Six documents are printed here under this heading. The Coronation charter (1) is recognizable as the first of a series of documents that came to acquire the name ‘charter of liberties’. Richard of Hexham introduces his copy of it by saying that, at the beginning of his reign, King Henry ‘gave just laws and liberties to the people, confirmed by his charter, strengthened with his seal, and ordered to be kept in his treasury at Winchester’ (below, p. 25). Twelfth-century copies deriving from the charter at Winchester use the rubric *Institutiones Henrici regis*. In other contexts chroniclers write of royal *edicta* ‘proclamations’, whose scope varied considerably. The word is hardly a defined term; indeed *edictum* is used by the Abingdon chronicler to mean no more than ‘charter’ (000, 000, *Regesta* 702, 693). None the less the word has a very familiar pedigree in St Luke, ‘exiit edictum a Caesare Augusto ut describeretur universus orbis’ (Lc 2:1). Proclamations might represent executive acts affecting the whole country, but there is no direct evidence that the king legislated by proclamation. A forged writ in the name of King Henry refers to ‘noua statuta mea de iudiciis siue de placitis latronum et falsorum monetariorum’ (0000, *Regesta* 518 for York minster), but this is anachronistic, despite its seeming connexion with an authentic

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* This file has been carefully read by Prof. David Crouch and Prof. Brian Kemp, whose advice and help are gratefully acknowledged. Thanks are due also to Dr Martin Brett and Prof. Edmund King for helpful comments on particular matters.
proclamation (\(\{2\}\)). Four such acts survive, including the Coronation charter, that were published through being addressed in multiple copies to every shire court and perhaps to other courts in peculiar jurisdictions. The surviving examples provide for the enforcement of the law against false money (\(\{2\}\)), the renewal of the oath of fidelity by the king’s fideles (\(\{3\}\)), and the observance of custom in the times and places where the king’s local courts met (\(\{6\}\)). All are datable between 1100 and 1108. Two attested edicta from this period (\(\{4\}, \{5\}\)) appear to fall into the same category of proclamations. Two further documents here are generally addressed, one of them in England in 1127 (\(\{7\}\)), the other in Normandy in 1135 (\(\{8\}\)); the former adds royal authority to decisions of a church council convened by Archbishop William as legate, the second documents what was agreed ‘by the common counsel and assent’ of the bishops and barons in Normandy concerning those who broke the truce of the church. Only long after Henry I’s time do we find a claim that a new king might change the law according to his own inclination, though even in that strange context the validity of such change after the king’s own time would depend on ‘the common consent of the king’s barons’ (\(\{9\}\)). The counsel or common consent of the king’s barones is invoked several times in the Coronation charter with reference to King Henry (\(\{1\}\) §§ 1, 3, 10) and his father King William I (§ 13). The existence of such a formula is a sign of recurrent use in writing.

The means of publication through local courts is the same as that for the notification of royal writ-charters obtained by beneficiaries to secure their possession of lands and legal privileges. These were presented to the court and subsequently retained by the beneficiary. The earliest surviving proclamation sent to the shires is that of William I concerning church courts, of which copies survive addressed by name to the sheriffs of the diocese of London and, without names, to the earls and sheriffs of Bishop Remigius’s diocese (W1/128; Councils and Synods, ii. 620–24); in each case the local original appears to have been retained in the episcopal archive at London and Lincoln, and the lack of bishops in the address combines with the nature of the business to suggest that the documents may have been delivered to the shire courts by the bishops. In most circumstances, however, royal proclamations on secular business must have been carried to the shires by the king’s messengers, and there is evidence that they were then deposited for safe-keeping in cathedrals or religious houses within each county. This manner of publication is discussed by R. L. Poole, ‘The publication of Great Charters by the English kings’, EHR 28 (1913), 444–53, who includes notes on where
sealed local originals of different charters are known to have been retained; he made large use of the table of twenty documents printed in *Statutes of the Realm*, Record Commission, i (1810), at the head of the editions and facsimiles of *Charters of Liberties*, 1–44. The replacement of the shire address with the general address in no way affected the manner of publishing and preserving such proclamations. King Stephen’s London charter of liberties (Ste/270) most resembles a general writ in its address—and survives in a Guildhall compilation, BL MS Cotton Claudius D. ii, fol. 68v (now fol. 71v)—while his Oxford charter (Ste/271) has no regular protocol but survives through local originals from the cathedrals of Exeter, Hereford, and Salisbury, with a fourth known from Shropshire, most likely from Shrewsbury abbey. Henry II’s coronation charter (H2/0; Stubbs, *Select Charters*, 9th edn, 158, from *Statutes*, i, *Liberties*, 4; *EHD2*, 407, no. 23; *Councils and Synods*, ii. 828–9) again survives in BL MS Cotton Claudius D. ii, fol. 70v (now fol. 73v). This and Ste/270 are also found together with the Coronation charter of Henry I, and with French translations, in BL MS Harley 458 (s. xiii) (on which see below, pp. 46–7). The letters patent ordering the publication and implementation of Magna Carta were dated 19 June 1215 and addressed to the sheriff and officials of each shire; the patent roll adds a memorandum listing the people charged with delivering the charter to the shires (*Pat*, 180b). The publication of such charters at the shire courts was reaffirmed in 1265, when it was ordered that the charters as reissued should be read at the major meetings of the shires after Easter and after Michaelmas each year (*Statutes*, i, *Liberties*, 32, from Charter Roll 49 Henry III, mem. 5–4; not printed in *CalCh*, ii. 54); charters addressed to Somerset and Dorset jointly on 13 March, and to Yorkshire and to Middlesex on 14 March, are known. In 1297, the order for the republication of the charters states that copies of the inspeximus should be sent to all sheriffs, officials, and cities, to be read twice each year (*Statutes*, i, *Liberties*, 37, from an engrossment, now BL Cotton Ch. vii. 9); examples survive from Buckinghamshire, London, and Surrey. After 1300 the vehicle for national publication was Parliament.

From what Richard of Hexham says (below, p. 25), it appears likely that he derived his text of Henry I’s Coronation charter from a royal archive in the treasury at Winchester. It was perhaps from the same source that he derived his copies of Pope Innocent II’s first letter to King Stephen (JL 7804) and of Stephen’s Oxford charter of liberties (ed. Howlett, 147–50). This of course is where Domesday Book was kept at this date. The possibility of a second royal archive at Westminster or
London has been raised (below, pp. 44–5). County archives appear to have been usually deposited in the cathedral of the county where there was one and in a major abbey where there was not. The preservation of charters of liberties provides some evidence for the county archives in ten shires, and copies addressed to several other shires are known:

**Buckinghamshire**: A local original of the confirmation of the charters in 25 Edward I, 12 October 1297, for many years in the possession of the Brudenell family, of Deene, Northants, was sold in 1983; it has been exhibited in the National Archives in Washington, DC, since 1988, but ownership of it changed when it was sold by one trust and bought by another in December 2007; on the *plica* are the words ‘Buk’ (at the left) and ‘tradatur Rog(ero) Hodelyn de Neuport’ (at the right). Sir Robert Brudenell (1461–1531) moved his seat to Deene from Amersham, Bucks, and the charter may well have moved with him.

**Devon**: Exeter cathedral has a local original of King Stephen’s Oxford charter of liberties, Ste/271 (Exeter, D&C, 2529; Bishop 214).

**Dorset**: See under Somerset.

**Durham**: Durham cathedral has local originals of Magna Carta (1 Henry III, 12 November 1216) (DCM 1. 2. Reg. 3), Carta de foresta (2 Henry III, 1217) (DCM 1. 2. Reg. 4), both Magna Carta and Carta de foresta (9 Henry III, 11 February 1225) (DCM 1. 2. Reg. 2, 1. 2. Reg. 5), and the confirmations of both Magna Carta and Carta de Foresta (28 Edward I, 1300) (DCM 2. 2. Reg. 2, 2. 2. Reg. 8) together with the *Articuli super cartas* (DCM 2. 2. Reg. 1).

**Gloucestershire**: A local original of Magna Carta (2 Henry III, 6 November 1217), now Bodl. Ch. Gloucs. 8, was formerly owned by Richard Furney (1694–1753), archdeacon of Surrey, native of Gloucester, schoolmaster at Gloucester cathedral 1719–24, and a collector of Gloucestershire antiquities; Furney also had the engrossment of the Parva Carta of 21 Henry III (28 January 1237, now Bodl. Ch. Gloucs. 10a), and the letters patent of 29 Edward I concerning the compliance of statutes with the charters (14 February 1301, now Bodl. Ch. Gloucs. 26, with ‘Gloucestr’ on the *plica*). The late thirteenth-century cartulary of Gloucester includes under the heading ‘Confirmationes’ undated copies of Carta de foresta and Magna Carta as issued in 2 Henry III, the latter from Bodl. Ch. Gloucs. 8, as the shortened sealing clause shows (PRO C150/1, fols. 49v–51v, 51v–54v; Hart, *Ct. Gloucester*, i. 225, nos. 128–9); and under the heading ‘De libertatibus Anglie’ copies of the charters as confirmed in 21 Henry III (Hart, *Ct. Gloucester*, i. 348–9, nos. 345–6). The county archive was presumably in Gloucester abbey.

King John’s letters patent, ordering the publication of Magna Carta (20 June 1217), addressed to the sheriff of Gloucestershire, has survived at Hereford cathedral (D&C, HCA 2256; I. W. Rowlands, ‘The text and distribution of the writ for the publication of Magna Carta, 1215’, *EHR* 124 (2009), 1422–31).

Matthew Hale (1609–1676), chief justice, referring to the first Magna Carta (1215) and Carta de Foresta as if they were issued together, says, ‘There were seven pair of these charters sent to some of the great monasteries under the seal of King John, one part whereof sent to the abbey of Tewkesbury I have seen under the seal of that king; the substance whereof differs something from the Magna Charta and Charta de Foresta granted by King Henry III, but not very much, as may appear by
comparing them’ (History of the Common Law of England. Written by a learned hand (London, 1713), 8; the autograph of this posthumously printed work is in the Clark Library, Los Angeles, CA, and other copies are listed by Baker, English Legal Manuscripts, 591). Where he saw this, what it really was, and what evidence led him to associate it with the abbey of Tewkesbury (Gloucs) are not apparent.

**Herefordshire:*** Hereford cathedral had a local original of King Stephen’s Oxford charter of liberties, Ste/271 (now Bodl. MS Rawl. Q. a. 1, f. 26; Bishop 595), and still has a local original of Magna Carta, D&C, HCA 1516 (2 Henry III, 1217).

**Hertfordshire:*** St Albans abbey had a local original of Henry I’s Coronation Charter ([1]), copied by Roger of Wendover.

**Huntingdonshire:*** The English version of Henry III’s Oxford Proclamation (43 Henry III, 18 October 1258) was enrolled on the patent roll from the copy addressed ‘to alle his holde ilærde and ileawed on Huntendon’ schir’; at the foot of the copy a note reads, ‘And al on þo ilche worden is isend in to æurihce opre shiere ouer al þære kuneriche on Engleneloande and ek in tel Irelonde’ (Stubbs, Select Charters, 9th edn, 388; Hall, Formula Book, i. 73–4); the French text lacks the county address, ‘a tuz ses feaus clers et lays’ (ib.).

**Kent:*** Canterbury cathedral has cartulary copies of King Stephen’s Oxford charter of liberties, Ste/271, perhaps made from a local original, and of King John’s charter of 16 John, 1 November 1214, granting free election of prelates (Statutes, i, Liberties, 5). Canterbury cathedral retained a writ of Henry III for the benefit of the men of Kent renouncing the custom of forage by the constable of Dover castle, 11 Henry III (Cl, ii. 178a, dated 23 March 1227; CalCh, i. 28, dated 24 March 1227); the St Augustine’s chronicler, William Thorne, records that the act was preserved in triplicate, at Christ Church, at St Augustine’s, and at Dover priory (ed. Twysden, col. 1881); one such engrossment is listed in an inventory from Christ Church, ‘Carta regis Henrici 4. (sic) ne furagium capiatur ubicumque in comitatu Cancie ad equos sustentandos in castello Douer’ (Monasticon, i. 98). Among the records at Dover castle Sir Edward Dering found a local original of Magna Carta (17 John, 15 June 1215) with the great seal attached and gave it to Sir Robert Cotton (now BL Cotton Ch. xiii. 31b). Dover may have had its own engrossment as one of the Cinque Ports. An engrossment of the reissue of Magna Carta in 28 Edward I (1300), identified on the plica as ‘pro baronibus portus de Fauresham’ and still in the borough archives of Faversham in 2013, illustrates the widening distribution of such documents; Faversham was one of a number of ports associated with Dover.

**Lincolnshire:*** Lincoln cathedral has a local original of Magna Carta (17 John, 15 June 1215), D&C A1/1/45 (usually on public display).

**London and Middlesex:*** The London Guildhall collection of laws in BL MS Cotton Claudius D. ii and Cambridge, Corpus Christi College, MS 70 + MS 258, has four documents from the confirmation of the charters in 49 Henry III (14 March 1265), including the inspeximus itself and letters patent, all addressed to ‘omnibus de comitatu de Midd(elesex)’, and dated 14 March 1265, Statutes, i, Table, no. xv; see BL MS Cotton Claudius D. ii, fols. 127r–131r; also a document of Edward I, similarly addressed, without dating clause, fols. 131r–132r. The local original from London of the confirmation of 25 Edward I (12 October 1297), is now in the Guildhall, CLRO, COL/CH/01/021; on the plica are the words ‘London’ (at the right) and ‘R. de Scard(eburgh)’ examinavit’ (at the left).
Oxfordshire: Osney abbey had two local originals of Magna Carta (2 Henry III, 6 November 1217) (Bodl. Ch. Oxon. Osney 142*, 142**).

Shropshire: Robert Glover copied a local original of King Stephen’s Oxford charter of liberties (Ste/271), ‘sub magno sigillo dicti regis in cera alba cum appendiciis’, in the possession of Mr John Brooke (d. 1598), Madeley (Salop), ‘qui accommodauit mihi ut transcriberem 22 Jan. 1576[7] apud Tonge in dicto comitatu’; from Glover’s miscellanea it was transcribed by Elias Ashmole, Bodl. MS Ashmole 860, p. 359. Glover also copied from the dorso of the charter, ‘Carta regis Stephani de libertate totius ecclesie Anglicane que ostendi non debet nisi fratribus et beneuolentibus propter quedam infrascripta’. The reason for this discretion does not appear, but ‘fratribus’ points to a monastic house, most likely Shrewsbury abbey, as its place of keeping.

Somerset: Inspeximus of the charters in 49 Henry III, addressed as a charter dated 13 March 1265, with the general address ending ‘et omnibus aliis de com(itatibus) Somerset et Dors(e)t’, Statutes, i, Table, no. xv, citing BL MS Harley 489 (s. xiv), fols. 4r–8v. Local provenance not known. Wells cathedral, D&C, Ch. 84, is the only known engrossment of the sentence of excommunication issued by the English bishops at Westminster, 13 May 1253; as Powicke & Cheney express the point, ‘copies of it were widely diffused and were to be found in cathedral muniments and monastic cartularies all over the country’ (Councils & Synods, ii. 474); since copies have no local address, it is impossible to test the distribution, but this may be an indicator that Wells had the county archive for Somerset at this date; the bishop, however, William de Bitton, was himself closely involved at Wells rather than at Bath.

Surrey: A local original of the confirmation of the charters in 25 Edward I (12 October 1297), formerly in the possession of King’s School, Bruton (Somerset), was sold in 1952 to the National Library of Australia, transferred in 2005 to the Australian Parliament House in Canberra, where it is now exhibited (accession no. 01/0041); on the plica are the words ‘Com(itatus) Surr’ (at the left) and ‘Exam(inatur)’ (on the right). Local provenance not known, but clearly the copy despatched to the sheriff of Surrey. Its twin, the confirmation of Carta de Foresta, 25 Edward I (12 October 1297), is now BL Add. Ch. 53712, marked on the plica ‘Surr’ and ‘Exam(inatur)’; this was acquired by the British Museum in 1905 from Francis Quekett Louch (1856–1922), whose father John Louch (1825–1905) practised as a solicitor in Somerset. Along with it came of a group of deeds from Easebourne priory, Sussex, a Augustinian nunnery, which is unlikely to have housed either the Sussex or the Surrey county archive. The two engrossments presumably travelled together to Somerset before being separated, but their medieval provenance and how they came to leave Surrey are unclear.

Wiltshire: Salisbury cathedral has a local original of King Stephen’s Oxford charter of liberties, Ste/271 (Salisbury, D&C Press IV, C2/37 (Box 205 Royal Charters); Bishop 739), and also of Magna Carta (17 John, 15 June 1215) (Press IV, C2/39 (Box 205 Royal Charters) but on permanent display); the latter was also copied in Liber Evidentiarum C, pp. 51–9 (fols. viii–xii). The nuns of Lacock abbey had the shire court’s local original of Magna Carta (9 Henry III, 11 February 1225), endorsed ‘Ex deposito militum Wiltisir’ (BL MS Add. 46144). It has been suggested that Malmesbury abbey may also have had Henry I’s Coronation charter (Liebermann, ‘The text’, 24), on the evidence of William of Malmesbury’s
mention of it (Gesta regum, V § 393), and likewise of King Stephen’s Oxford charter (Historia novella, § 464). It must not be assumed that William saw them at Malmesbury, and it is not certain that William had seen the coronation charter at all. He knew of its existence from Eadmer, but what he says about it goes far outside what it actually says.

Worcestershire: Worcester cathedral most likely had the local originals of {1}, {2}, and {6}, whose texts were copied into the Red Book.

Yorkshire: York minster has a cartulary copy of King Stephen’s Oxford charter of liberties, Ste/271, perhaps made from a local original. An inventory of documents drawn up c. 1520 mentions engrossments of Magna Carta and the Charter of Forest (York Minster Archives, M2/2a, fol. 78v). An inspeximus of the charters from 49 Henry III (14 March 1265), addressed to all men of the county of York, was enrolled (CalCh, ii. 54), presumably as a specimen of the type sent to all shires.

1 Coronation Charter, notifying the shires of England that King Henry has been crowned, and that unjust exactions shall be removed and the law of King Edward and King William I restored. 5 August 1100

The textual history of the Coronation Charter is complex. It was issued to all shires, each text addressed appropriately, and a copy without local address was retained in the treasury at Winchester, which was available to lawyers and chroniclers for some time after 1100. In the former category two texts have survived. That addressed to Worcestershire was preserved with other documents addressed to the same county, including {2}, {6}, Regesta 501, 892, which were copied by the compiler of the Red Book of the Exchequer; the rubric there notes that the charter was sent to every shire. Why these Worcestershire texts should have been available at the Exchequer in the thirteenth century is not apparent. The text addressed to Hertfordshire was retained or copied at St Albans and recopied by the chroniclers of the abbey. Here Roger of Wendover reported that copies were sent by the king’s command to all shires and were placed in the abbeys of each shire ‘ad monumentum’; this may have been his own inference from the existence of a copy at St Albans. The copy retained at Winchester had the collective elements of a shire address, ‘omnibus baronibus et fidelibus suis tam francigenis quam anglicis’; the complete omission of bishops, earls, and sheriffs means that the usual description of this as a general address cannot be correct, and it is better understood as a file copy with a formulary address that
could be adapted for any shire by adding the local particulars. While the personal elements could have been included in some form such as 'episcopo et uicecomiti', and the shire might have been mentioned as 'de tali scira’, we cannot make assumptions about how the shire address would have been treated in a model draft. All other extant manuscript copies appear to derive from similarly unlocalized texts, though by a variety of different routes and not necessarily from a single archetype.

It has sometimes been inferred from knowledge of the charter in particular contexts, or from the provenance of a later copy, that we have evidence for local copies addressed to other counties. Poole, *EHR* 28 (1913), 445, goes furthest in this regard, finding traces of further local copies from Kent, Wiltshire, Suffolk, Northamptonshire, Yorkshire, and Northumberland. As will be seen below, the copies from Rochester and Canterbury do not represent a local original addressed to Kent, and the copy quoted by Richard of Hexham was not addressed to Northumberland. William of Malmesbury’s limited knowledge of the charter does not derive from a local original in Wiltshire. Poole’s Northampton-shire copy is inferred from the Anglo-Saxon Chronicle, which he supposed was written at Peterborough, when in fact in 1100 it was still kept at St Augustine’s in Canterbury. For York he relied on a fantastic story in Matthew Paris that the charter was recalled, leaving copies only at Canterbury, York, and St Albans (below, p. 24). I have not recovered what indication led him to conjecture a copy addressed to Suffolk and retained at Bury St Edmunds.

All textual evidence available in 1894 was collected, reviewed, and presented as a critical edition by Felix Liebermann, ‘The text of Henry I’s Coronation Charter’, *Transactions of the Royal Historical Society* new ser. 8 (1894), 21–48 (Latin text, 40–46). He classified the witnesses under seven types: (i) Worcestershire and (ii) Hertfordshire reflect local copies addressed and delivered to different shires. (iii) The Rochester version is listed as if this too were testimony to a local copy, modified in such a way as to obscure the Kent address. While the two copies derive from Rochester, I think it is likely that the parent-copy behind them was not a local copy at all but related to the text in *Quadripartitus*. This view is compatible with Liebermann’s wider understanding of the legal texts in the *Textus Roffensis*. (iv) Richard of Hexham has preserved a copy taken from the file copy in the treasury at Winchester. (v) His fifth text, from BL MS Cotton Domitian A. viii, was classified as independent; it breaks off in § 6, but Liebermann judged that this was copied, with many faults, from ‘a text which was better than
any of the other versions’. (vi) Liebermann’s sixth text is the version incorporated by the lawyer who wrote both *Quadripartitus* and *Leges Henrici*; he was based in the king’s court at Winchester and had access, therefore, to the file copy in the treasury. In copying it into a concluding section of his *Quadripartitus*, he replaced the list of witnesses with generalized ranks of person. His text also contains twelve words added in § 11 and lacks the whole of § 12. (vii) Liebermann’s seventh and last family is in effect two groups, one of which he localized to Westminster on the grounds that it inserted Abbot Gilbert Crispin among the witnesses. This text has the same address as the copies deriving from the treasury copy at Winchester; Liebermann argues that the form of Gilbert Crispin’s name signifies that it was added as ‘a private interpolation’ by the monks of Westminster, who, he infers, also added a clause for the benefit ‘of the present church’ (*presentis ecclesie*); the several witnesses to this text therefore derived, he thought, from an altered copy and not from any deposited original. The remaining group he subordinated to his Westminster text. This eighth version he calls the London text; for the most part it follows the text of *Quadripartitus* and *Leges Henrici* but instead of their generalized witness list it ends like his Westminster text and, more importantly, it includes the added clause.

Liebermann recognized that a text published through more than thirty originals might remain authentic while differing substantively between copies. The address clauses naturally differed. Variations in the witness-list might also be accounted for by different originals. Even the texts might vary, though these differences may be expected to affect only wording and not sense. He identified some fifteen variant readings in this class. He reported fifty variant readings that he thought reflected error in the parent-copy of a family, and more than two hundred individual readings that he regarded as casual copying-errors in particular manuscripts. His apparatus provides permanent documentation of his collations, and the edition below does not report in full the large number of insignificant copying-errors from individual manuscripts.

Since 1894, Liebermann’s text has remained standard. He printed it again with a slimmer apparatus in *Gesetze*, and it has been followed by later editors. H. W. C. Davis substituted it for the *Textus Roffensis* version when he revised Stubbs’s *Select Charters* for its ninth edition in 1913, and W. S. McKechnie did the same in the second edition of his *Magna Carta* in 1914. Agnes Robertson used it to add an apparatus to her text in 1925, though oddly she chose still to give priority to *Textus Roffensis*. Johnson and Cronne in *Regesta* distilled Liebermann’s
classification of texts into six groups, losing his (v). They add five copies
not mentioned by Liebermann, and they reclassify one.

Meanwhile, J. H. Round had brought to light a text accompanied
by notes that reflect negotiations between King John and the barons in
and after 1213. This copy vividly documents the relationship between
Henry I’s Coronation Charter and the demands of King John’s barons in
1213–14. Round was unaware of the actual copy preserved in France,
from which Teulet had printed the text.

One important point has come to light since: Martin Brett noted
that an inventory of original charters in the archive of the archbishops of
Canterbury includes an entry for a single-sheet copy of the charter
(Councils and Synods, ii. 653n); evidence of transmission suggests that
this was the source of the text copied in Lambeth Palace Library, MS
1212, which contains the added clause confirming privileges granted by
earlier kings to the monks ‘of the present church’ (presentis ecclesie).
The list of documents at the head of the section in that manuscript
specifically refers to the monks of Christ Church, though that could have
been an inference at the time of copying. There is a good circumstantial,
but perhaps not decisive, case for thinking that the clause refers to the
church of Canterbury, not Westminster, as Liebermann had thought from
more limited data, but it is certain that this version was circulated quite
widely in the early thirteenth century. Taking the view that the added
clause is in any case unlikely to be authentic—the king’s draftsman
would have named the beneficiary—I have referred to this version below
as the Interpolated version, though at Canterbury it was kept among
original charters.

In view of this complexity, the presentation of the text below
seeks to set out the different forms of the text independently before
offering a synthesis of their readings with textual notes and translation.
These will be found below, pp. 58–66. to which the reader seeking a
critical text may turn at once. The intervening texts provide a means of
access to the two locally-delivered charters and to the state in which
other copies have reached us. The main aim in each case is to present
something that is plausibly representative of a textual family, but at the
same time allowing <insertions> or [deletions] in the text where the
copies cannot represent the reading of the parent charter. The division
into clauses is not original, but it appears already in Quadripartitus and
the copy in Textus Roffensis. Its retention here provides a convenient
means of breaking up the text and what would otherwise have been
unwieldy apparatus and also of referring to the specific provisions of the
The circumstances of King Henry’s accession to the throne were dramatic and naturally attracted the attention of chroniclers. Some of them mention his making certain promises at the time of his coronation, but no contemporary chronicle reports the text of the Coronation Charter. The circumstances of its composition are discussed under Context (below, p. 67). The earliest direct witness to the text is the lawyer responsible for *Quadripartitus* and *Leges Henrici*, who evidently looked on it as something of great importance and wrote a preface to say so, probably before 1108. During King Henry’s reign it was copied at Rochester (below, pp. 29–34), and very soon after his death Richard of Hexham thought it worth copying (below, pp. 25–9), but for the rest of the twelfth century there is little sign that it was referred to. King Stephen’s very brief coronation charter granted ‘omnes bonas leges quas Henricus rex Anglorum auunculus meus eis dedit et concessit’ (Ste/270), without specific reference to the coronation charter. Henry II’s equally brief charter ends more explicitly, ‘sicut rex H. auus meus eis dedit et concessit et carta sua confirmavit’ (Stubbs, *Select Charters*, 158), but there is nothing to suggest that its text had been examined. It was rediscovered in the context of the debates behind the formulation of *Magna Carta* and introduced into discussion by Stephen Langton (Roger of Wendover, iii. 263), with the result that its perceived significance has been raised accordingly. In that context the historical importance of the Coronation Charter means that it has been much discussed. Here is not the place to air the many issues, still less to curtail debate.

WORCESTERSHIRE TEXT

The Red Book of the Exchequer is a complicated compilation, whose contents are tabulated in the edition by Hubert Hall, vol. i, pp. lxv–cxlvi. It brings together an important selection of documents that were available in the Exchequer in the thirteenth century; the work is usually attributed to Alexander de Swerford, who was a baron of the Exchequer from 1234 to his death in 1246. A more uniform copy of the primary material, including additions made as late as 1251 but not those made in 1253 or later, left the custody of the Exchequer at some time and is now BL MS Hargrave 313. A distinct section of the Red Book, fols. clxii–clxvi (now fols. 265v–269v) is devoted to a small group of important royal acts, among them three printed here (1, 2, and 6); these are the only ones with a shire address, and all three are addressed to the shire court of Worcestershire. The other acts in this section bear no evidence of local provenance, so that it is not apparent whether the availability of these three documents depends on circumstances at the time of compilation of the Red Book or at the beginning of Henry I’s reign, when the sheriff of Worcester was Urse d’Abetot, a prominent figure in Henry’s circle.

EXCHEQUER COPIES: King’s Remembrancer, Miscellaneous Books, E164/2, Red Book of the Exchequer (s. xiii), fol. clxiii (now fol. 266v) (‘Carta regis Hen(rici) primi filii regis W(illelmi) de libertatibus concessis Anglis in sua coronatione, et habuit quilibet comitatus Anglie talem’; added in upper margin, ‘Carta regis H(enrici) primi filii regis W(illelmi) de libertatibus concessis Anglis, et habuit quilibet comitatus Anglie talem’) [B]; BL MS Hargrave 313 (s. xiii), fol. 99v–100r (‘Carta regis Henrici primi filii regis W(illelmi) de libertatibus concessis Anglis in sua coronatione, et habuit quilibet comitatus Anglie talem’) [C, copy of B, made in 1251–2; Hall, Red Book, p. li, thought they were copied from the same exemplar].

UNOFFICIAL COPY: BL MS Cotton Claudius D. II (s. xiv), London Guildhall), fol. 41r–v (now fol. 44r–v) (s. xv) (no. 3, ‘Carta regis Henrici primi filii regis W(illelmi) de libertatibus concessis Anglis in sua coronatione, et habuit quilibet comitatus Anglie talem’) [D, from C]. This stray fifteenth-century leaf appears to have been inserted here, between the original fols. 36 and 37, when Sir Robert Cotton arranged the contents as now bound; it contains five documents and first part of a sixth (Ste/272), copied from C, breaking off in mid-sentence. The volume into which it was bound, when complete, contained more than 372 leaves; it was broken up in the 1590s by Francis Tate and its constituent parts are now divided between three books, made up from two Guildhall manuscripts; their historic order is reconstituted by N. R. Ker,
‘Liber customarum and other manuscripts at Gildhall’, The Guildhall Miscellany 1 (1952–9), 37–44; this is his MS D, whose original contents are set out, pp. 42–4. The contents of this leaf are not mentioned in the fifteenth-century table of contents printed by Ker.

ANTIQUARIAN TRANSCRIPTS: Bodl. MS e Musaeo 89 (SC 3682), ‘Codex legum ueterum et statutorum regni Angliae quae ab ingressu Gulielmi I usque ad annum nonum Henrici III edita fuerunt, opere et studio Henrici Spelman militis collecta. AD 1627’ (see note on [2] below), fol. 70r–72r [rubric and marginal readings from B against a transcript of the Hertfordshire text from Matthew Paris; when Wilkins published Spelman’s work in Leges Anglo-Saxonicae (London, 1721), 299, he omitted the text of the charter and referred the reader to the copy in Leges Henrici at pp. 233–5]; BL MS Lansdowne 224 (s. xvii, see note on [2] below), fol. 43v [from Spelman]; Manchester, JRUL MS lat. 318 (before AD 1635, transcripts from documents in the Exchequer), fol. 84r [excerpts from §§ 5 and 11 from B].


CALENDAR: Farrer 1; Regesta 488a.

Henricus rex Anglorum Samsoni episcopo et Vrsoni de Abetot et omnibus baronibus et fidelibus suis tam francigenis quam anglig(enis) de Wirecestrescira salutem.

\[1\] Sciatis me dei misericordia et communi consilio baronum regni Anglie eiusdem regni regem coronatum esse. Et quia
regnum oppressum erat iniustis exactionibus, ego respectu dei et amore quem erga uos habeo, sanctam dei ecclesiam in primis liberam facio, ita quod nec uendam nec ad firmam ponam, nec mortuo archiepiscopo seu episcopo siue abbate aliquid accipiam de dominio ecclesie uel de hominibus eius donec successor in eam ingrediatur. Et omnes malas consuetudines quibus regnum Anglie iniuste opprimebatur inde auero, quas malas consuetudines ex parte hic pono.

\[2\] Si quis baronum meorum, comitum siue aliorum qui de me tenent, mortuus fuerit, heres suus non redimet terram suam sicut faciebat tempore fratris mei, sed legittima et iusta releuatione releuabit eam. Similiter et homines baronum meorum legittima et iusta releuatione releuabunt terras suas de dominis suis.

\[3\] Et si quis baronum meorum uel aliorum hominum meorum filiam suam nuptum tradere uoluerit siue sororem siue neptem siue cognatam, mecum inde loquatur. Sed neque ego aliquid de suo pro hac licentia accipiam neque defendam ei quin eam det, excepto si eam iungere uellet inimico meo. Et si mortuo barone meo uel alio homine filia heres remanserit, illam dabo consilio baronum meorum cum terra sua. Et si mortuo marito uxor heres remanserit et sine liberis fuerit, dotem suam et maritationem habebit, et eam non dabo marito nisi secundum uelle suum.
[4] Si uero uxor cum liberis remanserit, dotem quidem et maritationem /suam/ habebit, dum corpus suum legittime seruauerit, et eam non dabo nisi secundum uelle suum. Et terre et liberorum custos erit siue uxor siue alius propinquor(um) qui iustius esse debibit. Et precipio ut barones mei similiter se contineant erga filios uel filias uel uxor(es) hominum suorum.

a De custode terre et heredis mortuo tenente regis B \emph{added in marg.}

[5] Monetagium commune, quod capiebatur per ciuitates et per comitatus, quod non fuit tempore Eadwardi regis, hoc ne amodo sit omnino defendo. Si quis captus fuerit siue monetarius siue alius cum falsa moneta, iustitia recta inde fiat.

[6] Omnia placita et omnia debita que fratri meo debeatantur condono, exceptis rectis firmis \emph{meis} a et exceptis illis que pacta erant pro aliorum hereditatibus uel pro eis rebus que iustius aliis contingebant. Et si quis pro hereditate sua aliquid pepigerat, illud condono, et omnes releuationes \emph{b} que pro rectis hereditatibus \emph{c} pacte \emph{d} sunt erant.

\begin{itemize}
    \item \emph{om.} BCD; \emph{habent cett.}
    \item \emph{reuelationes BCD}
    \item \emph{hereditationibus BCD}
    \item \emph{sunt erant BCD, \emph{without deleting sunt}}
\end{itemize}

[7] Et si quis baronum uel hominum meorum infirmabitur, sicut ipse dabit uel dare disponet peccuniam suam, ita datam esse concedo. Quod si ipse preuentus uel armis uel infirmitate peccuniam suam nec dederit nec dare disposuerit, uxor sua siue liberi aut parentes aut legittimi homines eius eam pro anima eius diuidant, sicut melius eis uiusum fuerit.

[8] Si quis baronum uel hominum meorum forisfecerit, non dabit uadium in misericordia peccunie sue sicut faciebat tempore patris uel fratris mei, sed secundum modum forisfacti ita emendabit sicut emendasset retro a tempore patris mei in
tempore aliorum antecessorum meorum. Quod si perfidie uel sceleris conuictus fuerit, sicut iustum fuerit, sic emendet.

[9] Murdra etiam retro ab illa die qua in regem coronatus fui omnia\textsuperscript{a} condono. Et ea que amodo facta fuerint, iuste emendentur\textsuperscript{b} secundum lagam regis Eadwardi.

\textsuperscript{a} o(mn)i(n)o BCD; o(mn)ia cett. \textsuperscript{b} emendetur BC; emendentur D cett.

[10] Forestes\textsuperscript{a} communi consensu baronum meorum in manu mea ita retinui\textsuperscript{b}, sicut pater meus \textsuperscript{b} habuit.

\textsuperscript{a} forestes BCD ] forestas cett. \\
\textsuperscript{b} tenui BCD retinuit John of Worcester retinui cett. \textsuperscript{b} om. BCD; habent cett.

[11] Militibus qui per loricas terras suas deseruunt, terras dominicarum carucarum \textsuperscript{a} quietas ab omnibus geldis et ab omni opere \textsuperscript{a} proprio\textsuperscript{b} dono\textsuperscript{b} meo concedo, ut sicut tam magno grauamine alleuiati sunt, ita equis et armis se bene instruant, ut apti et parati sint ad seruitium meum et ad defensionem regni mei.

\textsuperscript{a} om. BCD; habent cett. \textsuperscript{b} dono B ] bono CD


[13] Lagam regis Eadwardi uobis reddo cum illis emendationibus quibus pater meus eam emendauit [cum]\textsuperscript{a} consilio baronum suorum.

\textsuperscript{a} cum B and independently in London version; compare §§ 1, 3 above

[14] Si quis aliquid de meo uel de rebus alicuius post obitum regis Willelmi fratriis mei cepit, totum cito reddatur absque emendatione. Et si quis inde aliquid retinuerit, ille super quem inuentum fuerit grauiiter michi emendabit.
Teste a Maur(icio) Lond(onensi) episcopo et Willelmo electo Winton(iensi) episcopo et Gerardo Hereford(ensi) episcopo et Henr(ico) comite et Simone comite et Walero Gifardo et Roberto de Munford et Rogero Bigodo et Eudone dapifer(o) et Roberto filio Hamonis et Roberto Malet. Apud Westm(onasterium) quando coronatus fui. Valete.

a Teste BCD

SOURCE: John of Worcester, Chronicon, s.a. 1100, at the point where the Anglo-Saxon chronicle refers to the coronation and the king’s promises, based his Latin summary very closely on the text of the charter, presumably from a copy sent to Worcestershire and retained in the archive of Worcester cathedral priory. After 1129, his text was available to the early twelfth-century writer of the Historia regum, as it appears in Cambridge, Corpus Christi College, MS 139 (s. xii\^2), there ascribed to Simeon of Durham, which incorporates John’s wording s.a. 1100. This was later used by the twelfth-century Durham compiler of Historia post Bedam, datable to 1148 × 1161, extant in BL MS Royal 13 A. vi (s. xii\^2); Oxford, St John’s College, MS 97 (s. xiii\^m, Durham); and London, Inner Temple, MS Petyt 511.2 (s. xiii\^m, Rievaulx). This work was in turn revised by Roger of Howden under the title Historia Anglorum sive Saxonum post venerabilem Bedam, s.a. 1100, to form the part of his Chronicle covering the period before his own time.


Who on the day of his anointing liberated the holy church of God which in his brother's time had been sold and put out at farm, and he took away all the bad customs and unjust exactions with which the realm of England was unjustly burdened, he imposed a firm peace in the whole realm and commanded that it should be observed, he restored the law of King Edward to everyone in common along with the improvements made by his father. But he kept in his own hand the forests which his father had created and had.

HERTFORDSHIRE TEXT

The text addressed to the sheriff and sworn men of Hertfordshire has survived because it was copied by Roger of Wendover into his *Flores historiarum*. The text was inserted into the work twice, in its primary context, s.a. 1100, and again in the context of discussions between Archbishop Langton and a group of English barons, s.a. 1213. Readings shared by these two against other witnesses may in principle derive from the local original, but in most instances a likelier explanation is alteration made by Roger or possibly at an earlier stage of copying at St Albans. The copies under the two years are certainly from the same source, and variations between them must be editorial interference. The change in Hugh of Buckland’s title from sheriff, s.a. 1100, to justice or justiciar of England, s.a. 1213, is the most striking example. There is no strong reason to think that it was the St Albans text that Langton had read aloud in London on 25 August, even though Wendover reports that King John had held a council with the bishops at St Albans three weeks earlier on 6 August. On that occasion, the king’s party urged ‘that the laws of King Henry his grandfather (*au*) should be kept by everyone in the realm and that all unjust laws (*leges inique*) should be thoroughly quashed’ (Wendover, iii. 262; Matthew Paris, *Chronica maiora*, ii. 550–51). Matthew Paris built on Wendover’s *Flores*, so that copies are multiplied, and it was in his *Chronica* that the Coronation charter was first printed in 1571. From one of the Continental editions of Matthew Paris, it makes its first appearance in early modern legal literature: Sir Edward Coke (1552–1634), *La huictme part des reports* (London, 1611), sig. ¶ijiv, quotes from §1 of the charter, citing Matthew Paris as his source, and gives it a historical context, citing the summary of the charter from Roger of Howden. Sir Henry Spelman treated Matthew Paris’s text as his primary witness in his collection of laws, Bodl. MS e Musaeo 89 (see under Antiquarian transcripts), noting the variants from the Red Book of the Exchequer, from which he had other documents, {2}, {6}; he refers to Paris explicitly for the Coronation charter in his *Glossarium* (1626,
1687), 337b (see note on address here), and s. v. *Magna Carta*, 374b; he quotes from § 1 (s. v. *firma*, 231b), § 2 (s. v. *releuamen*, 484a), § 5 (s. v. *monetagium*, 421a), § 13 (s. v. *laga*, 348a).

**SOURCE:** Roger of Wendover, *Flores historiarum*, s.a. 1100, in his account of the coronation, and again, with significant differences, s.a. 1213, describing the reading of the charter in the presence of Archbishop Stephen Langton and a group of magnates; the meeting is located at St Paul’s by Wendover but at Westminster, after a sermon in St Paul’s, by the Waverley annals (Councils and Synods 1205–1313, i. 19–20). Roger’s text was evidently derived from the charter sent to Hertfordshire, which was presumably retained in the archive at St Albans. Text below from Bodl. MS Douce 207 (s. xiii), fol. 107r (s.a. 1100), fols. 162r–v (s.a. 1213). From Roger of Wendover, the same text was incorporated in Matthew Paris’s *Chronica maiora* (s.a. 1100, 1213) and *Historia Anglorum* (s.a. 1100). Just the address clause is found also in BL MS Cotton Vitellius A. XX (s. xiii med, St Albans), fol. 93r, in an abbreviated chronicle, s.a. 1213.

**ANTIQUARIAN TRANSCRIPTS:** BL MS Stowe 1045, fol. 17, Francis Tate in 1591 quotes part of § 3 from Wendover, s.a. 1100, and at fol 29v, § 11 from s.a. 1213; Bodl. MS e Musaeo 89 (SC 3682), ‘Codex legum ueterum et statutorum regni Angliae quae ab ingressu Gulielmi I usque ad annum nonum Henrici III edita fuerunt, opere et studio Henrici Spelman militis collecta. AD 1627’ (see note on [2] below), fol. 70r–72r [from Matthew Paris, s.a. 1100, with rubric, Worcestershire address, and marginal readings from the Red Book; when Wilkins published Spelman’s work in *Leges Anglo-Saxonicae* (London, 1721), 299, he omitted the text of the charter and referred the reader to the copy in *Leges Henrici* at pp. 233–5]; BL MS Lansdowne 224 (s. xvii, see note on [2] below), fol. 43v–45v [from Spelman].

**PRINTED:** Liebermann, ‘The text’, 39, noted that this version had been printed eighteen times, starting with M. Parker, *Matthaei Paris, monachi Albanensis, Angli, Historia maior* (London, 1571), 73 (s.a. 1100), 321 (s.a. 1213); repr. (Zurich, 1589), 53, 230, repr. (Zurich, 1606); W. Wats, *Matthaei Paris, monachi Albanensis, Angli, Historia maior* (London, 1640), 55–6 (s.a. 1100), 240–41 (s.a. 1213); repr. (Paris 1644), (London 1684); J. Selden, *Janus Anglorum* (London, 1610), 78–82 (with interspersed commentary) [from Parker’s 1571 edition, s.a. 1100]; J. Selden, *England’s Epinomis* (written c. 1610), first printed in *Tracts written by John Selden* (London, 1683), *England’s Epinomis*, 16–17 (§§ 1 (part), 2, 3 (skipping lines into) 4, 5, 7, 8, 10, 11, 13) [from Parker’s 1571 edition, s.a. 1100]; R. Brady, *An Introduction to the old English history, comprehended in three several tracts* (London, 1684), 265–9 (with interspersed commentary) [from Wats, s.a. 1100]; R. Brady, *A Complete History of England from the first entrance of the Romans under the conduct of Julius Caesar, unto the end of the reign of King Henry III* (London, 1685), Appendix, 119–20 (no. 102) [from Wats]; J. Tyrrell, *The General History of England, both ecclesiastical and civil, from the earliest accounts of time to the reign of His present Majesty King William III* (London, 1697–1704), ii. 114–16 (in English) [from Wats]; J. L. A. Huillard-Bréholles, *Grande Chronique de Matthieu Paris*, 9 vols (Paris, 1840–41), i. 224–8 (s.a. 1100), ii. 473–6 (s.a. 1213) (in French); H. O. Coxe, *Rogeri de Wendover Chronica, siue Flores historiarum* (London, 1841–4), ii. 161–4 (s.a. 1100), iii. 263–6 (s.a. 1213); J. A. Giles, *Roger of Wendover’s Flowers of History* (London, 1849), i. 446–8 (s.a. 1100), ii. 276–8 (s.a. 1213) (in English) [from Coxe]; F. Madden, *Matthaei Parisiensis Historia minor*, Rolls Series 44 (1866–9), i. 177–80 (s.a. 1100) [noting variants from the versions in
Textus Roffensis and the Red Book of the Exchequer; H. R. Luard, *Matthaei Parisiensis Chronic a maiora*, RS 57 (1872–84), ii. 115 (s.a. 1100), ii. 552 (s.a. 1213); H. G. Hewlett, *Rogeri de Wendover Liber qui dicitur Flores historiarum*, Rolls Series 84 (1886–9), ii. 84–6 (s.a. 1213); F. Liebermann, *Die Gesetze der Angelsachsen* (Halle, 1898–1916), i. 521–3 [from Coxe and other witnesses].

CALENDAR: *Regesta* 488b.


In the same year, on 25 August, there assembled at St Paul’s in London Stephen archbishop of Canterbury and the bishops, abbots, priors, deans, and barons of the realm. There the archbishop allowed both monastic churches and secular priests to chant the canonical hours in a low voice for their parishioners to hear. At the same conference, so the story goes, the archbishop called several of the great men of the realm asside and began to address them privately in this manner, ‘You have heard how, when I absolved the king at Winchester, I made him swear that he would annul unjust laws and cause good laws, that is the laws of King Edward, to be observed by everyone in the realm; now there has been found a charter of King Henry I, by means of which, if you have the will, you will be able to bring back into their former state the long-lost liberties’. And bringing forward the charter, he caused it to be read aloud among them, in these words.

Henricus [dei gratia] rex Angl<orum> Hugoni de Boclande uicecomiti et omnibus fidelibus suis tam francigenis quam anglis in Hertfordeschire salutem.

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*a* dei gratia Wend Paris  
b*Angli* Wend Paris  
cuicecomiti Wend Paris s.a. 1100  
justiciario Anglie Wend Paris s.a. 1213;  
justin Anglie Cotton Vitellius A. xx, fol. 93;  
Spelman, Glossarium (1626), 418, (1687), 337b, s.v. iustitia, iustitarius, cites this for Hugh
of Buckland as justiciar but notes the variant uicecomite and exclaims in wonderment 'ut duo tam diuersa apud Parisium extent huius chartae exemplaria'.

d francigenis Wend Paris s.a. 1213 ] francis Wend Paris s.a. 1100

e Hertfordeschire Wend s.a. 1213 Herifordeschire Paris s.a. 1213 ]

Herefordeschire Wend Paris s.a. 1100

[1] Sciatis me dei misericordia et communi consilio baronum regni Anglie eiusdem regni a regem esse coronatum. Et quia regnum oppressum erat iniustis exactionibus, ego respectu dei et amore quem erga uos omnes habeo, sanctam dei ecclesiam imprimis b liberam facio, ita quod nec eam c uendam nec ad firmam ponam, nec mortuo archiepiscopo uel episcopo siue abbate aliquid accipiam de dominio ecclesie uel de hominibus <eius>d donec successor in eam ingrediatur. Et omnes malas consuetudines quibus regnum Anglie iniuste opprimebatur inde aufero, quas malas consuetudines in parte hic pono.

a eiusdem regni Wend Paris s.a. 1213 ] om. Wend Paris s.a. 1100
b imprimis ] om. Wend Paris s.a. 1100
c eam Wend Paris and Hexham ] om. cett.

[2] Si quis baronum meorum, comitum uel a aliorum qui de me tenent, mortuus fuerit, heres suus non redimet terram suam sicut b facere consueuerat b tempore patris mei, sed legitima et iusta c releuatione releuabit eam. Similiter et homines baronum meorum legitima et iusta releuatione releuabunt terras suas de dominis suis.

a uel Wend Paris ] siue cett.
b facere consueuerat Wend Paris ] faciebat cett.
c iusta et legitima Wend Paris s.a. 1100

[3] Et si quis baronum uel aliorum hominum meorum filiam suam <nuptum>a tradere uoluerit siue sororem siue neptem siue cognatam a, mecum inde loquatur. Sed neque ego aliquid de suo pro hac licentia accipiam neque defendam ei quin eam det, excepto si eam b dare uelletb inimico meo. Et si mortuo barone uel alio homine meo filia heres remanserit, c dabo illam c
[cum]

d consilio baronum meorum cum terra sua. Et si mortuo marito uxor eius remanserit et sine liberis fuerit, dotem suam et maritagium habebit, et eam non dabo marito nisi secundum uelle suum.

\[a\] nuptum \] om. Wend Paris, but in Douce 207, s.a. 1100 nuptui is introduced after cognatam to complete the sense
\[b\-b\] dare uellet Wend Paris s.a. 1213 dare uoluerit Wend Paris s.a. 1100 
iungere uellet cett.
\[c\-c\] dabo illam Wend Paris s.a. 1100 illam dabo cett. \[d\] cum Wend Paris \] om. cett.
\[e\] maritagium Wend Paris \] maritationem cett.

