> [accessed 22 Aug. 2022]). For an instance in the pre-conquest laws, see 3 Æthelred 14, where it is indicated that someone might have more than one heir. The term remained in use after 1066, for it was used to translate *heres* (see C. Clark, *The Peterborough Chronicle, 1070–1154* (2nd edn., Oxford, 1970), under 1100, where it is used for William Rufus's claim to be the heir of all, clerk and lay; and under 1101, where it is used to describe how Henry I of England and Duke Robert of Normandy acknowledged that each was the other's heir). The latter suggests that the term's applicability extended beyond land tenure. Adolphus Ballard (*British Borough Charters*, pp. 74–6) recognizes that this phrase in the London writ was problematic, but suggests without much clear basis that it provided that inheritance could take place even where someone died intestate. The assumption that wills were the norm is hard to justify from the slightness of the evidence.

60 Hudson, *Oxford History*, pp. 347–57.

61 Reynolds, *English Medieval Towns*, p. 88; and Hudson, *Oxford History*, pp. 834–7.

62 The fundamental work on these sources is still M. Bateson, *Borough Customs* (Selden Society, xviii, xxi, 2 vols., 1904–6); there are other, more recent, editions of some texts, such as in J. H. Williams, *Town and Crown: the Governance of Later Thirteenth-Century Northampton* (Northampton, 2015).

('Borough English'), in which the youngest child inherited.[63] The Common Law is not the only story in English legal history.

There is no source that describes inheritance practices in London in general terms, so they can be understood only through looking at actual successions within families, and fortunately there is evidence that shows how this happened from the eleventh to the thirteenth centuries. It concerns the family and descendants of Deorman from the later eleventh century, who were prominently linked to moneying, landholding and the church in and around London.[64] Deorman held half a hide at Islington in Middlesex and maybe Watton at Stone in Hertfordshire by 1086,[65] and half a hide at *Gyddesdune* in Essex perhaps by 1070,[66] as well as a tenancy from Christ Church, Canterbury before his death in *c.*1093.[67] At his death, his assets and interests were not passed to an eldest son, but were divided among his sons and daughters. One son, Algar, was a canon of St. Paul's, and his canonry may have been founded by Deorman;[68] another son, Ordgar, followed his father as a moneyer, and was one of the members of the English Cnihtengild up to its dissolution in 1125;[69] another son, Theodoric or Thierry, was also a moneyer, and held lands from St. Paul's; there was another son, one Aedwin, son of Deorman;[70] finally, three of Deorman's daughters held land jointly in the early twelfth century before they donated it to Westminster Abbey.[71] There is no sense of priority here; it is not clear from the surviving evidence which of Deorman's children was the senior. Exactly the same happened in the next generation, where assets and interests of Theodoric, the most successful of Deorman's sons, were divided among his four children William, Walter, Milo and Deorman.[72] The younger Deorman claimed to hold one of his assets, the church of St. Antonin, by hereditary right;[73] he in turn had at least four children, and his interests were divided among them, carrying the succession into the later twelfth century,[74] and their descendants can be traced into the thirteenth century. This evidence relates to only one family, and that the best-recorded of them; but similar complicated inheritance patterns can be seen among other prominent London families.[75]

These inheritance practices were not merely internal to the family concerned. Recognition of property transfers depended on the support of those who had the decisive voice in local courts. Not long before the conquest, Edward the Confessor sent a writ to the shire court of Dorset, which authorized that Tole, widow of Urk, should be allowed to bequeath her land, and ordered that this be done through the good men who observed it.[76] This stresses the role of those who attended local courts in regulating and recognizing inheritance. Those who took the lead in courts would have had the first voice in defining custom and applying it to particular inheritances; within London, this

63 F. Pollock and F. W. Maitland, *The History of English Law Before the Time of Edward I* (2nd edn., Cambridge, 1898), i. 647; ii. 279–80; R. J. Faith, 'Peasant customs and inheritance in medieval England', *Agricultural History Review*, xiv (1966), 77–95, at pp. 81–4; and Hudson, *Oxford History*, pp. 834–7.

64 *The Domesday Monachorum of Christ Church, Canterbury*, ed. D. C. Douglas (London, 1944), pp. 62–3; Nightingale, 'Some London moneyers'; and Brooke and Keir, *London, 800–1216*, pp. 219, 344.

