Articles of William I: Textus Roffensis
ff. 80r–81v
Translated from Latin and edited
Dr Chris Monk

Abstract:
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Textus Roffensis, Rochester, Cathedral Library, MS A. 3. 5, f. 80r
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Articles of William I: *Textus Roffensis* ff. 80r–81v

Translated from Latin and edited by Dr Christopher Monk © 2017

Date: 1066–1087

Here is shown what William, king of the English, with his principal men, decreed after the conquest of England.

First, above all, he would wish that one God is to be worshipped throughout the whole of his kingdom, one inviolable Christian faith always to be observed, and peace and security between the English and Normans to be protected. We wish, furthermore, that each free person may affirm faithfully by oath that, within and beyond England, they wish to be faithful to King William, to protect his lands and honour with all fidelity to him, and to defend him against his enemies.

I wish, moreover, that all persons whom I have brought with me, and those who subsequently came, may live in peace and quiet. And if any one of these is killed, his lord should hold his murderer within five days, if possible.¹ If not, he should begin to pay to me forty-six silver marks, as long as the wealth of that lord shall hold out. Whenever, in truth, the wealth of that lord should fail, the entire hundred in which the murder took place should together pay whatever is remaining.²

And each Frenchman who was in England at the time of king Edward, my relative, participating in the customs of the English, should pay that which is called lot and scot,³ according to the laws of the English. This decree was ratified in Gloucester.

Furthermore, we enjoin that no livestock may be sold or bought except inside towns, and in front of three faithful witnesses, nor anything of long-standing – it is prohibited – without a guarantor and warrantor. But if he does otherwise, he should give back [the goods] and pay back [the money], and afterwards be fined.⁴

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¹ The grammar is ambiguous as to whose lord is being referred to. However, the rest of the passage indicates that the murderer’s lord had the responsibility to imprison the murderer. It is, of course, quite possible that the lord of the murderer and the lord of the victim would be the same person, as both murderer and victim may have lived in the same area.

² The hundred was a local administrative unit in later Anglo-Saxon England (especially from the tenth century), and was both a measure of land and the area served by a hundred-court. In the Midlands, hundreds were often assessed at a hundred hides, hence the name; however, in the south, this clear correspondence between size and name did not exist. See Sean Miller, ‘Hundreds’, in *The Blackwell Encyclopaedia of Anglo-Saxon England*, ed. Michael Lapidge *et al* (Blackwell, 2001), pp. 243–44. Hundreds and hundred-courts continued into the post-Conquest period.

³ ‘Scot and lot. A tax, i.e. scot, levied on members of a borough in varying proportions or shares, i.e. lot. Behind it was the idea that those who shared in the obligations and responsibilities by paying tax would also share in the privileges. It was a mark of status.’ *A Dictionary of Medieval Terms and Phrases*, ed. Christopher Corédon with Ann Williams (D. S. Brewer, 2005).

⁴ This assumes that the goods being sold, without guarantor and warrantor, are stolen goods. The fine goes to the king.
Furthermore, the decree, here, is that if a Frenchman should accuse an Englishman of perjury, or murder, theft, homicide, or ran⁵ (which is what the English call violent robbery),⁶ which cannot be denied, the Englishman may defend himself by whichever honest means he wishes, either trial by iron or duel.⁷ If, however, the Englishman is infirm, he may find another to take his place. If one of them is defeated, he should make amends of 40 shillings to the king. If an Englishman should accuse a Frenchman, but he does not wish to accept trial by duel, I wish nevertheless the Frenchmen to clear himself by an unbreakable oath.

This also I instruct and desire, that all may have and hold the law of King Edward,⁸ with regard to lands and all things, augmented by those laws which for usefulness to the English people will be constituted.

Every person who wishes to remain a freeman should be under pledge, so that if anyone should offend, the pledger may keep in custody that person for justice.⁹ And if any of such are acquitted, simply let the pledgers see to it that they free the one falsely accused, and exonerate him, because they found no crime in the acquitted one.

It is required that the hundred and shire be just as our predecessors established.¹⁰ And those who lawfully are obliged to come but do not wish to come, on the first occasion are withdrawn; and if on the second occasion they do not wish to come, one ox may be accepted, and on the third occasion are withdrawn. And if they do not come on the third, another ox may be accepted. If, however, they do not come on the fourth occasion in succession, from the things of that person who does not wish to come, one may render to the one who is falsely accused what is called cheapgild,¹¹ and this in addition to the king’s fine.