[4] Si uero uxor cum liberis remanserit, \[a\] dotem quidem et maritagationem suam habebit, dum corpus suum legitime seruabit, et eam non dabo nisi secundum uelle suum. Et terre <et> liberorum custos erit siue siue alius propinquior qui iustius esse debet. Et precipio ut barones mei similiter se contineant erga filios et filias uel uxores hominum suorum.

\[a\-a\] dotem suam et maritagationem Wend Paris \] dotem quidem et maritagationem suam cett.
\[b\] seruabit Wend Paris \] seruauerit cett.
\[c\] dabo marito Wend Paris s.a. 1213 \[d\] om. Wend Paris \] et cett.
\[e\] propinquior Wend Paris \] propinquorum cett.
\[f\] debet Wend Paris \] debebit cett.
\[g\] et Wend Paris \] uel cett. \[h\] uel Wend \] et Paris


\[a\] uel Wend Paris \] et cett.
\[b\] fiat Wend Paris] sit cett.

[6] Omnia placita et omnia debita que [regi] fratri meo debebantur condono, exceptis <rectis> firmis meis et exceptis illis que pacta erant pro aliorum hereditatibus uel pro illis rebus que iustius aliis contingebant. Et si quis aliquid pro hereditate sua pepigerat, illud condono, et omnes releuationes que pro rectis hereditatibus pacte erant.

\[a\] uel Wend Paris \] et cett.
\[b\] fiat Wend Paris] sit cett.
[7] Et si quis baronum uel hominum meorum infirmabitur, sicut ipse dabit uel dare disposuerit\(^a\) pecuniam suam, ita datam esse concedo. Quod si ipse, preuentus uel armis uel infirmitate, pecuniam suam nec dederit nec dare disposuerit, uxor sua siue liberi aut parentes et\(^b\) legitimi homines eius\(^c\)\(^d\) pro anima eius eam\(^d\) diuidant, sicut eis melius uisum fuerit.

\(^a\) disposuerit \textit{Wend Paris} \(\text{disponet cett.}
\(^b\) et \textit{Wend Paris and Hexh} \(\text{aut cett.}
\(^c\) eius \textit{Wend Paris s.a. 1213} \(\text{sui Wend Paris s.a. 1100}
\(^d\) pro anima eius eam \textit{Wend Paris s.a. 1100} \(\text{eam pro anima eius cett.}

[8] Si quis baronum uel hominum meorum forisfecerit, non dabit uadium in misericordia pecunie sue sicut faciebat tempore patris uel fratris mei, sed secundum \(^a\)forisfacture modum\(^d\) \(\text{[nec]}\) \(^b\) ita emendabit sicut emendasset retro a tempore patris mei\(^c\), \(^d\)uel aliorum antecessorum meorum. Quod si perfidie uel sceleris conuictus fuerit, sicut \(^e\)erit culpa\(^e\), sic emendet.

\(^a\)\(^d\) forisfacture modum \textit{Wend Paris s.a. 1213} \(\text{modum forisfacti cett.}
\(^c\) nec \textit{Wend Paris s.a. 1213} \(\text{om. cett.}
\(^d\) uel fratris \textit{Wend Paris s.a. 1100}
\(^e\) uel aliorum antecessorum meorum \textit{Wend Paris s.a. 1213} \(\text{om. Wend Paris s.a. 1100}
\(^e\)\(^i\) erit culpa \textit{Wend Paris s.a. 1213} \(\text{iustum fuerit cett.}

[9] Murdra etiam retro \(^a\)ab illa die qua\(^a\) in regem coronatus fui omnia condono. Et ea que amodo facta fuerint, iuste emendentur secundum lagam regis Eadwardi.

\(^a\)\(^a\) ab illa die qua \textit{Wend Paris} \(\text{ab illo die quo Paris s.a. 1213}

[10] Forestas communi consilio\(^a\) baronum meorum in manu mea ita retinui, sicut pater meus eas habuit.

\(^a\) consilio \textit{Wend Paris, echoing §§ 1, 3} \(\text{consensus cett.}
[11] Militibus qui per loricas terras suas defendunt, terras dominicarum carucarum suarum quietas ab omnibus geldis et ab omni opere proprio dono meo concedo, ut sicut tam magno grauamine alleuiati sunt, <ita> equis et armis se bene instruunt, ut apti et parati sint ad seruitium meum et ad defensionem regni mei.

\[\text{\textsuperscript{a}}\text{ defendunt Wend Paris }\] deseruiunt cett.
\[\text{\textsuperscript{b\textsuperscript{b}}}\text{ omni opere Wend s.a. 1100 omni Paris s.a. 1100}\]
\[\text{\textsuperscript{c}}\text{ ita cett. }\] in Wend Paris
\[\text{\textsuperscript{d}}\text{ bene se Wend Paris s.a. 1100}\]

[12] Pacem firmam \[\text{\textsuperscript{a}}\text{ pono in toto regno meo}\] et teneri amodo precipio.

\[\text{\textsuperscript{a\textsuperscript{a}}}\text{ pono in toto regno meo Wend Paris }\] in toto regno meo pono cett.

[13] Lagam regis Eadwardi uobis reddo cum illis emendationibus quibus pater meus eam emendauit consilio baronum suorum.

[14] Si quis alicquid de meo uel de rebus alicuius post obitum regis Willelmi fratris mei cepit, totum cito reddatur absque emendatione. Et si quis inde alicquid retinuerit, ille super quem inuentum fuerit grauiter michi emendabit.

Testibus\[\text{\textsuperscript{a}}\text{ Mauricio Londoniensi episcoopo, Willelmo Wintoniensi electo, Gerardo Herefordensi episcoopo, Henrico comite, Simone comite, Waltero Giffard comite, Roberto de Monte forti, Rogero Bigod [et aliis multis].}\]

\[\text{\textsuperscript{a}}\text{ Hiis testibus Wend Paris s.a. 1100}\]

\[s.a. 1100\] Facte sunt tot carte quot sunt comitatus in Anglia et rege iubente posite in abbatiiis singulorum comitatuum ad monumentum.

As many charters were made as there were shires in England and, at the king’s command, placed in the abbeys of all and sundry shires as a record.
Cum autem hec carta perlecta et baronibus auditibus intellecta fuisset, gauisi sunt gaudio magno ualde et iurauerunt omnes in presentia archiepiscopi sepe dicti quod uiso tempore congruo pro his libertatibus, si necesse fuerit, decertabunt usque ad mortem; archiepiscopus uero promisit eis fidelissimum auxilium suum pro posse suo, et sic confederatione facta inter eos colloquium solutum est.

When this charter had been thoroughly read and interpreted to the listening barons, they were glad with a very great joy, and all swore in the presence of the archbishop that, when the time was right, for these liberties they will fight even to death if necessary; but the archbishop promised them his most faithful aid so far as he was able, and so with an agreement made between them the discussion was ended.

SOURCE: Matthew Paris, Historia Anglorum, s.a. 1100, adds a story to the effect that Henry I recalled copies of the charter, excepting only those in Canterbury, York, and St Albans. There is no corroboration for this notion.

PRINTED: F. Madden, Matthaei Parisiensis Historia minor, Rolls Series 44 (1866–9), i. 180–81.


As many charters in these words were made as there were shires in England and, sealed with a speedily made seal, at the king’s command, sent to and placed in the abbeys of all and sundry shires to secure and perpetuate memory of this matter. But as time passed, when some evil notion prompted the king to regret that he had done this, the charters were taken away by a variety of means or deceptions, so that just three remain, at Canterbury, St Albans, and York.

TREASURY TEXT

The chronicle of Richard of Hexham opens with the death of Henry I and a sketch of the king’s life and character; this includes a text of the Coronation charter, ‘which the king ordered to be preserved in his treasury at Winchester’. Richard may, of course, have known this without having been to Winchester, and where he obtained his text is not
stated, but several considerations suggest that he may have got it directly from the treasury. In place of a shire address, it addresses only ‘baronibus et fidelibus’ in an unspecific form that I have suggested above is the address of a file copy rather than a short general address. The writer of *Quadripartitus* had access to this text much earlier than Richard, and he worked at Winchester, but he did not copy the witness list so could not have been Richard’s source. Richard also copied the Coronation charter of King Stephen without indicating his source for it, but perhaps more telling is his inclusion of Pope Innocent II’s first letter to King Stephen (JL 7804), which is not known from any other source and which may have had no circulation.

**SOURCE:** Richard of Hexham, *De gestis regis Stephani et de bello standardii*, unique copy in Cambridge, Corpus Christi College, MS 139 (s. xii\(^2\), Durham for Sawley), fol. 37v–38v [B].


**CALENDAR:** *Regesta* 488d.

Ipse enim in principio regni sui sicut prediximus leges iustas et libertates populo dedit, carta confirmavit, sigillo corroboravit, et in erario suo apud Wintoniam conseruari precepit, sicut sequens articulus aperte demonstrabit.

*Henricus dei gratia rex Anglorum omnibus \fidelibus/ suis tam francigenis quam anglicis a\textsuperscript{totius Anglie} salutem.*

\[\textsuperscript{a-a} \text{unique to Hexh; its absence from the Quadripartitus copy suggests that it was an interpolation in copying}\]

[1] *Sciatis me a\textsuperscript{misericordia dei} et communi consilio baronum regni Anglie eisdem regni regem coronatum esse. Et quia regnum oppressum erat injustis <ex>actionibus\textsuperscript{b}, ego respectu dei et amore quem erga uos omnes habeo, sanctam dei ecclesiam imprimis liberam concedo\textsuperscript{c} ita quod nec eam\textsuperscript{d} uendam nec ad firmam ponam, nec mortuo archieписcopo uel*
episcopo uel\(^c\) abbate aliquid accipiam de dominio ecclesie uel de hominibus <eius>\(^d\) donec successor in eam ingrediatur. Et omnes malas consuetudines quibus regnum Anglie inujuste opprimebatur inde aufero, quas malas consuetudines \(g\)expono hic partes\(g\).

\(a\)–\(a\) misericordia dei B \} dei misericordia \(cett.\) \(b\) actionibus B
\(c\) concedo B \} facio \(cett.\) \(d\) eam Hexh Wend Paris \} om. \(cett.\)
\(e\) uel B \} siue \(cett.\) \(f\) eius om. Hexh Wend Paris] habent \(cett.\)
\(g\)–\(g\) expono hic partes B \} ex parte hic expono \(cett.\)

[2] Si aliquis\(^a\) baronum meorum uel\(^b\) comitum siue aliorum qui de me tenent mortuus fuerit, heres suus non redimat\(^c\) terram suam sicut faciebat tempore fratris mei, sed legitima et iusta releuatione releuabit eam. Similiter <et>\(^d\) homines baronum meorum legitima et iusta releuatione releuabunt terras suas de dominis suis.

\(a\) aliquis B \} quis \(cett.\) \(b\) uel B \} om. \(cett.\)
\(c\) redimat B \} redimet \(cett.\) \(d\) et om. B; \(habet cett.\)

[3] Et si quis baronum uel aliorum hominum meorum filiam suam nuptui\(^a\) tradere uoluerit siue sororem siue neptem siue cognatam, mecum inde loquatur\(^b\). Sed neque ego aliquid de suo pro hac licentia accipiam neque defendam ei quin eam det, excepto si eam iungere uellet inimico meo. Et si mortuo barone uel alio homine meo filia heres remanserit, illam dabo consilio baronum meorum cum terra sua. Et si mortuo marito uxor \(c\)remanserit eius\(^c\) et sine liberis fuerit, dotem suam et maritationem habebit, et eam non dabo marito nisi secundum uelle suum.

\(a\) nuptui B \} nuptum \(cett.\) \(b\) loquetur B \} loquatur \(cett.\)
\(c\)–\(c\) eius remanserit \(cett.\)

[4] Si uero uxor cum liberis remanserit, dotem quidem et maritationem suam habebit, dum corpus suum legitime seruauerit, et eam non dabo nisi secundum uelle suum. Et terre
<et>\textsuperscript{a} liberorum custos erit siue uxor siue alius propinquorum qui iustius esse debeat. Et precipio ut barones mei similiter se contineant erga filios uel\textsuperscript{b} filias uel\textsuperscript{b} uxores hominum suorum.

\textit{Hexh treats §§ 3–4 as one clause.}
\textsuperscript{a} et om. Wend Paris; habent cett. \textsuperscript{b} uel B ] et cett.

[5] Monetagium commune, quod capiebatur per ciuitates et per\textsuperscript{a} comitatus, quod non fuit tempore regis Edwardi, hoc ne amodo sit omnino defendo. Si quis captus fuerit siue monetarius siue alius cum falsa moneta, iustitia recta inde fiat.

\textsuperscript{a} per B ] om. cett.

[6] Omnia placita et omnia debita que fratri meo debebant\textsuperscript{a} condono, exceptis rectis firmis meis et exceptis illis que pacta erant pro aliorum hereditatibus uel pro eis rebus que iustius aliiis contingebant. Et si quis pro hereditate sua aliquid pepigit\textsuperscript{b}, illud condono, et omnes releuationes que pro rectis hereditatibus pacte erant.

\textsuperscript{a} debebant B \textsuperscript{b} pepigit B ] pepigerat cett.

[7] Et si quis baronum uel hominum meorum infirmabitur, sicut ipse dabit uel dare disponet pecuniam suam, ita datam esse concedo. Quod si ipse, preuentus uel armis uel infirmitate, pecuniam suam non dederit uel\textsuperscript{a} dare disposuerit, uxor sua siue liberi aut parentes et\textsuperscript{b} legitimi homines eius, eam pro anima eius diuidant, sicit melius eis uisum fuerit.

\textit{Hexh inadvertently transposes §§ 7 and 8}
\textsuperscript{a} uel Hexh Roff ] nec cett. \textsuperscript{b} et Hexh Wend Paris ] aut cett.

[8] \textit{[Et]}\textsuperscript{a} si quis baronum uel hominum meorum forisfecerit, non dabit uadium in misericordia pecunie sue, sicut faciebat tempore\textsuperscript{b} patris mei uel fratris\textsuperscript{b}; sed secundum\textsuperscript{c} forisfacti modum\textsuperscript{c}, ita emendabit sicut emendasset retro a tempore patris mei, in tempore aliorum antecessorum meorum. Quod si
perfidie uel sceleris convictus fuerit, sicut iustum fuerit, sic emendet.

[9] Murdra\textsuperscript{a} etiam retro ab illa die qua in regem coronatus fui omnia condono. Et ea que amodo facta fuerint, iuste emendentur secundum lagam regis Edwardi.

\textsuperscript{a} murdia B


[11] Militibus qui per loricas terras suas deseruient, terras dominicarum carrucarum suarum quietas ab omnibus geldis et ab omni opere proprio dono meo concedo, ut sicut tam magno grauamine alleuiati sunt, ita equis et armis se \textit{bene}/ instruant, ut \textsuperscript{a}apti sint et parati\textsuperscript{a} ad seruitium meum et ad defensionem regni mei.

\textsuperscript{a-a} apti sint et parati B \textsuperscript{b-b} apti et parati sint cett.


[13] Lagam regis Edwardi uobis reddo cum illis emendationibus quibus pater meus eam emendauit consilio baronum suorum.

Teste (sic) Mauricio Lundoniensi episcopo et Willelmo electo
Wintonie episcopo et Gerardo Herfordensi episcopo et
Henrico comite et Simone comite et Waltero comite Gifardo et
R(odberto) de Muntfort et Eudone dapifero et Rogero Bigoto.
Valete.

ROCHESTER VERSION

The version of the charter contained in Textus Roffensis, though far from
the first to find its way into print, has commanded a place in the editorial
tradition that it does not deserve. This stems from a comment by William
Somner at the start of his observations on Twysden’s edition of Leges
Henrici, datable on internal evidence to around 1646 (below, p. 36). In
addition to two copies of the Leges, Twysden used the Worcestershire
text of the Coronation charter from the Red Book. Somner’s first
comment on the charter, however, refers to many other copies, ‘quorum
omnium est antiquissimum quod in Textu (ut vocatur) Roffensi
inuenitur’ (printed by Wilkins, 233 note a). In this dating Somner was
correct, but he did not report the readings of Textus Roffensis, very likely
because he recognized that in its protocols this copy did not represent the
charter as published. His opinion on the date of the copy, however,
swayed Sir William Blackstone to follow the oldest copy rather than the
best. Blackstone had several texts available to him in 1759, but he chose
the Rochester copy for its age: ‘Matthew Paris has twice recited this
charter of Henry I (AD 1100 and 1213). There are also two copies of it
entered in the red book of the Exchequer at Westminster, one of which is
prefixed to King Henry’s laws published by Lambarde (Archaionom.
175) and Wilkins (LL. Anglo-Sax. 233). It is likewise printed in Richard
of Hagustald’s history of king Stephen (310). But the following copy is
taken from the Textus Roffensis published by Hearne (c. 34, p. 51) which
is acknowledged to be the most ancient of any, the book being compiled
by Ernulf bishop of Rochester, who died AD 1114’ (The Great Charter,
p. v note c). While its basic text is no worse than others, its substitution
of an annalistic heading for an address clause is a serious defect.

From what did the Roffensis version derive? Without a local
address, there is no strong reason to suppose that it was copied from a
local original in Kent. The title ‘Institutiones Henrici regis’ may point to
a link with the lawyers. It is found in Quadripartitus as well as in the
Rochester copy. The writer of Quadripartitus used ‘Institutio regis
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Willelmi’ to render Old English ‘Willemes cyninges asetynsse’ (Gesetze, i. 483), and he used the word again to refer to law in Leges Henrici, § 7. 1. Wormald, Making of English Law, i. 399, regards the word institutiones as characteristic of the writer of Quadripartitus. It is also the case that Textus Roffensis and Quadripartitus share a good deal of legal material, though how the compiler came by these texts is not known (ib. 250–51). Another point connecting these two witnesses is the division of the text into clauses, marked by special initials. On the other hand, Quadripartitus could not have been the only exemplar available to the compiler at Rochester, for his text includes witnesses, among them Henry de Port, who appears in no other copy of the Coronation charter. This text is also peculiar in place-dating the act at London rather than at Westminster.

CARTULARY COPIES: Strood, Medway Archives and Local Studies Centre, MS DRC/R1. Textus Roffensis (formerly Rochester Cathedral, MS A. 3. 5) (s. xii) (Ker, Manuscripts containing Anglo-Saxon, no. 373), fol. 96r–97v (no. 34, ‘Institutiones Henrici regis’) [B]; Bodl. MS Rawlinson C. 641 (s. xii) (Ker, Manuscripts containing Anglo-Saxon, no. 348), fol. 43r–44r [C, from the same exemplar as B; see J. C. Holt, ‘The Assizes of Henry II: the texts’, in The Study of Medieval Records. Essays in honour of Kathleen Major (Oxford, 1971), 85–106].

FACSIMILE: Textus Roffensis, ed. P. H. Sawyer, Early English Manuscripts in Facsimile 7, 11 (Copenhagen, 1957–62) [from B].

ANTIQUARIAN TRANSCRIP T S: BL MS Harley 1757 (s. xvi, owned by Robert Glover, 1543/4–1588), fol. 187r–v [immediate source not indicated]; Bodl. MS Gough Kent 1 (AD 1632, copied by Sir Edward Dering, 1598–1644), pp. 64–6 (no. 34) [from B]; BL MS Harley 311 (copied for Sir Simonds D’Ewes, 1602–1650), fols. 33r–34v [from B recording folio numbers].

Constitutional History (New York, NY, 1901), 4–6 [from Cheyney]; W. S. McKechnie, Magna Carta. A Commentary on the Great Charter of King John (Glasgow, 1905), 565–7 [from Statutes of the Realm and Bémont]; F. J. C. Hearnshaw, The Coronation Charter of Henry I, 1100, Historical Association, Constitutional Documents 1 (1914) (a four-leaf fold-out, in English, omitting preamble and witnesses) [from Bémont]; A. J. Robertson, The Laws of the Kings of England from Edmund to Henry I (Cambridge, 1925), 276–83 (with English translation) [from older editions of Stubbs with variants from Liebermann]; H. Marsh, Documents of Liberty from earliest times to universal suffrage (Newton Abbot, 1971), 17–19 (in English) [from Adams & Stephens]; E. Amt, Medieval England 1000–1500. A Reader (Peterborough, Ont., 2001), 95–7 (in English) [from Lee].

CALENDAR: Regesta 488c.


[1] Sciatis me dei misericordia et communi consilio baronum [totius]a regni Anglie eiusdem <regni>b regem coronatum esse. Et quia regnum oppressum erat in injustis exactionibus, ego c dei respectu et amore quem erga uos habeo, sanctam dei ecclesiam inprimis liberam facio, ita quod nec uendam nec ad firmam ponam nec mortuo archiepiscopo siue episcopo siue abbate aliqquad accipiam de dominio d ecclesie uel de hominibus eius donec successor in eam ingrediatur. Et omnes malas consuetudines quibus regnum Anglie iniuste opprimebatur inde aufero. Quas malas consuetudines ex parte hic pono.

[2] Si quis a baronum comitum meorum siue aliorum qui de me tenent mortuus fuerit, heres suus non redivit terram suam sicut faciebat tempore fratris mei, sed biusta et legitima b releuatione releuabit eam. Similiter et homines baronum meorum biusta et legitima b releuatione releuabunt terras suas de dominis suis.

a–a baronum, comitum meorum BC | baronum meorum, comitum cett.
[3] Et si quis baronum uel aliorum hominum meorum filiam suam nuptum tradere uoluerit siue sororem siue neptim\(^a\) siue cognatam, mecum inde loquatur. Sed neque ego aliquid de suo pro hac licentia accipiam neque defendam ei quin eam det, excepto si ea\(^b\) uellet iungere inimico meo. Et si mortuo barone siue\(^c\) alio homine meo filia heres remanserit, illam dabo consilio baronum meorum cum terra sua. Et si mortuo uiro\(^d\) uxor eius remanserit et sine liberis fuerit, dotem suam et maritationem\(^e\) habebit, et eam non dabo marito nisi secundum uelle suum.

\(^a\) neptim BC \(^b\) ea B, a mere slip ] eam C recte
\(^c\) siue B ] uel, corrected to siue C \(^d\) uiro BC ] marito cett.
\(^e\) maritationem suam C

[4] Si uero uxor cum liberis remanserit, dotem quidem et maritationem habebit, dum corpus suum legitime seruauerit, et eam non dabo nisi secundum uelle suum. Et terre et liberorum custos erit siue uxor siue alius propinquarius\(^a\) qui iustius esse debeat\(^b\). Et precipio ut barones mei similiter se contineant erga filios et filias uel uxores hominum suorum.

\(^a\) propinquarius BC ] propinquirum cett. \(^b\) debeat BC ] debebit cett.

[5] Monetagium commune, quod capiebatur per ciuitates et comitatus, quod non fuit tempore regis Eduuardi\(^a\), hoc ne amodo sit omnino defendo. Si quis captus fuerit siue monetarius siue alius cum falsa moneta, iustitia recta inde fiat.

\(^a\) regis Eduuardi BC ] Eadwardi regis cett.

[6] Omnia placita et omnia debita que fratri meo debebantur condono, exceptis rectis \textbackslash firmis\/meis et exceptis illis que pacta erant pro aliorum hereditatibus uel pro eis rebus que iustius aliis contingebant. Et si quis <pro>\(^a\) hereditate sua
aliquid pepigerat, illud condono, et omnes releuationes que pro rectis hereditatibus pacte fuerant\(^a\).

\(^{a}\) om. BC \hspace{1cm} \(^{b}\) fuerant BC ] erant cett.

[7] Et si quis baronum uel hominum meorum infirmabitur, sicut ipse dabat uel dare disponet pecuniam suam, ita datam esse concedo. Quod si ipse preuentus \(<ue\>\(^a\) armis uel infirmitate pecuniam suam non dederit uel dare disposuerit, uxor sua \(\text{/si/ue} \)liberi aut parentes et\(^b\) legitimi homines eius, eam pro anima eius diuidant, sicut eis melius uisum fuerit.

\(^{a}\) uel om. BC; habent cett. \hspace{1cm} \(^{b}\) et BC ] aut cett.

[8] Si quis \(\text{\`baronum uel hominum meorum} \)\(^a\) forisfecerit, non dabit uadium in misericordia pecunie \(<ue\>\(^b\), sicut faciebat tempore patris mei\(^c\) uel fratris mei; sed secundum modum forisfacti, ita emendabit sicut emendasset retro a tempore patris mei, in tempore aliorum antecessorum meorum. Quod si perfidie uel sceleris convicetus fuerit, sicut iustum fuerit, sic emendet.

\(^{a}\) om. BC \hspace{1cm} \(^{b}\) om. BC \hspace{1cm} \(^{c}\) mei BC ] om. cett.

[9] Murdra etiam retro \(^a\)ab illo die qua\(^a\) in regem coronatus fui omnia condono. Et ea que amodo facta fuerint, iuste emendentur secundum lagam regis Eduuardi.

\(^{a}\)\(^a\) ab illo die qua BC ] ab illa die qua cett.

[10] Forestas omni\(^a\) consensu baronum meorum in manu mea \(<ita\>\(^b\) retinui, sicut pater meus eas habuit.

\(^{a}\) omni BC ] communi cett. \hspace{1cm} \(^{b}\) ita om. BC; habent cett.

[11] Militibus qui per loricas terras suas defendunt\(^a\), terras dominicarum carrucarum suarum quietas ab omnibus gildis\(^b\) et ab omni opere proprio dono meo concedo, ut sicut tam magno alleuamine\(^c\) alleuiati sunt, \(\text{ita} \)\(^d\) se equis et armis\(^d\) bene
instruant, <ut apti et parati sint>\(^{e}\) ad seruitium meum et ad
defensionem regni mei.

\(^{a}\) defendunt BC \(\text{deseruiunt cett.}\) \(^{b}\) gildis BC \(\text{geldis cett.}\)
\(^{c}\) alleuamine BC \(\text{grauamine cett.}\)
\(^{d}\) se equis et armis BC \(\text{equis et armis cett.}\)
\(^{e}\) om. BC

[12] Pacem firmam in toto regno meo pono et teneri amodo
precipio.

[13] Lagam \(^{a}\) Eduuardi regis\(^{a}\) uobis reddo cum illis
emendationibus quibus pater meus \(\text{\textbackslash eam/}\)\(^{b}\) emendauit consilio
baronum suorum.

\(^{a-a}\) Eduuardi regis BC \(\text{regis Eadwardi cett.}\) \(^{b}\) eam interl. B; habet C

[14] Si quis aliquid de rebus meis\(^{a}\) uel de rebus alicuius post
obitum Willelmi regis\(^{b}\) fratris mei cepit, totum cito \(^{b}\) sine
emendatione reddatur\(^{b}\). Et si quis inde aliquid retinuerit, ille
super quem inuentum fuerit \(^{c}\) michi grauiter\(^{c}\) emendabit.

\(^{a}\) de rebus meis BC \(\text{de meo cett.}\) \(^{b}\) Willelmi regis BC \(\text{regis Willelmi cett.}\)
\(^{c-c}\) sine emendatione reddatur BC \(\text{reddatur absque emendatione cett.}\)
\(^{d-d}\) michi grauiter B \(\text{om. C}\) \(\text{grauiiter michi cett.}\)

T(estibus) M(auricio) Londonie episcopo et †Gundulfo\(^{a}\)
episcopo et Willelmo electo episcopo et Henrico comite et
Sim(one) comite et Walt(er)o Giffardo et Rodberto de
Monfort et Rogero Bigoto et Henrico de Portu. Apud
Londoniam\(^{b}\) quando fui coronatus.

\(^{a}\) an erroneous local expansion of G(erardo)
\(^{b}\) Londoniam BC \(\text{Westmonasterium cett.}\)

**QUADRIPARTITUS AND LEGES HENRICI VERSION**

These two works were very likely produced by the same author, who
assembled and translated into Latin much Old English legal material
under the title _Quadripartitus_, and wrote an account of the workings of the law under Henry I, _Leges Henrici_. Internal evidence indicates that the writer was based at Winchester, an associate of Gerard, one of William II’s chaplains, who later as bishop of Hereford witnessed the Coronation Charter. The writer was an expert in Anglo-Saxon law, but his law-book was a private undertaking begun before 1100 and probably completed in a mood of optimism soon after Henry’s accession (‘The date of _Quadripartitus_ again’, English Law before Magna Carta. Felix Liebermann and Die Gesetze der Angelsachsen, ed. S. Juraisinski, L. Oliver, and A. S. Rabin (Leiden, 2010), 81–93). The second part of _Quadripartitus_ now comprises a preface, the Coronation Charter, and a collection of letters, among them two from the king to Pope Paschal II (§13, §15) and seven letters to various addressees from the same Gerard, now archbishop of York. Gerard died on 21 May 1108. The section closes with a copy of §4, datable May × July 1108, and almost certainly entered while still a recent act. This coincidence in date suggests that the material following the Coronation Charter was brought together soon after Gerard’s death. The lack of any apparent connexion between these texts and the design of _Quadripartitus_ allows the inference that the preface was intended to introduce the Coronation Charter alone. When the writer chose to add the other texts into his draft in 1108, he simply placed them at the end of his work. This preface may be read as an expression of the optimism with which a contemporary on the fringe of the court circle greeted Henry’s promises in 1100 or very soon after. It has been printed by Liebermann, _Quadripartitus_, 146–9, and again in his _Gesetze_, i. 542–3; translated by R. Sharpe, ‘The prefaces of _Quadripartitus_’, in Law and Government in Medieval England and Normandy. Essays in honour of Sir James Holt (Cambridge, 1994), 148–72 (at pp. 169–72).

The readings characteristic of the _Quadripartitus_ text were taken by Ludwig Riess to derive from a reissue of the charter in June or July 1101 (EHR 41 (1926), 322–4), but his argument is not convincing. Liebermann had taken them for changes introduced by the compiler, but Riess made the assumption that this was ‘inconceivable’ at so early a date, when authentic copies were available in every shire.

No previous attempt has been made to establish the lawyer’s text. Liebermann was content to omit it, referring to his critical text elsewhere. The nearest to a plain edition of the parent text from _Quadripartitus_ is to be found in Brompton’s chronicle (as printed by Sir Roger Twysden in 1652); the author had used a copy of _Quadripartitus_.

Two other witnesses derive directly from *Quadripartitus*.
First, *Leges Henrici* provides a very similar text and is generally accepted as the work of the same author. An edition of the *Leges* was first hinted at by William Lambarde (1536–1601), in the dedication of his *Archaionomia* in 1568 to Sir William Cordell, ‘ad peruulgandas latinias Henrici primi regis institutiones animos mihi addideris’ (sig. B1v). Sir Henry Spelman (1564–1641) in his *Glossarium* (1626), 4, (1687), 4, s.v. *aberemurdrum*, refers to *Leges Henrici*, ‘quas uolente Deo in lucem aliquando dabimus’. Sir Simonds D’Ewes (1602–1650) made an edition, now BL MS Harley 311, fols. 40r–91v, but it was never published. The first edition to appear in print, in Abraham Wheelocke’s reissue of Lambarde in 1644, was the work of Sir Roger Twysden (1597–1672), using the Red Book of the Exchequer and a copy belonging to John Selden. Soon afterwards—in 1646 to judge from his saying that Spelman’s promise appeared twenty years earlier—William Somner (1598–1669) wrote a commentary on the *Leges*, with an extensive glossary, dedicating it to Twysden. Somner’s own copy is now Canterbury Cathedral, MS Lit. C. 6; there is another copy in Cambridge, Trinity College, MS O. 10. 5, and another in BL MS Harley 684. David Wilkins (1685–1745) added Somner’s notes to Twysden’s text in preparing an edition for his *Leges Anglo-Saxonicae* (1721), which served as the copy-text for many subsequent printings. From Somner onwards, editors of the *Leges* sought to improve their text of the Coronation charter by collation with other copies. The simplest edition of the charter from *Leges Henrici* is Twysden’s.

Second, a copy preserved in France also shares many distinctive readings with these sources. Three readings (in §§ 1, 13, 14) make it appear that this French copy (J) is closer to *Quadripartitus* than to *Leges Henrici*; Riess is incorrect in suggesting that J was made from the exemplar of the *Quadripartitus* text in the treasury. The significance of the French copy was brought to light by J. H. Round, ‘An unknown charter of liberties’, *EHR* 8 (1893), 288–94. It appears to have been made to report negotiations about the charter between King John and the baronial party, most likely in 1213–14, and presumably for King Philip Augustus. It is a different version of the charter, however, from that apparently copied and translated for the negotiations in England, which appears to have been what is here called the Interpolated version. Some points noted here as granted by King John were not included in the eventual Magna Carta in 1215—for example, the remission of foreign service—which calls into question the accuracy of the reporting. The
Fonds d’Angleterre in the French royal archives soon acquired two copies of the second Magna Carta (1 Henry III, 1216), perhaps brought from England by Prince Louis in 1217, which must have left J as merely a report of discussions overtaken by events.

SOURCE: *Quadripartitus*, Book II, which was meant to comprise a preface and the text of the Coronation Charter [*Quad*]. Five principal manuscripts are described by Liebermann and again by C. P. Wormald, ‘*Quadripartitus*’, in *Law and Government in Medieval England and Normandy. Essays in honour of Sir James Holt* (Cambridge, 1994), 111–47, at pp. 114–19. The oldest, BL MS Cotton Domitian A. viii, fols. 96r–110v (s. xii234), breaks off too early in the work to provide a text of the Coronation Charter, and the copy of the charter in a different section of the manuscript (fol. 119r) appears to present the Interpolated version. BL MS Royal 11 B. ii (s. xii237), fols. 103r–166v, also lacks the Coronation Charter. There are therefore only three principal witnesses to this branch of the tradition. • First is BL MS Cotton Titus A. xxvii pt 2 (s. xii/xiii, St Augustine’s) [Liebermann’s T], a small, well-laid-out book, where *Quadripartitus* occupies fols. 1r–72r (now fols. 89r–160v); the preface to the Coronation charter is at fols. 64r–65r (now fols. 152r–153r (‘Incipit prefatio super decretales emendationes Henrici regis’)), with the charter itself following, fols. 65r–66v (now fols. 153r–154v) (‘Incipiunt leges Henrici regis Anglorum’). The other material added after the Coronation Charter by the compiler of *Quadripartitus*, datable to 1108, was printed from this manuscript by Liebermann, *Quadripartitus*, 151–66. This is the only source for the complete preface to the Coronation charter (*Gesetze*, i. 542–3); the letters that follow the charter are also found only here and yet they appear to derive from the writer of *Quadripartitus*, who was an associate of Archbishop Gerard; it is likely that this material was added to the writer’s copy soon after Gerard’s death in 1108. Therefore T is the most important witness, descending from a manuscript very close to the writer (R. Sharpe, ‘The date of *Quadripartitus* again’, *English Law before Magna Carta*. Felix Liebermann and *Die Gesetze der Angelsachsen*, ed. S. Juransinski & others (Leiden, 2010), 81–93). • Second is Manchester, JRUL MS lat. 420 (s. xii2med) [Liebermann’s M] (in the possession of John Henry Gurney (1848–1922), of Keswick Hall, Norwich, when used by Liebermann in 1894, and at earlier dates owned by antiquaries Cox Macro (1683–1767), Sir Henry Spelman (1564–1641), and William Fleetwood (c. 1525–1594)). From the original manuscript fols. 46–87 survive and are now foliated 1–42; fol. 81r–82v (now 36r–37v) (‘Institutiones Henrici Regis’) has the Coronation Charter (lacks § 12), with witnesses as in *Quad*, preceded by *capitula* and followed by other texts from the second part of *Quad*, including Henry I’s writ on shires and hundreds (§6); another hand has added on fols. 85r–86v (now 40r–41v) a copy of Ste/272, his treaty with Duke Henry. • Third, and closely related to it, is BL MS Add. 49366 (s. xii34) [Liebermann’s Hk] (formerly Holkham Hall, MS 228, from the collection of Sir Edward Coke, 1552–1634), which has the same legal material as M; the Coronation Charter is at pp. 164–7 (now fols. 100v–102r) (‘Institutiones Henrici regis’). • A later, fourth, witness unknown to Liebermann is provided by BL MS 47214 (s. xiv2med), fols. 26r–44r [Ad], a copy of *Quadripartitus*, imperfect at the beginning; the Coronation Charter is at fols. 42v–43r (‘Institutiones H. regis dicti clerici’); its text agrees in most details with MHk. • A secondary witness is provided by the chronicle conventionally attributed to John Brompton, of which two copies were
used by Liebermann, Cambridge, Corpus Christi College, MS 96 (s. xv), and BL MS Cotton Tiberius C. XIII (s. xv); Brompton’s text was judged by Liebermann to be very close to that in MHk, and it is clear from his quotation of Anglo-Saxon laws in Latin and of two letters of Henry I to Pope Paschal II (§13, §15), known only from Quadripartitus, that Brompton had ready access to a copy of this work. Readings from this source were cited by Liebermann as Br, but they are not shown here.

ANTIQUARIAN TRANSCRIPTS: Manchester, JRUL MS lat. 318 (before AD 1635), fol. 117r [§ 13, from a book ‘in quo continebantur Leges Antiquorum Regum Anglie subscriptorum mihi prestito per Magistrum Francum Tate . . . 1604’, i.e. Francis Tate (1560–1616), fol. 57, followed by Henry I’s letter to Pope Paschal, therefore from Quad]; BL MS Harley 311 (copied for Sir Simonds D’Ewes, 1602–1650), fols. 191r–242v (now fols. 40r–91v), an edition of Leges Henrici, transcribed from Cotton MS Claudius D. II (the London version) and corrected against the Red Book copy of Leges Henrici, with copious textual notes by D’Ewes himself; charter at fols. 195r–196v (now fols. 44r–45v); D’Ewes was also aware of the second copy of the text there but ignored its Worcestershire address clause.

PRINTED: R. Twysden, Historiae Anglicanae scriptores X (London 1652), cols. 1021–2 [from Brompton]; F. Liebermann, Quadripartitus. Ein englisches Rechtsbuch von 1114 (Halle, 1892), 150–51 (printing the capitula and the distinctive element of the text); Liebermann, Gesetze, i. 544 (printing the capitula and noting the place of the text within Quadripartitus).

SOURCE: Leges Henrici, c. 1 (‘Epistola eiusdem omnibus fidelibus suis’) [Hn], as preserved in the Red Book of the Exchequer, King’s Remembrancer, Miscellaneous Books, E164/2, fols. xvi–xxix (now 36r–50v), at fol. xvi (now fol. 36r) (‘epistola eiusdem omnibus fidelibus suis’) [Sc]; BL MS Hargrave 313 (s. xiii), fols. 6–15v, at fol. 6r (‘epistola eiusdem omnibus fidelibus suis’ [Hg, from the Red Book; made in 1251–2; Hall, Red Book, p. li, thought they were copied from the same exemplar]. Four other witnesses to the text of Hn offer a conflated version identified by Liebermann as a London version (see below).

Henricus dei gratia rex Anglorum omnibus baronibus et fidelibus suis favorite francis et anglis salutem.

\[^{a-a}\] francis et anglis \textit{Quad Hn J} | francigenis et anglicis cett.
[1] {De libertate ecclesie.}² Scis me dei misericordia et communi consilio³ baronum regni Anglie eiusdem regni regem coronatum esse. Et quia regnum oppressum erat in iustis exactionibus, ego respectu dei et amore quem erga uos omnes habeo, sanctam dei ecclesiam in primis liberam facio, ita quod nec uendam nec ad firmam ponam, nec mortuo archiepiscopo siue episcopo uel abbate aliquid accipiam de dominio¹ ecclesie uel de⁵ hominibus eius donec successor in eam⁶ ingrediatur. Et omnes malas consuetudines quibus regnum Anglie in iustae opprimebatur inde aufero. Quas malas consuetudines ex parte subpono⁷.

² rubrics taken from capitula in M
³ the words et assensu not in Quad J; added above line in Red Book copy of Hn
⁴ domino J
⁵ om. Hn
⁶ hic pono cett.

[2] {De releuationibus.} Si quis baronum meorum, comitum siue aliorum qui de me tenent, mortuus fuerit, heres suus⁸ non redimet terram suam sicut faciebat tempore fratris mei, sed legitima et iusta releuatione releuabit eam. Similiter et homines baronum meorum legitima et iusta releuatione releuabunt terras suas de dominis suis.

⁸ eius J

[3] {De puellis non sine dominorum licentiis maritandis.} Et si quis a baronum uel hominum meorum⁹ filiam suam nuptum b tradere uoluerit siue sororem siue neptem siue cognatam, mecum inde loquatur; sed neque ego aliquid de suo pro hac licentia c accipiam neque defendam ei quin eam det, excepto si eam d iungere uellet d inimico meo e. {De heredibus.} Et si mortuo barone uel alio homine meo filia heres remanserit, f illam dabo consilio baronum meorum g cum terra sua. Et si h mortuo marito uxor eius remanserit f et sine liberis h fuerit,
idotem et maritationem suam habebit, et eam non dabo marito nisi secundum uelle suum.

[4] \{De uiduis cum liberis uel sine liberis.\} Si uero uxor cum liberis remanserit, dotem quidem et maritationem suam habebit, dum corpus suum legitime seruauerit, et eam non dabo nisi secundum consilium meorum. Et terre et liberorum custos erit siue uxor siue alius propinquorum qui iustius esse debebit. Et precipio ut barones mei similiter se contineant erga filios et filias hominum suorum.

[5] \{De monetagio et de falsa moneta.\} Monetagium commune, quod capiebatur per ciuitates et per comitatus, quod non fuit tempore regis Eadwardi, hoc ne amodo fiat omnino defendo. Si quis captus fuerit siue monetarius siue alius cum falsa moneta, iustitia recta inde fiat.

[6] \{Que condonanda, que excipianda placita uel consuetudines.\} Omnia placita et omnia debita que fratri meo debebantur condono, exceptis rectis firmis meis et exceptis
illis que pacta erant pro aliorum hereditatibus uel pro eis\(^a\) rebus que iustius aliis contingebant. Et si quis pro hereditate sua aliquid pepigerat\(^c\), illud condono, et omnes releuationes que pro\(^d\) rectis hereditatibus pacte erant.

\(^a\) aliis J \(^b\) debebantur T ] debeantur MHk debentur Hn \(^c\) pepigerit, corrected to pepigerat T \(^d\) pro ] om. MHk J

[7] \{De distributione pecunie infirmi uel morte presenti.\} Et si quis \(^a\)baronum uel hominum meorum\(^a\) infirmabit\(^b\), sicut ipse dabit uel dare disponet\(^c\) pecuniam suam, ita datam esse concedo. Quod si ipse, preuentus uel armis uel infirmitate, pecuniam suam non dederit nec dare disposuerit, uxor sua siue liberi aut parentes aut legitimi homines\(^d\) eius, <eam>\(^e\) pro anima eius diuidant, sicut melius eis uisum fuerit.

\(^a\) baronum meorum uel hominum MHk baronum meorum uel hominum meorum J \(^b\) infirmatur J \(^c\) disponat MHk disposuit J \(^d\) om. J \(^e\) om. Quad Hn J; habent cett.

[8] \{De foresfacturis.\} Si quis baronum uel hominum meorum forisfecerit, non dabit uadium in misericordia [totius]\(^b\) pecunie sue, sicut faciebat tempore patris \(^c\)mei et \(^c\) fratris mei; sed secundum modum forisfacti, ita emendabit sicut emendasset retro a tempore patris mei [et fratris mei]\(^d\), in tempore aliorum antecessorum meorum. Quod si perfidie uel sceleris convictus fuerit, sicut iustum erit\(^e\), sic emendet.

\(^a\) uel Quad Hn J ] siue cett. \(^b\) totius Quad Hn J om. cett.; Liebermann compare Dialogus de Scaccario II 16, ‘in misericordia regis de pecunia idem est ac si de tota dixissent’ \(^c\) mei Quad Hn J ] uel cett. \(^d\) et fratris mei Quad Hn J ] om. cett. \(^e\) erit Quad Hn J ] fuerit cett.

[9] \{De murdra.\} Murdra etiam retro ab illa die qua\(^a\) in regem coronatus fui omnia\(^b\) condono. Et ea que amodo facta fuerint, iuste emendentur secundum lagam regis Eadwardi.

\(^a\) ab illa die quo ScHg \(^b\) omnino J
[10] *De forestis.* Forestas communi consensu\(^a\) baronum meorum in manu mea sic\(^a\) retinui, sicut pater meus eas habuit.

\(^{a}\) concessu J  \(^{b}\) sic Quad Hn J ] ita cett.

[11] *De uauasoriis.* Militibus qui per loricas terras suas deseruiunt, terras\(^a\) dominicarum carrucarum suarum quietas\(^a\) ab omnibus gildis\(^b\) et ab omni opere proprio dono meo concedo, ut [sic benignitas mea propensor est in eis, ita michi fideles sint, et]\(^c\) sicut tam\(^d\) magno grauamine alleuiati\(^e\) sunt, ita equis et armis se bene\(^f\) instruant, ut apti et parati sint ad seruitium meum et ad defensionem regni mei.

\(^{a}\) terram . . . quietam J  \(^{b}\) gildis Quad Hn J ] geldis J cett.  
\(^{c}\) add. Quad Hn J Lond  
\(^{d}\) a tam J  
\(^{e}\) alienati J  
\(^{f}\) bene se J

[12] <Pacem firmam in toto regno meo pono et teneri amodo precipio.>\(^a\)

Quad Hn J omit § 12, but Hexh has it, so it was presumably in the parent copy at Winchester.

[13] *De redditione legis Eadwardi.* Lagam regis Eadwardi uobis reddo\(^a\) cum illis emendationibus quibus \(^b\) eam pater meus emendauit\(^b\) consilio baronum suorum\(^c\).

\(^{a}\) concedo J  
\(^{b}\) eam pater meus emendauit Quad J eam emendauit pater meus Hn ] pater meus eam emendauit cett.  
\(^{c}\) suorum T ] meorum MHk

[14] *De rebus raptis\(^a\) post obitum Willelmi regis.* Si quis \(^b\) aliquid de meo\(^b\) uel de rebus alicuius post obitum \(^c\) fratris mei Willelmi\(^c\) cepit\(^d\), totum cito reddat<ur>\(^e\) absque emendatione. Et si quis inde aliquid\(^f\) retinuerit, ille super quem \(^f\) inuentum fuerit grauiuser\(^g\) michi emendabit.

\(^{a}\) raptis MHk ] captis conj. Liebermann  
\(^{b}\) aliquid de meo Hn J ] de meo aliquid T aliquid de meo MHk  
\(^{c}\) fratris mei Willelmi Quad J Willelmi fratris mei ScHg ] regis Willelmi fratris mei cett.  
\(^{d}\) MHk  
\(^{e}\) cett.
The status of this text is far from certain. Liebermann identified it as a Westminster text on the strength of the witness of Abbot Gilbert Crispin and, perhaps, on the supposition that, since it influenced the London version, it may have derived from a second file copy retained in a royal archive at Westminster. That there was a copy at Westminster, without Gilbert Crispin’s attestation, he inferred from the reuse of the witness-list in a forgery from Westminster abbey, 0000, *Regesta* 489. He concluded therefore that Gilbert’s name and the clause concerning the privileges ‘of the present church’ were interpolated by the monks of Westminster. Yet the only copy of this version known to him was from Glasgow, and he made no attempt to explain why the canons of Glasgow should have obtained an inflated text from the monks of Westminster.

Copies from Canterbury have more recently been brought to light by Martin Brett. There appears to have been a single-sheet charter in the archive of the archbishop; this can be associated through the similarity of the inventory in which it is mentioned with the list of documents ‘in thesaurar(ia) archiepiscopi’ at the front of the archbishop’s cartulary, MS Lambeth 1212; in these capitula the added clause is summarized in these words, ‘monachis ecclesie Cantuar’ dignitates libertates regiasque consuetudines sibi per cartas regum olim confirmatas concedit’ (fol. 1r), and the interpolated text follows in its place in the archbishop’s cartulary (fol. 79v). While explicit enough, this wording is not found in the fourteenth-century inventory—which would have given reason to think it came from an endorsement on the single-sheet text—and it is possible that mention of the monks of Canterbury is no more than a local inference by the compiler of the capitula where the charter merely says ‘of the present church’.
The address clause, however, argues against any notion that this derives from a local original, sent in 1100 to the shire court of Kent and preserved in the archives at Canterbury. It is the unlocalized address as found in the file copy, but the witness list is different from that attested for the treasury copy at Winchester and from the copy that provided the witnesses in Textus Roffensis. We may perhaps have evidence here for a second file copy. Would such a text have been preserved at Westminster or in the Tower of London from as early as 1100? Or is it preferable to suppose, with Liebermann, that the additional witness of Gilbert Crispin was also an interpolation?