65 *Domesday Book*, ed. John Morris (35 volumes, Chichester, 1973–86), fols. 130v and 142r.

66 It is not entirely clear where this was. The address to the shire court of Essex shows that it must have been a place in that county (not Great Gaddesden, Hertfordshire, as suggested in Pelteret, *English Post-Conquest Vernacular Documents*, pp. 60–2, no. 23). There is no location with a similar name in Essex today, but the *Domesday Book* records one hide at Geddesden in Chafford Hundred in the possession of Westminster Abbey (*Domesday Book*, ii, fol. 15r) in 1066 and 1086. According to a later forgery, it may have been given by one Leofstan, son of Ælstan (Bates, *Regesta*, no. 324). Deorman's hide was presumably a separate holding from that of Westminster, even though they shared a name; both Deorman's documentation and that from Westminster are careful to specify that individual hides at Geddesden were at stake, not the whole place.

67 Douglas, *Domesday Monachorum*, pp. 62–3, 105.

68 Nightingale, 'Some London moneyers', pp. 36–7.

69 Nightingale, 'Some London moneyers', pp. 36–7.

70 Nightingale, 'Some London moneyers', pp. 36–7.

71 Johnson and Cronne, *Regesta Henrici Primi, 1066–1154*, p. 131, no. 1123; J. Armitage Robinson, *Gilbert Crispin, Abbot of Westminster: a Study of the Abbey Under Norman Rule* (Cambridge, 1911), pp. 147–8, no. 29; and *Westminster Abbey Charters, 1066–c. 1214*, ed. E. Mason (London, 1988), p. 48, no. 68. It notes that the three sisters had the consent of their brother Ordgar in making the gift, which implied that he had some right over the land or the succession to it.

72 Nightingale, 'Some London moneyers', pp. 36–7.

73 Nightingale, 'Some London moneyers', p. 47.

74 Nightingale, 'Some London moneyers', pp. 36–7.

75 J. H. Round, *The Commune of London and Other Studies* (Westminster, 1899), pp. 105–12; and S. Reynolds, 'The rulers of London in the twelfth century', *History*, lvii (1972), 337–57, at pp. 346–7. For a sense of how dynastic succession could be perceived in early thirteenth-century London, see the notes in Brit. Libr., MS. Additional 14252, fol. 127v, printed in Round, *Commune of London*, p. 106; and Weinbaum, *London unter Eduard I. und II.*, pp. 87–8, no. 33, with comment in D. Keene, 'Text, visualisation and politics: London, 1150–1250', *Transactions of the Royal Historical Society*, 6th ser., xviii (2008), 69–99, at p. 89.

76 Harmer, *Anglo-Saxon Writs*, no. 2, for Abbotsbury.

would presumably have been the law-worthy, who were the main topic of the earlier part of the writ. The two commands in the writ are thus linked. The likely context for the writ might be understood conjecturally in this way; French incomers had tried to exclude the English law-worthy men of London from their influence over the courts, and differences over inheritance customs formed something of a flashpoint.[77] William the Conqueror's writ restored the English law-worthy men to their position, and affirmed the value of London's pre-conquest inheritance practices.

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The writ is now preserved through the archives of the Corporation of the City of London, and has clearly been in its possession for some centuries. The Corporation first brought it before the king's clerks for *inspeximus* in 1400,[78] and it was in the possession of the Corporation before that, for it was cited by the Corporation's lawyers in their dispute with the canons of St. Martin's-le-Grand in 1321.[79] It was probably in the possession of the City by the thirteenth century. The earliest list of the City's records is that titled 'De cartis civitatis' in British Library, MS. Additional 14252, fol. 106r, as part of an ambitious collection of records and memoranda concerning London's history and legal claims made perhaps between 1212 and 1216.[80] The first items named there are: 'In thesauro, due regis Willelmi primi'. This is unspecific, but it can probably be linked with the two writs of William the Conqueror that still survive in the City archives, the London writ and the Deorman writ.[81] The City lacked a separate treasury, and so the treasury named here was probably that of St. Paul's.[82] The real problem in the transmission of the writ is how it got into the hands of the Corporation in the early thirteenth century. Somehow it survived from the 1060s to the early thirteenth century, a span of a century and a half, when there was no clear institution corresponding to the later Corporation that might have provided a home for it. There was no mayoralty until that of Henry fitz Ailwin at the very end of the twelfth century, and a coherent civic collection of charters survives only from that point onwards. So, how did William the Conqueror's writ survive? Who preserved it?