I forbid anyone, upon my full penalty, to sell a man outside his homeland.¹²

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⁶ The Latin, here, is rapina, from which we derive the modern ‘rape’; however, the meaning of rapina is far broader, essentially meaning violent plundering or robbery, though it may also include abduction, including that of a woman, which may well have led to rape in the modern sense. See Dictionary of Medieval Latin from British Sources: http://logeion.uchicago.edu/index.html#rapina [accessed 13 December 2017].
⁸ Edward the Confessor, r. 1042–66. There are no known laws written by Edward. William appears to be referring to the body of early English laws that had built up and were used during Edward’s reign, including the latest pre-Norman Conquest laws by Cnut, r. 1016–35. Textus Roffensis (ff. 58r–80r), contains what is popularly referred to as the Institutes of Cnut, a Latin translation of a compilation of Old English laws by Cnut, Alfred, Edgar, Æthelred the Unready, and various short anonymous treatises. This was produced sometime after the Conquest, and gives us an idea of what William was alluding to by his ‘law of Edward’.
¹⁰ The hundred-court and shire-court were both features of Anglo-Saxon legal administration.
¹¹ Compensation for stolen property. From Old English ceapgyld.
¹² To sell into slavery.
I forbid, moreover, that anyone be slain or hanged for any crime, but eyes may be plucked out and testicles cut off; and this command should not be violated, upon my full penalty.
Latin text, directly from *Textus Roffensis*

The digital facsimile of this text is located at:

http://luna.manchester.ac.uk/luna/servlet/detail/Man4MedievalVC~4~4~990378~142729?page=0.

Type ‘n167’ into the page search box. The text begins six lines from the bottom of the right-hand folio and continues for three further pages, finishing half way down the page.

Editorial notes: the layout approximates that in the manuscript (and thus includes words split over two lines, indicated by hyphens); expansions of Latin abbreviations and contractions are indicated by italics; *< >* indicates a scribal insertion mark with corresponding text in the margin; ( ) indicates a scribal erasure; [] indicates an editorial insertion; punctuation has been modernised; capitals have been used for all personal and place names; coloured font represents coloured ink in the manuscript.

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[80r]

Hic intimatur quod Willelmus rex Anglorum cum principibus suis constituit, post conquisitio-
n prīmis quod super omnia unum ellet <Dem> nem Anglię.

per totum regnum suum uenerari, unam fidelem

Christi semper inuiolatam custodiri, pacem et secu-
ritatem inter Anglos et Normannos seruari.

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[80v]

[S]tatūimus13 etiam ut omnis liber homo fēdere et sacra-
mento affirmet, quod infra et extra Angliam Wil-

lelmo regi fideles esse uolunt, terras et honorem

illius omni fidelitate cum eo seruare, et ante eum

contra inimicos defendere. Volo autem ut omnes

hominum quos mecum adduxi, aut post me uene-

ram, sint in pace mea et quiete. Et si quis de illis

occisus fuerit, dominus eius habeat infra quinqu
dies homicidam eius si potuerit. Sin autem,

incipiat persolue rer mihi quadranginta sex marcas

argentii, quamdui substantia illius domini perdura-
uerit. Vbi uero substantia domini defecerit, to-

tus hundredus in quo occisio facta est, commu-
niter persoluet quod remanet. Et omnis Franci-

gna qui tempore regis Eaduaardi propinquai mei,

fuit in Anglia particeps consuetudinum Anglorum,

quod ipsi dicunt on hloet et an scote,

persolueat secundum legem Anglorum. Hoc decretum

sancitum est in Ciuitate Claudia.

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13 The original ‘S’ is missing due to damage.
tur aut ematur nisi infra ciuitates, et hoc ante
tres fideles testes, nec aliquam rem >id est prohibitam< ueturam
 sine fideiussores et waranto. Quodsi aliter
fecerit, soluat et persoluat, et postea foris-

[81r]
facturam.

Decretum est etiam ibi, ut si Francigena ap-
pellauerit Anglum de perjurio, aut mordro,
furto, homicidio, ran, quod Angli dicunt apertam
rapinam[1], quem negari non potest, Anglus se defendat
per quod melius uolerit, aut iudicio ferri,
aud duello. Si autem Anglus infirmus fuerit,
inueniat alium qui pro eo faciat. Si quis eotum victus
fuerit, emendet x solidos regi. Si Anglus
Francigenem appellauerit, et probare noluerit
iudicio aut duello, uolo tamen Francigenam
purgage se sacramento non fracto.

hoc quoque præcipio et uolo, ut omnes habeat et
teneant legem Eaduuardi regis, in terris et in
omnibus rebus, adaeutis iis, quem constitui ad u-
tilitatem populi Anglorum.

Omnis homo qui uolerit se teneri pro libero
sit in plegio, ut plegius teneat et habeat illum
ad iusticiam si quid offenderit. Et si quicumque tab-
lium easerit, uideant plegii ut simpliciter
soluam quod calumnium est, et purgent se, quia
in easo nullam fraudem nouerant.

Requieratur hundred et comitatus, sicut ( ) ante-
cessores nostri statuerunt. Et qui iuste uenire de-

[81v]
berent et uenire noluerint, semel summoueantur,
et si secundo uenire noluerint, accpiatur unus
bos, et summoueantur tertio. Et si non tertio uen-
erint, accpiatur alias bos, quartu autem *>uice< si non uen-
erint, reddatur de rebus hominis illius qui uen-
ire noluerit quod calumnium est, quod dicitur
ceageld, et insuper forisfactura regis.

Ego prohibeo ut nullus uendat hominem ex-
tra patriam, super plenam forisfacturam meam.

Interdico etiam ne quis occidatur
aut suspendatur pro aliqua culpa, sed eruan-
tur oculi et testiculi abscidantur, et hoc præ-
ceptum non sit uiolatum, super forisfacturam meam plenam.