Why should a file copy reflecting the text as circulated contain the added clause concerning the privileges of a particular but unspecified church, 'presentis ecclesie'? This makes no sense. If it were a special clause conceded in the original charter to the monks of Canterbury, a mark of respect for their privileges, the address-clause would have reflected its limited audience. The wording of the added clause argues strongly for its being composed within the institution to which it referred and not by royal draftsmen. We have to suppose, therefore, that at some point a copy of the file-copy text was interpolated in a monastic church and that this version was then given wide currency. This text may well have originated with the monks of Canterbury, though the element of forgery is by their standards very modest.

The wide circulation of this version in the thirteenth century may perhaps be associated with its possible role in discussions between Archbishop Stephen Langton and the baronial party as they consulted this and other charters of liberties in framing their demands to King John in 1213. These circumstances would also explain BL MS Harley 458, a bifolium in which three charters of liberties were copied out together with a translation into French, a sign of laymen’s interest. Copies of the text used in the discussion might travel far and wide, explaining why this version is found in other places from St Albans to Glasgow.

MEDIEVAL INVENTORY FROM CANTERBURY: ‘Carta regis H. de libertatibus concessis ad sanctam dei ecclesiam’, Exchequer, Treasury of Receipt, Miscellaneous Books, E36/137 (dated 1330), p. 3, col. 1 (I. J. Churchill, Table of Canterbury Arch bishopric Charters, Camden Miscellany 15, Camden 3rd ser. 41 (1929), p. 2). The description points to the wording of § 1; the contents of this inventory are similar to the documents listed under the heading ‘Capitula cartarum regum in thesaurar(ia) archiepiscopi contentarum’ in Lambeth Palace, MS 1212, where the texts themselves follow the capitula [cited as B below]; it must refer, therefore, to the Coronation charter, despite its being listed in 1330 among the charters of Henry II.
CARTULARY COPIES FROM CANTERBURY: Lambeth Palace Library, MS 1212 (s. xiii) (cartulary of the archbishops of Canterbury), fol. 79v–80r (later pp. 188–9, now fol. 97v–98r) (a gathering of royal charters written c. 1225) (‘Carta regis Henrici primi’) [B]; and again, fol. ijr–v (later pp. 17–18, now fol. 10r–v) (‘Henricus primus’, no. i) (among additions, c. 1277) (‘In coronacione sua ecclesiam dei liberam reddit, malas consuetudines regni aufert que ibi nominatur et monachis ecclesie Cantuar’ dignitates libertates regiasque consuetudines sibi per cartas regum olim confirmatas concedit’ in capitula, now fol. 1r) [C]. Holt supposed that this was ‘based on the version in the London manuscript of the Leges and also included the Westminster forgeries’ (Magna Carta (Cambridge, 1965), 300), ‘similar to the version in the London manuscript of the Leges; both included the Westminster additions’ (Magna Carta (Cambridge, 21992), 424); this is misleading, for Interp is not similar to Lond beyond the fact that Lond has added the interpolated clause (§ 15) to a copy derived from QuadHuJ (see below, 000).

- There is a secondary copy in Bodl. MS Tanner 223 (c. 1530, Christ Church) (Davis, no. 160), pp. 42–4 (now fols. 23v–24r) (‘In coronacione sua ecclesiam dei liberam reddit, malas consuetudines regni aufert que ibi nominatur et monachis ecclesie Cantuar’ dignitates libertates regiasque consuetudines sibi per cartas regum olim confirmatas concedit’) [from C].

ANTiquarian Transcript: BL MS Cotton Vespasian C. xiv (s. xvii), a mixture of original documents and transcripts arranged alphabetically, fol. 129r–v (now fol. 145r–v) (with source-note ‘ex libro cartarum archiepiscopatus Cantuariensis’, entered under heading ‘Coronatio’) [from C].

INFORMal COPY: BL MS Harley 458 (s. xiii, owned by Peter Le Neve in 1704) [D], two leaves comprising the coronation charters of Henry I, Stephen (Ste/270), and Henry II (H2/0), together with a contemporary French translation. J. C. Holt, Magna Carta (Cambridge, 21992), 475–6, reports the suggestion of Dr Chaplais that the initial S in Stephen’s charter is sufficiently close to the practice of the chancery to infer that the copyist worked from originals; he deduces from the use of good sources, the provision of French versions, and the date of the hand that this bifolium was made for the discussions lying behind Magna Carta. The readings of this manuscript undoubtedly tie its text of Henry I’s charter into a family BCDEFGH, and it would be impossible for D to be a faithful copy of an authentic original.

COPY WITH TREATISES ON LAWS: BL MS Harley 746 (s. xiii) [Liebermann’s S], fol. 59r–v (‘De libertatibus quas rex Anglie Henricus primus concessit sancte ecclesie et populo Anglorum’) [E], following copies of Glanvill, Leges Edwardi, and Leges Henrici, in a section that comprises the charters of liberties of Henry I, John, Henry III (fol. 59r–69v). Other texts include a register of writs and the first statute of Westminster. The text sides sometimes with BCD, sometimes with F, even at points where the reading of F shows contamination from other forms of the text in §§ 3, 4, 6, and 11.

ANTiquarian Transcript: BL MS Cotton Vitellius E. v (s. xvi) [Liebermann’s VI], fols. 166r–167r (fols. 180r–181r before fire-damage) [no source indicated, but with the same rubric as E, sharing all distinctive readings with E, and among the same legal material as in E, therefore copied from E or from something very like it].
CHRONICLE COPY FROM ST ALBANS: BL MS Cotton Vitellius A. xx (s. xiii\textsuperscript{med}), fols. 76–108, at fol. 101v–102r (‘Carta Henrici regis primi de libertatibus suis magnatibus concessis’) [F]. An inscription on fol. 67r shows that that part of the book was given to Tynemouth priory, a dependency of St Albans, between 1252 and c. 1267. The text beginning at fol. 76 is a chronicle extending from 1066 to 1245; the year has been entered for 1246 but no text. The work has close affinities with the work of Matthew Paris, who is thought to have supervised the work and entered the title in his own hand (R. Vaughan, Matthew Paris (Cambridge, 1958), 41). At fol. 93r, s.a. 1213, the Hertfordshire text was found in the exemplar, but the compiler copied only the address as far as ‘Hugoni de Boclande iustic’ Anglie et omnibus fidelibus suis &c.’. The copy of the entire charter is entered with other documents, s.a. 1215, and it is evidently the result of editorial work, using three copies: the underlying text is the Interpolated version; the additional phrase in § 11 has come from a text of the London type; and at least one reading in § 11 reflects the Hertfordshire text that was available at St Albans.

CARTULARY COPY FROM BURTON ON TRENT: BL MS Loan 30 (s. xiii) (Burton cartulary), has at the back leaves written in the fifteenth century with copies of Magna Carta and the Charter of the Forest (1225), to which a copy of the Interpolated Version of the Coronation charter was added at fol. 157r–v (s. xv).

INCOMPLETE COPY OF UNKNOWN PROVENANCE: BL MS Cotton Domitian A. viii fols. 111–119 (s. xii\textsuperscript{2}), fol. 119r (s. xiii\textsuperscript{2}) [G]. In a quire containing Henry of Huntingdon’s De contemptu mundi, a later hand has added the first six clauses of the Coronation charter, too little to make classification certain. One reading in § 1 is distinctive of the interpolated version, ‘inde accipiam’ (inde is otherwise found in the very distinctive London version). On palaeographical grounds, this might be the earliest witness to this version.

CARTULARY COPY FROM GLASGOW: Edinburgh, Scottish Catholic Archives, MS JB/1/3, formerly deposited as NLS MS Acc. 10301/l (and earlier listed by Liebermann in the collection of J. F. Kyle (1788–1869), vicar apostolic, and by Davis, no. 1150, as Aberdeen, Blairs College), the Registrum Vetus episcopatus Glasguensis (s. xiii\textsuperscript{1}), fol. xxv\textsuperscript{f} (‘Magna carta Henrici I regis Anglie’) [H]. The Glasgow register contains three documents that have nothing to do with the church of Glasgow, or indeed with Scotland, this one, an account of the Constitutions of Clarendon, and Henry III’s 1225 reissue of Magna Carta.

PRINTED: C. Innes, Registrum episcopatus Glasguensis, Bannatyne Club and Maitland Club (Edinburgh, 1843), ii. 591 (no. 531), with facsimile illustrating first four lines (and see also vol. i, p. liii for Innes’s comments).

Henr(icus) dei gratia\textsuperscript{a} rex Angl(orum) omnibus baronibus et fidelibus suis francigenis et anglicis\textsuperscript{b} salutem.

\textsuperscript{a} misericordia E
\textsuperscript{b} tam francigenis quam anglicis BCD G H } tam francis quam anglicis E francis et anglis F
[1] Sciatis me dei misericordia\textsuperscript{a} et communi consilio baronum\textsuperscript{b} regni Anglie eiusdem regni\textsuperscript{c} regem coronatum esse. Et quod\textsuperscript{d} regnum oppressum erat inuiustis exactionibus, ego respectu dei et amore quem erga uos omnes habeo, sanctam dei ecclesiam in primis liberam facio\textsuperscript{e}, ita quod nec\textsuperscript{f} uendam nec ad firmam ponam, nec mortuо archiepiscopo seu\textsuperscript{g} episcopo siue abbate aliquid inde\textsuperscript{h} accipiam i de dominio\textsuperscript{j} ecclesia uel de hominibus eius\textsuperscript{k} donec successor in eam ingrediatur. Et omnes malas consuetudines quibus regnum Anglie inuiuste opprimebatur inde aufero. Quas malas consuetudines\textsuperscript{l} ex parte hic pono.

\textsuperscript{a} gratia G \hspace{0.5cm} \textsuperscript{b} baronum meorum F \hspace{0.5cm} \textsuperscript{c} eiusdem regni om. F \\
\textsuperscript{d} quod BCE quoniam FH | quia DG cott. \hspace{0.5cm} \textsuperscript{e} esse concedo H \\
\textsuperscript{f} eam add. F from Wend Paris \hspace{0.5cm} \textsuperscript{g} seu BCDEF siue G ] om. H \\
\textsuperscript{h} inde BCDEFG] om. cott. \hspace{0.5cm} \textsuperscript{i} de rebus ecclesiae uel de hominibus eorum H \\
\textsuperscript{j} dominico E \hspace{0.5cm} \textsuperscript{k} malas consuetudines om. H

[2] Si quis baronum meorum, comitum\textsuperscript{a} siue aliorum qui de me tenent, mortuо fuerit, heres suus non redimet terram suam sicut faciebat tempore fratris mei, sed legitima et iusta releuatione releuabit eam. Similiter et homines baronum meorum legitima et iusta releuatione releuabunt terras suas de dominis\textsuperscript{b} suis.

\textsuperscript{a} siue comitum H \hspace{0.5cm} \textsuperscript{b} dominiis H

[3] Et si quis \textsuperscript{a} baronum uel aliorum hominum meorum\textsuperscript{a} filiam suam nuptum\textsuperscript{b} tradere uolerit siue\textsuperscript{c} sororem siue\textsuperscript{c} neptem\textsuperscript{d} siue cognatam, mecum inde loquatur\textsuperscript{e}. Sed neque ego aliquid de suo pro hac licentia accipiam neque defendam ei quin eam det, excepto si eam \textsuperscript{f}iungere uellet\textsuperscript{f} inimico meo. Et si mortuo barone uel alio homine meo filia heres remanserit, illam dabo consilio baronum meorum cum terra sua. Et si mortuo marito uxor\textsuperscript{g} eius remanserit et sine liberis fuerit, dotem suam et maritationem\textsuperscript{h} habebit, \textsuperscript{i}et eam non dabo marito nisi secundum uelle suum\textsuperscript{i}.

\textsuperscript{a} baronum (add. meorum EF) uel aliorum hominum meorum BCDEF ]
baronum meorum G baronum meorum uel aliorum hominum H
b nuptum BCDE nuptui F nuptus G nuptam H c uel G
d neptam H e loquatur DEFGH cett. ] loquetur BC
t-i iungere uellet BCDE cett. ] uelit iungere F dare uellet G with
Wend Paris nubere uoluerit Hh heres F h maritagium EF with Wend Paris
i+i et eam . . . suam habebit in § 4 ] om. D

[4] aSi uero uxor cum libenis remanserit, dotem quidem et maritationem b suam c habebit a, dum corpus suum legitime seruauerit, et eam non dabo d nisi secundum uelle suum. Et terre <et> e liberorum custos erit siue uxor siue alius propinquorum f qui iustius f esse deebet. Et precipio ut h barones i mei similiter se contineant erga filios et j filias uel uxores hominum suorum.

[5] aMonetagium commune, quod capiebatur per ciuitates et comitatus, quod non fuit tempore Eadwardi regis b, hoc ne amodo sit e omnino defendo. aSi quis captus fuerit siue monetarius siue alius cum falsa moneta d, iustitia recta inde fiat.

[6] Omnia placita et omnia debita que fratri meo deebantur condono a, exceptis rectis firmis meis et exceptis illis b que pacta erant pro aliorum hereditatibus b uel pro hiis c rebus que iustius aliis contingebant. Et si quis pro hereditate sua alicquid pepigerat d, illud condono e, et omnes releuationes que pro rectis hereditatibus f pacte erant.

a condono DEFGH cett. ] cum dono BC
[7] Et si quis baronum uel hominum meorum infirmabitur, sicut ipse dabit uel dare dispone pecuniam suam, ita datam esse concedo. Quod si ipse, preuentus uel armis uel infirmitate, pecuniam suam non dederit nec dare disposuerit, uxor sua siue liberi aut parentes, et legitimi homines eius, eam pro anima eius diuidant, sicut eis melius uisum fuerit.

[8] Si quis baronum uel hominum meorum forisfecerit, non dabit uadium in misericordia pecunie sue, sicut <faciebat> tempore patris uel fratris mei; sed secundum modum forisfacti, ita emendabit sicut emendasset retro a tempore antecessorum meorum. Quod si perfidie uel sceleris conuictus fuerit, sicut iustum fuerit, sic emendet.

[10] Forestas communi consensu\textsuperscript{a} baronum meorum in manu mea ita retinui\textsuperscript{b}, sicut pater meus eas habuit.
\textsuperscript{a} assensu H \textsuperscript{b} constitui H \textsuperscript{c} eas om. F

[11] Militibus qui per loricas terras suas deseruunt\textsuperscript{a}, terras dominicarum carucarum suarum quietas ab omnibus geldis et ab omni opere proprio dono meo concedo, ut\textsuperscript{b} sicut\textsuperscript{c} tam magno grauamine alleuiati\textsuperscript{d} sunt, ita equis et armis\textsuperscript{e} se bene instruant, ut apti et parati sint ad seruitium meum et ad defensionem regni mei.
\textsuperscript{a} defendunt F from Wend Paris \textsuperscript{b} ita ut H \textsuperscript{c} benignitas mea propensior est in eis, ita michi fideliores sint, ut sicut EF from Lond \textsuperscript{d} eleuati H \textsuperscript{e} armis et equis H

[12] Pacem firmam in toto\textsuperscript{a} regno meo pono et teneri amodo precipio
\textsuperscript{a} toto om. H

[13] Lagam\textsuperscript{a} regis Eadwardi uobis reddo cum illis emendationibus quibus pater meus eam emendauit consilio baronum suorum.
\textsuperscript{a} legem F et legem E \textsuperscript{b} meorum H

[14] Si quis aliquid\textsuperscript{a} de meo uel de rebus alicuius post obitum regis Willelmi fratris mei cepit\textsuperscript{b}, totum\textsuperscript{c} cito reddatur absque emendatione. Et si quis inde aliquid retinuerit, ille super quem inuentum fuerit grauiter\textsuperscript{d} michi\textsuperscript{e} emendabit.
\textsuperscript{a} si quis aliqoud ] si quid E \textsuperscript{b} ceperit FH \textsuperscript{c} ecclesie totum H \textsuperscript{d} graue F \textsuperscript{e} michi om. H

[15] Presentis uero ecclesie monachis \textsuperscript{a}dignitates libertates regiasque consuetudines sibi per cartas regum olim confirmatas concedo.
\textsuperscript{a} dignitates libertates
This was regarded by Liebermann as a conflated text. It is first attested in a version of *Leges Henrici*, made for the corporation of London in the reign of King John, which retains the text of the *Quadripartitus* version. The generalized witness list was replaced, however, with that of the interpolated version, and along with the witnesses the interpolated clause (§ 15) was also included. This contamination might result from the circulation of that version in the context of discussions in 1213–15. Further evidence for the editorial work that lies behind this text is the reading in § 11, ‘defendunt et deseruiunt’; the two main sources of this version both have ‘deseruiunt’, but ‘defendunt’ is attested in the copies from Hertfordshire and from the *Textus Roffensis* and it may have been found in other copies now lost. The editor also altered or added to the wording in numerous minor ways; words and phrases added in this version are shown below in italics.

**SOURCE:** Liebermann gave the title *Leges Anglorum saeculo XIII ineunte in Londoniis collectae* to a compilation of laws, including copies of *Quadripartitus* and *Leges Henrici* interpolated with material relating to London, which at first he dated to the years immediately before and after 1215–16 (F. Liebermann, *Über die Leges Anglorum saeculo XIII ineunte in Londoniis collectae* (Halle, 1894), 91). Four extant copies, all originally from the Guildhall in London, and up to three lost witnesses, are described in simple terms by Downer, *Leges Henrici Primi*, 48–50; the extant manuscripts have all suffered division, and in two cases division and recombination, described in detail by N. R. Ker, ‘Liber custumarum, and other manuscripts, formerly at the Guildhall’, *The Guildhall Miscellany* 1 (1952–9), 37–44. The important early witness to this version was discovered by T. F. Tout in 1909, Manchester, JRUL MS lat. 155 + BL MS Add. 14252 (s xiii\(^a\)) (Ker’s A); in the Manchester part, fol. 75v–77r (now fols. 76v–78r) (‘Carta predicti primi regis Henrici pro iniustis exactionibus a secundo Willelmo rege
fratre suo qui Ruffus uocabatur regno illatis’) [B]. On this manuscript, see F. Liebermann, ‘A contemporary manuscript of the Leges Anglorum Londoniis collectae’, EHR 28 (1913), 732–45; he dates its writing after 1204, since Queen Eleanor is referred to as dead (p. 734); it lacks the statements that had led Liebermann in 1894 to think that work on the collection continued as late as 1216–17. • BL MS Cotton Claudius D. ii (s. xiv\(^{in}\)), fols. 46r–71r (part of Ker’s D), at fol. 47r–v (‘Capitulum ij. Carta Henrici primi pro iniustis exactionibus &c.’, and in the capitula, fol. 46r, ‘Carta eiusdem Henrici de iniustis exactionibus et occasionibus a secundo Willelmo fratre suo regno illatis’, and a note in the hand of Thomas Gale to say that he had compared the copy in Cotton Domitian A. viii) [C]. • Cambridge, Corpus Christi College, MS 70 + 258 (s. xiv\(^{1}\)) (Ker’s B), a copy of the London version of Leges Henrici as worked on by Andrew Horn, pp. 76–7 (‘Carta Henrici primi pro iniustis exactionibus et occasionibus a secundo Willelmo fratre suo qui Ruffus uocabatur regno illatis’) [D]. The charter is preceded by a paraphrase of the last paragraph of its preface from Quadrupartitus, ‘Hec sunt denique beata pacis ac libertatis exoptate gaudia quibus toti regno suo [. . .] faciat imperare’. On the same folio {6} below has been copied in the lower margins. • Oxford, Oriel College, MS 46 (s. xiv\(^{1}\)), fols. 1r08v (part of Ker’s C), at fol. 39v (‘Capitulum secundum. Carta Henrici primi de iniustis exaccionibus’) [E]. • A copy of this text of the charter, still at the Guildhall in the seventeenth century, was used by Sir Henry Spelman before 1626, as appears from his quotations in his Glossarium and from other evidence (Downer, 50). Sir Roger Twysden, in his edition of Leges Henrici, used a copy of the London text that belonged to John Selden and a second London text (Downer, 49); while many of Selden’s books and manuscripts reached the Bodleian Library in 1659, some remained in the Temple, where in January 1680 fire destroyed ‘eight chests full of the registers of abbeys and other manuscripts relating to the history of England, tho’ most of his law-books are still safe in Lincoln’s Inn’ (quoted by W. D. Macray, Annals of the Bodleian Library (Oxford, 1868, 1890), 121; D. M. Barratt, ‘The library of John Selden and its later history’, Bodleian Library Record 3 (1950–51), 31–3). The distinctive readings of this version meant that its readings were sometimes noted in the margin of Twysden’s edition.

ANTIQUARIAN TRANSCRIPT: BL MS Harley 311 (copied for Sir Simonds D’Ewes, 1602–1650), fols. 191r–242v (now fols. 40r–91v), an edition of Leges Henrici, transcribed from the London version in Cotton MS Claudius D. ii and corrected against the Red Book copy of Leges Henrici, with copious textual notes by D’Ewes himself, who was also aware of the second copy of the text there but ignored its Worcestershire address clause.

PRINTED: The London copy of the charter has not been printed independently. Quotations from the charter in Henry Spelman’s Feuds and Tenures by Knight-Service, in The English works of Sir Henry Spelman, ed. E. Gibson (London, 1723), 29 (§ 3), 30 (§ 2), derive from the London text in a manuscript at the Guildhall, most likely what is now BL MS Cotton Claudius D. ii. Elsewhere Spelman usually relies on Matthew Paris for the text of the charter; he had copied it from Paris and collated his text against that in the Red Book of the Exchequer (above, p. 18).

CALENDAR: Regesta 488f.
Henricus dei gratia rex Anglorum omnibus baronibus et fidelibus suis tam francis quam anglis\(^a\) salutem.

\(^a\) anglicis B

[1] Sciatis me dei misericordia et communi consilio et assensu\(^a\) baronum meorum regni Anglie eiusdem regni regem coronatum esse. Et quoniam\(^b\) regnum oppressum erat inustis occasionibus et exaccionibus, ego respectu misericordie dei\(^c\) et amore quem erga illos et uos omnes habeo, in causam\(^d\) dei ecclesiam in primis liberam facio, ita quod nec uendam nec ad firmam ponam, nec mortuo archiepiscopo uel episcopo siue abbate aliquid inde accipiam de dominico ecclesie uel de hominibus eius donec successor in eam ingrediatur. Et omnes malas consuetudines quibus regnum Anglie inuste opprimebatur inde aufero, quas malas consuetudines ex parte hic suppono\(^g\).

\textit{Lond represents the agreement of BCDE; this is assumed for words in italic, which are distinctive of this version}

\(^a\) et assensu added above line in Red Book copy of Hn, in text of Lond ]
\(^b\) quoniam Lond ] quia cett.
\(^c\) respectu misericordie dei Lond ] dei respectu Quad respectu dei cett.
\(^d\) sanctam B in c(aus)am CDE ] sanctam cett.
\(^e\) aliquid inde Lond with Interp
\(^f\) dominico Lond ] dominio cett.
\(^g\) suppono with Quad Hn J ] hic pono cett.

[2] Si quis baronum meorum seu\(^a\) comitum siue aliorum qui de me tenent, mortuus fuerit, heres suus non redimet terram suam sicut faciebat tempore fratris mei, sed legitima et iusta releuacione releuabit eam. Similiter et homines baronum meorum iusta et legitima\(^b\) releuacione releuabunt terras suas de dominis suis.

\(^a\) seu Lond; om. cett. \(^b\) iusta et legitima Lond ] legitima et iusta cett.
[3] Et si quis baronum meorum uel aliorum hominum meorum filiam suam nuptui\textsuperscript{a} tradere voluerit siue sororem suam\textsuperscript{b} siue neptam\textsuperscript{c} siue cognatam, mecum inde loquatur; sed nec\textsuperscript{d} ego aliquid de suo pro hac licentia accipiam neque defendam ei quin eam det, excepto si eam \textsuperscript{e}uelt iungere\textsuperscript{e} meo inimico\textsuperscript{f}. Et si mortuo barone uel alio homine meo filia heres remanserit, illam dabo consilio baronum meorum cum terra sua. Et si mortuo marito uxor eius remanserit et sine liberis fuerit, dotem suam et maritacionem habebit, et eam non dabo marito nisi secundum uelle suum.

\textsuperscript{a} nuptui Lond \} nuptum cett. \textsuperscript{b} suam CDE \} om. B cett. \textsuperscript{c} neptam Lond \} neque cett. \textsuperscript{d} nec Lond \} neque cett. \textsuperscript{e} uelt iungere Lond \} iungere uellet cett. \textsuperscript{f} meo inimico CDE \} inimico meo B cett.

[4] Si uero uxor cum liberis remanserit, dotem quidem suam et maritacionem habebit, dum corpus suum legitime custodierit\textsuperscript{a}, et eam non dabo nisi secundum uelle suum. Et terre <et>\textsuperscript{b} liberorum custos erit siue uxor siue \textit{aliquis} alius\textsuperscript{c} propinquior qui iustius esse debeat. Et precipio \textit{quod omnes} barones mei similiter se contineant erga filios et filias et\textsuperscript{c} uxores hominum suorum.

\textsuperscript{a} custodierit Lond \} seruauerit cett. \textsuperscript{b} om. Lond with Herts, Hexh, and Interp; habent cett. \textsuperscript{c} alius alius CDE \} alius alius B alius cett. \textsuperscript{e} et Lond

[5] Et\textsuperscript{a} monetagium commune, quod capiebatur per ciiuitates et comitatus, quod non fuit tempore regis Edwardi\textsuperscript{b}, hoc ne amodo sit omnino defendo. Si quis captus fuerit siue monetarius siue \textit{aliquis} alius\textsuperscript{c} cum falsa moneta, iusticia recta inde fiat.

\textsuperscript{a} et Lond \} om. cett. \textsuperscript{b} regis Eadwardi Lond with Quad Hn J \textsuperscript{c} alius alius CDE \} alius alius B alius cett.
[6] Omnia placita et omnia debita que fratri meo deebantur condono, exceptis rectis firmis meis et exceptis illis que pro aliorum hereditatibus et heredibus pacta erant\(^a\) uel pro hiis\(^b\) rebus que iustius aliis contingebant. Et si quis pro hereditate sua aliquid pepigerit uel porrexerit\(^c\), illud condono, et omnes releuaciones que pro rectis heredibus\(^d\) pacte erant.

\(^a\) pacta erant *postponed from after* uel *Lond*
\(^b\) hiis *Lond* ] eis *cett.*
\(^c\) pepigerit uel porrexerit *Lond* ] pepigerat *cett.*
\(^d\) heredibus CDE ] hereditatibus B *cett.*

[7] Et si quis baronum meorum uel aliorum hominum meorum infirmabitur, sicut ipse dabat uel dare disponet pecuniam suam, ita datam esse concedo. Quod si ipse, uel armis uel infirmitate preuentus\(^a\), pecuniam suam non dederit nec dare disposuerit, uxor sua siue liberi aut parentes aut legiti homines et gentes eius, eam pro anima eius diuidant, sicet eis melius uisum fuerit.

\(^a\) preuentus *moved from before* uel armis *Lond*

[8] Si quis baronum meorum uel\(^a\) hominum meorum forisfecerit, non dabat uadium in misericordia pecunie sue, sicut tempore patris mei\(^b\) uel fratris mei *assuetum erat*\(^c\); sed secundum modum forisfacti, ita emendabit sicut emendasset retro a tempore patris mei \[et\]\(^d\) in tempore antecessorum\(^e\) meorum. Quod si perfidie uel sceleris convictus fuerit, sicut iustum fuerit, sic emendabit\(^f\).

\(^a\) uel *Lond* ] siue *cett.*
\(^b\) mei *Lond with QuadHnJ* ] om. *cett.*
\(^c\) assuetum erat *Lond, replacing faciebat cett.*
\(^d\) et *Lond* ] om. *cett.*
\(^e\) aliorum antecessorum *cett.*
\(^f\) emendabit *Lond* ] emendet *cett.*

[9] Murdria\(^a\) etiam ab illo die retro quo\(^b\) in regem coronatus fui omnia condono. Et ea que amodo facta fuerint, emendentur iuste\(^c\) secundum legam\(^d\) regis Edwardi.

\(^a\) murdria CDE ] muredra *cett.*
\(^b\) retro ab illa die qua *cett.*
[10] Forestas a uero omni assensu et communi consilio a baronum meorum in manu mea ita retinui, sicut pater meus eas habuit et retinuit.

a communi consensu cett.

[11] Militibus autem a per loricas terras suas defendunt et deseruiunt b, terras dominicarum carucarum suarum quietas ab omnibus geldis et ab omni opere proprio dono meo omnino concedo, ut sicut [benignitas mea propensior est in eis, ita michi fideliores sunt, ut sicut] c tam magno grauamine alleuiati sunt, ita equis et armis bene se d instruant, ut prompti et parati et apti e sint ad seruitium meum et ad defensionem regni mei.

a autem CDE ] autem qui B qui cett.

b defendunt et deseruiunt Lond ] defendunt Wend Paris Roff deseruiunt cett.

c Lond from Quad Hn J, which have fideles ] om. cett.

d bene se Lond ] se bene cett.

e prompti et parati et apti Lond ] apti et parati cett.


a a om. Quad Hn J; presumably added from Interpolated version

b et Lond ] om. cett.

c legem Lond ] lagam cett.

d cum Lond; compare §§ 1, 3 above

[14] Si quis aliquid de meo uel de rebus alicuius post obitum regis Willelmi fratris mei cepert a, totum cito reddatur absque emendacione. Et si quis inde alicuic b retinuerit, ille super quem inuentum fuerit grauiter michi emendabit.

a cepert Lond J ] cepit cett. b alicuid inde D
[15] Presentis uero ecclesie monachis\(^a\) libertates dignitates\(^b\) regiasque consuetudines sibi per cartas regum olim confirmatas concedo.

\(\text{§ 15 and witnesses added from Interpolated version.}\)
\(^a\) ecclesie monachis CDE ] monachis ecclesie B
\(^b\) et dignitates E

Testibus\(^a\) Mauricio London’ episcopo et Willelmo Winton’ electo et G(erardo) Herfordensi episcopo \(<\text{et G.}>\)\(^b\) abbate Crispino, Simone comite, Henrico comite, Galtero Giffard comite\(^c\).

\(^a\) Testibus CDE ] Teste B cett.
\(^b\) om. Lond
\(^c\) apud Westm. quando coronatus fui \textit{added in margine} D

EDITED TEXT AND TRANSLATION

The independence of the Worcestershire text makes it certain that this provides a good example of the charter as delivered; shortcomings in the extant copies can be corrected from other evidence. The text from St Albans is no less likely to be a reflection of the local original delivered to Hertfordshire. The difficult questions attach to the other manuscript witnesses. In Liebermann’s edition, he prints three address-clauses at the head of the text, headed ‘to Worcestershire’, ‘to Hertfordshire’, and ‘Archive at Winchester?’. In the third column, he gives what I have called the formulary address, but his footnote on sources (which refers to the text as a whole and not merely this address) cites Richard of Hexham, \textit{Quadripartitus}, \textit{Textus Ruffensis}, and copies of the Interpolated and London versions, implying that they all descend from a single file copy of the charter. Can this be correct? The answer is, Probably not. If one is correct to infer that the copies in Richard of Hexham, \textit{Quadripartitus}, and \textit{Textus Ruffensis} all descend from the file copy at Winchester, the Rochester copy at least has derived its witness-list from another and independent source. The origin of the Interpolated text is obscure but may involve a second file copy elsewhere. There is evidence for textual cross-currents in several of the later manuscript copies.
The text presented below does not so much seek to document diagnostic readings for the different families of the text—they can be found from the detailed presentation above—as to isolate those readings where a choice of reading raises issues about how far the different families relate to one another and to their several archetypes.

Henricus rex Anglorum [initial] episcopo et [initial] uic(ecomiti)\(^a\) et omnibus baronibus et fidelibus suis tam francigenis quam anglicis\(^b\) de [name] scira salutem.

\(^a\) uicecomiti Herts \(\text{om. Worcs, apparently because Urse’s shrieval title is more often than not omitted; other texts lack evidence.}\)

\(^b\) tam francigenis quam anglicis probable primary reading in Herts, Hexh, Interp \(\text{altered to francis et anglis QuadHnJLond and in Wend Paris s.a. 1100; om. Roff. The reading of Worcs, anglicenis, is rare but attested in an original (000, Regesta 967 for Ramsey abbey) and in another authentic act (000, Regesta 944 for Canterbury St Augustine’s abbey).}\)

Henry king of the English to Bishop N. and M. sheriff and all his barons and sworn men French and English of Anyshire greeting.

[1] Sciatis me dei misericordia et communi consilio baronum regni Anglie eiusdem regni regem coronatum esse. Et quia regnum oppressum erat iniustis exactionibus, ego respectu dei et amore quem erga uos \(<\text{omnes}>\)\(^a\) habeo, sanctam dei ecclesiam in primis liberam facio, ita quod nec \(<\text{eam}>\)\(^b\) uendam nec ad firmam ponam, nec mortuo archiepiscopo seu \(^c\) episcopo siue abbate aliquid accipiam de dominio ecclesie uel de hominibus eius\(^d\) donec successor in eam ingrediatur. Et omnes malas consuetudines quibus regnum Anglie inuiste opprimebatur inde aufero, quas malas consuetudines ex parte hoc ponio.

\(^a\) omnes Herts Hexh QuadHnJLond Interp \(\text{om. Worcs Roff. The affinity of Roff with Hexh and Quad suggests that its omission from Roff is accidental; that may apply also to Worcs.}\)

\(^b\) eam Herts Hexh \(\text{om. Worcs Roff QuadHnJLond Interp. One of two shared readings between Herts and Hexh in § 1; possibly found in some and not in other originals, but not necessary to sense.}\)

\(^c\) seu episcopo siue abbate Worcs Interp \(\text{siue episcopo siue abbate Roff uel episcopo siue abbate Herts Lond siue episcopo uel abbate QuadHnJ uel}\)
Know that, by the mercy of God and the common counsel of the barons of the realm of England, I have been crowned king of the same realm. And because the realm has been burdened with unjust exactions, I, out of respect for God and the love I have towards you <all>, in the first place cause God’s church to be free, on such terms that I shall neither sell [it] nor lease it at farm, and when an archbishop or bishop or abbot has died I shall receive nothing from the demesne of the church or from its men until a successor enters into it. And all the bad customs by which the realm of England was unjustly burdened I take away from it, which bad customs I here record in part.

[2] Si quis a baronum meorum, comitum siue aliorum Qui de me tenent, mortuus fuerit, heres suus non redimet terram suam sicut faciebatb tempore fratris mei, sed eti justa et iusta c releuatione releuabit eam. Similiter et homines baronum meorum legitima et iusta releuatione releuabunt terras suas de dominis suis.

a–a baronum meorum, comitum siue aliorum Worcs QuadHnJ Interp and obviously correct; so also Herts with variant uel | baronum meorum uel comitum siue aliorum Hexh, adding a conjectural uel for clarity, and independently Lond with seu; baronum comitum meorum siue aliorum Roff, a mistaken transposition. The reading of Magna Carta § 2 separates three degrees, ‘Si quis comitum uel baronum nostrorum siue aliorum tenentium de nobis in capite per seruitium militare mortuus fuerit’.

b faciebat | facere consueuerat Herts, possibly the reading of the local copy but more likely editing by Wend that has permeated all St Albans copies?

c–c iusta et legitima Roff, its own transposition, which occurs independently in some copies of Herts.

If any of my barons, whether earls or others who hold of me, shall have died, his heir shall not redeem his land as he used to do in my brother’s time, but shall relieve it with a lawful and just relief. Likewise also the men of my barons shall relieve their lands of their lords with a lawful and just relief.

[3] Et si quis a baronum uel aliorum hominum meoruma filiam suam nuptum tradere voluerit siue sororem siue neptem siue cognatam, mecum inde loquatur. Sed neque ego aliquid de suo pro hac licentia accipiam neque defendam ei quin eam det, excepto si eam c iungere uellet c inimico meo. Et si mortuo
barone meo uel alio homine filia heres remanserit, illam dabo consilio baronum meorum cum terra sua. Et si mortuo marito uxor eius remanserit et sine liberis fuerit, dotem suam et maritationem habebit, et eam non dabo marito nisi secundum uelle suum.

§§ 3–4 are more logically one clause than two.

And if one of my barons or my other men shall have wished to give his daughter to marry or his sister or his niece or his cousin, he shall speak with me on the matter. But I shall not receive anything of his for this permission nor shall I forbid him to give her, unless he wished to marry her to my enemy. And if, when my baron or another man has died, his daughter shall have remained as heir, I shall give her and her land by the counsel of my barons. And if, when a husband has died, his wife shall have remained and shall be without children, she shall have her dower and marriage gift, and I shall not give her to a husband except in accordance with her wish.

[4] Si uero uxor cum liberis remanserit, dotem quidem et maritationem suam habebit, dum corpus suum legitime seruauerit, et eam non dabo nisi secundum uelle suum. Et terre et liberorum custos erit siue uxor siue alius propinquorum qui iustius esse debebit. Et precipio ut barones mei similiter se contineant erga filios et filias uel uxor uxor hominum suorum.
deliberately in comparison with Herts and Interp. The want of et changes the sense to ‘guardian of the children’s land’ which carries implications not necessarily appropriate in 1100.
b debet Worcs Hexh QuadHnJLond Interp ] debet Herts debeat Roff. The changes may reflect copyists’ unease with future indicative where present subjunctive is more appropriate, a common Late Latin fluctuation.
c et filias uel uxor expos Herts Roff MHk Hn Interp | uel filias uel uxor expos Worcs Hexh T et filias et uxor expos Lond J. The use of both et and uel is the reading least likely to be secondary; copyists will tend to favour uel twice or et twice. For this reason Herts Roff may be preferred over Worcs Hexh, though local engrossments evidently diverged. The split in Quad between T and MHk goes against expectations.

But if any wife shall have remained who has children, she shall have her dower and marriage gift for as long as she shall have kept her body lawfully, and I shall not give her except in accordance with her wish. And the custodian of the land and the children shall be either the wife or another relative who ought more justly to be custodian. And I command that my barons likewise shall restrain themselves towards the sons and daughters or wives of their men.

[5] Monetagium commune, quod capiebatur per ciuitates et per a comitatus, quod non fuit tempore Eadwardi regis b, hoc ne amodo sit c omnino defendo. Si quis captus fuerit siue monetarius siue alius cum falsa moneta, iustitia recta inde fiat.

a et per Worcs Hexh QuadHnJ | et Roff Interp Lond uel Herts. The presence or absence of the second per may vary in local originals; uel Herts is apparently an error. Lond may have accidentally omitted per or chosen to follow Interp.
b E(a)dwardi regis Worcs Herts Interp ] regis E(a)dwardi Hexh Roff QuadHnJLond, apparently an antithesis between those deriving from the copy at Winchester and the rest.
c sit Worcs Hexh Roff Interp Lond | fiat Herts QuadHnJ, an erroneous reading occurring independently. Lond appears to have chosen to follow Interp.

The common mint tax, which was levied through boroughs and shires, which did not happen in King Edward’s time, I altogether forbid that this shall happen hereafter. If anyone shall be seized in possession of false money, whether he be a moneyer or someone else, lawful justice shall be done in the matter.

[6] Omnia placita et omnia debita que fratri meo debebantur condono, exceptis rectis firmis meis et exceptis illis que pacta erant pro aliorum hereditatibus uel pro eis rebus que iustius aliis contingebant. Et si quis pro hereditate sua aliquid
pepigerat, illud condono, et omnes releuationes que pro rectis hereditatibus pacte erant.

All pleas and all debts that were owed to my brother I pardon, apart from my lawful farms and apart from those that were agreed for the inheritances of others or for those things that more justly fell to others. And if anyone had pledged anything for his own inheritance, I pardon that and all reliefs that had been agreed for lawful inheritances.

[7] Et si quis baronum uel hominum meorum infirmabitur, sicut ipse dabat uel dare disponet pecuniam suam, ita datum esse concedo. Quod si ipse preuentus uel armis uel infirmitate pecuniam suam "nec deredit nec dare disposuerit", uxor sua siue libri aut parentes aut legitiimi homines eius eam pro anima eius diuidant, sicut "melius eis" uisum fuerit.

a nec deredit nec dare disposuerit Worcs Herts ] non deredit uel dare disposuerit Hexh Roff non deredit nec dare disposuerit QuadHnJ Interp Lond. Originals may have varied between the first two readings; the rest appear to reflect correction by Quad from the reading of the file-copy text seen in Hexh and Roff

b aut Worcs QuadHnJLond ] et Herts Hexh Roff Interp. The witnesses divide in a way that provides no help. There is a hard question too over the sense. Does et provide for a division between family and men? If so, can that be ruled out as a viable reading?

c melius eis Worcs Hexh QuadHnJ ] eis melius Herts Roff Interp Lond. An arbitrary variation. Lond has followed the agreement of Herts and Interp against Hn.

And if any of my barons or men shall be sick, just as he will give or intend to give his wealth, so I grant it to have been given. But if he is cut short unexpectedly by warfare or sickness and shall not have given or intended to give his wealth, his wife or his children or relatives or his lawful men shall divide it as shall have seemed best to them for the good of his soul.

[8] Si quis baronum uel hominum meorum forisfecerit, non dabat uadium in misericordia pecunie sue sicut faciebat tempore patris uel fratris mei, sed secundum modum forisfacti ita emendabit sicut emendasset retro a tempore patris mei in tempore aliorum antecessorum meorum. Quod si perfidie uel sceleris conuictus fuerit, sicut iustum fuerit", sic emendet.
If any of my barons or men shall have done wrong, he shall not give a pledge in the 
mercy of his wealth as he used to do in my father’s time or my brother’s, but according 
to the measure of the wrong he shall pay compensation as he would have paid 
compensation before my father’s time in the time of my other predecessors. But if he 
shall be convicted of perjury or crime, he shall pay compensation in accordance with 
what is just.

[9] Murdra etiam retro ab illa die qua in regem coronatus fui 
omnia condono. Et ea que amodo facta fuerint, iuste 
emendentur secundum lagam\(^a\) regis Eadwardi.

\(^a\) lagam \(\rightarrow \) legem Lond

I pardon all murders before the day on which I was crowned. And those that have been 
done thereafter, they shall be justly compensated in accordance with the law of King 
Edward.

[10] Forestas\(^a\) communi consensu baronum meorum in manu 
mea ita retinui, sicut pater meus eas habuit.

\(^a\) forestas \(\rightarrow \) forestes Worcs, possibly a primitive reading?

Forests, by the common consent of my barons, I have retained in my hand just as my 
father had them.

[11] Militibus qui per loricas terras suas deseruiunt\(^a\), terras 
dominicarum carucarum suarum quietas ab omnibus geldis et 
ab omni opere proprio dono meo concedo, ut sicut tam magno 
grauamine alleuiati sunt, ita equis et armis se bene instruant, ut 
apti et parati sint ad seruitium meum et ad defensionem regni 
mei.

\(^a\) deseruiunt Worcs Hexh QuadHnJ Interp \(\rightarrow \) defendunt Herts Roff defendunt et 
deseruiunt Lond. The alternatives may derive from local originals, though 
there should be no affinity between Herts and Roff. Have they both preferred a 
more accessible reading? The reading in Lond is editorial, combining the 
readings of its three sources. For the primary usage, compare 000, Regesta 
688 for Eudo Dapifer: ‘exceptis illis militibus qui cum loricis seruiunt’.
To knights who earn their lands by military service, I grant by my own gift that they shall have the lands of their demesne ploughs quit of all gelds and of all works, so that being relieved of so great a burden they shall so equip themselves better with horses and arms that they shall be fit and ready for my service and for the defence of my realm.


I set a firm peace in my whole realm and I command that it be kept hereafter.

[13] Lagam regis Eadwardi uobis reddo cum illis emendationibus quibus pater meus eam emendauit consilio baronum suorum.

The law of King Edward I restore to you together with the improvements by which my father improved it by the counsel of his barons.

[14] Si quis aliquid de meo uel de rebus alicuius post obitum regis Willelmi fratris mei cepit, totum cito reddatur absque emendatione. Et si quis inde aliquid retinuerit, ille super quem inuentum fuerit grauiter michi emendabit.

If anyone took anything from what is mine or from the property of anyone else after the death of King William my brother, he shall quickly restore it in full and shall not pay compensation. And if he shall have retained anything thereof, he will pay heavy compensation on what shall be found.

Teste\textsuperscript{a} Maur(icio) Lond(oniensi) episcopo et Willelmo electo Winton(iensi) episcopo et Gerardo Hereford(ensi) episcopo et Henrico comite et Simone comite et Waltero Gifardo\textsuperscript{b} et Roberto de Munford et Rogero Bigodo et Eudone dapifero et Roberto filio Hamonis et Roberto Malet. Apud Westm(onasterium) quando coronatus fui.\textsuperscript{c} Valete.

\textit{Fullest witness list in Worcs. Herts truncates after Roger Bigod. Hexh transposes Roger Bigod and Eudo Dapifer and omits other names but retains Valete. All these copies are compatible with a single common witness list. Walter Giffard’s comital title is present in Herts Hexh and Interp, followed by Lond, but absent from Worcs Roff, possibly a local variation. The presence of other witnesses, Hugh de Port in Roff and Gilbert Crispin in Interp raise the possibility of local variation. See notes below.}
a Teste Worcs Hexh, the lectio difficilior ] Testibus Herts QuadHnJLond. The originals may have had T(estibus), which survives only in one copy of Interp; but Teste is found in an early original with plural witnesses (000, Regesta 554 for Gloucester), as well as in some otherwise sound copies, and the evidence of Worcs and Hexh favours that reading here.

b Waltero Gifardo Worcs Roff ] Waltero comite Gifardo Hexh Waltero Gifardo comite Herts Interp Lond

c Apud Westm(onasterium) quando coronatus fui Worcs Roff QuandHnJ } perhaps omitted by shortening from Herts but apparently not part of the text in Hexh Interp Lond


At Westminster when I was crowned. Farewell.

DATE: Dated by historical sources to the day of the coronation, 5 August 1100. There is uncertainty over how quickly a new seal could have been made, a point already noted by Matthew Paris who refers to the need for speed in making the seal (above, p. 25). One should perhaps allow some days afterwards for the despatch of copies to the shires. H. G. Richardson & G. O. Sayles, Law and Legislation from Aethelberht to Magna Carta (Edinburgh, 1966), 32, regard this as the date of intention, noting McKechnie’s case that Magna Carta was not settled and sealed until four days after its explicit date. Special meetings of shire courts may have been called to hear the charter, for which seven days’ notice was customary (Leges Henrici, §§ 7, 4, 51, 2). Notice given soon after 5 August would mean that a special meeting could have been convened before the end of August, even in remote shires. Eadmer, moreover, provides evidence that news of the king’s coronation promises had spread before Michaelmas, when the next ordinary meetings were due, for he says that, when Anselm landed at Dover on 23 September, all Kent was excited with new hope at the king’s coronation promise to maintain good and holy laws for his people and to put an end to the injustices and wrongdoing of his brother’s reign (Historia nouorum, 119).

ADDRESS: The Worcestershire text has a standard shire court address. The text sent to Hertfordshire is also a common shire court address, omitting barones. The omission of the bishop was explained by Poole (EHR 28 (1913), 445) on the basis that there was no cathedral city in Hertfordshire, but that ignores the fact that either or both of two bishops commonly figure in shire addresses for this county. The omission is better explained on the basis that both the usual presiding bishop in Hertfordshire, Maurice of London, and the other bishop whose diocese overlapped with the shire, Robert of Lincoln, were directly involved in drafting the Coronation charter. The treasury text, addressed only to ‘omnibus baronibus et fidelibus’, represents the generality of a shire address without the particulars of bishop, sheriff, or shire; only Richard of Hexham adds ‘totius Anglie’, a reading insufficiently supported to be received into an edition of the file-copy text.