The only solid evidence for the custody of the writ before the thirteenth century is palaeographical. The writ bears an endorsement in a hand probably of the later twelfth century, which states: 'Carta regis Willelmi de libertatibus'.[83] The idea that the writ was about liberties fits with later ideas about its significance, and this seems to be the earliest statement of that theory about its meaning. This comment is written in the same hand as an endorsement on another writ of William the Conqueror, that in favour of the prominent Londoner Deorman, which reads: 'Carta regis Willelmi'.[84] This shows that the two original writs were together in the later twelfth century. The link to the Deorman writ is the key to understanding the preservation of the London writ.

It was earlier argued that the writ was not a grant of privileges or rights, but instead an administrative writ that regulated how law, inheritance and custom should have been managed within the folkmoot and husting court of London. As such, it had general applicability to anyone who may have attended the folkmoot and husting of London in the later 1060s. It would not obviously have applied to any person or persons more than others. Once the will of the king had been announced to the folkmoot, anyone present might have taken it. The terms in which the writ was cast suggest that it was probably obtained by someone among the elite of London, but this could have been anyone, and it need not be attributed to any kind of institutional impulse. Even the

77 This aspect of the writ was observed by John Le Patourel (*The Norman Empire* (Oxford, 1976), p. 263, note).

78 Pelteret, *English Post-Conquest Vernacular Documents*, pp. 48–9.

79 See note 4 above.

80 'De cartis civitatis', Brit. Libr., MS. Add. 14252, fol. 106r <https://www.bl.uk/manuscripts/Viewer.aspx?ref=add_ms_14252_fs001r> [accessed 22 Aug. 2022]. For an overview of the manuscript, see Keene, 'Text, visualisation and politics', p. 80. This section is printed in Round, *Commune of London*, p. 256; and Weinbaum, *London unter Eduard I. und II.*, p. 45, no. 11. For its inclusion in a later list of London muniments, see *Munimenta Gildhallæ Londoniensis*, i. 128.

81 See note 84 below.

82 Keene, 'Text, visualisation and politics', p. 89.

83 Bishop and Chaplais, *Facsimiles of English Royal Writs*, Plate XIV. There are no other surviving charters in favour of the Deorman family in the City of London archive, and the hand does not appear on the other early charters from London.

84 Bishop and Chaplais, *Facsimiles of English Royal Writs*, Plate XV; Bates, *Regesta*, no. 107; and Pelteret, *English Post-Conquest Vernacular Documents*, pp. 60–2, no. 23.

obtaining of this writ might as well be sited within a personal or family context as an institutional one, and someone in the folkmoot could have kept it as evidence for their right to law-worthy status and participation in the husting. It could have been preserved through any of the prominent London families and their descendants from the 1060s to the 1200s. Indeed, the idea of preservation in a family archive may help to explain why this writ was not cited in the other early charters in favour of London, such as those attributed to Henry I and Henry II, which show no trace or knowledge of the terms of William the Conqueror's writ.[85]

The London writ has been associated with the Deorman writ since the later twelfth century, when both were annotated in the same hand. It has been customary to regard the London writ as the primary document, and the Deorman writ as an anomaly that has been preserved by accident alongside it.[86] The City is not a beneficiary of the Deorman writ, and it does not concern holdings in London at all. The writ consists of a command from William the Conqueror to the shire court of Essex that he had given a hide of land at the lost location of *Gyddesdune*[87] to Deorman, who had been deprived of it; it then proceeds to a command that no one, French or English, should do him any damage.[88] Unlike the London writ, the Deorman writ has a clear beneficiary, and a plausible route for preservation through Deorman and his descendants and successors,[89] for whom the writ would have stood as a kind of evidence for a claim to land. There was therefore a likely financial incentive for the preservation of such a writ by the descendants of the original beneficiary. Thus, it might be reasonable to assume that the Deorman writ was preserved for family purposes, and that the London writ merely travelled with it as an accessory. Indeed, it may have needed someone as well connected as Deorman to obtain the London writ from the Conqueror in the first place.