WITNESS: Variation in the form of names does not obscure the fact that the different texts share the same principal witnesses: three bishops, Maurice, bishop of London, who placed the crown on Henry’s head; Gerard, bishop of Hereford, a former royal chaplain, soon translated to archbishop of York; William Giffard, chancellor and newly
nominated bishop of Winchester; three laymen, two of them certainly earls, Henry de Beaumont, earl of Warwick, and Simon de Senliz, earl of Northampton. Walter Giffard is styled earl in some texts of the charter and not in others; he is referred to by Orderic as earl of Buckingham in 1097 (Orderic, X 5, ed. Chibnall, v. 214), and at the time of his death in 1102 (Orderic, XI 4, ed. Chibnall, vi. 36). He does not witness with the comital title elsewhere in authentic acts of Henry I; the use of the title in some versions of the charter is therefore potentially significant support for Orderic. Out of the four texts to include witnesses, all name Robert de Montfort, who witnesses only four acts at the beginning of the reign, and Roger Bigod, sheriff of East Anglia and a close adviser to the king. Two name Eudo Dapifer, an important member of the household, and of the two that do not, the Hertfordshire text is explicitly shortened. Only the text from Worcestershire includes Robert fitz Haimo and Robert Malet, military men very close to the king and very frequent witnesses of his early acts; they may have been lost due to shortening from other copies. Only the Rochester text names Henry de Port, sheriff of Winchester; his name is not likely to have been added locally, but its source behind the Rochester text remains uncertain.

Gundulf’s attestation in the Rochester copy is more likely innocent error, the expansion of initial G, than the deliberate substitution emphasised by Wormald, Making of English Law, i. 400n). The attestation of Gilbert Crispin, abbot of Westminster, in the Interpolated version is not so innocent and should not be interpreted as the procedural inclusion of a local witness in a local copy. First, this is not a local copy addressed to London but apparently another file copy; second, Gilbert Crispin is a rare witness in Henry’s charters and never occurs in that context with his surname Crispin (Liebermann, ‘The text’, 26–7); third, the Westminster archive provides evidence that its copy of the Coronation Charter did not include his name when its witness-list was used to supply witnesses for a forged general confirmation (0000, Regesta 489), which names only the three bishops and the three earls.

The words substituted for witnesses in Quadripartitus are not without interest, ‘archiepiscopis episcopis comitibus baronibus uicecomitibus et optimatibus’. They resemble a general address, not found in authentic charters until some years after 1100, except that the placing of barones above uicecomites is not found in charters until late in Henry I’s reign and then not consistently, while optimates was a word that might be used as an informal equivalent of barones and is used in a royal letter to Pope Paschal (000, Regesta 514). The concept of generality existed already in some of William II’s charters, the formula did not stabilize until after 1100, but the lawyer was toying with it here.

PLACE: The Worcestershire and Interpolated texts agree on Westminster, while the text preserved at Rochester has London; the Hertfordshire text has omitted the place-date, and so too, it appears, has the Treasury text, where one might expect the file copy to have sought to document the place of sealing. The coronation itself took place at Westminster, so that the use of London in the copy from Rochester is anomalous.

CONTEXT: The primary witness to the circumstances in which the Coronation charter was composed is the Anglo-Saxon Chronicle, still kept at St Augustine’s Canterbury in 1100. This reports William II’s death on 2 August 1100 and the bringing of his body to the old minster in Winchester. Here on the morning of 3 August William was buried, and ‘the counsellors who were near at hand chose his brother Henry as king’ (‘þa witan þe þa neh handa waren his broðer Heanrig to kynge geccuran’), and on Sunday, 5 August, before the altar at Westminster ‘he vowed to God and all the people to put
down all the injustices that there were in his brother’s time and to maintain the best laws that had stood in any king’s day before him’. After that Bishop Maurice anointed him king. Here there is no mention of the charter, but its substance is presented as if it were the coronation oath. The oath taken would have followed the traditional form of words, so there is conflation here. John of Worcester, who would have had access to the charter in the county archive within his priory, uses its words to describe the king’s concessions at the time of his anointing but does not refer to the charter itself (above, pp. 16–17). It is interesting to note also that the Anglo-Saxon Chronicle provides an obituary of William Rufus between reporting his death and Henry’s election, in which it says that King William had done exactly what King Henry’s charter promises he will not do: ‘He kept down God’s church, and all the bishoprics and abbacies whose incumbents died in his days he sold for money or kept in his own hands and let out for rent’. From this it appears that the chronicler knew the charter but chose to present it in terms of past fact. Henry of Huntingdon, who, like John, followed the Chronicle, shows no awareness of the charter but renders the words of the obituary in similar plain Latin, ‘episcopatus et abbatias aut uendebat aut in manu sua retinens ad firmam dabat’ (HA VII 22).

As soon as he was crowned, King Henry wrote to tell Anselm (below, {12}), and to excuse the haste which had denied Anselm his right to consecrate the king. The letter says nothing of the king’s proclamation, but Eadmer, Historia novorum, 119, is the first to report it as a promise on the day of his consecration, ‘sub monimento litterarum sigilli sui testimonio roboratarum’ ('under the muniment of letters made firm with the testimony of his seal’). William of Malmesbury, Gesta regum, V § 393, awards much to the efforts of Earl Henry of Warwick, the first lay witness to the charter, and he mentions in specific words, ‘edicto statim per Angliam misso’ (though the strange rigmarole of concessions included in it, such as the use of nightlights at court, which had lapsed in William Rufus’s time, suggests that the monk of Malmesbury had not read the document).

Orderic tells a more graphic story of the last hours of William Rufus and of the removal of the king’s body to Winchester (Orderic, v. 288–95). This has suited those whose seek narrative (Freeman, William Rufus, ii. 680–82, ‘the details come chiefly from Orderic’), but little can be relied on. He alone introduces a debate between Henry and William of Breteuil, who argued that they both owed fealty to Duke Robert. The castle and the king’s treasure at Winchester were surrendered to Henry, who hurried to London with Count Robert of Meulan to be consecrated by Bishop Maurice and crowned at Westminster abbey. While Orderic presents Henry as making a good start as ruler, the nearest he comes to mentioning the charter is the phrase, ‘subjectas uero plebes iustis legibus datis fouit’, such a vague expression that there are no grounds for supposing that Orderic knew it existed.

The rest is conjecture. Between Friday morning and (one may presume) Saturday evening the king and several close advisers have ridden sixty-two miles from Winchester to Westminster. Messengers may have been sent ahead on the Thursday evening, but if regalia for the coronation were carried from Winchester, one may guess they were carried with the king’s own party. By the time of the coronation on Sunday the words of the charter, one is meant to believe, had been drafted, though it could not be sealed until a new seal was cut. Bishop Maurice and Bishop Robert had very likely been with King William, and their participation in its drafting is a tempting inference. These two bishops ought to have been addressed in the Hertfordshire text of the charter,
and their absence from its address clause may be a sign that they had no need to address themselves. The concerns addressed were those of the earls and barons of the realm, which the bishops no doubt understood, though the lay witnesses must have contributed to the substance. Earl Henry of Warwick was named by William of Malmesbury, his brother Count Robert of Meulan by Orderic: their attestations confirm their role. One clause of the charter, however, refers to 'the day on which I was crowned' (§ 9), as if the day of the coronation were in the past. The dating clause itself used the past tense, however, 'quando coronatus fui', and one can hardly press the point of delay.

Other acts from the first days of the reign have survived. These include the acts from October 1100, Regesta 490, 491. How they were sealed is not known, but, as noted under Date, the need for a new seal was urgent. There is then nothing extant until mid–late September, but business must have begun quickly. There were acts, such as the appointment of William Giffard to the see of Winchester that would have required writ-charter. And the queue of tenants in chief coming to have their tenures and privileges confirmed before shire courts met after Michaelmas would have formed very quickly. Bishop Maurice of London and Bishop John of Bath may have been among the first? 14 September 1100 (000, 000, Regesta 493, 492).

2 Writ notifying the shires of England that the king has commanded regulations for the minting of the king’s money and punishments for those making false money. Christmas 1100

EXCHEQUER COPIES: King’s Remembrancer, Miscellaneous Books, E164/2, Red Book of the Exchequer (s. xiii), fol. clxiij–clxiiij (now fol. 266v–267r) (in lower margin, ‘Carta eiusdem de moneta falsa et cambiatoribus’; in right margin, ‘De falsonariis monete’) [B]; BL MS Hargrave 313 (s. xiii), fol. 100r (‘Carta eiusdem de moneta falsa et cambiatoribus’) [C, from B, made in 1251–2; Hall, Red Book, p. li, thought they were copied from the same exemplar].

UNOFFICIAL COPY: BL MS Cotton Claudius D. ii (s. xiv in , London Guildhall) [see note above, p. 12], fol. 41v (now fol. 44v) (s. xv) (no. 4, ‘Carta regis Henrici primi de moneta falsa et cambiatoribus’) [D, from C].

ANTIQUARIAN TRANSCRIPTS: Bodl. MS e Musaeo 89 (SC 3682), ‘Codex legum ueterum et statutorum regni Angliae quae ab ingressu Gulielmi I usque ad annum nonum Henrici III edita fuerunt, opere et studio Henrici Spelman militis collecta. AD 1627. Imprimatur John Bramston July 6th 1640’ [Spelman died in 1641, after this work received the approval of Chief Justice Bramston], fol. 94r [from B]; BL MS Lansdowne 224 (s. xviii, ‘Tractatus historicus de regno et legibus Angliae ac etiam de Regibus Angliae a conquestu usque ad annum 1232’), fol. 57r–v [from Spelman]. David Wilkins printed Spelman’s work from the Bodleian manuscript in his Leges Anglo-Saxonicae (London, 1721), 284–387, under the title Henrici Spelman Codex legum ueterum statutorum regni Angliae quae ab ingressu Gulielmi I usque ad annum nonum Henrici III edita sunt. While on some topics the work shows less knowledge than Spelman shows elsewhere, it also uses documents that Spelman did not cite where he might usefully have done so; so, for example, this act concerning moneyers is not cited in
Spelman’s *Glossarium* (1626, 1687), though it would have made a useful contribution, nor is the passage concerning wreck from the Battle Abbey chronicle (below, [9]).


CALENDAR: *Regesta* 501.

Henricus rex Anglor(um) Samsoni episcopo et Vrsoni de Abetot et omnibus baronibus francis et angl(is)\(^a\) de Wirecestrescira salutem. [1] Sciatis quod uolo et precipio ut omnes burgenses et omnes illi qui in burgis morantur tam fransi quam angli iurent tenere et seruare monetam meam in Anglia ut\(^b\) non consentiant falsitatem monete mee. [2] Et si quis cum falso denario inuentus fuerit, si warant inde reuocauerit, ad eum ducatur, et si illum inde comprobare poterit, fiat iusticia mea de ipso warant. Si uero non poterit illum probare, de ipso falsionario fiat iusticia mea, scilicet de dextro pugno et testiculis. Si autem nullum warant\(^c\) inde reuocauerit, portet inde iudicium se nescire nominare vel cognoscere aliquem a quo acceperit. [3] Preterea defendo\(^d\) ne aliquis monetarius denarios mutet nisi\(^e\) in comitatu suo, et hoc coram duobus legittimis testibus de ipso comitatu. Et si in alio comitatu mutando denarios captus fuerit, [si\(^f\) captus sit ut falsionarius\(^g\). [4] Et nullus sit ausus cambire denarios nisi monetarius. Teste\(^h\) (*sic*) Willelmo cancell(ario) et Rob(erto) comite de Mell(ent) et R(oberto) filio Hamonis et R(icardo) de Retuers. Apud Westm(onasterium) in natale domini.

\(^a\) Angl(is) BC \(\rightarrow\) Anglic(is) D
\(^b\) ut BCD Liebermann, Robertson \(\rightarrow\) conj. Riley
\(^c\) warrantum CD
\(^d\) defendo B \(\rightarrow\) om. CD
\(^e\) n(is)i B, but written without closing the top of n \(\rightarrow\) ub(b)i C ubi D; ubi Lansd. 224, from B, so a repeated misreading
\(^f\) bracketed by Riley] si BCD
\(^g\) falsionarius B \(\rightarrow\) falsionarius CD
\(^h\) Teste BCD
Henry king of the English to Bishop Samson and Urse d’Abetot and all barons French and English of Worcestershire greeting. [1] Know that I will and command that all burgesses and all who dwell in boroughs, whether they be French or English, shall swear to hold and keep my money in England so that they shall not accept the falsification of my money. [2] And if anyone shall be found with a false penny, and shall have vouched a warrantor thereof, it [sc. prosecution] shall be brought against him [sc. the warrantor], and if he [sc. the person found with the penny] shall be able to show proof against him [sc. the warrantor], my justice shall be done on the warrantor. But if he cannot show proof against him, my justice shall be done on the forger, namely in his right hand and testicles. If, however, he shall not have vouched a warrantor thereof, he shall carry judgement [i.e. go to the ordeal to prove] that he can neither name nor recognize anyone from whom he received the false penny. [3] Furthermore, I forbid any moneyer to change pennies except in his own shire and before two lawful witness of that shire. And if a moneyer is taken for changing pennies in another shire, he shall be taken as a forger. [4] And no one shall dare to exchange pennies except a moneyer.

Witness William the chancellor and Robert count of Meulan and R(obert) fitz Haimo and R(ichard) de Redvers. At Westminster during Christmas.

DATE: Christmas 1100, while William Giffard was Henry’s chancellor; he was replaced by Roger no later than Easter 1101. Stubbs, Lectures in English History, 113, ignored the internal evidence of date when he discussed the act in relation to the king’s action to protect the coinage in 1108.

ADDRESS: Shire court of Worcestershire. Like {1} above and {4} below, this is one of a group of acts sent out to all shires for which the Worcestershire text was copied in the Red Book.

WITNESS: William Giffard, as chancellor; Robert, count of Meulan; Robert fitz Haimo; Richard de Redvers.

PLACE: Westminster.

CONTEXT: The dating of the act to Christmas 1100 is certain, and it should be read against the background of the Coronation charter, § 5, which indicates a concern over false coin at the outset of the reign. This proclamation may be understood as a notice to shire courts concerning the enforcement of that clause. It uniquely provides important insights into how the crown exercised control of the coinage.

[1] This appears to refer to a specific oath taken by burgesses and other town-dwellers ‘to hold and keep’ the king’s English money. Elsewhere it is clear that the stability of the coinage was expressly linked to the peace and stability of the realm (II Cnut 8; Gesetze, i. 314–15). The reading ‘et’ (instead of MSS ‘ut’) is plausibly conjectured by Riley. Examples of oaths show that the sense is that the oath-takers swear not to do something and not to condone its being done by others; ‘non faciam nec ut alius faciat consentiam’ (oath imposed by Charles the Bald in 853, cited by Liebermann, Gesetze, ii. 374, s.v. Ehrlichkeitsversprechen 4b), ‘nec latrones erunt nec consentient’ (1195, cited ib. 4c). Liebermann makes the comparison with the last of several clauses relating to coinage in IV Æthelred 9. 3 (Gesetze, i. 236), an exhortation, ‘et custodiant omnes monetam sicut uos docere precipio et omnes eligimus’.

[2] The meaning of this passage is not in doubt, though the use of the word warrant is perplexing, for it usually means a witness to give evidence for the defendant; here the accusation is understood to pass to the warrantor. A person found in possession of a false penny is assumed to be guilty of forgery, unless he can shift the blame on to
someone else by proving that he received the penny from that person; if he cannot say from whom he received it, he may take the ordeal to prove his denial of forgery. In spite of the apparent clarity, the procedure does not attempt to establish who made the false coin, nor is it clear how far back along its circulation the process of warrant or ordeal might be taken. The penalty for forgery mentioned in II Cnut 8 is the loss of one or both hands.

[3] The ‘changing’ (mutare) or ‘exchanging’ (cambire) of pennies refers to the melting down of old coins and the minting of new, a process entrusted to the king’s moneyers and moneyers working for others by the king’s grant. We know from the Dialogus de scaccario, in the 1170s, that sheriffs were required to deliver money to the treasury in new coin (‘blanch’). It allows, however, that ‘certain counties’ were permitted to pay ‘by tale’ in coin of any mint because in former times they did not have their own moneyers and ‘got their coin where they could’. The examples given are Cumberland, Northumberland, Shropshire, and Sussex (Dialogus de scaccario, pp. 9, 43). The rule to which this is a long-established exception was surely that the sheriff paid in the coin of the county. Such a reading is supported by this act, which assigns two witnesses ‘de ipso comitatu’ to supervise the blanching and recoining under the supervision of the shire court. This is the only source that mentions the requirement for witnesses of the shire to supervise the process. The position of moneyers is an unusual one. They worked in a borough, their work was supervised by the shire, and they could also be required to answer directly to the king.

[4] The exchanging of pennies, that is the replacement of old pennies or pennies of the wrong jurisdiction with new ones or those of the local mint, was obviously strictly confined to those to whom the king’s cuneator issued official dies.

The document makes no reference to those moneyers working under a franchise. A writ in favour of Archbishop Gerard of York affirms his laws and customs, notwithstanding ‘noua statuta mea de iudiciis siue de placitis latronum et falsorum monetariorum’ (0000, Regesta 518 for York Minster), as if the archbishop had complained that the king’s proclamation was prejudicial to his liberty; the writ informs the sheriffs of his diocese that neither the archbishop nor his church shall lose anything ‘pro nouis statutis meis’ but his own justice in his own court shall enforce the law ‘secundum statuta mea’. These references to statutes are a strong signal that this is likely to be a forgery from the time of Quo warranto proceedings rather than a contemporary reference to royal legislation.

3 Writ-charter notifying the shires of England that the king has confirmed the Coronation Charter and ordered a renewal of the oath of fidelity to the king. Spring or early summer 1101

ORIGINAL: Lincoln Cathedral, D&C, A/1/1, no. 5 (Bishop 251), 100 × 30 mm, sealing tongue torn away with minor loss of text [A].
ENDORSEMENT: ‘H. j’ (13th cent.); ‘Carta H. regis primi de libertatibus’ (15th cent.).
Henry king of the English to Robert bishop of Lincoln and Ranulf Meschin and Osbert the sheriff and Picot fitz Colswein and all men French and English of Lincolnshire greeting. Know that I grant you such laws as I gave and granted you when I first received the crown. And I will that you shall assure to me by oath my land of England to hold and to defend against all men and in particular against Count Robert of Normandy my brother until Christmas. And I command you foresaid that you shall receive this assurance from my demesne men French and English. And my barons shall cause you to have this same assurance from all their men just as they have granted to me. Witness Archbishop Anselm and Robert count of Meulan and Robert fitz Haimo and Eudo Dapifer. At Winchester.
In subsequenti autem solemnitate Pentecostes aduentus comitis Roberti, fratris regis, in Angliam preuia fama totam regalem curiam commouit, quorundam animos, ut postmodum patuit, in diuersa permouit. Rex igitur principes et principes regem suspexit habentes, ille scilicet istos ne a se instabili ut fit fide dissilirent, et isti illum formidando ne undique pace potitus in se legibus efferatis desequiret, actum ex consulto est ut certitudo talis hinc inde fieret que utrinque quod uerebatur quod uerebatur uerabebat. Sed ubi ad sponsorsiem fidei regis uentum est, tota regni nobilitas cum populi numerositate Anselmum inter se et regem medium fecerunt, quatinus ei uice sui manu in manum porrecta promitteret iustis et sanctis legibus se totum regnum quoad uiueret in cunctis administraturum.

During the feast of Whitsun following this a rumour about the coming of Count Robert, the king’s brother, stirred up everyone at the king’s court, but it affected the hearts of different people in different ways, as afterwards became clear. The king was suspicious of his barons, the barons of the king, for he feared that they might abandon him with fickle faith, as happens, and they fearing that he might act harshly against them with brutal laws if peace on all sides made him all powerful. It was agreed that assurances should be made that each side would rule out what the other side feared. But when it came to the pledge of faith with the king, all the great laymen of the realm together with many of the people made Anselm the mediator between themselves and the king, so that the king, putting his hand in Anselm’s on their behalf, should promise that he would govern the whole realm in all matters with just and holy laws for as long as he lived.

DATE: After Anselm’s return from exile, 23 September 1100, and his meeting the king at Salisbury, 29 September; before Robert fitz Haimo was incapacitated, Spring 1105, and therefore before the beginning of Anselm’s second exile, after Easter 1103. Within these dates, the obvious context is the period of widespread anxiety concerning a rumoured invasion of England by Duke Robert in 1101.

ADDRESS: Shire court of Lincolnshire. As Stevenson observed, however, it belongs to the class of writ-charters sent to every shire (EHR 21 (1906), 507).

WITNESS: Anselm, archbishop of Canterbury; Robert, count of Meulan; Robert fitz Haimo; Eudo Dapifer.

PLACE: Presumably intended for Winchester, Hants.

CONTEXT: When he published this document, Stevenson made a strong case for a date after rumours of Duke Robert’s projected invasion reached the king’s Whitsuntide court, 9 June 1101, and before the arrival of Duke Robert at Portsmouth, 20 July 1101, and the peace made soon after between them. During this period, according to Eadmer, the king and his chief men (principes) were suspicious of one another, as the king feared desertions, the leading men feared reprisals. Anselm was at court at Winchester during Easter 1101, when William Giffard was installed as bishop (Annales Monastici, ii. 41; Eadmer, Historia nouorum, 145, does not give the date); it is not known whether the court was still there at Whitsun and afterwards, but it would be a sensible place for the
king to remain during a period of threat from Duke Robert. Farrer’s theory that the court was at St Albans at Whitsuntide 1101 does not stand up.

4 Lost act notifying the realm that the cases of priests had been settled between the King and Archbishop Anselm. 1106 or 1107.

CALENDAR: Not in Regesta.

Presbyterorum etiam cause sicut regem Anselmo promisisse diximus dispositive sunt atque idipsum per totum regnum divulgatum.

The cases of the priests also were dealt with in accordance with the promise which, as we have said, the king made to Anselm, and it was published to that effect throughout England.

DATE, CONTEXT: The matter in dispute was the fact that the king received the profits of justice from suits against clergy. The subject had been brought up by Anselm in May 1106 after the agreement on the investiture issue had been made between representatives in Benevento at Easter of that year. Eadmer copied four letters exchanged between the king and Anselm on the subject (Rule, 175–7; ep. 391–4; below, {25}, {26}, Regesta 750, 751). Some months later they met and were fully reconciled at Le Bec on 15 August 1106 (Eadmer, Historia nouorum, 182). The proclamation is then referred to by Eadmer in the context of Anselm’s return to England in September of that year. While there is no explicit mention of a writ, this publication can hardly have been made other than by a notification sent to all shires. It is unlikely that the king would publish such a notice until Anselm had actually returned to England in September 1106. A date after the king’s victory at Tinchebray is possible, if the notice was sent from Normandy, but one cannot rule out the possibility that it was delayed until he had returned to England in spring 1107.

5 Lost proclamation curtailing the oppressive conduct of the king’s curiales. 1108

PRINTED: Rule, 192–3; translated by Bosanquet, 205–6.
CALENDAR: Not in Regesta.
At this time King Henry, considering that from a number of different causes pretty well the whole kingdom had fallen into a grave state of distress, on the advice of Anselm and the barons of the realm, determined to take steps to secure that in some way those evils which pressed most heavily upon the poor should be alleviated; and like a wise man he began by starting with his own court. For in the time of his brother the king a great number of those who attended the court had made a practice of plundering and destroying everything; and, there being no discipline to restrain them, laid waste all the territory through which the king passed. Very many of them, intoxicated with their own wickedness, when they could not consume all the provisions that they found in the houses which they invaded, made the owners whose goods they were take them to market and sell them for their benefit; or else they set fire to them and burned them up; or, if it were drink, they washed their horses' feet with it and then poured the rest of it on the ground or would without fail find some other way of wasting it. What cruelties they inflicted on the fathers of families, what indecencies on their wives and daughters, it is shocking to think of. Consequently, when it became known that the king was coming, all the inhabitants would flee from their houses, anxious to do the best they could for themselves and their families by taking refuge in woods or other places where they hoped to be able to protect themselves. Intent on remedying this evil, King Henry, after putting out a proclamation, resolutely punished with inexorable justice all who could be proved to have done any of the things which I have mentioned; he had their eyes torn out or their hands or feet or some other limb cut off. The sight of just
punishment inflicted in quite a number of cases deterred the rest, anxious to keep themselves unmutilated, from incurring the fate which others suffered.

DATE, CONTEXT: After recording the death and funeral of Bishop Gundulf in 1108, Eadmer gives this account of Henry’s edictum concerning courtiers who abused the property and families of those in whose houses they were lodged. He goes on to discuss the king’s punishment of moneyers and anyone who falsified the coinage. John of Worcester follows Eadmer, adding the date of Gundulf’s death but shortening the detail about his funeral; he refers to the king’s making firm peace and such law (legem) that anyone caught thieving or robbing should be hanged; and then follows Eadmer almost word for word in his report of the punishment of moneyers (John of Worcester, iii. 112). The middle element here is implausibly reduced to a law for the hanging of thieves in general. William of Malmesbury also follows Eadmer but he introduces this proclamation at two distinct points in his narrative. First, in the context of the king’s return to England in March or April 1107, following the battle of Tinchebray, he reports that King Henry ‘followed his father’s example and put a stop by proclamation (edicto) to the ravages, the rape and rapine of his courtiers, commanding that convicted offenders should lose their eyes and testicles’ (Gesta regum, V § 399), and he then continues with the punishment of moneyers. Second, in his summary of Henry’s government, he gives a very precise and very different account of Henry’s regulation of the court’s quartering, ‘To his courtiers, in whatever vill he was (ubicumque uillarum esset), he gave notice (edixit) how much they might receive from the country people as a gift, how much it was their duty to pay for, and at what price; and the disobedient were visited with heavy fines or loss of life’ (ib. § 411). The modern editors of William translate the phrase ‘curialibus suis . . edixit’ as ‘he notified the persons of his court by proclamation’ (Mynors, Thomson, Winterbottom, i. 742).

The misconduct of the court is bemoaned by the Anglo-Saxon chronicler, s.a. 1105, without reference to any remedy. This provides a context for what Eadmer says, though it suggests that the nuisance continued for some years after William II’s death. Since William of Malmesbury both follows Eadmer and deviates from him within a few pages, it is impossible to assess whether he had any direct knowledge of proclamations on this subject. More broadly, it is hard to see how a proclamation would be used in the very precise circumstances of regulating the court. None the less, Eadmer and William use the word edictum, where John of Worcester uses lex. There is no mention of such a proclamation concerning the punishment of moneyers in 1108.

Spelman paraphrased Eadmer, adding a note from William of Malmesbury in taking their words as evidence of a lost proclamation (Bodl. MS e Musaeo 89 (SC 3682), ‘Codex legum ueterum et statutorum regni Angliæ quæ ab ingressu Gulielmi I usque ad annum nonum Henrici III edita fuerunt, opere et studio Henrici Spelman militis collecta. AD 1627’ (see note on H1/2), fol. 93r; printed by Wilkins, Leges Anglo-Saxonicae, 304).

6 Writ-charter notifying the shires of England that the king has commanded shires and hundreds to meet only where and when they used to meet in King Edward’s
time and to hear pleas concerning boundaries and
enroachments between two tenants in chief or between
the men of two tenants in chief but not between the men
of one tenant in chief, which shall be heard in their
lord’s own court. May × July 1108

EXCHEQUER COPY: King’s Remembrancer, Miscellaneous Books, E164/2, Red Book of the
Exchequer (s. xiii), fol. clxiiij (now fol. 267r) (in upper margin, ‘Carta eiusdem ubi
comitatus teneri debet et ubi placita de diuisis terrarum’; in left margin, ‘De
comitatibus et hundr(ed)is certis locis tenendis’) [B]; BL MS Hargrave 313 (s. xiii), fol.
100r (‘Carta eiusdem ubi comitatus teneri debet et ubi placita de diuisis terrarum’; ‘De
comitatibus et hundr(ed)is certis locis tenendis’) [C, from B, made in 1251–2; Hall, Red
Book, p. li, thought they were copied from the same exemplar].

UNOFFICIAL COPY: BL MS Cotton Claudius D. II (s. xiv, London Guildhall) [see note
above, p. 12], fol. 41v (now fol. 44v) (s. xv) (no. 5, ‘Carta eiusdem ubi comitatus teneri
debet et ubi placita de diuisis terrarum’) [D, from C].

QUADRIPARTITUS: Quadrpartitus, Book II, ends with this writ-charter, added perhaps
as an afterthought along with items from Archbishop Gerald’s archive. As with [1]
above, the address clause is replaced with a file-copy address, and there is no witness-
list; presumably taken from a Treasury copy at Winchester. Extant copies in
Manchester, JRUL MS lat. 420 (s. xiiime), fol. 84r–v (now fol. 39r–v) [M]; BL MS
Add. 49366 (s. xii3/4), pp. 172–3 (now fol. 104v–105r) [Hk]; and BL MS Cotton Titus
A. XXVII (s. xii/xiii, St Augustine’s), fol. 72r (now fol. 160r) (‘epistola Henrici regis ad
omnes fideles suos’) [T].

UNOFFICIAL COPY: Cambridge, Corpus Christi College, MS 70 + 258 (s. xiv1, London
Guildhall), a copy of the London version of Leges Henrici as worked on by Andrew
Horn, pp. 76–7, added in the lower margins (‘Huius carte transcriptum habui apud
Sanctum Augustinum extra Cantuariam’) [from T]. The document is not found in other
copies of the London leges.

ANTIQUARIAN TRANSCRIPTS: Manchester, JRUL MS lat. 318 (before AD 1635), fol. 117r
[§ 13, from a book ‘in quo continebantur Leges Antiquorum Regum Anglie
subscriptorum mihi prestito per Magistrum Francum Tate . . . 1604’, i.e. Francis Tate
(1560–1616), fol. 57, followed by Henry I’s letter to Pope Paschal, therefore from
Quad]; Bodl. MS e Musaeo 89 (SC 3682), ‘Codex legum ueterum et statutorum regni
Angliae quae ab ingressu Gulielmi I usque ad annum nonum Henrici III edita fuerunt,
opere et studio Henrici Spelman militis collecta. AD 1627’ (see note on {2} above), fol.
94v–95r [from B]; BL MS Lansdowne 224 (s. xvii; see note on {2} above), fol. 58r
[from e Musaeo 89].

PRINTED: Spelman, Glossarium (1626), 365–6, (1687), 302–3, s.v. hundraedus [from B];
R. Brady, A Complete History of England from the first entrance of the Romans under
the conduct of Julius Caesar, unto the end of the reign of King Henry III (London,
1685), 143 [from Spelman’s Glossarium]; D. Wilkins, Leges Anglo-Saxonicae
(London, 1721), 305 [from e Musaeo 89]; Foedera, Record Commission (1816) i. 12
[from B]; H. T. Riley, Munimenta Gildhallae Londiniensis, Rolls Series 12 (1859–62),
ii. 649 [from D]; W. Stubbs, Select Charters and other illustrations of English
Constitutional History (Oxford, 1870), 104 [from Foedera]; F. Liebermann, Über den

CALENDAR: Farrer 228; Regesta 892.

Henricus rex Anglor(um) Samsoni episcopo et Vrsoni de Abetot et omnibus baronibus suis francis et angl(is) de Wirecestrescira salutem. Sciatis quod concedo et precipio ut amodo comitatus mei et hundreda in illis locis et eisdem terminis seseat, sicut sederunt in tempore regis Eadwardi, et non aliter. <Et nolo ut uiucomes meus propter aliquod necessarium suum quod sibi pertineat faciat ea sedere aliter.> Ego enim quando voluerio faciam ea satis summonere propter mea dominica necessaria ad uoluntatem meam. Et si amodo exurgat placitum de diuisione terrarum <uel de preoccupatione>, si est inter meos barones dominicos, tractetur placitum in curia mea. Et si est inter uauaiores alicuius baronis mei honoris, tractetur placitum in curia domini eorum. Et si est inter uauaiores duorum dominorum, tractetur in comitatu. Et hoc duello fiat, nisi in eis remanserit. Et uolo et precipio ut omnes de comitatu eant ad comitatus et hundreda, sicut fecerunt in tempore regis Eadwardi, nec remaneat propter aliquam pacem meam uel quietudinem,
quin\(^q\) sequantur\(^r\) placita mea et iudicia mea, sicut tunc temporis fecissent. Teste\(^s\) (sic) R(icardo) episcopo Lundonie et Rogero episcopo et Ranulf\(\)o cancellario et R(odberto) comite de Mell(ent). Apud Rading’.

\(\text{Worcestershire text in BCD}\)

Henricus rex Anglorum Samsoni episcopo et Vrsoni de Abetot et omnibus baronibus suis francis et anglis de Wirecestrescira salutem. Sciatis quod concedo et precipio ut amodo comitatus mei et hundreda in illis locis et eisdem terminis seseant, sicut sederunt in tempore regis Eadwardi, et non aliter. Ego enim quando uoluero faciam ea satis summonere propter mea dominica necessaria ad uoluntatem meam. Et si amodo exurgat placitum de diuisione terrarum, si est inter meos barones dominicos, tractetur placitum in curia mea. Et si est inter uauassores duorum dominorum, tractetur in comitatu. Et hoc duello fiat, nisi in eis remanserit. Et uolo et precipio ut omnes de comitatu eant ad comitatus et hundreda, sicut fecerunt in tempore regis Eadwardi, nec remaneant propter aliquam causam pacem meam uel quietudinem, qui non sequantur placita mea et iudicia mea, sicut tunc temporis fecissent. Teste R(icardo) episcopo Lundonie et Rogero episcopo et Ranulf\(\)o cancellario et R(odberto) comite de Mell(ent). Apud Rading’.

\(\text{File-copy text in Quad}\)

Henricus dei gratia rex Anglorum omnibus fidelibus suis francis et anglis salutem. Sciatis quod [T; quia MHk] concedo et precipio ut amodo comitatus mei et hundreda in illis locis et eisdem terminis seseant, sicut sederunt in tempore regis Eadwardi, et non
aliter. Et nolo ut uicecomes meus [T; om. MHk] propter aliquod necessarium suum [T; om. MHk] quod sibi pertineat faciat ea sedere aliter. Ego enim quando uolueru faciam ea satis submonei pro mea dominica necessitate secundum uoluntatem meam [T; submoneat faciat ea sedere aliter necessitate secundum uoluntatem meam MHk, italicized words from previous clause]. Et si amodo exurgat placitum de diuisione terrarum uel de preoccupatione [T; occupatione MHk], si est inter dominicos barones meos, tractetur placitum in curia mea [T; domini eorum MHk, from next clause]. Et si est inter uauasores alicuius baronis mei honoris, tractetur placi tum in curia domini eorum. Et si est inter uauasores duorum dominorum, tractetur in comitatu. Et hoc duello fiat, nisi in eis remanserit. Et uolo et precipio ut omnes de comitatu eant ad comitatus et hundreta, sicut fecerunt in tempore regis Eadwardi, et non remaneat [T; remaneant MHk] propter aliquam pacem meam uel quietudinem quin sequantur [T; sequatur MHk] placita mea et iudicia mea, sicut tunc temporis fecissent.

Henry king of the English to Bishop Samson and Urse d'Abetot and to all his barons French and English of Worcestershire greeting. Know that I grant and command that hereafter my shires and hundreds shall sit in the same places and at the same terms as they sat in King Edward's time and not otherwise. And I will that my sheriff shall not cause them to sit otherwise for any need of his own, for only I shall cause them to be summoned when I will for my lordly needs at my pleasure. And if hereafter a plea shall arise concerning the boundary of lands or concerning encroachment, if it is between my desmeane barons, the plea shall be dealt with in my court. If it is between vavasors of one lord of my own honour, the plea shall be dealt with in the court of their lord. And if it is between vavasors of two lords, it shall be dealt with in the shire court. And this shall be done by duel unless it be stayed between them (sc. to come to a composition). And I will and command that all of the shire shall go to the shires and hundreds just as they did in King Edward's time, and there shall be no stay on account of any peace or quiet of mine but that they shall do suit at my pleas and my judgements as they did at that time. Witness Bishop Richard of London and Bishop Roger and Ranulf the chancellor and Count Robert of Meulan at Reading.

DATE: After Richard de Belmeis was nominated bishop of London, 24 May 1108; before the death of Urse d’Abetot, 1108. The king left England for Normandy in July 1108. In Quadripartitus, this act follows a copy of the canons of the council convened by Archbishop Anselm during the king's Whitsun court at Westminster in 1108 (Councils and Synods, ii. 694–9, where manuscripts TGK and BcBt represent this branch of the transmission). These two documents were the only additions made to Quadripartitus at this date, suggesting close linkage. Farrer was unaware of the evidence from the Winchcombe annals for Urse’s death and so allowed a longer period, May 1108 × August 1111, when the king left England for the last time before Bishop Samson’s death; the editors of Regesta were the first to date the act correctly. Liebermann’s mistaken dating, May 1109 × August 1111, when the king was in England, was constrained by his disallowing the period before Bishop Richard's consecration in July 1108; it was followed by Davis in his edition of Select Charters, and by Douglas in English Historical Documents.

ADDRESS: Shire court of Worcestershire. Like {1} and {2} above, this is one of a group of acts sent out to all shires for which the Worcestershire text was copied in the Red Book.
WITNESS: Richard de Belmeis, bishop of London; Roger, bishop of Salisbury; Ranulf, as chancellor; Robert, count of Meulan.

PLACE: Reading, Berks, a large royal manor. The place-date appears surprising. One might expect such a proclamation to result from deliberation in the context of a council, and the manuscript transmission points to a close connexion with the Whitsun court in London in 1108. If all that holds good, one might infer that the king had left London in some haste and that the preparation of the proclamation for sealing was still going on after he had left London heading westward.

CONTEXT: Narrative sources provide no context for this proclamation nor evidence of the concern that lies behind it. The author of Quadripartitus not only gave us one of the essential witnesses to the text but also provided in Leges Henrici, § 7, the best commentary on it (Liebermann, Gesetze, i. 553; translation based on Downer, 98–101). The opening clause of his discussion of how and when shire courts were to meet refers to this recent proclamation:

[7. 1] Sicut antiqua fuerat institutio formatum, salutari regis imperio uera nuper est recordatione firmatum, generalia comitatum placita certis locis et uicibus et diffinito tempore per singulas prouincias Anglie conuenire debere, nec ullis ultra fatigationibus agitari nisi propri regis necessitas uel commune regni commodum sepius adiciat.

[7. 2] Intersint autem episcopi, comites, uicedomini, uicarii, centenarii, aldermanni, prefecti, prepositi, barones, uuausores, tungreuii et ceteri terrarum domini, diligenter intendentes ne malorum inpunitas aut grauionum prauitas uel iudicum subuersio solita miseros laceratione conficiant.


[7. 4] Debet autem scyregemot et burgemot bis, hundreta uel wapentagia duodecies in anno congregari, et septem diebus antea submoneri, nisi publicum
commodum uel efficientie regis dominica
necessitas terminum preueniat. . . .advance, unless the public interest or the
king’s lordly need for urgency demand an
earlier meeting.

The wording of § 7. 2 reflects that author’s habitual concern with the afflictions of his
time, despite his rejoicing at King Henry’s succession and the associated reforms hailed
in his preamble to the Coronation charter (Liebermann, Gesetze, i. 542–3; translated by
R. Sharpe, ‘The prefaces of Quadripartitus’, in Law and Government in Medieval
72 (at pp. 169–72)).

Liebermann detected an allusion to this proclamation in another Latin version
of Old English law, Instituta Cnuti, II Cn 17 (Gesetze, i. 321), ‘Constituantur popularia
placita, quod Anglo uocant hundred, sicut iustum est et ante hoc factum est’ (F.
Liebermann, ‘On the Instituta Cnuti aliorumque regum Anglorum’, TRHS new ser. 7
(1893), 77–107 (at p. 93), taking hoc to refer to Henry I’s act. In the Old English texts 3
Edgar 5 (Gesetze, i. 202), specifies that shires were to meet twice yearly, boroughs
three times yearly, but the meetings of hundreds were to happen ‘as it was before’.

The legal usage remaner ‘it is stayed’ is first attested in a writ for Abingdon,
1100 × 1107, ‘ut calumnia quam God(ricus) prepositus de Windiores super eam
terram facit de haia omnino et perpetualiter remaneat’ (000, Regesta 736). Here with
reference to resolution by duel, compare the payment of 40s by Gui of Aumale, ‘ut
duellum reman(eat) inter Jordanum et Ragin(aldum) fratrem suum’ (PR 31 Henry I,
42). The syntax here, ‘in eis’, invites a comparison with King Henry’s letter to Anselm,
{19} (below, p. 142), ‘nisi in te remansisset’, which I take to mean ‘if the business had
not been stayed on your account’. Another example from the period is found in a writ
of William d’Aubigné, ‘uolo ut remaneat donec coram me querela fit’ (‘I will that it
shall be stayed until the plaint may be made before me’, Mason, Westminster Abbey
Charters, 303, no. 469).

It is impossible to discuss the importance of the act in its own time for lack of
real context. Although often referred to by historians, its purpose remains unclear. G. B.
Adams discussed it in the article cited in the source-notes above and earlier in The
History of England from the Norman Conquest to the Death of John (1066–1216), The
Political History of England 2 (London, 1905), 151–2, and Hollister, Henry I, 212–13,
refers to it as ‘a much-discussed writ’, but the intervening century has shed no light on
what it signifies. Adams calls it ‘one of the very few documents of his reign which give
us glimpses into the changes in institutions that were taking place’, but the document
signals no change. Adams infers that the Anglo-Saxon system of justice had decayed
since the Conquest and was now restored, Hollister recognizes that the shire courts had
continued to function since the Conquest and suggests that the writ in 1108 addresses
only recent abuses from William II’s time. Neither is plausible. One could perfectly
well imagine that every few years a proclamation was made to say that shires and
hundreds should keep to their long-established cycle of meetings. If there was a trend
towards more frequent meetings, this does not curb it, provided that it is the king and
not the sheriff who calls additional meetings. Between its points about the calling of
meetings and the obligation of attendance, the middle clause about which courts hear
which cases stands out as potentially the most important element of the act. The implied
conflict between seigneurial jurisdiction and that of the royal courts is resolved, but one
can hardly infer that it was a new resolution or even a new problem. The act, in sum, is
of value to historians for providing statements on matters that would otherwise be obscure to us, but it does not reveal why it was made or what it was meant to achieve.

7 Charter confirming the decisions of the legatine council held at Westminster and supporting them with secular authority. 16 May 1127

This is the only extant royal act expressly promising secular enforcement of decisions taken by a synod and entirely concerned with ecclesiastical matters. It survives in association with one copy of the decisions, and it appears that both texts were added at Christ Church, Canterbury, into a volume of canon law. Two other extant copies of the decisions are similarly inserted in canon-law books without the king’s letter. This textual history suggests no intention to preserve such acts, so that it is possible that the king would have issued them in connexion with other councils. Or it is possible that this one was issued unusually and at the request of the archbishop of Canterbury.

LOCAL COPY: Cambridge, Corpus Christi College, MS 19 (s. xii1/4, Canterbury, Christ Church), one of four complete surviving copies of the Decretum of Ivo of Chartres, supplemented by notes in various hands adding texts of comparable interest, some of them Carolingian, some recent, discussed by R. Somerville, ‘A textual link between Canterbury and Lucca in the early twelfth century’, in Cristianità ed Europa. Miscellanea di studi in onore di Luigi Prosdocimi, 2 vols in 3 (Rome, 1994–2000), vol. i, pt 2, 405–415; at the end of this material, fol. 334v, are the statutes of the legatine council held by Archbishop William at Westminster in 1127 (Councils and Synods, ii. 746–9) and the royal act confirming them, both added in the same contemporary hand [B].

PRINTED: Foedera, Record Commission (1816), i. 8 [from B]; C. N. L. Brooke, [review of Regesta ii], EHR 72 (1957), 687–95, at p. 690 n. 5 [from B]; Councils and Synods, ii. 749 [from B].

CALENDAR: Regesta 1476.

Henricus rex Angl<orum> a archiepiscopis episcopis abbatibus comitibus et baronibus Anglie et fidelibus sancte ecclesie salutem. Sciatis quod auctoritate regia et potestate concedo et confirmo statuta concilii a Willelmo Cantuariensi archiepiscopo et sancte Romane ecclesie legato apud Westmonasterium celebrati et interdicta interdico. Si quis uero horum decretorum uiolator uel contemptor extiterit, si
Henry king of the English to the archbishops, bishops, abbots, earls, and barons of England, and to the faithful of holy church greeting. Know that by royal authority and power I grant and confirm the statutes of the council held at Westminster by William, archbishop of Canterbury and legate of the holy Roman church, and I prohibit what the council has prohibited. If anyone shall act in breach of or disregard for these statutes, he shall know that he will be severely distrained by royal power, unless he will humbly submit to the discipline of the church, for he has presumed to act against divine order. Witness Roger bishop of Salisbury and Geoffrey the chancellor and Ranulf earl of Chester. At London.

DATE: At the close of the legatine council, held at Westminster from Friday, 13 May, to Monday, 16 May 1127. Soon afterwards, King Henry, Archbishop William, Bishop Roger, Geoffrey the chancellor, and no doubt many members of the court moved to Winchester, where the king celebrated Whitsuntide on Sunday, 22 May.

ADDRESS: General address, omitting justices and sheriffs, combined with an open address in ecclesiastical language.

WITNESS: Roger, bishop of Salisbury; Geoffrey the chancellor; Ranulf Meschin, earl of Chester.

PLACE: London.

CONTEXT: The archbishop’s council followed immediately after a royal council held at London during Rogationtide, 9–11 May 1127 (Henry of Huntingdon, VII 37, ed. Greenway, 476). There is no extant account of its business, but the editors of Regesta brought together a group of acts as possibly attested during the council (Regesta 1476–84). One of these is an act of Archbishop William (0000, Regesta 1484), datable on certain assumptions to February 1126 × January 1129 (Brett & Gribbin, EEA xxviii Canterbury 1070–1136, 86, no. 92); in it, the archbishop says, ‘Testificor sicut a domino rege audiui tempore concilii habiti apud Westmonast(erium) . . .’, he mentions also, ‘hec eadem regem dedisse et concessisse fratribus supradictis’, indicating a possible writ-charter. The same business is reflected in an extant writ of King Henry for the monks of Sées, datable to 1126 × September 1129 (0000, Regesta 1611), which has unfortunately lost its witnesses and place-date; it is possible that this is the writ for livery of seisin that accompanied a lost writ-charter. The date-range certainly points towards this council, though that is not to say that either writ-charter or writ were dated at the council. The other eight acts brought together under this date exhibit no sufficient reasons for their being dated to a council at all.

AUTHENTICITY: Phrases are used here that were popular with forgers, ‘auctoritate regia et potestate’, ‘regia potestate’. Their mere appearance is sometimes a first indicator of forgery. In the absence of any parallels to this act, it is impossible to test its credibility,
but the popularity of such phrases must imply familiarity, while the very wording must be exclusive to royal acts. It is possible that this act reveals the otherwise hidden existence of a species of royal act explicitly providing secular authority for decisions taken by the clergy.

8 Charter proclaiming a decision made in the king’s court in Normandy concerning the punishment of those who kill in breach of the truce and peace of the Church. 1135

This is the only charter of King Henry that proclaims an agreement on a matter of law or custom in Normandy. It survives through the archive of Évreux cathedral, which also retained a renewal of the same agreement dated at Évreux when King Stephen was in Normandy in 1137 (Ste/608); this follows King Henry’s proclamation verbatim and provides a good secondary witness to the text. The same matter was covered in another proclamation by King Stephen, dated at Witham and addressed generally to Normandy (Ste/609), which survives only through the archive of Rouen cathedral; though formally datable only before August 1139, it is likely that this was issued in autumn 1136, when the king was in eastern England, and was effectively superseded by the proclamation made in Normandy in 1137. The texts from Évreux were copied into a Norman custumal made in the early thirteenth century, which provides a further but less reliable witness.

CARTULARY COPIES: Évreux, AD Eure, G 122 (s. xiii\textsuperscript{in}, with later additions), cartulary of the cathedral chapter, p. 80 (no. clxxxvi, ‘Carta H(enrici) reg(is) Angl(orum) de occisoribus’) [B]; Évreux, AD Eure, G 123 (s. xv), second cartulary of the cathedral chapter, p. 101 (no. clxxxvi) [from B].
ANTiquarian TRANSCRIPT: Record Commission Transcripts, series 2, PRO31/8, vol. 140A (copied by Achille Deville, 1789–1875), no. 22 ['ad cartularium ecclesiae Ebroicensis’, from B].
COPIES IN CUSTUMAL: The proclamation has been presented as part of a custumal printed in 1848 by Leopold August Warnkönig; Warnkönig’s textual source has never been traced, but he was presumably reprinting from some early modern edition. On the evidence available his text appears to be an editorial construct of unknown origin. Heinrich Brunner recognized that it was made up of two distinct components in the \textit{Excurs} appended to his book \textit{Das anglonormannische Erbfolgesystem. Ein Beitrag zur Geschichte der Parentelenordnung; nebst einem Excurs über die älteren normannischen Coutumes} (Leipzig, 1869), 56–74, but he worked entirely from the printed text. Brunner applied the title \textit{Très ancien coutumier} to the second part. Since the edition by Ernest-Joseph Tardif this title has been applied to the whole composite, for Tardif preserved the fusion of two texts against the manuscript evidence that he had himself examined. Where Brunner, however, identified §§ 66–72 (as numbered by
Tardif) as an appendix to the first part, Tardif regarded this section as a precursor to the second part. In this Tardif follows the manuscript evidence, for these paragraphs are transmitted at the start of the text as transmitted in two copies, now BNF MS lat. 18368 (xiv), fol. 89r–100r [C], and BNF MS lat. 4653 (AD 1430), fols. 62v–73r [D]. This text is Warnkönig’s part two. There is no continuous text of part one, which has been recovered from passages of Latin intercalated in a French text of the later Grand Coutumier in BNF MS lat. 11032 (AD 1311). The text preserved by CD begins with a jurée or inquest, dated to the time of King Henry II (§§ 66–70 in the edition), under the rubric restored to read ‘Hec est iurea [sunt iura C; est purea D] facta in tempore regis Henrici’, with the names of twelve jurors in D, among whom the first named is William fitz John, the same person named as the last witness in the proclamation printed below; this inquest covers the duke’s right to the custody of heirs and the marriage of heiresses, wreck (‘de uerisco’), grapeys (‘de crasso pisci’), treasure trove (‘de thesauro inuento’), and other profits that fall to the duke (‘de pertinentibus duci’). This is followed by the proclamation printed here (§ 71). Next is a statute from the time of Richard I, ‘Constitutio regis Ricardi pro clericis et sacerdotibus’ (§ 72), and the custumal proper begins at § 73. The Latin text of the proclamation is witnessed, therefore, by three custumal copies, BNF MS lat. 18368 (s. xiii/xiv), fol. 89v [C]; BNF MS lat. 4653 (AD 1430), fol. 63r [D]; and as intercalated in BNF MS lat. 11032 (AD 1311) [E]. D is not copied from C but in several places has the better reading.

ANTIQUARIAN TRANSCRIPT: BNF MS nouv. acq. lat. 1245 (copied by Achille Deville, 1789–1875), fol. 103r [from C].


PRINTED: A. J. Marnier, Établissements et coutumes, assises et arrêts de l’échiquier de Normandie au treizième siècle (Paris, 1839), 50–52 (French text) [from F]; L. A. Warnkönig and L. Stein, Französisiche Staats- und Rechtsgeschichte (Basel, 1846–8), ii, pt 2, Urkundenbuch, 29–30 [evidently from E with some use of C]; E.-J. Tardif, Coutumiers de Normandie i, pt 1, Le très ancien coutumier de Normandie (Rouen, 1881), pp. 65–8 [from BCDE], i, pt 2 (Rouen, 1903), 55–6 (§ 71) (French text) [from F]; Round, Calendar of Documents in France, 98–9 (no. 290) (in English) [from B]; Chanteux, no. 145 [from BCDE].

CALENDAR: Farrer 734; Regesta 1908.

H(enricus) rex Ang(orum) a archiepiscopis episcopis abbatibus comitibus et omnibus b filiiis et fidelibus sancte ecclesie b per Norman(niam) constitute c salutem. Sciatis quia d in presencia Hug(onis) archiepiscopi Rothom(agensis) et I(ohannis) Lexouien(sis) et A(udini) Ebroicen(sis) et I(ohannis) Sag(iensis) et Al(gari) Constanc(iensis) episcoporum et omnium baronum meorum subscriptorum communi consilio e et assensu, hoc de occisoribus, qui homines in treuiis f et in pace ecclesie occidunt et treuias g infringunt, statutum et firmatum h est quod, si occisorem illum aliquis
duello appellare uoluerit, duellum illud in curia mea tenebitur, et, si inde conuictus fuerit, episcopus ille in cuius diocesi hoc factum est emendam suam, id est IX li(bras), de pecunia conuicti per manus iusticie mee habebit. Si uero de pecunia illius amplius remanserit, hoc meum erit. Si uero pecunia illius ad illas IX li(bras) perficiendas non suffecerit, totum illud <minus>, episcopus habeat, ita quod nichil inde ad opus meum accipietur, donec episcopi totam emendam habeant, si pecunia illa ad hoc suffecerit. Si uero defuerit qui occisorem illum duello probare uelit, ipse occisor in ecclesia dei, per manus et iudicium ecclesie se purget, et si conuictus ibi fuerit, idem fiat de emenda episcoporum et mea, sicut scriptum est superius. Et si quis occisorum et infractorum iusticiam subterfugierit et de terra mea exierit, de emenda idem erit, et si mecum pacem fecerit, emenda episcopi in pace quam fecero non erit, sed reddet eam episco uel pacem inde cum eo faciet. Testibus comite Gloec(estrie) et St(ephano) comite Morit(onii) et R(oberto) comite Legrec(estrie) et W(altero) Giffart et B(rientio) filio com(itis) et R(oberto) de Curci et H(ugone) Big(ot) et W(illelmo) filio Odon(is) et W(illelmo) filio Ioh(annis) et Apud Rothom(agem), anno gracie M et C et XXXV, presentibus Nig(ello) Eliensi episcopo et Aelolfo Carlol(iensi) episco uel R(oberto) de Sig(illo).

*a* Anglie B CDE  
*b-b* fidelibus Christi et sancte ecclesie filiis CDE  
*c* constitute B Ste/608 ] constitutis CDE  
*d* quia B Ste/608 ] quod CDE  
*e* consilio BD Ste/608 ] capitulo CE  
*f* treuias BC Ste/608 ] treugas DE  
*g* treugis BC Ste/608 ] treugis DE  
*h* firmatum BD Ste/608 ] confirmatum C infirmatum E  
*i* tenebitur B ] uadiabitur et tenebitur CDE  
*j* id est CD Ste/608 ] idem B hec est E  
*k* li(bras) Turonens(es) C  
*l* illius amplius remanserit BD Ste/608 ] illius conuicti amplius remanserit C  
*illius uel amplius aliquid remanserit E  
*m* illud minus B Ste/608 cf. Ste/609: quicquid ibi minus fuerit, totum illud episcopus habebit ] illud unus C illius minus D illius minus E  
*n-a* per iudicium ecclesie se purget CDE Ste/608, cf. Ste/609: aperta lege iudicii aut aque uel ignis sese purgabit ] per manus et iudicium ecclesie se purget B  
*o* mea BCE Ste/608 ] misercordia D ma merci F  
*p* sed reddet eam B Ste/608 ] sed eam reddet DE sed reddetur C
Henry king of the English to the archbishops, bishops, abbots, counts, and all sons and faithful of holy Church established throughout Normandy greeting. Know that in the presence of Hugh archbishop of Rouen and of bishops John of Lisieux and Ouen of Évreux and John of Sées and Algar of Coutances and by the common counsel and assent of all my underwritten barons, this is established and affirmed concerning killers who slay men in truce and in the peace of the Church and infringe the truce, that if anyone wishes to call the killer to trial by battle, that trial shall be held in my court, and if he shall be convicted of it, the bishop in whose diocese the act was committed shall have his fine, that is nine livres of the money of the convicted man, by the hands of my justice. If more shall remain of the possessions of that man, this shall be mine. If the possessions of that man are not sufficient to make up those nine livres, the bishop shall have all of it, so that nothing will be taken for my own use until the bishop shall have the whole of the fine, if that money will suffice for it. If the man who wishes to challenge the killer defaults, the killer shall purge himself in the church of God by the hands and judgement of the church, and if he is convicted there, that man shall pay the fine to the bishops and me, just as it is written above. And if anyone should escape the justice due to killers and breakers of truce and leave my land, it shall be the same with the fine. And if he shall have made his peace with me, the bishop’s fine shall not be included in the peace which I made, but he shall render it to the bishop, or make peace about it with him. Witness the earl of Gloucester and Stephen count of Mortain and Robert earl of Leicester and Walter Giffard and Brien fitz Count and Robert de Courcy and Hugh Bigod and William fitz Odo and William fitz John. At Rouen in the year of grace 1135 in the presence of Nigel bishop of Ely and Athelwold bishop of Carlisle and Robert de Sigillo.

DATE: Dated 1135.
ADDRESS: General address for Normandy with an open address in ecclesiastical language.
WITNESS: Earl Robert of Gloucester (who appears without name or initial as sole witness, *Regesta* 1653, 1682, 1898, and in company, *Regesta* 1590 for Glastonbury, 1668 for Richard Basset); Count Stephen of Mortain; Earl Robert of Leicester; Walter Giffard; Brien fitz Count; Robert de Courcy; Hugh Bigod; William fitz Odo; and William fitz John. The act makes a distinction between these witnesses and three other men in whose presence the law was made: Bishop Nigel of Ely; Bishop Athelwold of Carlisle; and Robert de Sigillo. The obvious distinction is that these three were churchmen whose role in relation to such a piece of secular legislation is unclear. The bishops of Normandy are mentioned as present at the start of the document, where the common consent of the subcribing barones is invoked. The implication is that the lay witnesses are assenting to the agreement on behalf of the king’s subjects in Normandy. It is perhaps to be presumed that all nine held lands in the duchy. The three churchmen named at the end did not have possessions in Normandy, but none the less Athelwold, bishop of Carlisle, appears as witness in the ordinary way in Ste/608.
PLACE: Rouen (Seine-Maritime).
CONTEXT: The text of this act was followed verbatim in a renewal by King Stephen, place-dated at Évreux and datable to 1137 (Ste/608, from AD Eure, G 122 (s. xiii in), fol. 9r, and G. 6, the bishop’s cartulary, fol. 8v). Even the bishops named as present are the same, though the witnesses are different, ‘Testibus episcopo Carol(ensi), et G(alerano) comite de Mell(en)t(o), et Vnfrido de Buhun, et Roberto Auenello’.

The Peace of God movement began at the end of the tenth century in Limoges, and in the course of the eleventh century its successor the Truce of God continued the idea. Its influence has been much debated, and the modern literature on the subject is extensive; for orientation one may cite H. E. J. Cowdrey, ‘The Peace and Truce of God in the eleventh century’, Past and Present 46 (1970), 42–67; H. Hoffmann, Göttesfriede und Treuga Dei, MGH Schriften (Munich, 1964); and the essays collected in The Peace of God. Social violence and religious response in France around the year 1000, ed. T. Head & R. Landes (Ithaca, NY, 1992).

In Normandy Duke William first proclaimed the Treuga dei at Caen in the 1040s; it was renewed by a ducal council at Lillebonne at Whitsun, 31 May 1080; and it became part and parcel of the ducal peace. ‘The peace commonly known as the Truce of God shall be steadfastly observed as it was when it was first established by Duke William himself . . . All who refuse to observe it or break it in any way shall receive just sentence from the bishops according to the ordinance already established. If anyone then disobeys his bishop, the bishop shall make this known to the lord on whose land he lives, and the lord shall compel him to submit to episcopal justice. But if the lord refuses to do this, the king’s vicomte, on being requested by the bishop, shall act without prevarication’ (clause 1, as quoted by Orderic, V 5, ed. Chibnall, iii. 26). The council of Lillebonne was promulgated again by Henry II, 25 February 1162 (edited by P. Chaplais, ‘Henry II’s reissue of the canons of the Council of Lillebonne of Whitsun 1080 (?25 February 1162)’, Journal of the Society of Archivists 4 (1970–73), 627–32). The poet Wace, in his Roman de Rou, dedicated to Henry II, describes the occasion of the first adoption of the Truce: ‘When the clergy, the relics, and the barons, of whom there were many, were assembled in Caen on the day he had ordered, [Duke William] had everyone swear on the relics to maintain peace from Wednesday at sunset to Monday at sunrise; they call it a truce, I believe, and there is nothing like it in any other country. Anyone who fought another person within that period, who performed a clearly wicked act, or who stole anything from someone else, was to be excommunicated and receive a fine of nine livres in favour of the bishop’ (Wace, Roman de Rou, ll. 5357–72, ed. A. J. Holden (Paris, 1970–73), ii. 85–6; trans. G. S. Burgess (Woodbridge, 2004), 150–51). The reference to the fine of £9 provides a direct link with the present act of Henry I and its renewal by Stephen in 1137. The tariff specified in 1135 was very likely still in force when Wace was writing in the 1160s, but it is also possible that Wace had knowledge of the proclamations from 1135 and 1137, which he used in writing about Duke William. The inclusion of this act at the head of the custumal, following on from the jurée concerning ducal incidents, reinforces the implication of continuing relevance.

9† Account of purported proclamation altering custom in claiming right of wreck
Sub isdem itaque diebus tempestate preualente, contigit nunc quando
uris sumptibus refertam de Rumenel, terra archiepiscopi Cantuarie,
super terram ecclesie de Bello in Dengemareis, membro de Wi,
contractam, hominibus uix euadentibus, iactari. Sciendum autem est hoc
pro lege ab antiquitate per maris littora obseruatum ut, naui fluctibus
contrita, si euadentes infra statum terminum et tempus eam minime
reparassent, nauis et quecumque appulsa forent absque calumpnia in
dominium terre illius et in werec cederent. Sed supramemoratus rex
Henricus hanc abhorrens consuetudinem tempore suo per imperii sui
spatia edictum proposuit quatinus si uel unus e naui confracta uiuus
euasisset, hec omnia obtineret. Verum quo nouus rex cedit, et noua lex.
Nam defuncto eo, regni primores, edicto recenti pessundato, morem
antiquitus obseruatum sibimet usurparunt. Vnde factum est ut homines
de Dengemareis secundum maritimas consuetudines et regales dignitates
ecclesie Belli predictum werec ui obtinerent.\textsuperscript{a} Quo agnito, archiepiscopus
curiam adiens coram rege de abbate de Bello, quod in hac re ui et
hostilitate usus fuisset, querimoniam fecit. Nec mora. Rex abbatem
mandans coram se ueniens dicit, quod scilicet contra regis Henrici sancita
fecisset, post plurimam utrinque controuersiam, tandem sic curia sedatur.
Nam abbas, ratione usus premeditata, regem Henricum pro libitu antiqua
patrie iura mutare in diebus suis posse testificatus est, sed non nisi
communi baronum regis consensu in posterum rata fore. Vnde si id,
under calumniabatur sue dignitatis compatriote, barones scilicet qui
aderant, cum regalis curie assensu concessissent, et ipse libens cederet. Cumque presentes regni primores hec uno ore contradicerent, in communi tandem decretum est ut eadem soluta curia abbas regia dignitate hinc suam nactus curiam apud Dengemareis die denominato hominibus archiepiscopi aduenientibus, omnem rectitudinem teneret.

\* Copies in BL MS Lansdowne 224 and Wilkins end here.

In those days, during a storm, a ship of Romney, in the land of the archbishop of Canterbury, fully loaded with various goods, was wrecked upon land of Battle abbey in Dengemarsh, a member of Wye. Its crew barely escaped. Now it should be understood that from antiquity it has been held as law along the sea-coast that in the case of shipwreck, if the survivors have not repaired her within an established term and time, the ship and whatever may have been washed ashore falls without challenge under the lordship of that land as wreck. King Henry, however, abhorred this custom and in his time he put out a proclamation throughout his empire that, if even one person should escape alive out of the wrecked ship, he should have everything. But new king, new law. For after Henry’s death the great men of the realm treated the new proclamation as null and void and usurped for themselves the custom followed of old. For this reason it happened that the men of Dengemarsh took this wreck by force for the church of Battle in accordance with maritime customs and its royal dignities. When the archbishop got to know of this, he went to the court and made a plaint before the king about the abbot of Battle, that he had used force and hostility in this matter. The king at once commanded the abbot to appear before him. The matter was aired at the royal court before a gathering of great laymen. The king himself was inclined towards the archbishop and, through the zealous and skilful William of Ypres who at that time held the county of Kent, he accused the abbot of breaking the peace, since he had acted against the ordinance of King Henry. After much disputation the abbot calmed the court with an argument planned ahead of time. For he pointed out that, while King Henry could at will change the ancient rights of the country for his own time, this would not be valid thereafter unless it was done with the common consent of the barons of the realm. Therefore, if his countrymen of the same dignity as himself, that is those barons who were present, would, with the king’s assent, grant the point on which the claim was made, he too would willingly yield. The great men present refused with one voice. At length it was decided that the court should close and that the abbot, having obtained his own court by royal privilege, should hear the case at Dengemarsh on a certain day and the men of the archbishop should attend there.

DATE: No date can be inferred.

CONTEXT: This story dates from the early thirteenth century. The suit described is set in a narrative context of the 1140s. William of Ypres was given the county by King Stephen (Gervase of Canterbury, Gestæ Regum, ii. 73), but he is nowhere styled earl of Kent (Complete Peerage, vii. 131). The period of his greatest authority in the county is c. 1141–4. How far one may trust the narrative is questionable; it is not the only story that shows the chronicler’s interest in maritime rights at Dengemarsh, a subject on which the monks of Battle had resorted to forgery (0000, Regesta 1803 for Battle). The stated notions about the king’s power to legislate for his own time but not beyond it,
except by common consent of the barons, are without foundation, and this is certainly not reliable as evidence for a proclamation of Henry I.

The custom of wreck is found in Normandy, Norman England, and Norman Sicily; its origin, like that of treasure trove, is traced to Danish and Norse custom (Liebermann, ii. 635, s. v. Schatzfund; ib. 639–40, s. v. Schiffbruch; H. Niese, Die Gesetzgebung der normannischen Dynastie im Regnum Siciliae (Halle, 1910), 164). When Eadmer tells how Earl Harold’s ship was wrecked in the river Maye, ship, goods, and crew were all seized and taken to Count Guy of Ponthieu by the custom of the country (‘pro ritu loci’; Historia nouorum, 6). Treasure trove and wreck (‘thesaurus inuentus, naufragium’) are paired among the rights of the king in Leges Henrici, § 10. The duke or king could exempt a landholder from the custom as Henry I did the abbey of Montebourg (Regesta 1950); most such acts concerning wreck in this period are forgeries, but there is an authentic writ from Ramsey, Regesta 1632a. The principle expressed in a Norman jurée or inquest from the early years of Henry II’s reign, about the duke’s right to treasure trove, wreck, and other chance profits, defines wreck as a ship-wreck from which no one escapes to say who the owner is: ‘De uerisco dixerunt quod naufragium de quo nullus euadit qui sciat dicere cuius hominis fuerit, illud est ueriscum, et de eo dux debet habere aurum et argentum [&c.]. Si quis de uerisco aliquid ceperit, et non dixerit iusticie antequam ab eo exigatur, plaicium exinde ad ducem pertinet. Reliqua uero de uerisco baronum sunt in quorum terris applicuerint’ (E.-J. Tardif, Coutumiers de Normandie (see note on {8} above), i, pt 1, 59–65 (§§ 66–70, at § 67). There is no assumption here that a sole survivor becomes the owner. The principle that the survivor could declare who owned the ship was given up, so that in the thirteenth century, it was reckoned that if any man or dog or cat escaped, the owner of wrecked goods was allowed a period within which to claim his property. This period was fixed at a year and a day under the first statute of Westminster, 3 Edward I, c. 4.

Concern over the double peril of shipwrecked sailors, from the raging sea and the lord of the land where they came to shore, is reflected in Gerald of Wales, De principis instructione, I 20, ed. G. F. Warner, Rolls Series 21 (1861–91), viii. 117–20, where the law of wreck is treated as a test of the humanity of rulers. Gerald (p. 119) cites the law that if one person, however poor, survived from a wrecked ship, he should have the ship and whatever was washed ashore and whatever could be saved, but rather than attributing it to Henry I, he attributes it to the laws of a sainted English ruler, ‘in antiquis Anglorum legibus ab aliquo sanctorum, ut credimus, regum (de quibus infra dictetur) constituitis’. When he comes to speak of saintly kings, Edward the Confessor is the only English king mentioned. In Gerald’s time shipwrecked sailors were often the victims of cruelty and greed from the lords of coastal lands, among them bishops and abbots.
TREATIES

Two agreements (conuentiones) survive in the treasury, both made at Dover between King Henry and Count Robert of Flanders. Although often referred to as treaties, these conuentiones are not acts of diplomacy so much as agreements over the terms under which the count of Flanders would supply knights to the king of England and the annual payment by the king to the count for this service. The documents were drawn up by clerks of the king’s chapel in the form of chirographs, but the copies retained by the count of Flanders are not known to survive. The Belgian editor of these treaties, Fernand Vercauteren, speculated that the Flemish half of the chirographs was lost at a very early date. The extant originals no longer bear the count’s seal, and both are now badly decayed. The same route has preserved a similar agreement between Henry II and his heir and Count Thierry and his heir (H2/1026). All three are verbally very close to one another. In presenting the texts of Henry I’s two treaties it is appropriate to print them in parallel. Where they differ, it is worth noting that Henry II’s treaty is closer to that of 1101 than that of 1110. Henry I’s treaties make no mention of homage, but from that of 1163 we learn that Count Thierry, who obtained the county of Flanders with the support of Henry I in 1128, had done homage to him, ‘et quia comes Teodoricus hominium fecerat regi Henrico auo istius regis Henrici, comes Philippus fecit hominium isti regi Henrico’. There is no trace of a treaty from that date.

These texts are remarkably precise and detailed in the way they provide for different circumstances that may occur. The treaty of 1101 even defines some of its terms. For example, where § 30 says that the whole money-fee was to be paid by the king ‘within the year’, the treaty adds, ‘For the purpose of this agreement the year begins at 10 March’, which is the date on which the agreement was made and written. It is salutary to remember this evidence of a capacity for precise drafting when one considers documents such as the Coronation Charter or even writ-charters composed for beneficiaries. The treaty of 1101 runs to nearly 1800 words, that of 1110 is only a little shorter, while Henry II’s treaty in 1163 is almost 2300 words in length.

The circumstances lying behind the treaty of 1101 are set out by William of Malmesbury, Gesta regum Anglorum, V § 403. During his preparations for the invasion of England in 1066, Duke William had benefited from both the counsel and the knights (‘consilio et militum additamento’) of his father-in-law Count Baldwin V of Flanders (d.
and after taking England he showed his gratitude with a payment of three hundred marks per year (‘omnibus, ut ferunt, annis trecentas argenti marcas pro fide et affinitate socero annumerans’). Baldwin soon died, but William indicates that payments continued; Baldwin’s elder son Baldwin VI died in 1070 and his infant heir Count Arnulf III was overthrown by his uncle Robert the Frisian and died in battle at Cassel on 22 February 1071 (Gesta regum, III § 257). William fitz Osbern was also killed in this battle, supporting King Philip of France in his unsuccessful effort to secure Arnulf’s position. Payments ceased, and Robert the Frisian, Count Robert I, remained an enemy of King William I, received political exiles from England in Flanders, and supported King Knut IV of Denmark in his plan to invade England in 1085.

According to William of Malmesbury it was Robert’s son, Count Robert II, who obtained the renewal of payments from William II, ‘omissum munus a Willelmo secundo non difficulter impetrauerat’ (Gesta regum, V § 403. 1); Robert emphasised their kinship and William Rufus, as the historian expressed it, had an unconquered passion for spreading money around. There is evidence to suggest that agreement had been reached before Count Robert I died on 13 October 1093. Earlier in that year King William and Count Robert met at Dover (Eadmer, Historia novorum, ed. Rule, 39); Eadmer indicates that after the meeting, William returned to Rochester, where he met Anselm to continue negotiations over his becoming archbishop; this implies a date before September and therefore before the death of Robert I. Where Freeman, William Rufus, i. 412, had supposed that the king met Robert I, Barlow, William Rufus, 325, inferred that the king met his son and heir, already associated with him in the governance of Flanders. It was surely Count Robert II who, in an original confirmation for the priory of Saint-Georges at Hesdin, referred to his bringing military support for William II against his brother Duke Robert, ‘me contra Normantnos Anglico regi ferentem auxilium’ (Regesta 360; J. de Saint-Genois, ‘Précis analytique des documents historiques concernant les relations de l’ancien comté de Flandre avec l’Angleterre’, Messager des sciences historiques de Belgique (1842), 248–9, no. 6, there dated to 1086; Round, Cal. France, 481, no. 1325; F. Vercauteren, Actes des comtes de Flandre 1071–1128 (1938), 58–9, no. 18, datable 1094 or 1095).

Even earlier, however, in the summer of 1088, Philip, younger son of Count Robert I, attested an act of William II for the monks of St Peter’s abbey in Gent (W2/000; Regesta 323); while the act as preserved is a forgery, the witness-list fits extremely well into the circumstances of
the council held after the defeat of the rebellion in that year. If accepted, this suggests that Count Robert I had already provided some support for William II in his difficulties that year.

There are in fact points covered by the treaties that appear as anachronistic in 1101, suggesting that, just as Henry II’s treaty followed Henry I’s word for word, so Henry I’s may have followed a lost treaty between William Rufus and Count Robert of Flanders from 1093 (William of Malmesbury, *Gesta regum Anglorum*, V § 403). It is perhaps necessary to allow that the treaty was negotiated once in great detail, and that after that, in 1101 and 1110, at least, modifications were agreed without necessarily combing through the entire text to ensure that everything was up to date.

These two treaties were drawn up in the names of King Henry and Count Robert II, so that, just as the previous agreement lapsed with William II’s death, the agreement made in 1110 would have expired on Robert’s death at the beginning of October 1111. At that date Count Robert had been called on to support King Louis VI in his campaign against King Henry and Count Theobald of Blois (Luchaire, *Louis VI. Annales de sa vie*, 64–5, nos. 121–2). Count Robert II’s son and successor, Count Baldwin VII, generally sided with King Louis, supporting his ambition of separating Normandy from England. And in particular, from 1113, Baldwin provided first a refuge and then military support for Robert Curthose’s son William Clito against King Henry. Following Baldwin’s death in 1118, Count Charles renewed good relations with Henry; William of Malmesbury refers briefly to a treaty between them (*Gesta regum*, V § 403. 4), and the Warenne Chronicle, ed. van Houts & Love, 84, mentions that Henry restored the annual payment to the count of Flanders without saying how long it had been suspended. The death of Henry’s heir in the White Ship put new life into William Clito’s ambitions, and after the killing of Count Charles in 1127 William was himself chosen count of Flanders and died defending his title in 1128. The succession of Count Thierry, with Henry I’s support, in 1128, may have changed the picture once again. The treaty between Henry II and Count Philip in 1163 refers to Thierry’s homage to Henry I. If the treaty was renewed, there is no direct evidence on the matter. The fact that the 1163 treaty was based on that of 1101, however, is a sign that any lost treaty of 1128 was probably also based on that of 1101.

The possibility of lost treaties with other rulers is difficult to test. Unless one makes the assumption that agreements were invariably made by written treaty, words such as *concordia*, *conuentio*, and *foedus* are not in themselves evidence of lost documents.

The agreement between King Henry and his elder brother Duke Robert of Normandy might well have been expressed in writing, but there is no unambiguous reference to such a document in either the Anglo-Saxon Chronicle’s account or in its Latin derivatives: ‘but meanwhile Duke Robert arrived at Portsmouth twenty nights before 1 August [1101], and the king with all his army came against him; the chief men (*heafodmen*, *principes*), however, went between them and reconciled (*gesehhtodan*) the brothers’; neither John of Worcester’s Latin version, *pacem inter eos composuere*, nor Henry of Huntingdon’s, *concordie fedus inter illos statuerunt*, ‘arranged a peace treaty between them’, can be taken as evidence of a document, though the stipulations that Robert was to have 3,000 marks of silver from England each year and that twelve men of the highest rank on either side were to confirm the agreement by their oath bear comparison with the exant treaties with the count of Flanders (*ASChr E s.a.* 1101; *John of Worcester*, iii. 98; *Henry of Huntingdon*, VII 23, ed. Greenway, 450). When the payment was given up, two years later, again the words used to refer to the agreement do not specify a document (*be foreweard, ASChr*, s.a. 1103; *per conuentionem*, *John of Worcester*, iii. 104). Orderic’s account, X 19 (Chibnall, v. 309–19), makes out that only the two brothers really knew what they had agreed, so he had certainly seen no written treaty, but that is not reason to say none existed.
There is evidence that there may have been treaties between King Henry and King Louis VI of France. The negotiations behind the peace agreement in 1120 had been protracted, involving Pope Calixtus as a mediator (Orderic, XII 24, ed. Chibnall, vi. 282–90; M. M. Chibnall, ‘Anglo-French relations in the work of Orderic Vitalis’, in Documenting the Past. Essays in medieval history presented to G. P. Cuttino (Woodbridge, 1989), 5–19). The mere use of words such as *foedus* or *concordia* does not constitute evidence that the agreement was sealed in writing, but a sealed agreed would be in line with the wide reliance on writing. Similarly it is hardly likely that the negotiations concerning the marriage of the king’s daughter with Emperor Henry V were not written into a treaty. These two documents may represent the only extant witness to a much larger class of act.

10 Treaty with Count Robert of Flanders, whereby Count Robert pledges military support in return for an annual payment of £500. 10 March 1101

The editing of the two treaties is a difficult task. What is presented here is intended primarily to assist a comparative reading rather than to show exactly the textual evidence for every word. Both originals are damaged, that of {10} particularly so, but to avoid littering the text with brackets I have left it to Chaplais’s edition to show exactly what can be read and what must be restored. Already in 1704 Rymer used the text of {11} to fill gaps; in so doing he muddled some of the significant changes between the two treaties. For example, in § 30 he supplied the reading ‘CCCC marcas argenti’ from 1110 where 1101 read ‘quingentas libras Anglorum denariorum’, and he also took the terms of payment from 1110. The thirteenth-century transcript in the Black Book of the Exchequer provides the best means to fill the gaps, but it can be shown not to copy the originals exactly. Where its copy shows what appears to be a change between the two treaties but which may equally well be an error of copying in the thirteenth century, an editor must decide whether or not to posit an unverifiable copying error and marry the two treaties. So, for example, in § 2, ‘captionem corporis’ in the first treaty is parallell with ‘captionem corporis sui’ in the second; B omits ‘sui’, but this reading cannot be verified against the mutilated original, and both Vercauteren and Chaplais print ‘captionem corporis’; but in § 29 both
treaties read ‘captionem corporis sui’, and in §§ 7, 21, both read ‘sui corporis infirmitatem’; I have conjectured that the first ‘sui’ was accidentally omitted by B. A more important example occurs in § 23, where B has omitted an entire phrase necessary for sense, A is illegible, and the missing words must be imported from the second treaty. But what is to be done in § 17? In the first treaty, one can read ‘sicut suum amicum’ in A, B goes on, ‘et de quo feodum tenet’, but Rymer prints ‘et dominum de quo feodum tenet’; Vercauteren, who in many readings places too much trust in Rymer, accepts this. In the second treaty, Rymer includes ‘et dominum’, B does not, and A is too damaged to read. Chaplais puts his trust in B, Vercauteren in Rymer, but Rymer has added ‘et dominum’ from the much later treaty between Henry II and Count Thierry. He does exactly the same in § 26, where B reads ‘duo ad minus de eis sint’, A is damaged, and Rymer prints ‘duo ad minus de eis illos conducerent’ from Henry II’s treaty, ‘duo ad minus de eis illos conducent’. To set out detailed evidence for all such decisions in a text of this length would unduly complicate the two-column lay-out adopted here to allow for easy comparison; the evidence is concisely presented by Chaplais, and the problems are also visible in Vercauteren’s less reliable text.

The frequency of similar clauses, as each different circumstance is dealt with from either point of view, makes it difficult to find one’s way through these documents, and Chaplais’s edition, though providing the best text, is especially difficult for want of any paragraphing. In this it reflects the original acts. Vercauteren does divide the text into paragraphs that run pari passu, but I have aimed for shorter clause-by-clause paragraphing to allow the reader easily to move between text and translation. The clauses mostly follow the divisions introduced by Rymer (marked with [ ] around the numbers), but Rymer’s divisions did not run pari passu, and extra clause-breaks (marked with <> have had to be introduced. Italic type is used in the Latin texts below, and roman type in the translations, to highlight where the wording was changed between 1101 and 1110.

ORIGINAL: Treasury of Receipt, Diplomatic Documents, E30/2 (Bishop 440), unknown × 280 mm, in the hand of scribe i [A]. The original, now several fragments that do not join up, is in the form of a chirograph with the top of two letters upside down at the top, presumably CYROGRAPHVM. What can be read in A was carefully compared with B by Chaplais, who produced a much better restored text than either Rymer or Vercauteren.

FACSIMILE: Foedera, Record Commission (1816), i. 7 [first three lines]; Vercauteren, Actes des comtes de Flandre 1071–1128, pl. 2; Bishop & Chaplais, pl. xxvii (b).
11 Renewal of the treaty with Count Robert of Flanders, varying the number of knights, the payment, and the sureties. 17 May 1110

ORIGINAL: Treasury of Receipt, Diplomatic Documents, E30/1 (Bishop 439), about 400 x 255 mm, in the hand of scribe i [A]. The damaged original is in the form of a chirograph with the bottom of the letters CYROGRAPHVM at the top. There is no plica but near the middle of the bottom of the document a small projecting tongue with a double slit indicates that it was intended to be sealed; the half retained in England would have carried the seal of the count of Flanders.

ENDORSEMENT: (c. 1323) ‘Conuencio inter Henricum regem Anglie et Robertum Flandrie/ comitem de auxilio eidem Henrico prestando contra omnes barones, salua fidelitute Lodouici Francie [[regis]]’.

EXCHEQUER COPY: Exchequer, King’s Remembrancer, Miscellaneous Books, E164/12, Black Book of the Exchequer (s. xiii), cols. 8–13 (now fols. 3r–4v (‘Carta conventionis facete inter Henricum regem Anglie et Robertum comitem Flandrie’) [B].

ANTiquarian transcripts: BL MS Harley 95 (s. xvii1., checked by Sir Simonds d’Ewes, 1602–1650), fols. 4v–7r [C, from B]; Northamptonshire RO, Finch-Hatton 4 (s. xvii, copy for Christopher Hatton), fols. –5r [from B]; Bodl. MS Dugdale 31 (copied for Sir William Dugdale, 1605–1686), fol. 4v–7r [D, from B]; Bodl. MS Rawlinson C. 434 (copied for Richard Graves of Mickleton, Gloucs, 1677–1729, and given to Thomas Hearne in 1728) (not foliated but with columns of the Black Book noted) [E, from B]; BN MS nouv. acq. lat. 952 (s. xix), fol. –8v [from B].


CALENDAR: Farrer 257; Regesta 941.

Treaty of 1101


Treaty of 1110

[1] *Conuentio inter Henricum regem Anglorum et Robertum comitem Flandrie faceta et scripta apud Douram, XVI° kal’ Iunii, presentibus ex parte regis Roberto Lincolniensi episcopo et Iohanne Baiocensi capellano et comite Eustachio et Roberto de Belismo et Willelmo de Warenna et Gisleberto de Aquila et Hamone dapifer et Ranulfo Meschino et Gisleberto filio Ricardi, et ex parte comitis Roberti Roberto de Bettuna et Willelmo castellano de Sancto Audomaro et Waltero castellano de Brucgis et Froaldo de Bergis et Rogerio castellano de Insula.*

[2] *Rotbertus comes Flandrie fide et sacramento assecurauit regi Henrico uitam*
suam et menbra que corpori suo pertinent et captionem corporis <sui>, ne rex eam habeat ad dampnum suum, et quod iuuabit eum ad tenendum et ad defendendum regnum Anglie contra omnes homines qui uiuere et mori possint, salua fidelitate Philippi regis Francorum, ita quod, si rex Philippus regnum Anglie super regem Henricum inuadere uoluerit, comes Rotbertus si poterit regem Philippum remanere faciet et queret quocumque modo poterit consilio et precibus per fidem absque malo ingenio sine datione pecunie ut remaneat.

<3> Et si rex Philippus in Angliam uenerit et Rotbertum predictum comitem secum adduxerit, comes Rotbertus tam paruam fortitudinem hominum secum adducet quam minorem poterit, ita tamen ne inde feodum suum erga regem Francie forisfaciat.

[4] Et ante necessitatem infra XL dies postquam comes Rotbertus ex parte regis legato uel litteris summonitus fuerit, comes predictus mille equites habebit ad portus suos paratos transire in Angliam in auxilium regis Henrici quam citius poterit.

[5] Et rex inueniet eis naues et mittet eas uel ad Graueningas uel ad Hwitsand. Et tot naues mittet quod sufficiant tot militibus ita ut unusquisque habeat secum tres equos, ita tamen quod, si rex has naues simul una uice non miserit, milites remanentes de mille expectabant ad portum ab illa die qua naues cum militibus de portu eixibant usque ad totum unum mensem nisi infra ipsum mensem transierint. Et naues istas saluas faciet comites Rotbertus de omnibus hominibus de portu eixibant usque ad totum unum mensem nisi infra ipsum mensem transierint. Et naues istas saluas faciet Robertus comites de omnibus hominibus suis et nominatim de Eustachio comite et de omnibus aliis hominibus a quibus eas saluare poterit eundo, morando et redeundo.

[6] Et postquam predicti milites in Anglia

suam et menbra que corpori suo pertinent, et captionem corporis sui, ne rex eam habeat ad dampnum suum, et quod iuuabit eum, ad tenendum et ad defendendum regnum Anglie contra omnes homines qui uiuere et mori possint, salua fidelitate Lodouici regis Francorum, ita quod si rex Lodouicus regnum Anglie inuadere uoluerit, comes Robertus regem Lodouicum remanere faciet et queret quocumque modo poterit consilio et precibus per fidem absque malo ingenio sine datione pecunie ut remaneat.

[3] Et si rex Lodouicus in Angliam uenerit et Robertum comitem secum adduxerit, comes Robertus tam paruam fortitudinem hominum secum adducet quam minorem poterit, ita tamen ne inde feodum suum erga regem Francie forisfaciat.

[4] Et ante necessitatem infra XL dies postquam comes Robertus ex parte regis legato uel litteris summonitus fuerit, comes predictus D equites habebit ad portus suos paratos transire in Angliam in auxilium regis Henrici quam citius poterit.

[5] Et rex inueniet eis naues et mittet eas uel ad Graueningas uel ad Witsant. Et tot naues mittet quod sufficiant tot militibus ita ut unusquisque habeat secum tres equos, ita tamen quod, si rex has naues simul una uice non miserit, milites remanentes de D expectabant ad portum ab illa die qua naues cum militibus de portu eixibant usque ad totum I mensem nisi infra ipsum mensem transierint. Et naues istas saluas faciet Robertus comites de omnibus hominibus suis et omnibus aliis a quibus eas saluare poterit eundo, morando et redeundo.

[6] Et postquam predicti milites in Anglia
erunt, fiducias facient regi Henrico uel legatis eis si requisiti fuerint de hoc quod, quamdiu in itinere illo in Anglia erunt, ad proficium regis Henrici erunt et non querent quomodo ipse perdat terram uel hominem, sed iuuabunt eum per fidem ad tenendum et defendendum regnum Anglie contra omnes homines.

[7] Et si aliqua alia gens super regem in Angliam uenerit, si comes Rotbertus ex parte regis ut prediximus summonitus fuerit, infra predictum terminum et ante necessitatem ipsemet comes cum mille militibus in Angliam ueniet, si non remanserit propter monstrabilem sui corporis infirmitatem uel terre sue amissionem uel Philippi regis Francorum expeditionis summonitionem uel imperatoris Romani expeditionem per totam terram suam, si ipse comes Rotbertus tunc temporis ibi sit, que predicte summonitiones propter hoc inuente non sint sine malo ingenio.

[8] Et si aliquis comes Anglie uel alii homines illius terre regi boisiauerint, ita quod rex comitatuum uel ulens comitatuum amiserit, comes Rotbertus cum mille militibus in Angliam in auxilium regis ueniet nisi pro aliqua harum III\textordmasse{a}or exoniarum remanserit. Et si comes propter hoc remanserit, mille milites in Angliam in auxilium regis ut supra diximus mittet.

[9] Et si per summonitionem regis plures quam mille equites adduxerit, quot supra mille adduxerit de tot erit quietus in proximo sequenti seruitio.

[10] Quod si ex mille militibus defuerint XX uel XL uel usque ad C, propter hoc comes non amittet conuentionem suam erga regem. Set postquam ex parte regis summonitus fuerit, infra XL dies perficiet numerum.

[11] Et homines qui ad regem uenerint
quieta et salue uenient per terram et portus comitis Rotberti, quicumque ipsi sint uel undecumque ueniant, nec naues defendentur eis si eas conuenienter conducere uoluerint, excepta terra comitis Eustachii.

[12] Et hominibus terre comitis Rotberti qui in seruitium regis Anglie uenire uoluerint non denegabit comes licentiam. Et si uenerint, propter hoc non amittent terram nec feodum nec conueniendam aliquam quam habeant de comite.

[13] Et si comes Rotbertus uel sui homines in auxilium regis uenerint, quamdiu in Anglia fuerint erunt ad uictum regis et rex reddet eis perdita eorum facta in Anglia sicut mos est reddere familie sue.

[14] Et quamdiu illa necessitas durauerit erunt cum rege fideliter et finita necessitate permittet eos rex redire et inueniet eis naues et comes eae saluas cum hominibus et pecunia remittet.

[15] Et inimici regis qui sibi werram per mare uel per terram facient fiduciam non habebunt in comite nec receptacula in terra sua que comes Rotbertus defendere uel auferre possit, excepta terra comitis Eustachii.

[16] Et si aliquis homo comitis Rotberti regi Henrico uel hominibus suis foris fecerit et rectitudinem pro comite Rotberto regi Henrico uel hominibus eius facere noluerit, in comite uel hominibus eius fiduciam non habebit nisi consensu regis, excepto comite Eustachio.

[17] Et si rex Henricus comitem Rotbertum in Normannia uel Mania in auxilio secum habere uoluerit et inde eum summonuerit, ipse comes cum mille militibus illuc ibit et regem Henricum per fidem iuubat sicut suum amicum et de
quo feodum tenet nec dimittet quin eat donec rex Francie iudicari faciat comiti Rotberto quod non debeat iuuaere amicum suum regem Anglie cuius feodum tenet et hoc per pares suos qui eum iure iudicare debent.

[18] Et istas summonitiones comes Rotbertus nullatenus diffugiet nec illi qui hanc summonitionem facient malum uel dampnum habebunt per comitem Rotbertum neque per homines de quibus eos defendere possit.


[20] Et si illo tempore rex Philippus super regem Henricum in Normanniam intrauerit, Rotbertus comes ad Philippum regem ibit cum XX militibus tantum et alii predicti milites remanebunt cum rege Henrico in seruitio et fidelitate sua.

[21] Ipse uero comes Rotbertus ueniet ad regem Henricum in Normanniam sicut predictum est nisi remanserit propter apparentem sui corporis infirmitatem uel terre sue amissionem aut suam expeditionem uel regis Francorum uel imperatoris Romani expeditionem sicut supra scriptum est. Et si propter hoc remanserit, M milites ut prediximus in Normanniam ad seruitium regis mittet.

[22] Et si rex in Mania eum habere secum uoluerit, ipse ibit cum quingentis militibus semel in anno et in familia erunt regis per
unum integrum mensem in Mania, si rex eos tamdui retinere voluerit, ad uictum regis et ad perdita reddenda sicut mos est familie regis. Et hoc idem faciet eis rex ex quo intrabunt in Normanniam ad eundumb Cenomanniam.

[23] Quod si comes Robertus per summonitionem regis Henrici plus quam mille milites in Normanniam uel plures quam quingentos in Maniam duxerit uel miserit, <quot supra mille in Normanniam uel supra quingentos in Maniam duxerit uel miserit>, de tot erit quietus in proximo sequenti seruitio. Horum duum seruitiorum, Normannie uel Manie quodcumque Robertus comes regi Henrico semel in anno fecerit, post hoc quietus erit de alto seruitio in illo eodem anno nisi gratia amicitie fecerit.

[24] Et si comes Robertus in expeditione fuerit quando hanc summonitionem habuerit, post reditum de expeditione habebit respectum usque ad finitas tres hebdomadas et eundem respectum habebit si summonitus fuerit infra proximos VIII dies post reditum de expeditione. Et si infirmus fuerit, habebit respectum mittendi milites usque ad finitos XV dies.

[25] Porro si comes ab hac conuentione exierit et rex eum inde summonuerit, afferentur huius conuentionis scripta Bolonian et ibi uidebuntur si comes Eustacius tunc uixerit uel cum rege bene fuerit. Quod si mortua fuerit comes Eustacius uel ab amicitia regis discesserit, ad Aucum deferentur scripta conuentionis prefate cum securitate et pace ex utraque parte. Si uero Robertus comes regem summonuerit, ad Douram in Anglia prefata scripta ferantur et ibi uidebuntur similiter cum securitate et pace ex utraque parte. Et ille eorum qui secundum scripta ostendetur alteri foris fecisse infra XL dies emendabit sine regis per I integrum mensem in Cenomannia, si rex eos tamdui retinere voluerit, ad uictum regis et ad perdita reddenda sicut mos est familie regis. Et hoc idem faciet eis rex ex quo intrabunt in Normanniam ad eundum in Cenomanniam.
C marcis.

[26] Et de istis XII obsidibus debent VI eorum conducere predictos milites in seruitium domini regis Henrici si comes Rotbertus defuerit propter aliquam predictarum exoniaram. Et si VI de obsidibus non fuerint ad conducendam, duo ad minus de eis sint et IIII de baronibus comitis loco IIII qui defuerint eaque ualentes ad seruitium regis. Et isti predicti XII obsides tali conditione sunt obsides. Si comes Rotbertus de predictis conventioibus exierit et ipsi eum infra tres quarantenas reconciliare regi non potuerint, quod unusquisque ex predictis obsidibus dabit regi C marcas argenti et hoc facient infra tres quarantenas. Et si non fecerint in captione regis Henrici se ponent pro predictis marcis argenti. Et rex ab eis non plus exigt, quam quod predictum est. Et ponent se in captione in Turri London’ uel in alio loco ubi rex eos libere possit retinere ad proficuum suum sicut predictum est.

[27] Et si aliquis ex istis obsidibus mortuus fuerit uel a fidelitate comitis aut a terra sua recesserit, comes alium eque ualentem in loco illius ad summationem regis restaurabit.

[28] Et si dum obsides predictam pecuniam regi miserint eis in Anglia ablatu sit ab hominibus quos rex constringere possit, quieti erunt. Et si in mari eam perdiderint, habebunt respectum per XL dies ad restaurandum pecuniam.

[29] Rex uero assecurauit comiti Rotberto uitam suam et menbra que corpori suo pertinent et captionem corporis sui, ne comes eam habeat ad damnum suum, et quod non erit ei in damno de tota terra sua ut eam perdat excepta terra comitis Eustacii, quamdiu comes Rotbertus predictas conventiones regi tenuerit.


[27] Quod si comes ab hac conventione et amore exierit et secundum scripta conventioiis infra XL dies emendare noluerit, si inde interrogati fuerint, culpam comitis erga regem, libere testabuntur et ueritatem inde dicent.

[29] Rex uero assecurauit comiti Roberto uitam suam et menbra que corpori suo pertinent et captionem corporis sui, ne comes eam habeat ad damnum suum, et quod non erit ei in damno de tota terra sua ut eam perdat, quamdiu comes Robertus predictas conventiones regi tenuerit.

[31] Huius autem conuentionis tenende ex parte regis obsides sunt subscripti, Eustacius comes, Manasses de Ghinsnes, Robertus de Belisco, Ranulfus Meschinus, Gislebertus de Aquila, Henricus comes de Auco, Rogerus filius Richardi, Willemus comes de Warenna, Simon de Molinis.


[33] Et obsides utriusque regis et comitis assecurauerunt quod non diffugient summonitionem et quod summonitores securi erunt ab eis et ab omnibus quos prohibere poterunt a nocumento ipsorum.
the presence on the king’s side of the following barons: Gerard archbishop of York, Robert bishop of Lincoln, Robert bishop of Chester, William Giffard chancellor, Robert count of Meulan, Robert fitz Haimo, Eudo Dapifer, Haimo Dapifer, William d’Aubugny pincerna; and on Count Robert’s side: Rainer his chaplain, Robert de Bethune, Adelard fitz Conon, Baldric of Cohem, and Fromold de Lisle.

[2] Robert count of Flanders has committed to the king upon oath his life and the limbs of his body, and the capture of his body so that the king shall not have it at his loss, and that he will help him to hold and to defend the realm of England against all men who can live and die, saving his fealty to Philip king of the French, on such terms that, if King Philip may wish to invade the realm of England against King Henry, Count Robert shall so far as he can cause him to stay at home and shall seek by whatever means he can, by advice or requests through faith, but not by evil contrivance nor the giving of money, that he shall stay at home.

[3] And if King Philip comes to England and brings Count Robert with him, Count Robert shall bring with him the smallest force of men that he can while not forfeiting his fee as far as the king of France is concerned.

[4] And ahead of an emergency, no more than forty days after Count Robert has been summoned by messenger or letters from King Henry’s side, the count shall have a thousand horsemen at his seaports ready to cross the Channel to England to aid King Henry as quickly as he can.