Deorman's family has been studied elsewhere in some detail, and it has been discussed above. There is a clear succession from the eleventh century into the early thirteenth, where assets and identity descended partibly from one generation to another, and the family remained prominent in London life. The presence of the Deorman writ in the London Corporation archives from an early date suggests that at some point documents associated with this family passed into the hands of civic functionaries. Thus, the London writ does not show that a coherent civic archive existed in the eleventh century, but it does attest to the existence and survival of part of an eleventh-century family archive, and to the use of literate methods of doing business among the laity in an urban setting.

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This article has put forward a new and divergent reading of one of the key sources for the Norman conquest of England and for the history of London. The London writ has hitherto been read as a guarantee that protected the privileged position of the City against outside interference, and which represented a negotiation between the City and the king very soon after the conquest. The argument here is that the internal evidence of the writ suggests that it was written a couple of years later than that, and that it reflects a developing situation rather than an initial settlement between the Londoners and the Normans. Most importantly, the document did not arise from the City's unity in the face of the king, but rather from William's desire to regulate disputes within the City, and so to preserve its stability at a time when his kingdom was much disrupted; it can probably be assumed that he did so through the instigation of one faction or individual. The details of this have been discussed at length above; the disputes behind the writ were based on tensions between the English and French inhabitants of London, and show how the two sides related to each other and defined their identities in relation to different customs. In this new reading, the London writ is a vital source for thinking

85 In contrast, the charters of Henry I and Henry II were cited in confirmations obtained from kings Richard I and John, and so contributed to the collection of muniments developed by the City to support its claims (An Antiquary [W. de Gray Birch], *The Historical Charters and Constitutional Documents of the City of London* (London, 1884), pp. 7–8, no. 5; pp. 11–12, no. 7). On the use of Henry II's charter for London, see *The Letters and Charters of Henry II, King of England 1154–1189*, ed. N. Vincent (6 vols., Oxford, 2020), iii. 268–71, no. 1638.

86 An Antiquary, *Historical Charters and Constitutional Documents*, pp. xii–xiii.

87 See note 66 above.

88 Bates, *Regesta*, no. 107.

89 See notes 64–74 above.

about how identities were expressed and managed in the aftermath of the conquest, especially in the contested environment of towns.

Though created for a specific short-term function, the London writ was reinterpreted over time and came to be seen as the foundation of the City of London's liberties and privileges. This development has historical significance in itself, though it must be stressed that it depends on a very generous reading of the writ; it does not grant anything, but merely orders how things should be done, and it makes no grant to the City. The idea that it was an early and fundamental document seems to have appeared in 1321, in response to the need to find something that preceded the 1068 charter of St. Martin's-le-Grand, and has been repeated thereafter without much investigation. The significance of the London writ was not entirely clear to later medieval readers, and some of its terms could be read vaguely to carry more general meanings. Thus it could be repurposed to serve the developing claims of the City at a later date. It points to how the City's archive, like most others, was the product of improvisation and invention as much as of planning.

The London writ shows that the distinctiveness of towns in the eleventh century lay in how business was conducted internally, through customs around culturally significant matters, such as testimony, inheritance and family, not through liberties that defined jurisdictions against external interference. The matters covered in the London writ were not those addressed in later civic charters. It has often been noted that prominent English families survived much longer and more fully in the towns than in the countryside.[90] In the towns, English families could survive over many generations, and could remain or become wealthy in land, trade and other assets. Over time, they even came to intermarry with the new French mercantile and aristocratic classes. The ability to do all this was dependent on their ability to enforce their norms of inheritance and ensure that their assets could pass to their successors. The vindication of English custom in the London writ helped to shape the survival of English urban families as part of the elite.

90 This point has been made many times (e.g., J. H. Round, *Geoffrey de Mandeville: a Study of the Anarchy* (London, 1892), pp. 304–12; Reynolds, 'Rulers of London', p. 339; A. Williams, *The English and the Norman Conquest* (Woodbridge, 2005), pp. 203–6; and H. M. Thomas, *The English and the Normans: Ethnic Hostility, Assimilation and Identity, 1066–c. 1220* (Oxford, 2003), pp. 181–99).