[5] And the king shall find ships for them and shall send the ships either to Gravelines or Wissant. And he shall send as many ships as are sufficient for so
many knights, allowing that each shall have three horses, provided that if King Henry has not sent enough ships to carry them all at once, the knights remaining from the thousand shall wait at the seaport for one month from the day when ships leave harbour with the first knights, unless they have crossed within the month. And Count Robert shall ensure the safety of those ships from all his men and in particular from Count Eustace and from all other men from whom he can save them as they cross and tarry and return.

[6] And after the knights have arrived in England, he shall make solemn promises to King Henry or to his messengers, if asked to do so, to the effect that, for as long as they shall be in England and away from home, they shall serve King Henry’s benefit and shall not seek how he shall lose land or man, but they shall help him by oath to hold and defend the realm of England against all men.

[7] And if any other nation comes to England against the king, and if Count Robert is summoned as above to the king’s side, within the same term and ahead of an emergency the count himself shall come to England with a thousand knights, unless prevented by manifest infirmity of his body or by the loss of his land or by the military summons of King Philip of France or by the military campaign of the Roman Emperor, provided this affects all the count’s land, if the count is there at the time, and provided also that the summonses were not found on account of this nor with other evil contrivance.

[8] And if any English earl or other men of that land rebels against the king, so that the king shall lose a county or the equivalent of a county, Count Robert shall come to England with a thousand knights to help the king, unless he is prevented by
one of the same four lawful excuses. And if the count stays behind on account of this, he shall send a thousand knights to England as we said above.

[9] And if at the king’s summons he brings more than a thousand knights, as many as he has brought over the thousand shall be counted against his next service.

[10] But if there are 20 or 40 lacking from the thousand or even up to 100, the count shall not be in breach of his agreement to the king on this account. But after he has been summoned to the king’s side, he shall have forty days to make up the full number.

[11] And the men who come to King Henry shall come in quiet and safety through the land and seaports of Count Robert, whoever they are or wherever they come from. Nor will ships be forbidden to them if they wish to hire them conveniently, except in the land of Count Eustace.

[12] And Count Robert will not refuse permission to men of his land who want to come to serve King Henry. And if they come, they shall not on this account lose land or fee or any agreement which they have with the count.

[13] And if Count Robert or his men come to the help of the king, the king shall meet their needs for as long as they are in England and shall make good any losses caused to them in England, just as the custom is to make good for his own household.

[14] And as long as the emergency lasts they shall be faithfully with the king, and when it is over the king shall permit them to return home and shall find ships for them and the count shall send the ships back safe together with their men and
money.

[15] And the king’s enemies who will make war on his by sea or land will find no support in the count nor any reception in his land so far as he can prohibit or prevent it, except in the land of Count Eustace.

[16] And if any man of Count Robert is in forfeit to the king or to the king’s men and will not do right to the king or his men for the sake of Count Robert, he shall have no support in the count or in his men unless the king consents, except for Count Eustace.

[17] And if King Henry wants to have Count Robert with him in Normandy or Maine in his aid and from there summons him, the count will go thither with a thousand knights and will help King Henry by oath as his friend and of whom he holds a fee, and the king will not remit the obligation to go until the king of France bring judgement against Count Robert to the effect that he ought not help his friend the king of England whose fee he holds and that through his peers who are lawfully entitled to judge him.

[18] Count Robert shall not in any way escape these summonses and those who deliver the summons shall suffer no harm nor loss from the count nor from men from whom he can protect them.

[19] But if King Henry wants to have Count Robert with him in Normandy in his aid and summons him by letters or messengers, the count will come to him with a thousand knights, and for the first eight days after they come Count Robert shall meet their needs. And if the king wants to keep them there longer, they will stay another eight days with the king, and the king will provide food for them during these last eight days and he shall make
good any losses during these eight days, just as the custom is to make good for his own household.

[20] And if in that time King Philip invades Normandy against the king, Count Robert shall go to King Philip with only 20 knights, and the other knights shall remain with King Henry in his service and fealty.

[21] Count Robert himself shall come to King Henry in Normandy as aforesaid, unless prevented by manifest infirmity of his body or by the loss of his land or by the military campaign of his own or of the king of the French or of the Roman Emperor, as is written above. And if the count stays behind on account of this, he shall send a thousand knights to England as we said above.

[22] And if the king wants to have the count with him in Maine, he will go with 500 knights once in the year, and they will be in the king’s household for a whole month in Maine, if the king wants to retain them so long, and he shall meet their needs and shall make good any losses, just as the custom is for the king’s household. And the king will do this for them from the time when the enter Normandy on the way to Maine.

[23] But if Count Robert at the summons of King Henry brings or sends more than 500 knights into Maine, as many as he has brought over the thousand in Normandy or over 500 in Maine shall be counted against his next service. Whatever Count Robert does for King Henry by way of these two services, in Normandy or in Maine, on one occasion in a year, after that he shall be quit of any second service in the same year, unless he does that out of friendship.

[24] And if Count Robert is on military
campaign when he receives this summons, after his return from campaign he shall have respite until the end of three weeks, and he shall have the same respite if he is summoned within a week of his return from campaign. And if he is unwell, he shall have respite from sending knights until the end of two weeks.

[25] And for the observance of these agreements, Count Robert has given to King Henry the following hostages:
Robert de Bethune, for 100 marks of silver;
Baldric of Cohem, for 100 marks of silver;
Robert, castellan of Bruges, for 100 marks;
Froald of Bergen, for 100 marks;
Amalric the constable, for 100 marks;
Adelard fitz Conon, for 100 marks;
Roger, castellan of Lille, for 100 marks;
Ostoven de Térouanne, for 100 marks;
Baldwin, castellan of Saint-Omer, for 100 marks;
Hugh d’Aubigny, for 100 marks;
Gerard, castellan of Cassel, for 100 marks;
Tamard, castellan of Boubourg, for 100 marks.

[26] And if Count Robert fails on account of one of the four foresaid lawful excuses, six of the foresaid twelve hostages have a duty to bring the foresaid knights to the service of the lord king Henry. And if six of the hostages are not ready to bring them, at least two of them together with four of the count’s barons of equal worth to the king to the four who fail. The foresaid twelve hostages are hostages on these terms. If Count Robert withdraws from the foresaid agreements and they are not able to bring him round within a hundred and twenty days, each one of the hostages shall give to the king one hundred marks of silver, and they shall do this within a hundred and twenty days.

[25] If the count withdraws from this agreement and the king summons him on this account, the written agreements shall be brought to Boulogne and they shall be seen there, provided that Count Eustace still lives and is in good standing with the king. But if Count Eustace is dead or has left the king’s friendship, the written agreements shall be taken to Eu with security and peace from either side. But if Count Robert summons the king, the foresaid written agreements shall be taken to Dover and shall be seen there likewise with security and peace on either side. And whichever of them shall be shown to be forfeit to the other according to the written agreements, he shall make amends within forty days, without breach of the agreement and his oath. But if he will not make amends within that time, he who is forfeit shall lose the agreement, and the other will not be. The countess swears that she will hold the count to keep the agreement so far as she is able and to remain in the king’s friendship and service faithfully and for love.

[26] The hostages for the keeping of the agreement are, on the count’s side, Eustace count of Ghisnes, Robert de Bethune, Baldwin de Lens, William, castellan of Saint-Omer, Roger, castellan of Lille, Walter, castellan of Bruges, Froald of Bergen, Richward of Furneaux, Baldwin fitz Robert de Bethune.
And if they do not, they shall make themselves King Henry’s prisoners for the foresaid marks of silver. And the king shall not demand more than the amount foresaid. And they shall make themselves prisoners in the Tower of London or in another place where the king can conveniently hold them to his advantage.

[27] And if any of the hostages dies or withdraws from his fealty to the count and from his land, the count shall provide another hostage of equal worth in his place at the king’s summons.

[28] And if, when the hostages have sent the money to the king, it is stolen in England by men whom the king can distrain, they shall be quit. And if they have lost the money at sea, they shall have respite of forty days to make good the loss.

[29] On his side the king has committed to the count his life and the limbs of his body, and the capture of his body so that the count shall not have it at his loss, and that he will not risk the loss of his whole land, except the land of Count Eustace, so long as Count Robert keeps the foresaid agreements with the king.

[30] And for the sake of the foresaid agreements and the foresaid service, King Henry will give to Count Robert every year £500 in English pennies as a fee, £100 at Midsummer, £200 at Michaelmas, and £200 at Christmas. And if the foresaid money is not paid in full at the foresaid dates, it shall be paid within the year. For the purpose of this agreement the year begins at 10 March.

These all swear to the king that they will hold the count faithfully in this agreement and in the love and service of the king so far as they are able.

[27] But if the count withdraws from this agreement and love and will not make amends within forty days in accordance with the written agreement, they will testify freely as to the count’s fault and speak the truth thereof if they are asked.

[29] On his side the king has committed to the count his life and the limbs of his body, and the capture of his body so that the count shall not have it at his loss, and that he will not risk the loss of his whole land, so long as Count Robert keeps the foresaid agreements with the king.

[30] And for the sake of the foresaid agreements and the foresaid service, King Henry will give to Count Robert every year 400 marks of silver as a fee. The term for the payment of this money shall be Christmas, provided that the count has sought payment through his messengers. But if at the foresaid date the king has not paid in full after the count has summoned him thereof by his messenger, the king shall pay within forty days, without breach of the agreement and his oath. The money shall be paid as [[ ]] marks to the count and [[ ]] marks to the countess, provided that, if the countess has withdrawn, the whole sum is paid to the
And for the observance of these agreements, King Henry has given to Count Robert the following hostages:

- Robert fitz Haimo, for 200 marks of silver;
- Count Stephen of Brittany, for 100 marks of silver;
- Gilbert fitz Richard, for 100 marks;
- Roger de Nonant, for 100 marks;
- Hugh de Maminot, for 100 marks;
- Manasser Arsic, for 100 marks;
- Haimo Dapifer, for 100 marks;
- William de Courcy, for 100 marks;
- Miles Crispin, for 100 marks;
- Ernulf de Montgomery, for 100 marks;
- Hugh de Beauchamp, for 100 marks.

And these shall be hostages to the count on the same terms as the hostages to the king.

And the hostages of both the king and the count have pledged that they will not in any way escape the summons and that the summoners will be safe from them and from all whom they are able to prevent from harming them.

DATE: The dates of the two treaties have been confused.

The first is dated 10 March without a year; the attestation of William Giffard as chancellor, however, establishes that the year must be 1101, before he relinquished office at Easter of that year. The date is therefore 10 March 1101, the first Sunday in Lent. Two years later, it appears from Eadmer, Historia novorum, 146, there was a second meeting, when the king spent three days at Canterbury in the middle of Lent on his way to meet the count at Dover. Mid-Lent Sunday fell on 8 March 1103; the date of the charter falls within three days of that, and so the charter was dated in Rymer’s Foedera to Tuesday, 10 March 1103, on the supposition that it was made on the occasion referred to by Eadmer. The year was corrected by H. W. C. Davis, EHR 26 (1911), 86 (though he gives the date as 2 March as if the text read ‘vi’ non.’); the date is stated correctly by Farrer and by the editors of Regesta; Belgian scholars, including Vercauteren, continued to refer it to 1103 until corrected by Ganshof, Revue du Nord 40 (1958), 248.

Rymer dated the second treaty to 17 May 1101, reversing their sequence. The correct indicators are after January 1107, when Ranulf became chancellor, and before
the death of Count Robert II at the beginning of October 1111. Two charters in the
archive of Winchester cathedral priory, both witnessed by Ranulf as chancellor, are
dated ‘apud Windresores ad pentecostem quando rex reuersus est a Douera post
colloquium suum et R(oberti) comitis Flandren(is)’ (000, Regesta 947), ‘apud
Wyndreshores ad pentecostem quum reuersus sum a Douera post colloquium habitum
cum Roberto comite Flandrensi’ (000, Regesta 948), and the only occasion in the
period 1107 × 1111 when the king spent Whitsun at Windsor was 29 May 1110. The
date of the treaty was correctly established by Farrer as Tuesday, 17 May 1110. His
dating was known to and supported by W. Kienast, Die deutschen Fürsten im Dienste
der Westmächte (Utrecht, 1924–31), i. 54 n. 2, from where it was adopted by
Vercauteren.

WITNESS: The English witnesses to the treaty of 1101 are Gerard, archbishop of York;
Robert Bloet, bishop of Lincoln; Robert, bishop of Chester; William Giffard as
chancellor; Robert, count of Meulan; Robert fitz Haimo; Eudo Dapifer; Haimo Dapifer;
and William d’Aubugny, pincerna. The king’s pledges (§ 31) are Robert fitz Haimo,
who also attests; Count Stephen of Brittany, who succeeded his brother no later than
1098; Gilbert fitz Richard of Tonbridge and of Clare; Roger de Nonant; Hugh de
Maminot; Manasser Arsic; Haimo Dapifer, who also attests; William de Courcy; Miles
Crispin; Ernulf de Montgomery, who was exiled with his brothers in 1102; Hugh de
Beaufrem, who is last referred to as living in 1102 × 1106.

The Flemish witnesses in 1101 are Rainer, the count’s chaplain, who is
recorded at dates between 1093 and 1116; Robert III of Bethune (d. 1101 × 1105; E.
Warlop, The Flemish Nobility before 1300, 4 vols (Kortrijk, 1975–6), iii. 664); Conon
de Eine is recorded from 1067 to 1100 and his son Adelard from 1089 to 1118/19
(Warlop, iii. 781); Baldric of Cohem is recorded at dates from 1072 to 1106; and
Fromold de Lisle, recorded at dates from 1096 to 1102. The count’s pledges (§ 25) are
Robert III de Bethune, who also attests; Baldric of Colhem, who also attests; Robert,
castellan of Bruges, who is recorded at dates from 1087 to 1109 (Warlop, iii. 721);
Froul or Froulf, castellan of Bergues-Saint-Winnoc, is attested from 1100 until 1123
(Warlop, iii. 653); Amalric the constable, first attested here and recorded as late as
1119, while his predecessor Gerald is last known in 1093; Adelard fitz Conon, who also
attests; Roger, castellan of Lille, is recorded from 1096 to 1130 (Warlop, iii. 940); Osto
of Thérouanne first occurs here and attests also in 1112 (Warlop, iv. 1149); Baldwin
occurs as castellan of Saint-Omer in 1084 and in this treaty, while his successor
William first occurs in 1101 × 1105 (Warlop, iv. 1111); Hugh d’Aubigny; Gerard,
castellan of Cassel, first appears here and is otherwise attested from 1105 to 1128
(Warlop, iii. 730); Thémard, castellan of Bourbourg, is recorded from 1091 to 1127
(Warlop, iii. 702). Warlop comments that among the pledges are four peers of Flanders
(Béthune, Eine, Aubigny, and the castellan of Lille); five other castlelans (Bruges,
Bergues, Saint-Omer, Cassel, and Bourbon); the constable; and Baldric of Cohem,
‘a noble company indeed’ (Warlop, ii. 450 n. 171).

The English witnesses to the treaty of 1110 are Robert Bloet, bishop of
Lincoln, who witnessed in 1101; John of Bayeux, royal chaplain; Eustace, count of
Boulogne; Robert de Bellesme, who had lost his English lands in 1102 but remained a
vicomte in Normandy; William de Warenne, earl of Surrey; Gilbert de L’Aigle; Haimo
Dapifer, who witnessed in 1101; Ranulf Meschin, a rare witness at this period; Gilbert
fitz Richard of Tonbridge and of Clare, who was a pledge in 1101. The king’s pledges
(§ 31) in this treaty include most of the lay witnesses: Eustace of Boulogne, Robert de
Bellesme, Ranulf Meschin, Gilbert de l’Aigle, Count William of Warenne. The further pledges are Manasses of Ghisnes, Count Henry of Eu, Roger fitz Richard of Clare, and Simon de Moulins.

The Flemish witnesses in 1110 are Robert III de Bethune, who also witnessed in 1101; William, castellan of Saint-Omer, who first occurs in 1101 × 1105 (Warlop. iv. 1111); Walter, castellan of Bruges, who occurs as early as 1101 and succeeded his father Robert 1109 × 1110 and remained castellan until 1115 (Warlop, iii. 722); Froulf, castellan of Bergues-Saint-Winnoc, and Roger, castellan of Lille, who both attested in 1101. The count’s pledges (§ 26) are Eustace, count of Ghisnes; Robert IV de Bethune, who also attests; Baldwin de Lens (not known to Warlop, iii. 933); four castellans who also attest, William of Saint-Omer, Roger of Lille, Walter of Bruges, and Froulf of Bergues-Saint-Winnoc; Richard of Furneaux; and Baldwin, a younger son of Robert III de Bethune (Warlop, iii. 665).

PLACE: Both treaties are dated at Dover, Kent, the English landfall of the usual crossing from Wissant, then in Flanders, now Pas de Calais, France.

CONTEXT: See above, pp. 94–7.
ROYAL LETTERS

In what circumstances King Henry sent letters is beyond knowing. Examples survive through only four channels. Accident has preserved one letter from the king to Lambert, bishop of Arras (33), a brief note of thanks for help with unspecified business. Countless letters of this sort may have been written and left no trace. Some interest on the part of the compiler of Quadripartitus made him copy two letters from the king to Pope Paschal II (13, 15); since he was based at Winchester, we may guess that he worked from copies retained in the treasury after the letters had been sent out. A dossier of correspondence concerning Hugh of Amiens, abbot of Reading, includes one letter from King Henry to Pope Honorius II (41). Far and away the most important source of royal letters from this period, however, is the archive of Archbishop Anselm at Canterbury, which has preserved some thirteen of King Henry’s letters and seven of Queen Matilda’s, many of them with other letters from the same context, and evidence of more. The majority of the extant letters date from the period of Anselm’s second exile, 1103–6, which must have greatly increased the need for correspondence. Royal messengers appear to have carried news from others besides the king: late in his exile Anselm responds to greetings from the abbess of Shaftesbury, brought to him ‘per quendam seruientem regis qui mihi sigillum eius detulit’, though the answer was carried by Anselm’s own messenger (ep. 337). A statement from Anselm himself shows that he was not concerned to keep all the king’s letters: writing from Le Bec to Thierry, a copyist at Canterbury, he refused to send copies of letters from Henry I to Pope Paschal, ‘non intelligo utile esse si seruentur’ (ep. 379); the letters in question may be otherwise unattested correspondence sent with William de Warelwast in October 1105 but still undelivered in January 1106 (see note on 00, Regesta 716). None the less it is clear that letters received and copies of letters sent were usually retained by Anselm’s secretary and preserved at Canterbury, and even in exile Anselm sometimes sent copies of his own letters to Prior Ernulf (epp. 308, 357).

From this quarry Eadmer selected forty-two letters to Anselm, from Anselm, and about Anselm’s business, for inclusion in his Historia nouorum in Anglia. This was in turn used by William of Malmesbury, who comments on the great number of letters between the pope, the king, and Anselm, but refers his reader to Eadmer for texts (Gesta pontificum Anglorum, I 59. 3). William also made his own selection: Lambeth Palace, MS 224 (1119 × c. 1125) [M], was copied, for the most part by
William himself, and contains the works of Anselm and a selection from the letters. While R. W. Southern thought that William copied letters from the archive at Canterbury, it is now known that the letters here were copied for the most part from Eadmer or from BL MS Royal 5 F. ix (1109 × c. 1125). Two of the letters printed below ({20}, {31}) are known from both Eadmer and William’s selection but were not included in the main collection of letters brought together as a book at Canterbury and represented now by the Christ Church manuscript, Lambeth Palace, MS 59 (s. xii1/4) [L], written in a large format in the spiky Christ Church hand and datable c. 1120 × 1130. It was treated by Anselm’s editor, F. S. Schmitt, as an authorized collection made at Anselm’s direction, but this view was refuted by Southern (‘Towards a history of Anselm’s letters’, in his Saint Anselm. A portrait in a landscape (Cambridge, 1990), 458–81), and can no longer be sustained. A copy made from L before certain final corrections and additions were made is now BNF MS lat. 2478 (c. 1120 × 1130, Christ Church) [P]. There is another collection, closely related to L for the Canterbury letters, now Cambridge, Corpus Christi College, 135 (s. xii2/4) [E], made at Bury St Edmunds at a time when the archbishop’s nephew was abbot there. Two other witnesses to the Canterbury letters are BNF MS lat. 14762 pt 1 (s. xii3/4, Saint-Victor) [V], and, related to it, BL MS Cotton Claudius A. XI (s. xiii2, later at All Saints College, Maidstone) [C], which sometimes makes good defects in other copies (for example, the name of the last witness in {19} below).

The best study of the textual history of these letter-collections and the most up-to-date treatment of the manuscripts is S. Niskanen, The Letter Collections of Anselm of Canterbury (Turnhout, 2011).

The standard modern edition of the letters of Anselm does not reproduce any of the early manuscript collections. Building on Gerberon’s edition (1675), which in turn relied for his first three books on Picard’s edition (1612) [from V], and for his fourth on other sources (among them a copy of C), Schmitt brought together all letters by and to Anselm from wherever he found them, adding other letters that shed light on this correspondence. So, two letters of King Henry to Pope Paschal ({13}, {15}) and letters of Archbishop Gerard to the same pope (ep. 362) and to Anselm (epp. 363, 373) were added to the edition from Quadrupartitus; three letters of Pope Paschal to King Henry (epp. 216, 224, 305) and one to Bishop Osbern of Exeter (ep. 226) were added from Eadmer. These last four are also found in a small collection of letters to and from the papal court, now ten disjointed leaves in BL MS Add. 32091, fol. 3–12 (s. xii1, Christ Church) (the contents of this collection
are given by Fröhlich, iii. 134, and Niskanen, 297, using Schmitt’s numbering). A contemporary letter from Pope Paschal to Bishop Ranulf of Durham (ep. 225) survived in Ranulf’s archive at Durham. The core of Schmitt’s edition, none the less, was L. Neither Schmitt nor Fröhlich provides adequate reasons for their dating of the letters, and there has been no attempt to integrate into a coherent sequence the letters to and from various people with other contemporary evidence for the same events.

Eadmer’s *Historia nouorum* originally came to an end with Anselm’s death in 1109, but it was later continued to the death of Archbishop Ralph on 20 October 1122. The continuation includes letters from Pope Paschal II, Pope Gelasius II, and Pope Calixtus II, from Archbishop Ralph, King Alexander of Scotland, and even from Eadmer himself to King Alexander, but only one letter of King Henry, and that little different from a writ (§35).

For a full understanding of King Henry’s letters to Anselm, one should read them both in the narrative context provided by Eadmer and against the surrounding letters now brought together by Schmitt. A concise account is provided by *Councils and Synods*, ii. 655–61, and the present treatment seeks only to bring into focus the king’s use of correspondence. It is necessary also to read the king’s letters alongside his other written acts. Some of them are drafted according to epistolary conventions, others, even to the archbishop, keep closer to the brief style of writs. Copyists have been inconsistent about preserving dating clauses, so that one is left to wonder whether the omission of witness and place-date is substantive and reflects a less official letter or is merely an accident of transmission. The same uncertainty applies to royal letters in the time of Henry II (Chaplais, *English Diplomatic Practice*, 50). Among the letters printed here, however, it is clear that witness and place-date are normal; they are omitted from letters to the pope and from a trivial letter to Bishop Lambert of Arras (§33), none of them the king’s subjects, and their omission from just two letters to Anselm (§22, §31) should probably be read as particularly friendly or conciliatory. The commonest epistolary departure from chancery style is the frequent variation in the salutation; instead of simply ‘salutem’, the king often greets Anselm in more friendly or respectful terms. Anselm almost invariably salutes the king with ‘fidele seruitium cum orationibus’, a recognition that he is bound by his oath (*fides*) to serve the king and to pray for him. The use of the respectful plural is a feature of Anselm’s letters to the king, but the king did not always reply in the same style. It
is striking that in two instances, where a comparison is available, the Christ Church collection L has altered the king’s usual singular tu for the respectful plural vos ([12], [26], Regesta 491, 751; epp. 212, 394); in another case this change was not made ([25]. Regesta 750; ep. 392).

Anselm also preserved seven letters written to him in the name of Queen Matilda as well as some of his letters to her and one letter from the queen to Pope Paschal. Her letters are sometimes notable for their elaborate style, and they provide evidence of the queen’s warm friendship for the archbishop, combined with what Southern called her ‘political wariness’ (Southern, Anselm and his Biographer, 191–3). One would like to know who composed them on her behalf, but the question is surely beyond answer. There is no evidence to suggest that Bernard, her chaplain and chancellor, future bishop of St Davids, would have written in such florid style. She is well known as a patron of scholars, however, and there was evidently someone with stylistic aspirations in her household.

Queen Matilda to Archbishop Anselm (?1102, ?1103) (Schmitt, no. 242). The queen’s concern with Anselm’s health and his austerities. Anselm replied (Schmitt, no. 243).

Anselm to Queen Matilda (autumn 1102) (Schmitt, no. 246). Anselm asks the queen to use her influence with the king to follow his advice instead of that of his barons.

Anselm in exile to Queen Matilda (summer 1103) (Schmitt, no. 288). He thanks the queen for her generosity and asks her to strive for the good of the churches in England, meaning, perhaps, that she should give up investitures in dealing with the churches in her power (as he says more clearly in ep. 346).

Anselm in exile to Queen Matilda (summer 1103) (Schmitt, no. 296). He informs the queen that he will soon set out from Le Bec for Rome; he has had news from England of the king’s success.

Queen Matilda to Anselm in exile (1104) (Schmitt, no. 317). She asks him to put aside his differences and to return to England.

Queen Matilda to Anselm in exile (1104) (Schmitt, no. 320). She thanks Anselm for his reply to her letter and tells him that the king is more kindly disposed than the archbishop supposes. Anselm replies (Schmitt, no. 321), thanking her for her support with the king and in particular for the king’s promise of access to a large portion of the revenues of Canterbury.

Queen Matilda to Paschal II (1104) (Schmitt, no. 323). She thanks the pope for his letters to her and the king, saying how much Anselm’s return is desired in England and asking the pope’s help to bring this about.

Queen Matilda to Anselm in exile (1104) (lost). Anselm replies (August 1104) (Schmitt, no. 329), thanking her for her generosity and defending himself against her charge that he has made agreement with the king more difficult by his unreasonable demands.

Anselm in exile to Queen Matilda (?1104, ?1105) (Schmitt, no. 346), urging her to give up investitures in the churches in her power and to extend her help in this matter to
other churches. The Queen replies (lost), but mentioned in Anselm’s next letter (?1104, ?1105) (Schmitt, no. 347), in which he says she has given him hope that she will act on his advice.

Paschal II to Queen Matilda (Jan–Feb 1105) (Schmitt, no. 352), urging her to persuade the king to give up investitures.

Queen Matilda to Anselm (summer 1106) (Schmitt, no. 384). She mentions her delight in the style of his letters, and informs him that she has committed the church of Malmesbury to Abbot Eadulf. Anselm replies (Schmitt, no. 385), acknowledging that she has acted rightly but telling her that Eadulf has foolishly sent him a goblet.

Queen Matilda to Anselm (May–June 1106) (Schmitt, no. 395). She longs for his return and asks him for a letter.

Queen Matilda to Anselm (June 1106) (Schmitt, no. 400). Anselm’s return was promised and brought her joy, but she is sad that he is delayed by illness.

Queen Matilda to Anselm on behalf of the bearer, who has been dispossessed by the king (lost). Anselm replies (Schmitt, no. 406) (datable from its position in L to 1106–7?), saying that he does not know the man and cannot help.

*  

Letters from Pope Paschal to the King survive mostly through the same Canterbury archive; three of them were printed in *Foedera* (1816), one from the Anselm letter collection (*Foedera*, i. 9) and two from Eadmer (ibid. 13). A second route that has preserved several papal letters addressed to the king is the archive of York minster. Most have come down to us in Hugh the Chanter’s account of Archbishop Thurstan, a majority of them generated by his dispute with the archbishop of Canterbury. Some were also copied in the Registrum Magnum Album of York Minster. A third source, which has preserved letters to King Henry from Calixtus II, Honorius II, and Innocent II is the Book of Llandaf, compiled by Bishop Urban in the context of his dispute with the bishop of St Davids. Disputes both caused increase in correspondence between popes and the king and provided the reason why these letters have been preserved. The survival of letters in ordinary circumstances is precarious. Papal letters to other English addressees were not to be delivered or received until they had first been shown to the king, according to a principle applied by William Rufus and regarded as an abuse by Anselm (*Ep. 210*). The principle is attributed to William I by Eadmer (*Historia nouorum*, 10, and from there Liebermann, *Gesetze*, i. 520, and Stubbs, *Select Charters*, 96). It has been observed, however, by Martin Brett, *Councils and Synods*, ii. 646, that Anselm’s letter was Eadmer’s model for describing the uses of William I, which casts doubt on whether the principle was introduced before William Rufus first quarrelled with Anselm. Henry I adhered to this principle, which is mentioned as a
custom of the realm (‘ex regni consuetudine’), when, towards the end of 1121, Archbishop Thurstan received a papal summons ‘without the king’s knowledge and licence’ and was ordered to bring the pope’s letter and its bearer to the king (Hugh the Chanter, 182–4). Count Robert of Meulan appears to have extended this principle when, at Henry I’s Whitsun court in 1109, he demanded to know which of the bishops had received a letter from Archbishop Anselm ‘without the assent and command of the lord king’ (ib. 207). While this principle continued in force, many papal letters must have passed through the king’s court. Much information on papal contact with England is presented very concisely by Brett, English Church under Henry I, 234–46. I insert here a list of known papal letters addressed to King Henry, including the one to Queen Matilda.

Paschal II to Henry I (JL 5868), Legationis tuae, dating clause omitted (May–June 1101) (Eadmer, Historia novorum, 128–31; CUL MS li. 3. 33 (s. xiiv, Christ Church), fol. 194v (added before 1111 along with two other letters of Paschal and one from Anselm to Prior Ernulf, Ep. 364); BL MS Add. 32091, fol. 5r–6r; BL MS Cotton Claudius E. v (s. xii1, Christ Church), fol. 246r–v; Schmitt, no. 216).

Paschal II to Henry I (JL 5910), Regi regum, dating clause omitted (15 April 1102) (Eadmer, Historia novorum, 134–5; BL MS Add. 32091, fol. 7v–8r; BL MS Cotton Claudius E. v (s. xii1, Christ Church), fol. 246v; Foedera, i. 13, from Selden’s Eadmer (1623); Schmitt, no. 224). King Henry forbade the circulation of this letter, but Eadmer, Historia novorum, 137, reports that it was circulated all the more on this account, and it appears that Archbishop Gerard (who had carried the letter from the pope) blamed Anselm for allowing copies to be made, a charge denied by the archbishop (Schmitt, nos. 250, 253).

Paschal II to Henry I, lost letter, reported to Anselm by Gundulf and mentioned in Anselm’s reply to Gundulf in summer 1103 (ep. 299). It would appear that this letter had reached the king since Anselm left England after Easter 1103.

Paschal II to Henry I and to Queen Matilda, lost letters, transmitted through Anselm and not delivered, because the pope’s later letter (see next), sent with William Warelwast, was in agreement with them and more likely to be accepted by the king (as mentioned in Anselm’s letter to Pope Paschal, early 1104, Schmitt, no. 315).

Paschal II to Henry I (JL 5956), In literis, dated at the Lateran, 23 November [1103] (Eadmer, Historia novorum, 155–7; BL MS Add. 32091, fol. 9v–10v; BL MS Cotton Claudius E. v (s. xii1, Christ Church), fol. 248r; Foedera, i. 13, from Selden’s Eadmer (1623); Schmitt, no. 305). Probably the letter brought from Rome by William Warelwast and seen by Anselm at Lyon early in 1104 (Schmitt, no. 315).

Paschal II to Henry I (Holtzmann, i. 224–5, no. 6), Quoniam ampliori, dated at the Lateran, 23 December [1104] (Schmitt, no. 348, from BL MS Add. 32091, fol. 10v–11r).

Paschal II to Henry I (Holtzmann, i. 225–7, no. 7), Nobilitatem tuam, dating clause omitted (Jan–Feb 1105) (Schmitt, no. 351, from BL MS Add. 32091, fol. 10v; it refers back to nos. 305 and 348).
Paschal II to Queen Matilda (Holtzmann, i. 227–8, no. 8), *Super uiro tuo*, dating clause omitted (Jan–Feb 1105) (Schmitt, no. 352, from BL MS Add. 32091, fol. 11r–v). Sent with his letter to the king (Schmitt, no. 351).

†Paschal II to Henry I, reported as hearsay by William of Malmesbury, *Gesta regum*, V § 398 (ed. Mynors, 722); the pope is said ('ut aiunt') to have urged the king by letter to invade Normandy, though in William’s account it is not clear whether such a letter was rumoured to have been received in 1105 or 1106.


Paschal II to Henry I (JL 6213), *Dulcissime nobis dilationoris*, without dating clause [JL conjectures as also at Troia, 21 November 1108] (*Liber Eliensis*, 247; Schmitt, no. 460).

Paschal II to Henry I, lost letter, sent with Cardinal Ulrich and Hugh, dean of York, around March 1109, which reached the king in Normandy after Anselm’s death on 21 April and before he returned to England at the end of May (referred to by Hugh the Chanter, 38).

Paschal II to Henry I (JL 6450), *Cum de manu*, dated at the Lateran, 30 March [1115] (Eadmer, *Historia novorum*, 228–9; BL MS Cotton Claudius A. i, fols. 34–37 (s. xii1), fol. 34v).

Paschal II to Henry I and the bishops of England (JL 6453), *Qualiter ecclesia*, dated at the Lateran, 1 April [1115] (Eadmer, *Historia novorum*, 232–3; BL MS Cotton Claudius E. v (s. xii1, Christ Church), fol. 249r–v; BL MS Cotton Claudius A. i, fols. 34–37 (s. xii1), fol. 37r; DCL MS B. IV. 18 (s. xii2, Durham), fol. 70v).

Paschal II to the bishops of England and King Henry I (JL 6547), *Venientem ad nos*, dated at Benevento, 24 March [1117] (Eadmer, *Historia novorum*, 242–3; BL MS Cotton Claudius E. v (s. xii1, Christ Church), fol. 249v; Hereford Cathedral, MS P. i. 3 (s. xii2, Gloucester), fol. ii2; DCL MS B. IV. 18 (s. xii2, Durham), fol. 70v; referred to by Hugh the Chanter, 84).

Paschal II to Henry I (JL 6552), *Nos auctore deo*, dated at Benevento, 5 April [1117] (Eadmer, *Historia novorum*, 244; William of Malmesbury, *Gesta pontificum*, § 123; Hugh the Chanter, 90; BL MS Cotton Claudius A. i, fols. 34–37 (s. xii2), fol. 37v; &c.; *Foedera*, i. 9, from BL MS Cotton Claudius A. xi).

†Paschal II to Henry I and the bishops of England (Holtzmann, i. 228–31, no. 9), *Sollicitudinem*, dated 28 June [forgery, not datable to year] (from Westminster cartularies).

Gelasius II to Henry I (JL 6669), *Et persone uestre*, dating clause omitted (Hugh the Chanter, 96; the history of the archbishops of York attributed to Thomas Stubbs reports that the pope was ‘apud urbeb Rauennam’ (Twysden, col. 1715), emended by JL in the light of Gelasius’s known movements to Avignon, and hence datable [16 December 1118], on the supposition that the writer had seen a more complete copy of the letter in York).

Calixtus II to Henry I (JL 6722), *Questio que tamdiu*, dating clause omitted (1119) (Hugh the Chanter, 110, who says the letter was written from Clermont at Whitsun, i.e. 18 May 1119, and quotes a letter to Archbishop Thurstan written at the same time and dated 17 May; York, Magnum Registrum Album, pt 1, fol. 48r; Dugdale, iii. 143, repr. *Monasticon*, viii. 1185, no. xli). This letter mentions earlier letters to the king from Calixtus. Hugh the Chanter was aware that King Henry I and Pope Calixtus II were cousins: the pope’s grandfather Count Rainald of Burgundy was
married to Adeliza, sister of Duke Robert of Normandy, who was father of William I and grandfather of Henry I, so Pope and King were second cousins (Hugh the Chanter, 126 and n).


Calixtus II to Henry I (JL 6832), *Causam uenerabilis*, dating clause omitted (1119–20) (Hugh the Chanter, 154–6; the history attributed to Thomas Stubbs mentions the date ‘apud Vapingum in capite ieiunii’ (Twysden, col. 1716), following Hugh the Chanter, 144, for the pope’s arrival at Gap, and used to date this letter by JL; Hugh appears to have placed it wrongly, for he gives three letters from Gap further on, under 1121, Hugh the Chanter, 172–77). The exact date of this letter is unknown, but its content suggests a less final state of the argument than was reached at Gap in March 1120 (see next).

Calixtus II to Henry I (JL 6774, there misdated under November [1119], when the pope was at Reims), *Sepe iam dilectionem*, dated at Gap, 11 March [1120] (Hugh the Chanter, 174, but misplaced in his narrative after Easter 1121; compare JL 6831, Calixtus’s privilege for Thurstan, dated in full at Gap, 11 March 1120, omitted by Hugh the Chanter but inserted by his editors, 168–72). Hugh explains how the letter to the king was sent by the pope to Archbishop Gilbert of Tours and Bishop Paul of Beauvais, to be taken by them to the king in England (Hugh the Chanter, 146, 152), though in the end they were unable to go, and its delivery was deputed to two canons (ib. 154).

Calixtus II to Henry I (not in JL), *Ad apostolorum limina*, dating clause omitted (1123) (Hugh the Chanter, 200, who quotes the letter in the context of the pope’s letters written after the grant of the pallium to Archbishop William, 21 May 1123, and says that it was brought to the king in Normandy by Archbishop Thurstan).

Honorius II to Henry I (not in JL), *Quanto desiderio*, dating clause omitted (1125) (Hugh the Chanter, 214–16).


Honorius II to the bishops of the province of Canterbury and to Henry I (JL 7226), *Quemadmodum uestrum*, dated at the Lateran, 9 December [1128] (York, Magnum Registrum Album, pt 1, fol. 53r; *Monasticon*, viii. 1188, no. lviii; ed. Raine, iii. 50).


Honorius II to Henry I (Holtzmann, iii. 144, no. 22), *Karissimum filium nostrum*, dated at the Lateran, 16 June [1129] (from EUL MS 104).

(?) Anacletus II (antipope) to [(? Henry I) (JL 8381), *Nobilium factorum*, dated at Rome, St Peter’s, [May 1130] (C. Baronius, *Annales ecclesiastici* (various early editions), s.a. 1130, no. xxix [from Monte Cassino, MS 159 (s. xiii), a fragment from a copy of the register of Anacletus]; C. Lupus, *Ad Ephesinum concilium uariorum patrum epistolae* . . *Epistolae Anacleti antipapae* (Louvain, 1682), 498 [from the same manuscript]; M. Brial in Bouquet, *Recueil*, xv. 363–4 [from Baronius]; *PL* 179, 701 [from Baronius and Lupus]; P. F. Palumbo, *Lo scisma del MCXXX: i precedenti, la vicenda romana, e le ripercussioni europee della lotta tra Anacleto e
Innocenzo II, col regesto degli atti di Anacleto II (Rome, 1942), 655 (no. xiii) [calendar]. Almost all the letters are without superscription or address, so that the addressee must be inferred: Baronius added a side-note to the preceding letter, ‘Antipapae litterae ad regem Francorum’; Brial assigned that one to Louis VI and this one to Henry I; in 1851 Jaffé 5932–3 assigned the first to Louis VI and the second to his son Philip (d. 1131). No reasons are offered. The letter to King Louis unambiguously says, ‘tuum tuique filii gloriosi regis Philippi honorem, prestante domino, cupimus efficaciter exaltare’ (PL 179. 701); both letters refer to the same legate, Otto, cardinal-bishop of Todi; and Baronius may have supposed same legate, same destination. The second letter has nothing so clearly distinctive; it says, ‘nam detecta eorum mendacia per legatum nostrum tibi et regno tuo amplius nota fient’, which may have implied to Brial that the addressee was a king and not an heir, but in the previous letter Philip is called king. (It may be noted that in writing to Anselm, Louis used the style ‘Francorum rex designatus’ alongside his father’s ‘Francorum rex’; Epp. Anselmi 341, 342.) JL 8381 follows Jaffé without mention of Brial’s alternative conjecture; Palumbo, 329, does not question JL but observes that the two letters are similar.

Innocent II to Henry I (JL 7421), Honor dei est, dated at Genoa, 12 August [1130] (Book of Llan Dâv, 56–7).

Innocent II to Henry I (JL 7585), Quemadmodum personam, dated at Cremona, 15 July [1132] (A. du Monstier, Neustria pia (Rouen, 1663), 173; Bessin, Concilia Rotomagensis prouinciae (Rouen, 1717), ii. 27; PL 179. 150, no. 110).

Innocent II to Henry I (Holtzmann, iii. 147–8, no. 27), Largitori omnium bonorum, dated at the Lateran, 1 May [1133] (entered in a copy of the sermons of Ivo of Chartres, Oxford, Corpus Christi College, MS 137 (s. xii), fol. 87r).

Innocent II to Henry I (Holtzmann, i. 241–2, no. 17), Presentie nostre, dated at Pisa, 30 September 1133 (from Westminster cartularies).

The king’s letters to successive popes, of which only three have been preserved, with Quadripartitus (13), (15) and in the small dossier of Reading letters (41), provide the only direct evidence of Henry I’s diplomatic correspondence. These are the only letters in which the royal intitulatio cedes precedence to the addressee for reasons of courtesy; in letters of Henry II the same courteous precedence is accorded to other kings (Chaplais, English Diplomatic Practice in the Middle Ages, 49–50), but that cannot be tested at an earlier date. The king’s adoption of the deferential word-order in one letter to Anselm (20) is all the more striking.

In the absence of evidence, we cannot make assumptions about letters passing between the king and other rulers. Direct testimony is needed. Louis of France, the king’s heir, visited England in 1100 and was present at the king’s Christmas court at Westminster (Simeon of Durham, Historia regum, § 182; Arnold, ii. 232); but Orderic’s story of a letter to King Henry from King Philip of France, asking Henry to imprison Louis, is most likely fiction (Orderic, XI 9, ed. Chibnall, vi.
50–53; Prou, *Recueil des actes de Philippe Ier, roi de France* (1059–1108) (Paris, 1908), 431–2, no. 177). Even so, there must have been extensive diplomatic contact between Henry and the king of France throughout his reign. Chronicles report their wars, but a letter from the king to Anselm refers to his *colloquium* with Louis in 1108 ([29]). The same letter refers to business with Emperor Henry V, whose marriage to the king’s daughter two years later must have involved much continuing diplomatic contacts. King Henry’s diplomatic dealings with dukes and counts no doubt generated letters in both directions, and his relations with Duke Robert in Normandy before 1106 and with William Clito in the 1120s should also be considered under the category of diplomatic relations in spite of the closeness of family ties. Count William’s death-bed letter to his uncle (Orderic, XII 45, ed. Chibnall, vi. 378), however personal its content, may represent a whole class of correspondence. (A letter from William to Louis VI has also survived, *Recueil*, xv. 341; he there refers to King Henry as ‘antiquus hostis meus’.)

Some evidence has survived for letters from Irish rulers. A writ from King Henry to Archbishop Ralph mentions a letter from an unnamed *rex Hibernie*, probably Toirdelbach Ua Conchobair, king of Connacht ([39]). Where William of Malmesbury reports that King Muircheartach and his successors were so submissive to Henry ‘ut nichil nisi quod eum palparet scriberent, nichil nisi quod iuberet agerent’ (*Gesta regum*, V § 409), he presumably implies that the relations were conducted by a two-way correspondence, perhaps even that the king’s letters tended towards the style of writs.

Correspondence between the king and others is thinly attested, and letters to the king are more commonly found than letters from him. The rich collection of Hildebert of Lavardin (d. 1133), who was bishop of Le Mans from 1091 to 1125, includes four letters from Hildebert to King Henry (*Epistolae* I 12, II 46, III 13, 20), four to Queen Matilda (I 7, 9, III 11, 12), two to Queen Adeliza (I 14, 15), and one to the king’s daughter Matilda (III 14), but they contain no direct evidence that King Henry ever sent a letter to Hildebert. Some of these letters are obviously unsolicited, some are no more than pleasantries, but in 1121 Hildebert wrote to express his condolences on the drowning of the king’s children (*Epistolae* I 12; *PL* 171. 172). In another letter he reported on his health and his pleasure that the king and his own count, Fulk of Anjou, were in agreement and that the count had committed himself to the king, ‘ita ut in omnibus que ad uos et ad uestrum respiciant filiam, uestrum sit secuturus uoluntatem. Veritatem autem huius rei per presentem nuntium
seu per litteras uestras mihi precor indicari’ (*Epistolae* II 46; *PL* 171. 272), which at least hints at political business. Another major letter-collection is that of the canonist Ivo (d. 1115), bishop of Chartres from 1090, who wrote exhortatory letters to both the king and the queen (*epp.* 106–7; *PL* 162. 124–5), a begging letter to the king (*ep.* 118; *PL* 162. 133), and again to the queen (*epp.* 142, 174; *PL* 162. 148–9, 177); another letter to the king sets out the consanguinity between a daughter of King Henry and Hugh fitz Gervase, an intended husband (*ep.* 261; *PL* 162. 265–6). Ivo also wrote to Pope Paschal about Henry’s abuse of power in delaying the election of an archbishop of Canterbury and then choosing Ralph (*epp.* 250, 254; *PL* 162. 255–7, 259–60). Individual letters to King Henry are found elsewhere. Bernard of Clairvaux wrote to the king (*ep.* 92; *PL* 182. 224; Leclercq & Rochais, *Sancti Bernardi opera*, vii. 241), as well as to other English addressees (*epp.* 93–6), at the time when Prior Richard left St Mary’s Benedictine abbey in York to found a Cistercian abbey at Fountains in 1132. He wrote to Henry again, reminding him of his reception of Pope Innocent, ‘quod de domini pape Innocentii magnifica et honorifica illa susceptione fecistis’, referring no doubt to the occasion when the pope and St Bernard were at Rouen with the king in May 1131 (000, *Regesta* 1691 for Cluny), and asking for money for the pope as he approached Rome in 1133 (*ep.* 138; *PL* 182. 292; Leclercq & Rochais, vii. 334). At the other end of the scale, the monks of Grandiselve in Languedoc wrote to King Henry and copied their letter into the back of a book in their library, now Toulouse, Bibliothèque municipale, MS 152 (s. xii), fol. 142v (H. Jadart, *Dom Thierry Ruinart* (1657–1709). *Notice suivie de documents inédits* (Paris, 1886), 124–5, no. 25; N. C. Vincent, ‘A letter to King Henry I from Toulouse’, *JEH* 63 (2012), 331–45).

The attestation of lost letters presents problems parallel with the evidence for lost charters. Letters were carried by messengers, and in the case of the king or his correspondents the messengers were themselves confidential agents, sometimes in high positions, and entrusted with important business. Sources will refer to a messenger’s bringing letters: ‘after the octave of Epiphany a messenger came to Rouen to the archbishop with the king’s letters’, says Hugh the Chanter, reporting how Archbishop Thurstan was recalled ({37}). Only mentions of a letter can be counted as evidence, since reference only to a messenger may mean that the message was delivered by word of mouth; and the more complex and confidential the business, the more likely it was to be dealt with by a discretionary envoy. On one occasion Archbishop Ralph sent a letter to
Pope Calixtus in 1119 because he had no suitable messenger (Hugh the Chanter, 102); in 1120, when the king’s regular envoy, Bishop William Warelwast, by then blind, travelled to see the pope at Valence, there is no mention of letters (ib. 144). Half a dozen lost letters of King Henry are evidenced through Anselm’s correspondence or through Eadmer’s narrative; some others are referred to by Hugh the Chanter, who has much to say about messengers and sometimes links the two; like Eadmer he liked to include letters in his history, but he copied no royal letters, though he summarized one ([32]). A more comprehensive search might uncover more attestations of lost royal letters.

The eighteen letters and three writs ([22], [35], [39]) printed here, drawn from a very limited range of sources, do not constitute a body of evidence comparable to the forty-two letters of Emperor Henry IV that were collected in his own time, but it is a larger number than is known for any English king before Henry II, and larger than the dozen letters of Louis VI brought together by Brial, Recueil, xv. 338–44. Although most of Henry’s letters were entered in Regesta, they have not been presented as a group before now; the inclusion of a dozen or so attested letters further adds to what was recorded in Regesta; and their variety significantly enhances our perception of the documents composed and sealed in the king’s name.

The formal aspects of the letters vary. Letters to popes ([13], [15], [41], [42]) are drafted with the address to the pope deferentially preceding the king’s name. Henry is styled ‘dei gratia’ in all of them, and in the two datable after 1106 he also uses the style ‘dux Normannorum’ (both features used also in the letter to Bishop Lambert of Arras, [33]). None is witnessed. In these letters the tenor usually opens, like papal letters, with words that do not go straight to the business; the exception, Henry’s letter to Pope Innocent ([42]), begins by complaining in the first person, ‘Conqueror’, which gives the letter unusual impact. Letters to Anselm show considerable variation. In [20], the king adopts the deferential position, and the letter ends with ‘Vale’ and no witness; this may be counted as an unusually friendly style. Otherwise the king’s name precedes the archbishop’s, but the address often includes complimentary wording, and the salutation is not just ‘salutem’ but adds some word of friendship or affection. The use of ‘dei gratia’ is frequent, but it is not used in all the letters to Anselm. With the exception of letters
to the pope, almost all include one or more witnesses and a place date; the sole witness is most often the chancellor, and we must assume that all were sealed. (The king’s seal is sometimes mentioned in connexion with receiving his letters, Anselm, *epp.* 316, 337, and Eadmer, *Historia novorum*, 201.) The intimate style of [20] without witnesses has been mentioned; [31] is couched in terms like those of a writ, ‘Mando’, but the address is fulsome and the closure is ‘Vale’ without witnesses, as if to make the firmness of tone less assertive. Some of the documents below are simply drafted with a tenor close enough to that of a writ that one may infer the existence of a class of letters that represented the king’s will in contexts that are not usually preserved. In three cases the letter has been classified as a writ ([22], [35], and [38]). Of all these features the one to which most significance may be attached is the presence or absence of witnesses and the accompanying place-date: letters to the pope and to Bishop Lambert have simply ‘Vale’, letters to the king’s subjects are witnessed and place-dated, with the exception of two letters to Anselm ([22], [31]), which may be read as less formal than normal and therefore especially friendly or conciliatory.

12 Letter of King Henry to Archbishop Anselm in exile, reporting the fact of his coronation and asking the archbishop to return to England. August 1100

SOURCE: Anselm’s letters, from the collection represented by Lambeth Palace, MS 59 [L], made in the 1120s; also in the collection now represented by Cambridge, Corpus Christi College, 135 (s. xii24, Bury St Edmunds) [E, from L], BNF MS lat. 14762 (s. xiii, Saint-Victor) [V], and BL MS Cotton Claudius A. xi (s. xiii) [C]. The text has been verified against L, fols. 180v–181r, where this letter appears as an addendum; its place in the sequence is marked on fol. 78v, between letters from Anselm to Pope Paschal (ep. 210) and Pope Paschal to Anselm (ep. 213).

Henricus dei gratia rex Anglorum piissimo patri suo spirituali Anselmo Cantuariensi archiepiscopo salutem et omnis amicitie exhibitionem. Scias\(^a\), pater karissime, quod frater meus rex Willelmus mortuus est, et ego nutu dei a clero et populo Anglie electus et, quamuis inuitus propter absentiam tui\(^b\), rex iam consecratus, requiro te\(^c\) sicut patrem cum omni populo Anglie quatenus michi filio tuo et eidem populo cuius tibi animarum cura commissa est quam citius poteris uenias ad consulendum. Me ipsum quidem ac totius regni Anglie populum tuo eorumque consilio qui tecum me consulere debent committo. Et precor ne tibi displiceat quod regiam benedictionem absque te suscepi, de quo, si fieri posset, libentius eam acciperem quam de alio aliquo. Sed necessitas fuit talis quia inimici insurgere uolebant contra me et populum quem habeo ad gubernandum, et ideo barones mei et idem populus noluerunt amplius eam protelari. Hac itaque occasione a tuis uicariis eam accepi. Misissem quidem ad te a meo latere aliquos per quos tibi etiam de mea pecunia destinassem, sed pro morte fratris mei circa regnum Anglie ita totus orbis concussus est ut nullatenus ad te salubriter peruenire potuissent. Laudo ergo et mando ne per Normanniam uenias, sed per Witsand. Et ego apud Doueram obuiam habebo tibi barones meos et pecuniam ad te recipiendum, et inuenies, deo iuuante, unde bene persolueure poteris quicquid mutuo accepi. Festina igitur, pater, uenire, ne mater nostra Cantuariensis ecclesia diu fluctuans et desolata causa tui amplius animarum sustineat detrimenta. Teste (sic) Girardo episcopo et Willelmo Wintoniensii electo episcopo et Willelmo de Warelwast et comite Henrico et Roberto filio Haimonis et Haimone dap(ifero) et aliis tam episcopis quam baronibus meis. Vale.
As mentioned in the headnote above, it is a peculiar feature of L that in copying the king’s letters to Anselm the scribe changed the original second person singular address to the more respectful plural. The original reading sometimes survives unaltered, and the plural is sometimes written in erasure (as here with \textit{uestri} replacing \textit{tui}). This is seen in this letter and below in \{26\}, \textit{Regesta} 751.

\textit{Henry by the grace of God king of the English to his most pious spiritual father Anselm archbishop of Canterbury greeting and the expression of complete friendship. Know, dearest father, that my brother King William is dead and, by God’s will, I have been elected by the clergy and people of England and, although I was unwilling because of your absence, I have already been consecrated as king. With all the people of England I ask you, as father, as soon as you can, to come to me, your son, and to the people whose souls are committed to your care, for the sake of counsel. I commit myself and the people of all the realm of England to the counsel of you and of those who have a duty to take counsel with me. And I pray that it shall not displease you that I have received consecration as king in your absence, though if it were possible I should rather have received it from you than from anyone else. There was an emergency, for enemies wanted to rise up against me and against the people whom it is my responsibility to govern, and for that reason my barons and the people would not postpone it further. In these circumstances, therefore, I received it from your deputies. I should have sent to you from my household some men who might have brought to you something from my resources, but on account of my brother’s death the whole world around the realm of England was shaken to such an extent that they could not have reached you in safety. I recommend, therefore, and order that you shall not come through Normandy but through Wissant, and I shall have my barons to meet you at Dover and resources to receive you, and by the help of God you shall find yourself able to repay well whatever you have received as a loan. Make haste to come, therefore, father, so that our mother the church of Canterbury, so long deserted, shall no longer suffer harm to souls on your account. Witness Bishop Gerard and Bishop William elect of Winchester and William de Warelwast and Earl Henry and Robert fitz Haimo and Haimo Dapifer and others both bishops and barons. Farewell.}

\textit{SOURCE: Eadmer, \textit{Historia novorum}, p. 134. On the manuscripts, see below, 00. PRINTED: Rule, 118.}

Necdum peruenimus Cluniacum, et nihilominus alter nuncius ex parte noui regis Anglorum et procerum regni patri occurrens moras eius in ueniendo redarguit, totam terram in aduentum illius attonitam, et omnia negotia regni ad audientiam et dispositionem ipsius referens pendere dilata. Cuius uerbis littere regis quas attulerat attestantes et dicta plenius explanantes, preces et uota ipsius regis uirum festinato uenire magnopere
postulantis et seipsum regnumque suum eius consilio ac moderamini se subiecturum pollentis, continebant.

We had not even reached Cluny before another messenger met our father, this time from the new king of the English and the great men of the realm, who complained of the slowness of Anselm’s coming, saying that the whole country was waiting in expectation of his arrival and that all the business of the realm was postponed until he should hear and decide. Letters from the king which he had brought and which fully set out his meaning backed up his words; they contained the entreaties and promises of the king, begging that Anselm should come quickly and promising that both he and his realm would be submitted to his advice and direction.

DATE: King Henry was crowned on 5 August 1100. This must have been written soon afterwards, for Anselm reached England on 23 September 1100.
ADDRESS: Anselm, archbishop of Canterbury. The use of dei gratia in the regnal style and the elaboration of the greeting are perhaps signs of cautious diplomacy in the king’s approach to the exiled archbishop.
WITNESS: Gerard, bishop of Hereford, and William Giffard, bishop elect of Winchester, Henry de Beaumont, earl of Warwick, and Robert fitz Haimo were all witnesses to the Coronation charter. Also William de Warelwast, a royal chaplain, and Haimo Dapifer, a royal steward.
PLACE: No place date.
CONTEXT: Archbishop Anselm had been in exile since November 1097. News of the king’s death reached him at the end of a brief visit to the abbey of La Chaise Dieu in Auvergne, brought by monks of Canterbury and Le Bec (Eadmer, Historia novorum, 118). Eadmer goes on to say that the archbishop returned to Lyon, where another monk of Canterbury arrived, ‘litteras deferens, preces offerens’, urging him to return to England, now that the tyrant was dead. Anselm set off northwards and had not reached Cluny before he was met by the king’s messenger with what must have been this letter. Eadmer must have known the letter, but he does not quote it; and Eadmer was evidently the source for William of Malmesbury’s reference to ‘friendly letters’ (affabilibus epistolis) from Henry to Anselm at this time, mentioned in the unrevised draft of Gesta pontificum, § 55 (ed. Winterbottom, 166, part of a long passage on Anselm’s early dealings with King Henry that was expunged from his evolving text). Eadmer underlines the point that Anselm was already on his way at the request of the Canterbury monks and not in obedience to the king.

The king’s letter begins by stating that King William was dead and that Henry had been canonically elected as king. The phrases ‘nutu dei’ and ‘a clero et populo Anglie’ are meant to assure Anselm of the legitimacy of his succession. The church said that kings, like bishops, were to be elected ‘a clero et populo’ (for example, ‘Ordo ad regem benedicendum quando nouus a clero et populo sublimatur in regnum’, in Le Pontifical romano-germanique du Xe siècle, ed. C. Vogel & R. Elze, Studi e Testi 226, 227, 269 (Vatican City, 1963–72), i. 246–61, c. 72). The words are used by Guy in describing the coronation of William I, ‘Concessit populus, clerus atque senatus’ (Carmen de Hastingae proelio, 815). (Compare also Anselm’s letter to Pope Paschal in 1101 concerning the election of Gerard as archbishop of York, below, notes on 15, and the letter of the king and people of Dublin concerning the election of Gregory as bishop, below, notes on 38.)
Henry’s offer of money to repay loans made to Anselm during his exile is a practical point that suggests that he meant him to return. (Anselm himself mentioned his debts in a letter to Pope Paschal, *ep.* 210, written before King William’s death.) Henry’s letter alludes to trouble in the world in a way that is not entirely ingenuous. Messengers could clearly pass to and fro, though it was no doubt unsafe to send a supply of money sufficient to pay Anselm’s debts in Lyon. The real danger, however, was surely that Duke Robert might seek to intercept the exiled archbishop and use him to contest the legitimacy of Henry’s succession in England. The king, therefore, ordered Anselm to come through western Flanders and make the crossing from Wissant, near Calais, to Dover. The notes in Sir Henry Ellis’s edition are chiefly concerned to document this common route, taken by Count Eustace of Boulogne in visiting King Edward in 1051 (*ASChr*); by William II after Christmas 1094 (*ASChr*, s.a. 1095); by Anselm on his way into exile in November 1097, when he was held up for two weeks at Dover by the king’s clerk, William, presumably William de Warelwast (Eadmer, *Historia novorum*, ed. Rule, 88–9); by the king’s daughter Matilda on her way to Germany in 1110 (*Historia regum*, ed. Arnold, 241). Thomas Becket sailed from Wissant, returning to Canterbury, on 1 December 1170 (William of Canterbury, *Vita S. Thomae Cantuariensis*, II 1 p. 86; William Fitz Stephen, § 115). And when King Louis VII of France made his pilgrimage to the tomb of St Thomas at Canterbury in 1179 to seek a cure for his son, he too used this favoured crossing (Roger of Howden, *Gesta Henrici regis*, i. 240–42; &c.). Ellis noted that the route was the subject of an agreement between the constable of Dover and the *barones* of the town in 1324 (*CalPat 1321–1324*, 391). Henry wanted above all to avoid Anselm’s taking a route through Normandy.

13 Letter of King Henry to Pope Paschal II, sending Peter’s Pence and promising good relations, provided that his rights are not challenged by the papacy. Probably April 1101

SOURCE: *Quadripartitus*, among the letters added after the Coronation charter, BL MS Cotton Titus A. XXVII (s. xii/xiii, St Augustine’s), fol. 66v–67r (now fol. 154v–155r) [T]; Manchester, JRUL MS lat. 420 (s. xii-med), fol. 88–9 [M]; BL MS Add. 49366 (s. xii-vol.), pp. 167–8 (now fol. 102r–v) [Hk]; and BL MS 47214 (s. xiv-med), fol. 43v [Ad]. From *Quadripartitus* in Brompton’s Chronicle, in Cambridge, Corpus Christi College, MS 96 (s. xv), and BL MS Cotton Tiberius C. XIII (s. xv).

SOURCE: A copy of this letter was added in the archiepiscopal cartulary, Lambeth Palace, MS 1212 (s. xiii), fol. ij’ (later p. 17, now fol. 10r), in the lower margin; this may be an entirely independent witness.

Idem rex et dominus noster ita scripsit apostolico Paschali de inuestituris ecclesiarum et datione baculorum, unde iam pridem a diebus Willemi fratris eius agebatur cum beatissimo Cantuariorum archiepiscopo Anselmo, pro quo tot incommoda sustinere, tot pro nomine Ihesu contumelias pati, totiens meruit exulare. Vbi dum sancte Sion recordatur, in salicibus Babilonis nostre suspendit ad tempus organa sua [cf. Ps 136:1–2], donec preponatur Ierusalem in principio letitie nostre [cf. Ps 136:6]. Et beatus sit qui se continebit et allidet prauititates suas ad petram Christum [cf. Ps 136:9]; aspiret autem dies et inclinentur umbre [Ct 2:17, 4:6], que sancte mentis desiderium tenebrosa noctis inuolutione prepediunt.

Patri uenerando\(^a\) Paschali summo pontifici Henricus dei gratia rex Anglorum salutem. Promotioni uestre in sedem sancte Romane ecclesie plurimum congaudeo, petens ut amicitia que patri meo cum antecessoribus uestris fuit inter nos quoque illibata permaneat. Vnde, ut dilectio et benignitas a me uideatur sumere initium, beneficium quod ab antecessoribus meis beatus Petrus habuit uobis mitto eosque honores et eam obedientiam quam tempore patris mei antecessores uestri in regno Anglie habuerunt tempore meo ut habeatis uolo, eo uidelicet tenore ut dignititates\(^b\) usus et consuetudines quas pater meus tempore antecessorum uestrorum in regno Anglie habuit ego tempore uestro in eodem regno meo integra obtineam. Notumque habeat sanctitas uestra quod me\(^c\) uiuente, deo auxiliante, dignitates et usus regni Anglie non minuentur. Et si ego, quod absit, in tantam me deiectionem ponerem, optimates mei, immo totius Anglie populus id nullo modo pateretur. Habita igitur karissime pater utiliori deliberatione, ita se erga

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\(^a\) prauitates T, but Ps 136 reads Beatus qui tenebit et allidet parvulos tuos ad petram ‘Blessed be he that shall take and dash thy little ones against the rock’; the paraphrase interprets in line with commentators

\(^b\) usus

\(^c\) uiuente
The same king and our lord wrote in these terms to Pope Paschal concerning ecclesiastical investitures and the presentation of pastoral staffs, a matter on which there had been dealings since Anselm was first archbishop of Canterbury in the days of William, the king’s brother, on which account he suffered so many troubles, so much slander for the sake of Jesus’ name, so often to go into exile, where, while he remembers holy Sion, he hangs up his harps on the willows of our Babylon, until Jerusalem may be set at the beginning of our rejoicing. Blessed be he who will contain himself and dash his sins on the rock of Christ; but till the day break and the shadows retire, which impede the desire of a holy mind in the dark cover of night:

To the reverend father Pope Paschal Henry by the grace of God king of the English greeting. Your elevation to the see of the holy Roman church is a source of joy to me, who ask that the same friendship as existed between my father and your predecessors should continue unimpaired between us. For that reason, in order that love and kindness should be seen to begin on my side, I send to you the income which St Peter had from my predecessors, and I will that you shall have in my time the same honours and the same obedience as your predecessors had in the realm of England in my father’s time, provided that I shall obtain in your time in my realm the dignities, practices, and customs that my father had in the realm of England in your predecessors’ time. Your Holiness shall know that while I live, by the help of God, the dignities and practices of the realm of England shall not be diminished. And if I—which God forbid—should so abase myself, my great men, indeed the people of all England, would not permit it in any way. With due deliberation, therefore, dearest father, may your Kindness act towards us in such a way that you may not force me, though I should not willingly do it, to fail in my obedience.

DATE: After Pope Paschal’s letter to Anselm, 24 February 1101 (ep. 213); before Pope Paschal’s letter to King Henry, May–June 1101 (ep. 216). The pope was in Rome right through this period; allowing time for travel, Henry’s letter was probably sent in April 1101.

ADDRESS: Pope Paschal. The king’s letter adopts the deferential address, placing the addressee’s name in front of the king’s. The regnal style deliberately includes dei gratia as both affirmative and submissive in addressing the pope.

WITNESS, PLACE: None. The letters to Pope Honorius ((41)) and Pope Innocent ((42)) similarly have no dating clause.

CONTEXT: Pope Paschal II had been elected on 13 August 1099, so this is not so much a letter of congratulation on his election as an opening diplomatic move by the new king. Its date can only be determined contextually. In a letter to Anselm, dated 24 February 1101, Pope Paschal asked Anselm to strive for the restoration of Peter’s Pence, called in Old English Romescot, and for better relations between the king and the papacy and between the king and his brother Duke Robert (ep. 213). In the present letter it appears that Peter’s Pence have by now been sent to the pope, so it should date from no earlier
than spring 1101. The payment appears to have been made as a gesture by the king in the hope of persuading Pope Paschal to back down on his demand that the king relinquish the right to invest and receive homage from bishops. The position adopted by the pope dates from a decision pronounced by Pope Urban II in council in Rome at Easter 1099, that clergy should not accept investure from a layman and that bishops and abbots should not do homage to a layman. The argument is tracked by several letters between Pope Paschal and Anselm during 1101 and 1102 (epp. 213–14, 217–20), and one letter from Pope Paschal to King Henry (ep. 216), written in reply to this one and dated by Schmitt to May–June 1101. The dispute continued into 1102. A letter from Pope Paschal to King Henry, dated 15 April 1102 (ep. 224), acknowledged King Henry’s good actions at the beginning of his reign. Pope Paschal does not expressly acknowledge to the king any appreciation for the renewal of Peter’s Pence. In a letter to Anselm, dated 11 December [1102], quoted by Eadmer (Historia nouorum, 139), the pope thanks the archbishop for the gifts he had sent to St Peter (‘munera que beato Petro misisti, recepimus cum gratiarum actione’), which may well refer to Peter’s Pence paid in 1102. The money was paid through the archbishop, as appears from a letter of Anselm to Bishop Gundulf, written from Le Bec in the summer of 1103 (ep. 287), which tells Gundulf, as Anselm’s deputy, that he need not deal with the payment of the offering until Michaelmas (‘solutionem Romescoti usque ad festum sancti Michaelis differre potestis’); in another letter to Gundulf later in the summer Anselm refers to the payment as one of his own debts (‘de debitis que soluistis, si debita de Romascot in his sunt, gaudeo’, ep. 299). From the second letter we learn that Pope Paschal had sent Tiberius, the papal chamberlain, to Anselm, seeking his help in the collecting of Romescot in 1103. Again in 1108, a visit to England by Peter, the papal chamberlain, was very likely connected with restoring the payment of Peter’s Pence (Anselm, epp. 451, 460; discussed by Brett in Councils and Synods, ii. 704–5). At a much later date, on 24 May 1116, Paschal chides the English bishops for the slowness in collecting the alms of St Peter (‘super beati Petri elemosina colligenda’, JL 6526, in Eadmer, Historia nouorum, 245–6).

14 Lost letter of King Henry to Archbishop Anselm, inviting him to Winchester for further discussion of their business. Perhaps September 1101

SOURCE: Eadmer, Historia nouorum, pp. 149–150 bis.
PRINTED: Rule, 132.
CALENDAR: Not in Regesta.

Non multum temporis fluxerat et ecce, cum pater suarum securus iniuriarum ecclesie damnis nonnihil metueret, littere sibi amicabiles a rege transmisse deferuntur, in quibus primo salutationis alloquio cum perfecte pacis oblatione soluto, rogatur uenire ad regem gesti negotii sententiam alio consilio moderari uolentem. Auditurus itque ne forte Deus sua gratia cor eius tetigerit, quo mandatur,Wintoniam uadit.
A little time passed after this, and—look!—while the Father felt unharmed by injuries
done to himself but was none the less fearful over the losses of the church, friendly
letters are brought from the king, in which, after a greeting clause which offered a
perfect peace, he is asked to come to the king who now wishes to redirect his view of
the business already done in the light of other advice. So Anselm goes where he is
ordered, to Winchester, in the hope of hearing whether God in his grace has touched
the king’s heart.

DATE: Datable only from its context in Eadmer’s narrative.
CONTEXT: Pope Paschal’s letter (ep. 216) was discussed at court, perhaps after
Whitsuntide, 9 June 1101, or more likely at Windsor, 3 September 1101, the date
favoured by Brett in Councils and Synods, ii. 656. No agreement was reached between
Anselm and the king, and the archbishop left court. Soon afterwards, the summons to
Winchester arrived. Anselm attended another meeting there, perhaps as soon as
October, where the bishops and barons (principes) of the realm were again gathered.
On this occasion, it was decided to send envoys to Rome, Baldwin of Tournai, monk of
Le Bec, and Alexander, monk of Christ Church, on behalf of the archbishop,
Archbishop Gerard of York, Herbert, styled bishop of Thetford or Norwich, and Bishop
Robert of Chester on behalf of the king. The embassy returned to England in summer
1102 with letters from Pope Paschal for Anselm and the king, both dated 15 April (epp.
223, 224).

15 Letter of King Henry to Pope Paschal II requesting him
to confer a pallium on Archbishop Gerard of York.
Perhaps October 1101.

SOURCE: Quadripartitus, among the letters added after the Coronation charter, BL MS
Cotton Titus A. xxvii (s. xii/xiii, St Augustine’s), fol. 67r (now fol. 155r) [T];
Manchester, JRUL MS lat. 420 (s. xii hind), fol. ?? [M]; BL MS Add. 49366 (s. xii
med), pp. 168–9 (now fol. 102v–103r) [Hk]; and BL MS 47214 (s. xiv med), fol. 43v [Ad].
From Quadripartitus in Brompton’s Chronicle, in Cambridge, Corpus Christi College,
MS 96 (s. xv), and BL MS Cotton Tiberius C. xiii (s. xv).
PRINTED: R. Twysden, Historiae Anglicanae scriptores X (London 1652), cols. 999–
1000 [from Brompton]; Liebermann, Quadripartitus, 152–3 [from B]; F. S. Schmitt,
Sancti Anselmi opera (Seckau, Rome, Edinburgh, 1938–61), iv. 123 (no. 221) [from
Twysden and Liebermann]; Anselmo d’Aosta, Lettere, ii. 308–11 (no. 221) [from
Schmitt]; W. Fröhlich, The Letters of Saint Anselm of Canterbury (Kalamazoo, MI,
1990–94), ii. 183 (no. 221) (in English) [from Schmitt].
CALENDAR: Regesta 551.

Eodem termino et per eosdem legatos, per Rodbertum scilicet
Licefeldensem episcopum et per Herbertum Norwicensem episcopum, de
intronizatione Girardi uenerabilis Eboracensium archiepiscopi electi scribit hoc modo.

Reuerendo et diligendo patri uniuersali pape Paschali Henricus dei gratia rex Anglorum salutem. Et amor quem\(^a\) plurimum erga uos habeo et benignitas que multa uestros actus exornat fiduciam michi dabant ut, retento mecum Girardo Eboracensium archiepiscopo, pallium ei a uestra sanctitate requirerem. Sed quia ipse eo desiderio tenebatur ut uestris conspectibus presentari et a uobis per se ipsum id petere posset, ad uos eum misi, dulcissimam michi paternitatem uestram obsecrans ut, dato ei quod petit pallio, cum honore et leticia eum ad me remittatis. Orate pro nobis filiis uestris. Apostolatum uestrum deus multos annos conseruet.

\(^a\) quem T ] quam HkAd

At the same time and by the same messengers, that is by Bishop Robert of Lichfield and by Bishop Herbert of Norwich, he writes concerning the enthronement of the venerable Gerard archbishop elect of York in these words:

To the the reverend and lovable universal father Pope Paschal Henry by the grace of God king of the English greeting. Both the very great love that I have towards you and the kindness that so much adorns your actions gave me the confidence to ask from your Holiness a pallium for Gerard archbishop of York whom I kept at my side. But since he was entirely taken with the desire that he might be able to meet you face to face and to seek it himself from you, I have sent him to you, asking you, sweetest father, to give him the pallium he asks and to send him back to me with honour and joy. Pray for us your sons. May God preserve you as his apostle for many years.

SOURCE: Anselm to Pope Paschal, among his letters, as collected (see \{12\}), from LPE, and BL MS Cotton Claudius A. xi (s. xiii\(^2\)) [C]; also among correspondence with papacy in BL MS Add. 32091 fols. 3–12 (s. xii\(^m\), Christ Church).

Mortuo archiepiscopo Eboracensi, postquam reuersus sum, electus est in locum eius episcopus Herefordensis, uir admodum litteratus et in ecclesiasticis disciplinis eruditus. In hac electione nos episcopi clero et populo eiusdem ecclesie assensum prebuimus. Quem ualde desiderantem se uestro presentare conspectui ut pallii largitione a uestra benignitate pro consuetudine honoraretur, rex pro quibusdam causis consilio principum suorum retinuit atque ut illi pallium mittatis celsitudinem uestram postulando impetrare desiderat. Cuius petitioni largitatem uestram fauere, si preces nostras placet admittere, simpliciter flagitamus.

When the archbishop of York died, after I returned, the bishop of Hereford, a learned man, well informed in the affairs of the church, was elected in his place. In this election we bishops gave our assent to the clergy and the people of that church. He greatly desired to attend you personally, so that he could be honoured by your Kindness with the bestowal of the pallium, as is the custom, but the king has retained him for some reason or other on the advice of his barons and wishes to beg your Highness most earnestly to send the pallium to him. We openly implore your Generosity to be favourably disposed to his petition if it pleases you to grant our prayers.

DATE: Gerard was nominated archbishop of York at the beginning of December 1100. He was sent to Rome by the decision of a council held at Winchester, perhaps in October 1101 (Councils and Synods, ii. 656), certainly at a later date than the council held at Windsor on 3 September 1101.
ADDRESS: Pope Paschal. See note on 00 above.
WITNESS, PLACE: None. The letters to Pope Honorius (41) and Pope Innocent (42) similarly have no dating clause.
CONTEXT: The king’s letter, carried, according to the writer of Quadripartitus, by Bishop Robert of Chester and Bishop Herbert of Norwich, acknowledges the lapse of time since Archbishop Gerard’s nomination. Their accompanying Gerard to Rome is also mentioned by Eadmer (Rule, 132) and from there by William of Malmesbury, Gesta pontificum, I § 56. Anselm’s letter (ep. 214) is obviously somewhat earlier than the king’s letter, for it comes from a time when the king was still reluctant to allow Archbishop Gerard to go to Rome to receive the pallium. It was carried by William de Warelwast, as we learn from a later letter from Anselm to the pope (ep. 219). Late in 1100 or more likely early in 1101 King Henry sent William de Warelwast to Rome to ask for a pallium and to bring it back with him, and it must have been at this time that William also carried Anselm’s ep. 214. Anselm’s wording is careful on the subject of Gerard’s position, but it is significant that it is the archbishop and not the king who says that the refusal to allow Gerard to travel came from the king ‘on the advice of his barons’. Paschal refused to send a pallium, and William returned to England empty-handed by Whitson 1101, leading eventually to the king’s permitting Gerard to travel. It may be noted that the introductory words in Quadripartitus accord to Gerard, his patron, the honorific uenerabilis, which is not given to the other bishops in the same sentence.
16 Lost letter of King Henry in England to Archbishop Anselm on his way to Rome, expressing concern for his welfare. July–August 1103

SOURCE: Anselm’s reply to the king, among Anselm’s letters (see above, {12}), from LP and E.
PRINTED: J. Picard, Diui Anselmi opera omnia (Cologne, 1612), iv. 130 (III 86) [from V]; G. Gerberon, Sancti Anselmi opera, nec non Eadmeri Historia novorum et alia opuscula (Paris, 1675), 398 (III 86) [from Picard], repr. Paris 1721, Venice 1744, and also repr. PL 159. 123; F. S. Schmitt, Sancti Anselmi opera (Seckau, Rome, Edinburgh, 1938–61), v. 222–3 (no. 301); Anselmo d’Aosta, Lettere, ii. 466–9 (no. 301) [from Schmitt]; W. Fröhlich, The Letters of Saint Anselm of Canterbury (Kalamazoo, MI, 1990–94), ii. 322–3 (no. 301) (in English) [from Schmitt].
CALENDAR: Not in Regesta.

Gratias magnas ago celsitudini uestre pro amore magno quem erga me uos habere ostendistis, et propria sollicitudine quam de me sicut de fidelis uestro habetis, scilicet ne in itinere incepto propter imbecillitatem et informitatem corporis mei nimio laboris grauamine deficiam. Sed iam usque in uallem Morianne progressus eram, quando uestram suscepi epistolam, unde timui ne domino pape displiceret si tanta parte itineris perfecta, remanerem et nullum michi responsum per legatos faceret, nisi ad eum, sicut incepi, ipse peruenirem.

I give great thanks to you Highness for the great love which you have shown towards me and for the proper concern which you have for me as for someone faithful to you, in particular as to whether I should fail in the journey I have begun because my weakness and ill health may not endure the excessive trouble and effort. But I had already reached the Val de Maurienne when I received your letter, and I was fearful that if I stopped there after travelling so far, the pope would be displeased and would send me no answer by messengers unless I myself came to him as I had set out to do.

DATE: King Henry’s letter must have been sent in July–August if it reached Anselm in early September, as he passed through St Jean and St Michel de Maurienne, taking the valley through the Alps on the road from Lyon to Turin. Anselm’s reply (ep. 301), dated by Schmitt to a little after 15 August 1103, without stated reason, cannot have been written until September.
CONTEXT: Anselm gives no clue to what the king’s letter contained beyond expressions of concern. The use of sed at the beginning of the second sentence, however, implies some contradiction. It may probably be inferred that the king had asked Anselm not to go to Rome.
Lost letter of King Henry to Pope Paschal, telling him of success in dealing with the king’s opponents.

Summer 1103

SOURCE: Reply from Pope Paschal to King Henry (JL 5956), copied by Eadmer, Historia novorum, p. 180. Also in BL MS Add. 32091 (s. xii, Christ Church), fols. 9v–10r.

PRINTED: Rule, 155 [from Eadmer]; F. S. Schmitt, Sancti Anselmi opera (Seckau, Rome, Edinburgh, 1938–61), iv. 226–8 (no. 305) [from Rule]; Anselmo d’Aosta, Lettere, ii. 472–5 (no. 305) [from Schmitt]; W. Fröhlich, The Letters of Saint Anselm of Canterbury (Kalamazoo, MI, 1990–94), ii. 327–9 (no. 305) (in English) [from Schmitt].

CALENDAR: Not in Regesta.

In litteris quas nuper ad nos per familiarem tuum nostre dilectionis Willelmum clericum transmisisti et persone tue sospitatem cognouimus et successus prosperos quos tibi superatis regni aduersariis benignitas diuina concessit. Audiuimus praeterea optatam uirilem sobolem ex ingenua et religiosa te suscepisse. . . .

In the letters which you recently sent to us with your servant William the clerk, whom we know and love, we learnt of your own good health and of the favourable outcomes which God in his goodness granted to you in overcoming the enemies of your realm. We have heard too that you have received the longed-for male child from your noble and devout wife . . .

DATE, CONTEXT: Pope Paschal’s letter is dated 23 November [1103]; it follows one week after a letter from the pope to Anselm (ep. 303), dated 16 November 1103. The mention of ‘favourable outcomes’ has no obvious point of reference at this date. The king may have referred to the resolution of some of the troubles in Normandy in 1103, but any direct threat to England from Duke Robert was quiescent at this time. The pope’s wording suggests that the news of the birth of William Ætheling had not come from the king’s letter.

Lost letter of King Henry to Archbishop Anselm in exile, telling him not to return to England unless he will promise to serve the king. Late 1103 or early 1104.

SOURCE: Eadmer, Historia novorum, p. 185.

PRINTED: Rule, 159.

CALENDAR: Not in Regesta.
Venit ad nos unus ex monachis Cantuariensis nomine Euerardus deferens Anselmo litteras regis in quibus idem rex plane testabatur se eorum que Willelmus, ut prefati sumus, discendens ab Anselmo dixerat auctorem esse, hoc est ut Anselmus Angliam non repedaret nisi omnes patris ac fratris sui consuetudines se illi seruaturum primo promitteret.

There came to us a monk of Canterbury, Everard by name, bringing the king’s letters to Anselm, in which the king expressed very clearly that he was the initiator of those things that William had said, as we have mentioned, at the time when he left Anselm, namely that Anselm should not return to England unless he would first promise that he would preserve for the king all the customs that his father and brother had had.

DATE, CONTEXT: Everard reached Anselm at Lyon in the first weeks of 1104, soon after Anselm had settled there, around Christmas 1103. The king’s letter referred to here must have been written several weeks earlier. After receiving it, Anselm wrote a reply (ep. 308), which was carried to England along with a letters to Bishop Gundulf (ep. 306) and Prior Ernulf (ep. 307), all written around the end of January or early February 1104. Gundulf was instructed wait until William Warelwast had returned to England and then to take Anselm’s letter and his seal to the king and to receive his reply. He was allowed to show the letter secretly to William. If the king answered by letter, Gundulf was to send it to Anselm by the same messenger, presumably Everard; if the king gave only a verbal answer, Gundulf was to report it to Anselm by letter. At the same time Ernulf was asked to retain the copy of Anselm’s letter to the king and to keep secret its contents until it was known how the king received the letter and he said in reply. At that point Ernulf was to make Anselm’s letter public. The king’s friendly and cautious reply follows ([19]).

19 Letter of King Henry in England to Archbishop Anselm in Lyon, postponing a response to his question whether he may return to England on terms acceptable to both him and the king. March–April 1104

SOURCE: Anselm’s letters (see above, {12}), from L, fol. 113v (no. 253), and an early copy, now BNF MS lat. 2478 (s. xii24, Christ Church) [P], and E, with independent copy in BNF MS lat. 14762 pt 1 (s. xii23, Saint-Victor) [V], and BL MS Cotton Claudius A. xi (s. xiii2), fol. 121r [C].

PRINTED: J. Picard, Diui Anselmi opera omnia (Cologne, 1612), iv. 135 (III 94) [from V]; G. Gerberon, Sancti Anselmi opera, nec non Eadmeri Historia nouorum et alia opuscula (Paris, 1675), 401 (III 94) [from Picard], repr. Paris 1721, Venice 1744, and also repr. PL 159. 133; F. S. Schmitt, Sancti Anselmi opera (Seckau, Rome, Edinburgh, 1938–61), v. 246 (no. 318); Anselmo d’Aosta, Lettere, iii. 180–83 (no. 318) [from Schmitt]; W. Fröhlich, The Letters of Saint Anselm of Canterbury (Kalamazoo, MI, 1990–94), iii. 25–6 (no. 318) (in English) [from Schmitt].

CALENDAR: Not in Regesta.
Henricus rex Anglorum Anselmo Cantuariensi archiepiscopo salutem et amicitiam. Mandasti michi quod ad me uenire non poteras, nec mecum esse sicut Lanfrancus antecessor tuus cum patre meo multis annis fuit. Vnde ualde doleo quod facere non uis. Quia si facere uoluisses, libenter te susciperem, et omnes illos honores et dignitates et amicitias que pater meas antecessori tuo fecit tibi fecissem. Domnus uero apostolicus mandauit michi litteris suis preces et admonitiones super quibusdam rebus. Quapropter uolo legatos meos Romam mittere, et consilio dei et baronum meorum domino pape inde respondere, et hoc requirere quod michi requirendum est. Et accepto responso a papa, mandabo tibi hoc quod michi Deus annuerit. Interim autem consentiam quod tu de beneficio Cantuariensis ecclesie conuenienter habeas, quamuis hoc inuitus facio, quoniam nullum mortalem hominem in regno meo libentius mecum quam te habere uoluissem, nisi in te remansisset.

Testibus Roberto episcopo Lincolniensi et Willelmo de War(elwast). a

a–a Witnesses from VC (V omits last two words); om. LPE
Litteras domini nostri regis suscepi, in quibus sicut scitis promisit michi quia post curiam michi responderet.

_I have received the letters of our lord the king in which, as you know, he promised me that he would reply to me after the meeting of the court_

**DATE**: Anselm’s letter written around the end of January or beginning of February could have reached Bishop Gundulf in March, who had then to take it to the king. The king’s reply was presumably written soon afterwards, probably in March or April 1104.

**ADDRESS**: Archbishop Anselm.

**WITNESS**: Robert Bloet, bishop of Lincoln; possibly William de Warelwast, the king’s chaplain who acted as envoy between King Henry and Anselm.

**PLACE**: No place-date.

**CONTEXT**: The king’s letter answers one of Anselm’s, _ep._ 308, in which he told the king that William de Warelwast, the king’s chaplain and messenger, had charged him ‘as your archbishop that I should behave in such a way so that I might return to England so that I could be your colleague as my predecessor was your father’s colleague (_ut sic possem uobiscum sicut fuit antecessor meus cum patre uestro_) and that you would treat me with the same honour and generosity as your father treated my predecessor’. Anselm had not been able to accept these terms and said so in the letter, asking whether or not the king would allow him to return to England. The king’s letter does not indicate whether Anselm is allowed to return but permits him, with some reluctance, to draw on the revenues of Canterbury; an answer to the archbishop and the pope is deferred until the king has consulted his barons. I take it that this, then, is the letter that Anselm mentions in writing, still from Lyon, to Bishop Gundulf (_ep._ 316), though Schmitt reverses the sequence. Anselm replied to the king, _ep._ 319 (which follows _ep._ 318 in L), still in Lyon, picking up the king’s words about the relationship between his father and Archbishop Lanfranc. He lays down conditions for his return to England. At the same time, the queen sent two letters (_epp._ 317, 320), answered by Anselm (_ep._ 321). A long lapse in the known correspondence then follows.

On the translation of the last sentence of the letter, compare the examples quoted in the context note in Royal Proclamations 6, _Regesta_ 892.

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20 **Letter of King Henry to Archbishop Anselm in exile, promising soon to send his envoy William de Warelwast to Rome and asking Anselm to send his envoy Baldwin. August or September 1105**
Reuerendissimo\textsuperscript{a} et amantissimo patri Anselmo Cantuariensi archiepiscopo Henricus dei gratia rex Anglorum salutem et totius bone uoluntatis affectum. Venerabilis pater, non tibi displiceat quod eorum iter quos Romam ad negotium meum peragendum dirigere decreui tam diu detinui. Quod mox ut Willelmus de Werelwast ad te peruenerit, quem ad hoc negotium peragendum sicut decreuimus Romam dirigio, tibi expediet. Te supplex igitur deprecor et deuotus exoro uti cum eodem Willelmo Balduinum de Tornaio Romam dirigas ad nostram rem tractandam et deo uolente finiendum. Vale\textsuperscript{b}.

\textsuperscript{a} reuerentissimo M \hspace{1cm} \textsuperscript{b} Vale om. M

\textit{To the most reverend and loving father Anselm archbishop of Canterbury Henry by the grace of God king of the English greeting and the affection of his entire good will. May it not displease you, venerable father, that I have so long delayed the journey of those whom I decided to send to Rome to pursue my business. This will suit you soon, when William de Warelwast reaches you whom I send to Rome to pursue this business just as we decided. Therefore I entreat you and piously beseech that you send Baldwin of Tournai to Rome along with this William to deal with our matter and, God willing, to bring it to a close. Farewell.}
DATE: According to Eadmer, Anselm received this letter while staying with Archbishop Manasses at Reims. He was there for some time during the second half of 1105, though exactly when cannot be established. Schmitt suggested a date in October 1105, but that is too late, for the next letter (21) is datable to the beginning of that month, and by then William de Warelwast had set out for Rome from England after Michaelmas. The king had been in Normandy for several months, between April and August; he had met Anselm at L’Aigle on 21–22 July (epp. 364, 388; Eadmer, Historia nouorum, 166), but he took no advantage of the proximity to Reims in despatching William, so we may guess that this letter too was written from England in or after August 1105 before William was sent.

ADDRESS: Archbishop Anselm. This is the only letter from the king to the archbishop that adopts the deferential address, placing Anselm’s name in front of the king’s

WITNESS: No witness.

PLACE: No place-date.

CONTEXT: Anselm’s reply to the king is ep. 368 and he wrote at the same time to Count Robert of Meulan (ep. 369); all three letters are copied by Eadmer, Historia nouorum, 169–71. Baldwin of Tournai was Anselm’s trusted representative both in the abbey at Le Bec and in his diplomatic business; he had long experience of diplomacy, for in 1071 he had been one of the envoys of the new count of Flanders, Robert the Frisian, to Emperor Henry IV (Hermann of Tournai, De restauraione S. Martini Tornacensis, c. 13, ed. G. Waitz, MGH Scriptores, xiv. 274–317).

21 Letter of King Henry to Archbishop Anselm confirming the departure of William de Warelwast. Early October 1105

SOURCE: Anselm’s letters (see above, {12}, {19}), from L, fol. 129v (no. 300), P, and E.

PRINTED: G. Gerberon, Sancti Anselmi opera, nec non Eadmeri Historia nouorum et alia opuscula (Paris, 1675), 443 (IV 63), repr. Paris 1721, Venice 1744, and also repr. PL 159. 235; F. S. Schmitt, Sancti Anselmi opera (Seckau, Rome, Edinburgh, 1938–61), v. 314 (no. 370) [from LPE]; Anselmo d’Aosta, Lettere, iii. 308–9 (no. 370) [from Schmitt]; W. Fröhlich, The Letters of Saint Anselm of Canterbury (Kalamazoo, MI, 1990–94), iii. 120–21 (no. 370) (in English) [from Schmitt].

CALENDAR: Farrer 121A; Regesta 692.

Henricus rex Anglorum Anselmo Cantuariensi archiepiscopo et dilectissimo patri salutem. Notum uobis facio me Willelmum de Warelwast a festuitate sancti Michaelis ad uos misisse, et illinc Romam pro negotio nostro quod erga Romanam sedem ad inuicem ego et uos locuti sumus, nisi

Henry king of the English to Anselm archbishop of Canterbury and a very dear father greeting. I make it known to you that I have sent William de Warelwast, straight after Michaelmas, to you and from there he will go on to Rome on our business which we have with the Roman see and about which you and I have spoken, unless storm or tide or contrary wind prevent his sailing. Witness Waldric the chancellor. At Wycombe.

DATE: On internal evidence, soon after Michaelmas 1105.
ADDRESS: Archbishop Anselm.
WITNESS: Waldric, as chancellor.
PLACE: High Wycombe, Bucks.
CONTEXT: The letter must have been carried by a messenger, who was expected to travel more quickly than the king’s representative and so to reach Anselm at Reims before William de Warelwast. A rapid journey appears to be presupposed for both, since storms, tides, and winds could hardly be expected to cause a delay of more than a few days.

The use of the words ‘notum uobis facio’ in a context that must be authentic is worth noting. It is occasionally found where ‘sciatis’ is usual, and it no doubt derives from the Old English formula ‘ic cythe eow’. The formula and the presence of a witness combine to make this read more as a writ than a letter.
firma dilectio et pax inter nos fiat. Teste Waldrich cancellario et Roberto comite de Mellent et Eudone dapiferro. Apud Pontefractum.

Henry king of the English to Anselm archbishop of Canterbury greeting and friendship. I order you as my very dear father that you command the monk Baldwin to go with William de Warelwast to Rome on our business in order that through the two of them a firm love and peace shall come about between us. Witness Waldric the chancellor and Count Robert of Meulan and Eudo Dapifer. At Pontefract.

DATE: From the place-date. The king was in the north of England in the closing months of 1105, October–December, dating documents at both Pontefract and York. The exact date of his journey north is not known. Schmitt says merely ‘uersus finem a. 1105’, perhaps unaware of the implications of the place-date.

ADDRESS: Archbishop Anselm.

WITNESS: Waldric, as chancellor, and two prominent laymen at court, Count Robert of Meulan and Eudo Dapifer. The attestation by three men perhaps emphasises that the command was not to be disregarded.

PLACE: Pontefract, Yorks. The castle there was in the hands of Robert de Lacy at this date.

CONTEXT: Since the previous letter, the king has travelled north, so some time has elapsed, perhaps enough time for word to have reached him from Reims that Anselm had not yet sent his representative to join William de Warelwast. For William to have reached Reims and for news from Reims to have followed the king as far as Pontefract, we should perhaps allow as much as five weeks since the previous letter, so that a date at the beginning of November is possible.

23 Letter of King Henry to Archbishop Anselm [at Le Bec], seeking advice on the latest news from Rome of the election of an antipope. December 1105

SOURCE: Anselm’s letters, as collected (see [12], [19]), L, fol. 130v–131r (no. 306), P, and E.


CALENDAR: Farrer 130A; Regesta 716.

Henricus dei gratia rex Anglorum Anselmo Cantuariensi archiepiscopo dilecto patri suo salutem et dilectionem.
Plurium relatione didicimus et maxime per Robertum clericum cancellarii mei rumores de apostolico quorum, si ita res se habeat ut fama uentilat, doleo. Et quoniam processu dierum exurgit crebrior, timeo ne sit uerior. Dicunt enim Rome, quod absit, duos esse apostolicos et ad inuicem bellicosam seditionem inter se obtinere. Vnde te tuamque sanctitatem consulo ut michi tibique prouideas cui maior pars huius adheret negotii, quid agendum sit de legatis nostris in huius procella temporis. Quod si tibi uideatur utile eos retinere usque in tempus congruum, tunc retine Willelmum, et mitte michi citissime Baldwinum de Tornaco monachum tuum, per quem tibi familiarius assignem de secretis nostris, et per eundem michi enuntia quid in hac re michi tenendum sit et agendum. Si uero tibi placet eos ire, et tuum sit consilium, eant. Et si ipsi ierint, michi mitte citissime unum de familiaribus tuis, per quem nostra consilia et negotia alterius alteri ad inuicem familiariter assignentur. Testibus Roberto episcopo Linolie et Roberto comite de Mellento.

*Teste L*

*Henry by the grace of God king of the English to Anselm archbishop of Canterbury his beloved father greeting and love. We have learnt from what many people have reported, and particularly from Robert, the clerk of my chancellor, rumours about the pope, at which I grieve, if matters stand as the story has it. As the rumour grows more frequent, I fear it becomes more likely to prove true. For they say that in Rome—God forbid—there are two popes and that armed faction exists between them. Therefore I ask your Holiness that you shall ascertain, both for me and for yourself, who have the greater share in this business, what is to happen about our envoys in this time of trouble. If it seems to you worthwhile to keep them there until a more suitable time, then keep William but send to me as soon as possible your monk Baldwin of Tournai, so that I can report to you more confidentially about our private business and through him you can report to me what I should hold and do in this matter. But if it please you to send them and that be your advice, let them go. And if they are on their way already, send me as soon as possible someone from your household through whom I may report to you confidentially one to another our advice and business. Witness Robert bishop of Lincoln and Robert count of Meulan.*

*DATE:* After the election of Silvester IV, 18 November 1105, and after news of it had reached England. How fast that news would travel is uncertain, but the sequence of letters shows that the envoys left after this letter was written and yet by February the
king was already expecting their return. Rapid news and a date in December for the letter seems more likely, therefore, than Schmitt’s date at the beginning of 1106.

ADDRESS: Archbishop Anselm.

WITNESS: Robert Bloet, bishop of Lincoln; Robert, count of Meulan.

PLACE: No place-date. Since witnesses are included, it is likely that the place-date was omitted by the scribe of L, from which the other copies derive.

CONTEXT: How Robert, clerk to the chancellor Waldric, had become the bearer of this news is not known. Anselm was at this date in Le Bec, and it appears that the envoys referred to in the two previous letters had still not left Normandy for Rome. The archbishop’s reply is ep. 378 (which follows in L), in which he firmly gives his support to Pope Paschal rather than the newly elected anti-pope. The envoys must have left Le Bec soon after this reached Anselm, perhaps even before, since King Henry knew they had gone and was looking forward to their return to Normandy when he wrote the next extant letter to Anselm from Northampton in February (00, Regesta 737).

24 Letter of King Henry to Archbishop Anselm [at Le Bec], giving notice that he will come to Normandy on Ascension Day, and telling Anselm to decide on when and where the king shall meet the messengers returned from Rome. February 1106

SOURCE: Anselm’s letters, as collected (see {12}, {19}), L, fol. 136r (no. 329), P, and E.

PRINTED: G. Gerberon, Sancti Anselmi opera, nec non Eadmeri Historia nouorum et alia opuscula (Paris, 1675), 446 (IV 77), repr. Paris 1721, Venice 1744, and also repr. PL 159, 240–41; reprinted also in a selection from the letters with notes by M. Brial in M. Bouquet and others, Recueil des historiens des Gaules et de la France (Paris, 1738–1904), vol. xv (1808), 66 (no. 8) [from Gerberon]; F. S. Schmitt, Sancti Anselmi opera (Seckau, Rome, Edinburgh, 1938–61), v. 340 (no. 396) [from LPE]; Anselmo d’Aosta, Lettere, iii. 354–7 (no. 396) [from Schmitt]; W. Fröhlich, The Letters of Saint Anselm of Canterbury (Kalamazoo, MI, 1990–94), iii. 156–7 (no. 396) (in English) [from Schmitt].

CALENDAR: Farrer 142A; Regesta 737.

Henricus rex Anglorum dilecto patri suo Anselmo Cantuariensi archiepiscopo salutem et fili dilectionem. Noscat, reuerende pater, discreetio sanctitatis uestre, quia frater meus comes Rodbertus ad me uenit in Angliam et benign e recessit. Me autem scitote in die ascensionis domini esse ad mare paratum transire. Et cum transiero, per uos et consilium uestrum ea que agenda erunt agam. Interim autem, si
W(illelmus) de Warelwast ceterique legati nostri Roma redierint, in arbitrio uoluntatis uestre sit utrum ad me transeant in Angliam antequam transeam an uobiscum remaneant, donec ipsi uobiscum mecum loquantur. T(este) W(aldrico) canc(ellario)\textsuperscript{a}. Apud Norhamton’.

\textsuperscript{a} T. W. canc. LE T. W. cancell. P, which one would expect to represent T(este) W(illelmo) canc(ellario)

Henry king of the English to his beloved father Anselm archbishop of Canterbury greeting and a son’s love. Your Holiness’s discretion, reverend father, shall learn that my brother Robert came to me in England and left again in a kindly spirit. But know that I shall be on the coast on Ascension day ready to cross the Channel. And when I cross, I shall deal with those things that must be dealt with through you and your counsel. Meanwhile, if William de Warelwast and our other messengers have returned from Rome, you must decide whether they shall cross over to me now in England before I cross or shall remain with you until they may speak with you and me there. Witness Waldric the chancellor. At Northampton.

DATE: Schmitt, on internal evidence, dated this to shortly before Ascension Day, 3 May 1106. Since the king’s intentions changed and he called a council in England for Ascension Day (\{25\}, Regesta 750), this simple back-reckoning ignores the context. Farrer inferred from the place-date that this should be dated to the occasion when King Henry met Duke Robert at Northampton ‘before spring’ (ASChr); John of Worcester, iii. 108, implies that Robert had left England before the first Friday of Lent (16 February 1106), and supposes that Henry stayed at Northampton for 1–7 February. The precise dates are a guess, repeated in Regesta and by Fröhlich.

ADDRESS: Archbishop Anselm.

WITNESS: The manuscript readings suggest William Giffard, as chancellor; but in view of the known date of Duke Robert’s visit to King Henry at Northampton this appears to be an unusual case where the copyists in the letter collection have further abbreviated the conventional ‘Wald(rico)’ and introduced confusion.

PLACE: Northampton, Northants.

CONTEXT: Duke Robert had been to England and parleyed with King Henry at Northampton before the middle of February 1106 (see Date). The letter was presumably written before the king left Northampton. The king appears already to know that the envoys had left Normandy for Rome some time ago, for he is looking forward to their return to Normandy.

The envoys were still at the papal curia at Benevento on Good Friday, 23 March 1106, when Pope Paschal wrote to Anselm with news of agreement (ep. 397); they kept Easter there on 25 March; and on 28 March Pope Paschal wrote a letter to Archbishop William at Rouen (ep. 398), whose case had been handled by the same representatives (Eadmer, Historia novorum, 177). William de Warelwast, Baldwin of Tournai, and Anselm were all present at a synod in Rouen at which ep. 399 was read out. While in Rouen, Anselm also met Bohemond and Cardinal Bruno (ib. 179). Bohemond had arrived in France in March, met with King Philip, and married his
daughter at Chartres ‘after Easter’ (Orderic, XI 12, ed. Chibnall, vi. 70). The synod at
Rouen is likely to be more than a month after Easter, probably after the end of April,
and perhaps at Ascension or Whitsun. The king’s plan to cross the Channel on
Ascension Day, 3 May 1106, must have been soon abandoned. He spent Easter, 25
March, at Bath and Whitsun, 13 May, at Salisbury, ‘because he did not wish to hold
court on his departure overseas’ (ASCbr). Apart from his time in Normandy in 1105,
this is the first year when he had not kept these feasts at one of the three traditional
places, a sign that his movements were unsettled. Between those two dates, as we see
from the next letter, he had travelled to Tonbridge in Kent, and by then he had
summoned a council for 3 May, though where it met, or indeed whether it met, is not
known. The fluidity in the king’s plans is probably due to his preparing to challenge his
brother Duke Robert in Normandy.

25 Letters of King Henry to Archbishop Anselm, in
response to Anselm’s letter, telling him that he will take
counsel with his barons on Ascension Day before
replying. Late April 1106

SOURCE: Anselm’s letters, as selected by William of Malmesbury (see {20}), M, fol.
152r (no. 93), and as collected (see {12}), L, fol. 128r (no. 296), and E.
PRINTED: Rule, 176 [from Eadmer]; F. S. Schmitt, Sancti Anselmi opera (Seckau,
Rome, Edinburgh, 1938–61), v. 337 (no. 392) [from MLE and Rule]; Anselmo d’Aosta,
Lettere, iii. 350–51 (no. 392) [from Schmitt]; W. Fröhlich, The Letters of Saint Anselm
of Canterbury (Kalamazoo, MI, 1990–94), iii. 152–3 (no. 392) (in English) [from
Schmitt].
CALENDAR: Farrer 160; Regesta 750.

Henricus dei gratia rex Anglor(um) Anselmo archiepiscopo
Cantuarie salutem. In die sancti Georgii apud Tonebrigge
michi fuerunt delate littere reposite in tuo sigillo. Et per eas
michi mandasti talia unde multum miror, quia quod feci credo
me per te fecisse. Et in die ascensionis domini habebo omnes
barones meos mecum congregatos et per consilium eorum ita
coneniente tibi respondebo, quod cum tecum loquar non
credo te me inde blasphematurum. Et quicquid fiat alias, scito
quia tui quicquid ipsi fecerunt per omnes terras tuas in pace
permanserint. Teste Wauderico cancellario. Apud Tonebrige.

a Tonebrige LE  
b reposite LE ] reposte M  
c–c witness and place-date from LE ] om. M
Henry by the grace of God king of the English to Anselm archbishop of Canterbury greeting. On St George’s day at Tonbridge letters were brought to me under your seal. And by these you have sent me many things that amaze me, for what I have done I believe I have done through you. And on Ascension Day I shall have all my barons gathered with me and by their counsel I shall answer you in such fitting terms that, when I speak with you, I believe you will not speak ill of me on the subject. And whatever else may happen, know that your people, whatever they have done in all your lands, have remained in peace.

DATE: After St George’s day, 23 April 1106; before Ascension day, 3 May 1106. Farrer, for no good reason, followed the uncorrected date in the secondary copy of Eadmer, BL MS Cotton Titus A. ix, ‘in die sancti Gregorii’ (12 March 1106), which the scribe himself corrected to ‘Georgii’.

ADDRESS: Archbishop Anselm.

WITNESS: Waldric, as chancellor.

PLACE: Tonbridge, Kent.

CONTEXT: Eadmer quotes four letters exchanged in rapid succession to illustrate Anselm’s desire to persuade the king not to act against the clergy in England in the manner that had given rise to much hostility, from the king’s supporters as well as his clerical opponents. The first is Anselm’s letter to the king (ep. 391, written from Le Bec and datable to March–April 1106), followed by this reply from the king (ep. 392, late April 1106). Anselm then wrote again to the king (ep. 393, from Le Bec, May 1106), and the king’s second answer follows as {26}, Regesta 751 (ep. 394, late May 1106). This group is separated in the Canterbury collection. Eadmer also records that the king’s decision was promulgated nationally (4; Eadmer, Historia nouorum, p. 218).

The subject of these letters has moved on from the business of the several preceding exchanges. Agreement having been reached at Benevento in the main matters in dispute between the king and the archbishop, Anselm has raised another issue now at a time when he felt he had succeeded in his aims and when the king was preparing for military action in Normandy. His letter to the king, ep. 392, complains that Henry has been exacting fines from priests who had breached the canons of the church council held at London in 1102, usurping the role of a bishop in his diocese or, where bishops are negligent, of the primate. And he further reminds the king that he had been recognized as archbishop by the king when they met at L’Aigle in July 1105.

Letter of King Henry to Archbishop Anselm saying that he has acted as he thinks best concerning married priests and will meet Anselm soon in Normandy. May or June 1106

SOURCE: Anselm’s letters, as selected by William of Malmesbury (see {20}), M, fol. 152r (no. 95) and as collected (see {12}), L, fol. 135v (no. 325), and E.
Henricus rex Anglor(um) Anselmo Cantuariensi archiepiscopo salutem et amicitiam. De hoc quod michi mandasti\(^a\) de sacerdotibus scias\(^b\) quod ita decenter feci ut opinor secundum quod facere debui. Nec tibi\(^c\) sit incognitum breui intervallo temporis me transfretaturum. Et ex quo tecum\(^d\) locutus fuero, si qua commisi in his, omnipotentis dei et tuo\(^e\) consilio corrigam. Teste Waldrico\(^f\) cancellario. Apud Merlebergam.

\(^{a}\) mandastis L  \(^{b}\) sciatis L  \(^{c}\) uobis L  \(^{d}\) uobiscum L  \\
^{e}\) uestro L  \(^{f}\) Walderico L

See note \{12\} above for the change of singular to plural in L.

Henry king of the English to Anselm archbishop of Canterbury greeting and friendship. In the matter that you have sent me concerning priests, know that I have acted as fittingly as in my judgement I ought to have done. And it shall not be unknown to you that in a short time I shall cross the Channel. And since the time when I last spoke with you, if I have done things that are at fault, I shall put them right with the help of God and your counsel. Witness Waldric the chancellor. At Marlborough.

DATE: Datable primarily from its context; see note on previous letter.
ADDRESS: Archbishop Anselm.
WITNESS: Waldric, as chancellor.
PLACE: Marlborough, Wilts. The king was at Salisbury at Whitsuntide, 13 May, which may be a guide to a closer date.
CONTEXT: See note on preceding letter. This responds to Anselm’s ep. 393 in a conciliatory tone, which Anselm acknowledges gratefully (ep. 394).

27 Letter of King Henry to Archbishop Anselm, offering sympathy in his sickness that has prevented his coming to England and telling him now to wait for the king to arrive in Normandy. June–July 1106

SOURCE: Anselm’s letters, as collected (see \{12\}, \{19\}), from L, fol. 135v–136r (no. 327), P, and E.

Henry by the grace of God king of the English to Anselm archbishop of Canterbury his dearest father greeting and friendship. You shall know, kindly father, that I grieve and am much saddened on account of your pain and illness. Know too that if I had not been waiting for you, I should already have been in Normandy. I should have been glad to receive you here before I left England. Now, however, I entreat you, as son to father, that you should yield a little more to your physical nature and not afflict your body. But I will and command that you shall have all my possessions in Normandy at your command just as you have your own demesnes, and my heart will rejoice if you do this. Now, however, wait for me in Normandy, for I shall cross very soon. Witness Waldric. At Windsor.

DATE: After Whitsun at Salisbury, the king’s movements are not clearly known. He and the chancellor sailed for Normandy in July 1106, a horizon not recognized in Schmitt’s broader dating to the summer of 1106.
ADDRESS: Archbishop Anselm.
WITNESS: Waldric, as chancellor.
PLACE: Windsor.

CONTEXT: After the synod at Rouen, probably in early May 1106, Anselm had returned to Le Bec, where he would soon receive some hairs, brought from Antioch by Bohemond, that were said to have been torn from her head by the Virgin Mary as she witnessed her son’s death on the Cross (Eadmer, Historia novorum, 180–81). Meanwhile William de Warelwast had gone to England and met the king to report on his mission to Pope Paschal; the king recalled Anselm to England, says Eadmer, sending William back to Le Bec to ask him. William found Anselm ill (ibid. 181–2), but after a little time Anselm left Le Bec for England. He fell ill again at Jumièges, from where the archbishop himself sent messengers to England to tell the king. This is the reply from the king, brought by Anselm’s messengers who travelled as quickly as possible (celerrime). Henry allows Anselm to draw on such resources as he himself had in Normandy at this date. Anselm remained at Jumièges for about a month before returning to Le Bec to await the king’s arrival. The king himself crossed to Normandy ‘before August’ (ASChr), where he received the submission of many of the leading laymen. During this period, at the feast of the Assumption, 15 August 1106, he came to Le Bec where Anselm celebrated mass in his presence and the two men were reconciled (Eadmer, Historia novorum, 182–3). In September Anselm sailed for Dover and so came to Canterbury; the Queen travelled into Kent to welcome him (ib.).

28 Letter of King Henry in Normandy to Archbishop Anselm [in England], reporting his victory over Duke Robert in battle at Tinchebray. October 1106

The letter was presumably delivered to Anselm in England, and the copies known from manuscripts of his correspondence, from Eadmer’s Historia novorum, and from William of Malmesbury’s Gesta pontificum ought ultimately to go back to the lost original. Their shared omission of the witness and place-date, which the original must have had, suggests that they were not independent. William’s copy in M was taken from Eadmer; it would be surprising if this were also the case with LE, since L draws extensively on the Canterbury archive and may be expected to have used the same source as Eadmer. It may perhaps be inferred that the archive retained a copy as well or in place of the sealed original. Copies were put into circulation in England, presumably by Anselm, and the two witnesses to this circulation have retained the clause. At Gloucester this letter and another circulated by the archbishop two years later were copied together, no doubt from single-sheet copies. The later copy, plausibly assigned to Evesham, suggests that, at the time when it circulated as news, the letter was copied together with another contemporary report; these two may have occupied a single piece of
parchment and been added, for their historical interest, into a twelfth-century copy of Bede’s De tabernaculo.

COPY FROM CANTERBURY: Eadmer, Historia nouorum, pp. 218–19 (omits witness and place-date); Anselm’s letters, as selected by William of Malmesbury (see 90), M, fol. 152v–153r (no. 98) (omits witness and place-date) [from Eadmer], and as collected (see 90), L, fol. 139r (no. 340), P, and E: William of Malmesbury, Gesta pontificum Anglorum, § 62 (omits witness and place-date) [from M].

COPY FROM GLOUCESTER: Hereford Cathedral, MS P. I. 3 (s. xii, probably from Gloucester abbey), fol. 101r [B], Henry’s letter inserted after a copy of Anselm’s letter to Archbishop Thomas of York preceded by a covering-letter addressed to Bishop William of Winchester (epp. 471, 472; see alo Brett & Gribbin, EEA xxviii Canterbury 1070–1136, 14–15, no. 14). These letters date from 1108, and Holtzmann dated the handwriting of all three letters to the first decade of the twelfth century (Neues Archiv 50 (1933–5), 285). A later hand added the record of the legatine synod of 1125 (Councils and Synods, ii. 734, 738–41).

COPY FROM EVESHAM: Bodl. MS Jesus College 51 (s. xii, assigned by Ker to Evesham with a query), fol. 104 [C], Henry’s letter and that of the priest of Fécamp, inserted in a blank space.


CALENDAR: Regesta 788.

H(enricus)\textsuperscript{a} rex Anglor(um) Anselmo Cantuariensi archiepiscopo\textsuperscript{b} salutem et amicitiam. Paternitati et sanctitati
uestre significamus Rotbertum\textsuperscript{c} comitem Normannie cum omnibus copiis militum et peditum quos prece et pretio adunare potuit die nominata et determinata mecum ante Tenerchebraium acriter pugnasse. Et tandem sub misericordia dei uicimus et sine multa cede nostrorum. Quid plura? Diuina misericordia ducem Normannie et comitem Moritonii et Willelmmum Crispinum et Willelmmum de Ferreris et Rotbertum\textsuperscript{c} de Stuteuilla senem et alios usque quadringentos milites et decem milia peditum in manus nostras\textsuperscript{d} dedit et Normanniam\textsuperscript{d}. De illis autem quos gladius peremit non est numerus. Hoc autem non elationi uel arrogantie nec uiribus meis sed dono duine dipositionis attribuo. Quocirca, pater uenerande, supplex et deuotus genibus tue\textsuperscript{e} sanctitatis aduolutus te\textsuperscript{f} deprecor ut supernum iudicem cuius arbitrio et uoluntate triumphus iste tam gloriosus et utilis michi contigit depreceris ut non sit michi ad damnum et detrimentum sed ad initium bonorum operum et seruitii dei et ad sancte dei ecclesie statum tranquilla pace tenendum et corroborandum ut amodo libera uiuat et nulla concutiatur tempestate bellorum. \textsuperscript{g}Teste Wald(rico) canc(ellario). Apud Wellebof.\textsuperscript{g}

\textsuperscript{a} H(enricus) B \{ Henricus cett. \\
\textsuperscript{b-b} archiepiscopo Cantuariensi B \\
\textsuperscript{c} Rotbertum B \{ Robertum cett. \\
\textsuperscript{d-d} dedit et Normanniam BC LE \{ et Normanniam dedit Eadmer William \\
\textsuperscript{e} tue BC Eadmer William \{ uestrae LE \\
\textsuperscript{f} te BC Eadmer William \{ uos LE \\
\textsuperscript{g-g} Witness and place-date BC LE \{ omitted by Eadmer William \\

\textit{Henry king of the English to Anselm archbishop of Canterbury greeting and friendship. We write to inform your Fatherhood and Holiness that on a named and fixed day Robert, duke of Normandy, with all the forces of knights and of infantry which by begging or buying he was able to collect, fought with me furiously before the walls of Tinchebray and in the end by the mercy of God the victory was ours and that without any great slaughter of our own men. What more? The mercy of God has delivered into our hands the duke of Normandy, the count of Mortain, William Crispin, William de Ferrers, the elder Robert de Stuteville, and others to the number of four hundred knights and ten thousand foot, and Normandy itself. Of those whom the fight killed there is no reckoning. This result I do not count to my own glory or pride nor to my own power but as a gift of God who so disposed it. Therefore, venerable father, falling at the}
knees of your Holiness I humbly and devoutly beg you to pray the heavenly judge, by whose decision and will this victory, so glorious and so advantageous, has come to me, that it may not turn out to my loss or detriment but may lead to the initiation of good works and the service of God and to the preserving and strengthening of God’s holy church in peace and tranquillity, so that henceforth she may live at liberty and may not be shaken by any storms of war. Witness Waldric the chancellor. At Elbeuf.

DATE: Within a few days following the battle at Tinchebray on 28 or 29 September 1106; the letter is introduced in Eadmer by a sentence saying that the king reported the outcome of the battle to Anselm confestim ‘at once’.


WITNESS: Waldric, as chancellor.

PLACE: Elbeuf, only 18 km south of Rouen. The king hurried from Tinchebray to Falaise, accompanied by Duke Robert but without his army, and from there to Rouen (Orderic, XI 20, ed. Chibnall, vi. 92). The journey need have taken no more than two days.

CONTEXT: The preservation together as additions in a manuscript from Evesham of this letter and the letter of a priest of Fécamp, describing the battle at Tinchebray to the priest of Séès, argues that copies of these two letters may have circulated together among religious houses as an important item of news. The Fécamp letter, noted by Hardy, Descriptive Catalogue, ii. 99, was first printed by H. W. C. Davis, ‘A contemporary account of the battle of Tinchebrai’, EHR 24 (1909), 728–32, with a corrected text sent by H. E. Maldon, EHR 25 (1910), 295–6. This source refers to only three high-ranking captives, Duke Robert (referred to as comes), the count of Mortain, and the writer’s amicus, Robert de Stuteville. The writer of that letter had met the king at Caen after the battle, though how long after the battle is not apparent.

Anselm received the king’s letter in England. His reply, ep. 402 (which follows in L), addresses the king as ‘glorious king of the English and duke of the Normans’; and in another letter from late 1106 Anselm again addresses Henry as ‘king of the English and duke of the Normans’ (ep. 404). These are the first examples of the ducal style associated with Henry’s name. In later letters, however, Anselm reverts to ‘king of the English’ without any Norman title (ep. 424). The circulation of this letter may have been promoted by Anselm himself. As well as quoting the letter in Historia novorum, Eadmer refers to it in his Vita Anselmi, I 62 (ed. Southern, 138–9), and in both contexts he says that all who heard the news attributed the king’s victory to his reconciliation—pax in Historia novorum, concordia in the Vita—with Anselm. A small point of interest is that in the early recensions of the Vita (as reported in Southern’s critical apparatus) Eadmer refers to casualties on the Norman side in words that follow the expression in the king’s letter, ‘innumerisque peremtis’, reflecting the king’s words, ‘De illis autem quos gladius peremit non est numerus’. In the later versions of the Vita, the reference to fatalities is removed, perhaps because a near-bloodless victory would reflect better on Anselm’s merits.

Chaplais, ‘Seals and original charters’, 264, raised the possibility that the seal had been lost during the battle to explain why the third seal, so similar to the second seal, was introduced with the new chancellor at the beginning of 1107. This seems an unlikely conjecture.
29 Letter of King Henry to Archbishop Anselm, expressing relief to hear of the archbishop’s recovery and reporting a meeting with Louis of France and progress in business with the Roman emperor. Probably July 1108, perhaps August–September 1108

SOURCE: Anselm’s letters, as collected (see above, {12}, {19}), from L, fol. 157v (no. 379), P, and E.
PRINTED: G. Gerberon, Sancti Anselmi opera, nec non Eadmeri Historia nourorum et alia opuscula (Paris, 1675), 449 (IV 92), repr. Paris 1721, Venice 1744, and also repr. PL 159. 246–7; reprinted also in a selection from the letters with notes by M. Brial in M. Bouquet and others, Recueil des historiens des Gaules et de la France (Paris, 1738–1904), vol. xv (1808), 68 (no. 15) [from Gerberon]; F. S. Schmitt, Sancti Anselmi opera (Seckau, Rome, Edinburgh, 1938–61), v. 410–11 (no. 461) [from LPE]; Anselmo d’Aosta, Lettere, iii. 480–83 (no. 461) [from Schmitt]; W. Fröhlich, The Letters of Saint Anselm of Canterbury (Kalamazoo, MI, 1990–94), iii. 251–3 (no. 461) (in English) [from Schmitt].
CALENDAR: Farrer 226B; Regesta 910.

Henricus gratia dei rex Anglorum Anselmo Cantuariensi archiepiscopo karissimo patri suo salutem et dilectionem. Agnosce, pater mi, quia ego gratia dei sanus sum et incolmis, et omnia mea salubria incedunt et prospere. Quod autem de te ac salute tua per Anfridum clericum tuum et per alios accepi necnon de iis que circa te geruntur felicitate salutis et prosperitatis agitari, scito me congratulari non minimum. Ne uero conscientiam beneuolentie tue lateat quomodo nobis contigerit de colloquio nostro inter me et Lodewicum Francie, scias quoniam ego cum pleraque copia militum meorum et ipse cum fortitudine sua undique collecta tenuimus colloquium. Ego autem studens rationi et equitati cum moderata humilitate, obseruata tamen regia austeritate, tantum equo et iusto adquieuit, donec ipse fastu presumptuoso nimia ac superba michi superquesuuit. Et ita disponente spiritus sancti gratia collocationem meas finius ut comitibus michi existentibus ratione et iustitia recesserim, ita etiam ut ipsi quos ipse Lodewicus in conventione nostra michi hostagios ex parte
sua posuit, parti cause mee assentiant et causam meam tueantur et causam Lodewici infirmant et reprobant. Preterea scias quoniam negotium quod inter me et imperatorem Romanorum tractabatur gratia dei ad honorem dei et nostrum et sancte ecclesie et Christiani populi ad finem perduximus. De cetero de iis que in Anglia sunt et que ibi tractantur, uolo ut uoluntati tue pareant et consilio tuo disponantur. Quod etiam ego iusticiariis nostris feci agnitum. Filium meum et filiam tibi committo, ut paterna dilectione eos foueas et de eis filiastino amore curam agas. Teste Rann(ulfo) cancellario. Apud Rotomagum.

Henry by the grace of God king of the English to Anselm archbishop of Canterbury his dearest father greeting and love. Know, my father, that I am safe and well and that all my affairs go well and favourably. As for what I have heard about you and your health from Ansfrid your clerk and from others, and also of those things going on around you, know that I rejoice more than a little that you are in good health and well-being. So that your Benevolence is not left in the dark about what happened to us in our discussion between me and Louis of France, know that I and a large number of my knights held a conversation with him accompanied by a force of his collected from far and wide. Concerning myself with reason and fairness as well as well-managed humility, but preserving always royal severity, I yielded fairly and justly only up to the point where he with too much presumptuous loftiness and pride asked me for too much. By the grace of the Holy Spirit I so ended my conversation that I withdrew with reason and justice, and my counts with me and so too that those whom Louis had handed over to me at our meeting as hostages from his side were ready to assent to my case and to watch over my interest, talking down and rejecting Louis's case. Know also that the business between me and the Roman emperor has been brought to a conclusion by the grace of God, honourable to God and ourselves and Holy Church and all Christian people. As for what is going on in England and the business there, I will that they should be done in obedience to your will and in accordance with your advice. I have also made this known to our justiciars. I commit my son and daughter to you, so that you may cherish them with fatherly affection and watch over them with parental love. Witness Ranulf the chancellor. At Rouen.

DATE: Internal allusions suggest that this was the king’s first letter to Anselm after he left England for Normandy in July 1108. His commending his children to the archbishop makes best sense in the context of his leaving England, and Anselm acknowledged it in his reply (ep. 462). When the king was preparing to leave England in early July 1108, Anselm had been suddenly taken ill and was unable to make the short journey to bless the king before he sailed for Normandy (Eadmer, Historia nouorum, 197). Anselm recovered from this bout of illness, leading to an early date for this letter (Fröhlich, iii. 253). News of his recovery had been carried by Anselm’s clerk, Ansfrid, to the king in Normandy, who had much to report to the archbishop. Anselm’s
reply, *ep. 462* (which follows in L), expresses pleasure at the king’s successes and gratitude that the king has commended his children to him. The reply was sent before his health had begun seriously to fail in the last months of 1108. Eadmer, *Historia novorum*, 203, dates Anselm’s terminal decline from October 1108, and he died at Canterbury on the Wednesday before Easter, 21 April 1109 (ib. 206). Dating this letter to July 1108, or a little later, based on the letters and on Eadmer’s supporting information is in conflict with the usual dating of the king’s conference with Louis of France. See Context.

**ADDRESS**: Archbishop Anselm.

**WITNESS**: Ranulf, as chancellor.

**PLACE**: Rouen.

**CONTEXT**: King Henry’s meeting with Louis has long been dated to March 1109. Suger’s *Vita Ludowici Grossi*, c. 16 (Waquet, 100–111), gives a detailed account of their *colloquium* across a bridge near Néauphles-St-Martin, putting it after the death and burial of King Philip (c. 13) and the coronation of King Louis VI (c. 14), all without dates. According to Suger, their dispute concerned the castle of Gisors, on the Norman side of the river Epte near Neauphles. The area where they met would become, if it was not already, the customary meeting place for the dukes of Normandy and the kings of France through the twelfth century (J. E. M. Benham, ‘Anglo-French peace conferences in the twelfth century’, *ANS* 27 (2005), 52–67, at pp. 53–4; J. B. Gillingham, ‘The meetings of the kings of France and England, 1066–1204’, in *Normandy and its Neighbours 900–1250*, ed. D. Crouch & K. Thompson (Turnhout, 2011), 17–42, at pp. 19–21). Suger’s grasp of the background is incoherent, and one must wonder how much of the detail is reconstructive fiction. A. Luchaire, *Louis VI le Gros. Annales de sa vie et de son règne (1081–1137)* (Paris, 1890), 38–40 (§ 72), mentions the problem, ‘Il faut noter que le récit de Suger ne concorde pas en tous points avec la lettre d’Henri I à Anselme’, and he mentions Louis’s hostages. He dated the meeting March × 21 April 1109 on the basis that Anselm’s death provided the *terminus ad quem*, but he took no account of the time for Anselm to answer the king nor of the state of Anselm’s health. This dating is repeated in Louis’s itinerary by J. Dufour, *Recueil des actes de Louis VI*, iii. 199–218 (at p. 204). If the letter were written in March 1109, the archbishop’s clerk could only have brought news that Anselm was dangerously ill. And Anselm’s reply to the king could hardly have taken the form it does. The French chronology has paid too little attention to the evidence of these two letters, perhaps because the king’s letter was excerpted by Brial and has been read outside its natural context. Behind Luchaire, we find that the dating takes on its present sequence in the notes supplied by Dom Michel Brial in the *Recueil*, xv. 68n, where he says, ‘tempus uero quo habitum fuit id colloquium discimus ex chronographo S. Petri-Vivi Senonensis, nimirum anno 1109, tempore Quadragesimae’.

Suger’s own chronology is vague and error-prone, and all that may be said in this case is that he puts the meeting after Louis succeeded to the throne. He may have assumed that the two met as kings. When we turn to the *Chronique de Saint-Pierre-le-Vif de Sens*, ed. R. H. Bautier & others (Paris, 1979), we find that there is more precise chronology but still a measure of confusion. The hand that copied the chronicle up to 1108 reached the death of King Philip, here dated 30 July 1108, and the succession of King Louis VI (*Chronique de Saint-Pierre-le-Vif*, 146). The manuscript, Auxerre, BM MS 212, is contemporary, and at the foot of the same leaf, fol. 77v, another hand takes over, a hand that uses the first person, ‘ego abbas Arnaldus’ (p. 148). Abbot Arnaud
continues his account of the same year, going back to the spring and mentioning
troubles in Spain and difficulties with the king of the English. The appeal to Louis from
Ramón Berenguer, known only from this source, is dated by Spanish historians to early
1109, on the grounds that his lands were attacked from August 1008 (E. Florez, España
Sagrada 29 (1775, 21859), 248–9 (§ 226), 499–500). King Henry, along with other
French counts and dukes, is said to have refused to do the homage he owed to the king
of France; these troubles were resolved between Lent and Whitsun. In the extracts from
the Chronique, in Recueil, xii. 281, the year 1109 is printed in the margin. On fol. 78v
(p. 150), Arnaud goes back a little further to mention the presence of Louis, ‘rex
designatus’, at the translation of the relics of St Benedict at Fleury, 21 March 1108
(referred to as the previous year on the basis that the chronicle begins the year at 25
March but perhaps a reason for thinking that Arnaud had reached 1109 before going
back). This is convoluted. At fol. 79r (p. 152), Arnaud himself refers to the death of
King Philip on 30 July 1108 and Louis’s becoming king on 3 August. As Arnaud tells
the story Louis’s argument with Henry seems to have occurred before King Philip’s
death. Yet it is not entirely transparent whether his intention was to say that the dispute
over homage occurred in spring 1108 or, as one might rather presume, after Louis’s
accession: but why should the refusal be delayed for many months into 1109?

What we know from the Anselmian context makes a date in 1108 more
probable than 1109. If Henry wrote in August or September 1108, after the death of
King Philip, it is surprising that he makes no reference to the fact. Indeed, his referring
to ‘Lodowicus Francie’ without the title rex may point to a narrow date-range in July
1108 before King Philip died. There is no doubt that King Louis was already in effect
ruler of France, but it is impossible to know whether Henry would refer to the newly
crowned king without his title. ASChr (E) very distinctly says that the king left England
‘before August’ (and therefore before the death of King Philip), and it goes on to say,
‘there were many struggles between the king of France and the king of England while
he stayed in Normandy’. A date in August or September 1108 cannot be ruled out. This
carries the implication that the king’s colloquium with Louis must be redated from
March–April 1109 to July–September 1108.

The letter reveals nothing about the subject of his dispute with Louis of France
nor about the king’s business with the emperor. Its allusion to business in England is
very vague: if it refers to Anselm’s concern over Archbishop Thomas’s refusal to
profess obedience to Canterbury, it is hardly likely that the king would so clearly take
Anselm’s side. Anselm’s reply intimates that how things stand with the archbishop
elect of York will be reported orally to the king by Baldwin, who carried the letter. This
may point to a date some time in October or November 1108 for Anselm’s reply, with
the implication that the king’s letter was written a couple of months earlier.

Farrer and Regesta favoured March 1109, following the French historians and
not questioning their basis for dating Henry’s meeting with Louis at Neuafles. Hollister,
Henry I, 217, with equal trust, took this as decisive and noted that within two weeks of
the king’s return to England in May 1109 Henry received the emperor’s envoys at a
Whitsun court at Westminster and completed the formalities of the betrothal of his
daughter to Emperor Henry V. To change the dating of the letter is therefore to extend
the period of these negotiations. Hollister, Henry I, 222, refers to this as the last letter
from Henry to Anselm before the archbishop died. Although it is the last letter from the
king to Anselm in the Canterbury collection (L), and the last as dated by Farrer and
Regesta, it must predate the letter in which the king orders delay in the consecration of
Archbishop Thomas (ep. 470). Indeed, it might appear from this letter that the king was still unaware of the argument over Thomas’s consecration that was to occupy Anselm’s thoughts during the autumn and winter of 1108–9.

The mention of ‘iusticiariis nostris’ is a valuable early example of the word ‘justiciar’ used by the king. It is taken here to refer to those regents in whose hands the administration of England was left while the king was in Normandy. Transparent examples of this usage are rare, and the matter has been confused by the frequent false expansion of iustic’ (for ‘iustic(ie)’, ‘iustic(iis)’) as ‘iusticiariis’. An early and clear example occurs in the record of a plea from Fécamp in William II’s time, ‘misit rex litteras sigillatas ad iusticiarios suos de Anglia scilicet ad †Radulfum episcopum de †Cicestria, Ragnulfum capellanum, Hamonem dapiferum et Vrsonem de Abetot, in quibus precepit . . .’ (W2/000; Regesta 423). The king’s regents in England are referred to as iustificatores in a writ of William II for Ely in November 1097 (W2/000; Regesta 389), a sign that the terminology had not yet become fixed.

30 Lost letter of King Henry to Pope Paschal, requesting licence to create a new see at Ely from within the bishopric of Lincoln. Autumn 1108

SOURCE: Letter of Pope Paschal II to King Henry, dated 21 November 1108 (JL 6212), preserved at Ely and included in Liber Eliensis, III 2. The Liber Eliensis survives in three complete copies, CUL Ely Dean & Chapter, MS 1 (‘Liber Eliensis’); Cambridge, Trinity College, MS O. 2. 1; and Bodl. MS Laud Misc. 647.

PRINTED: John Selden, Eadmeri historiae novorum siue sui saeculi libri vi (London, 1623), 210 [from two copies]; Dugdale, i. 95a, repr. Monasticon, i. 482–3 (no. xix) [from Bodl. MS Laud Misc. 647]; G. Gerberon, Sancti Anselmi opera, nec non Eadmeri Historia novorum et alia opuscula (Paris, 1675), ii. 132 [from Selden]; Wharton, Anglia Sacra, i. 679 [from Liber Eliensis]; J. Bentham, History of Ely (1771), Appendix, p. *11 (VI. 2) [from Liber Eliensis]; Mansi, Concilia, xx. 1064 [from Selden]; F. S. Schmitt, Sancti Anselmi opera (Seckau, Rome, Edinburgh, 1938–61), v. 405–6 (no. 457) [from Bentham]; E. O. Blake, Liber Eliensis, Camden 3rd ser. 92 (1962), 246 [in Liber Eliensis]; Anselmo d’Aosta, Lettere, iii. 474–5 (no. 457) [from Schmitt]; W. Fröhlich, The Letters of Saint Anselm of Canterbury (Kalamazoo, MI, 1990–94), iii. 245–7 (no. 457) (in English) [from Schmitt]; J. Fairweather, Liber Eliensis (Woodbridge, 2005), 301–2 (in English) [from Blake].

CALENDAR: Not in Regesta.

Postulasti siquidem a nobis per litteras, ut in loco qui Ely dicitur nouus ex apostolica auctoritate episcopatus constitutur quia Lincolniensem episcopatum tante magnitudinis esse dixisti, ut ad peragenda ea que episcopalis sunt officii unus episcopus nullatenus sufficere possit. . . . In alii quoque de quibus rogasti, licet quedam ibi inordinata uideantur, tue tamen voluntati refregari nequaque ualemus.
You have asked us by letter that a new bishopric should be established in a place called Ely, because, you have said, the bishopric of Lincoln is of such great extent that it is not possible for one bishop to fulfil the duties of episcopal office. . . . Among other things about which you asked us, although there are some points there that seem to be uncanonical, we are not able to contradict your will.

SOURCE: Letter of Pope Paschal II to King Henry, without dating clause (JL 6213), but on or after 21 November 1108 (JL 6212), from Liber Eliensis III 3. Three letters from the pope bear the same date, to King Henry (JL 6212, ep. 457), to Anselm (JL 6210, ep. 458), and to Anselm (JL 6211, ep. 459); JL supplied it for JL 6213, ep. 461. With two letters to Anselm on the same date and the same business, it is not impossible, but a later date seems more plausible.

PRINTED: J. Bentham, History of Ely (1771), Appendix, p. *12 (VI 3) [from Liber Eliensis]; F. S. Schmitt, Sancti Anselmi opera (Seckau, Rome, Edinburgh, 1938–61), v. 409 (no. 460) [from Bentham]; E. O. Blake, Liber Eliensis, Camden 3rd ser. 92 (1962), 247 [in Liber Eliensis]; Anselmo d'Aosta, Lettere, iii. 478–81 (no. 460) [from Schmitt]; W. Fröhlich, The Letters of Saint Anselm of Canterbury (Kalamazoo, MI, 1990–94), iii. 250–51 (no. 460) (in English) [from Schmitt]; J. Fairweather, Liber Eliensis (Woodbridge, 2005), 299–300 (in English) [from Blake].

CALENDAR: Not in Regesta.


Bishop Paschal, servant of the servants of God, to his dear son Henry, glorious king of the English, greeting and apostolic blessing. We have received the letters of your very sweet love to us, showing the sweetness of the affection that you have towards St Peter and us who are his servants. We sufficiently rejoiced in them because we recognize in the heart of an earthly king the love of the heavenly homeland. And therefore, even as we find more certainly that you seek what is pleasing to the heavenly king, so we give assent to your requests more willingly and easily. As for the matter which you took care
to intimate to us secretly, we have given it as much attention as we were able. In all
tings, as far as we are able, we seek gladly to work for the honour of God and for the
crease of your reputation. Moreover, concerning that exchange which your Affection
ested from us through our brothers Bishop Hervey and Peter the chamberlain, if it
will be possible to do it to the good of the church, as you have reported, we give assent
to your request. We commend to your Highness the same brother Bishop Hervey whom
we have learnt is dear to you.

DATE: Some weeks before the pope’s response; therefore Autumn 1108.
CONTEXT: Four letters of Pope Paschal bear the same date, 21 November [1108], two
addressed to Anselm (epp. 458–9) and two to King Henry (epp. 457, 460). The last two
each refer to letters from King Henry to the pope, though whether they represent one
letter or two is not entirely clear.

31 Letter of King Henry in Normandy to Archbishop
Anselm in England, ordering him to delay the
consecration of Archbishop Thomas until Easter, by
which time the king will have returned to England.
Perhaps January 1109

SOURCE: Eadmer, Historia nouorum, p. 246.
SOURCE: Anselm’s letters, as selected by William of Malmesbury (see above, {20}),
from M, fol. 154v (no. 109) [from Eadmer]; also from D [from M].
PRINTED: Rule, 205 [from Eadmer]; F. S. Schmitt, Sancti Anselmi opera (Seckau,
Rome, Edinburgh, 1938–61), v. 418–19 (no. 470) [from MD and Rule]; Anselmo
d’Aosta, Lettere, iii. 496–7 (no. 470) [from Schmitt]; W. Fröhlich, The Letters of Saint
Anselm of Canterbury (Kalamazoo, MI, 1990–94), iii. 263–4 (no. 470) (in English)
[from Schmitt].
CALENDAR: Regesta 904.

Henricus dei gratia rex Anglorum Anselmo Cantuariensi
archiepiscopo caro patri suo salutem et amiciciam. Mando
ubis ut respectetis equo animo et bona uolun
tatem Thome „Eboracensi archiepiscopo“ usque ad
pasca, et quicquid inter uos inde actum est. Ego enim, si infra
terminum predictum in Angliam rediero, consilio episcoporum
et baronum meorum uos iuste et honorifice inde concordabo.
Quod si tam cito non rediero, taliter inde agam quod fraterna
pax et bona concordia inter uos erit. Val(ete).

* Schmitt ‘corrects’ dative to genitive
Henry by the grace of God king of the English to Anselm archbishop of Canterbury his dear father greeting and friendship. I order you that you shall put off consecration for Thomas archbishop of York with a fair mind and good will until Easter and also whatever has passed between the two of you on that subject. For by then I shall have returned to England and by the counsel of my bishops and barons I shall bring you to agree justly and honourably in that matter. But if I do not return so soon, I shall act in such a way that fraternal peace and good harmony will be between you. Farewell.

DATE: The contextual date provided by Eadmer, Historia nouorum, 204, is vague, and so is Schmitt’s ‘aliquanto ante festum Paschae a. 1109’.
ADDRESS: Archbishop Anselm.
WITNESS: No witness.
PLACE: No place-date. Eadmer mentions that the letter was brought from Normandy.
CONTEXT: The letter, ‘litteras . . . sigillo regis inclusas’, was brought to Anselm by Archbishop Thomas’s messenger, who had come from Normandy. The background was a period of delay by Thomas himself. Anselm had instructed him to be at Canterbury to receive consecration on 27 September 1108 (Historia nouorum, 201; ep. 445). Thomas had set out but was ordered by the chapter of York not to admit any subjection to the see of Canterbury, sending messengers after him as far as Worcester (Hugh the Chanter, 32; ep. 453). The chapter of York also wrote to Anselm (Hugh the Chanter, 34; ep. 454). In March or April Anselm wrote to Archbishop Thomas (ep. 472), sending copies of this letter to the English bishops individually with a covering letter, couched as a mandate (ep. 471), ordering them to act towards Thomas in accordance with his own letter to him. This was done shortly before Anselm’s death on 21 April 1109 (Eadmer, Historia nouorum, 206). Meanwhile Archbishop Thomas had persuaded the king to write to Pope Paschal ([32]), who in response sent the cardinal-priest Ulrich to England. After Easter Cardinal Ulrich arrived from Pope Paschal with a pallium for Archbishop Thomas and instructions to call on Anselm first and to act as directed by him. Anselm’s letter was read in council after the Whitsun court at Westminster, when Count Robert of Meulan challenged the bishops as to whether they had accepted the letter without the king’s consent. Eleven named bishops withdrew to consider how to answer, among them some of the king’s closest advisers, the bishops of Lincoln and Salisbury, Winchester and Exeter (Eadmer, Historia nouorum, 207–9).

32 Lost letter of King Henry to Pope Paschal, asking him to send a legate to bring the pallium to Thomas II, archbishop-elect of York. Early 1109

SOURCE: Hugh the Chanter’s account of the primacy dispute, written in 1127–8, for which the primary witness is York Minster Archives, D&C, MS L2/1, Magnum Registrum Album (s. xiv), pt 1, fols. 1–32, at fol. 6r.
Litteris utrimque missis et remissis, nunciis utrimque euntibus et redeuntibus, aliquantum temporis processerat, cum tandem rex de Normannia litteras suas ad archiepiscopum misit, mandans amicabiliter ut ab hac summonicione et professionis exactione desisteret, donec ipse in Angliam rediret. Tunc quidem, deo auxiliante, illi controversie finem honestum imponeret. Ite electi nostri consecratio diucius induciata est. Interea, ille, litteris a capitulo de eleccione sua accepta, propter contencionem hanc monstrandam et palleum requirendum Romam pergeret.

Fauonius nobis prospere flabat, quia rex noster iusticie nostre bene fauebat. Dedit ergo rex domino decano litteras suas <quas> ipse petebat ad dominum papam pro electo nostro commendaticias, excusatorias, deprecatorias, quod uiro bene litterato, casto, et religioso et canonice archiepiscopum concesserat, set, quibusdam causis absque magna difficulitate Romam uenire non posse. Quapropter paternitati sue supplicabat ut quemlibet a latere suo uirum iustum et discretum in Angliam mitteret, qui electo archiepiscopo palleum deferret et causam inter duos metropolitanos canonice decideret. Summus pontifex, filii sui regis precibus annuens, contencionis causa plene cognita, dominum Olricum presbiterum cardinalem, ortu Remensem, clericum bonum et prudentem, cum decano misit cum palleo et litteris de contencionis diffinicione, sicut uisum fuerat domino pape et curie Romane.

*Time went on. Letters were sent and returned on both sides: envoys came and went. At last the king sent a letter from Normandy to the archbishop, bidding him in a friendly way, to give up the summons and demand for profession till he himself should return from England. Then, by God’s help, he would put an honourable end to the dispute. Thus the consecration of our archbishop-elect was further respite. Meanwhile, he obtained letters from the chapter as to his election, and sent the dean to Rome to report the dispute and to ask for the pallium.*

We had a favouring wind, since the king supported the justice of our cause. So the king gave the dean his letter to the pope which he requested, commending, excusing, and apologizing for our archbishop-elect; he said he had granted the archbishopric to a learned, chaste, and devout man in accordance with canon law, but that, for various reasons, the elect could not come to Rome without great difficulty. He accordingly besought the holy father to send to England a just and discreet legate a later to bring the pallium to the archbishop-elect, and to decide the cause between the two metropolitanas by canon law. The pope, granting the prayer of his royal son, and having fully realised the cause of the dispute, sent with the dean the cardinal-priest Ulrich, a native of Reims, a good and prudent clerk, with the pallium and with letters
about the settlement of the dispute as had seemed good to the pope and the Roman curia.

DATE: The letter was written in the first weeks of 1109. Hugh the dean travelled with it to Rome, but by the time he had reached Normandy on the return journey Anselm was already dead (21 April 1109).

CONTEXT: The first part of this passage refers to the letter quoted by Eadmer ([31], Regesta 904). The letter referred to in the second part of the passage is mentioned again by Hugh the Chanter, 46; the cardinal had seen it and knew that it was favourable to Archbishop Thomas.

33 Letter of King Henry to Bishop Lambert of Arras, thanking him for news delivered by the bishop’s clerk.

SOURCE: Among the letters of Lambert, bishop of Arras 1093–1115. The collection of 144 letters, 49 of them from Lambert to Pope Urban II, Pope Paschal II, or Count Robert II of Flanders, 95 of them addressed to Lambert, is presumed to have been assembled soon after the bishop’s death. It survives in two seventeenth-century transcripts from the ‘Codex Lamberti’ in the cathedral library, no longer known to exist. The copies are Arras, Bibliothèque municipale, MS 1051 (cat. 140) (AD 1690), p. 195 [B], and MS 1062 (cat. 222) (after AD 1674), fol. 98r [C], both from the abbey of Saint-Vaast. The letters follow an account of the establishment of the see in 1093, re-edited by L. Kéry, Die Errichtung der Bistums Arras 1093–94, Beihefte zu Francia 33 (1994), 152–97. This account and the letters were first printed in 1700 by Etienne Baluze, Miscellanea; hoc est collectio ueterum monumentorum quae hactenus latuerant in uariis codicibus ac bibliothecis (Paris, 1678–1715), v. 283–377, from another copy of the ‘Codex Lamberti’, made by a canon of the cathedral, J. Crignon. Kéry’s examination of the text of the Gesta suggests that the two surviving transcripts were made from a derivative of the ‘Codex Lamberti’ (pp. 61–7); Baluze’s edition provides a more direct witness.

PRINTED: Baluze, Miscellanea, vol. v (1700), 345 (ep. 100) [from a copy supplied by J. Crignon, canon of Arras], repr. in J. D. Mansi, Baluzii Miscellanea nouo ordine digesta (Lucca, 1761–4), ii. 151, and from there in PL 162. 684; reprinted also in a selection from the letters with notes by M. Brial in M. Bouquet and others, Recueil des historiens des Gaules et de la France (Paris, 1738–1904), vol. xv (1808), 201 (ep. 53); C. Giordanengo, Registre de Lambert, évêque d’Arras (1093–1115) (Paris, 2007), 462–3 (no. E98) [from BC].

CALENDAR: Regesta 907.

Henricus dei gratia rex Anglorum et dux Normannorum
Lamberto Atrebatensi episcopo salutem et amicitiam. Grates tibi reddo de hoc quod michi mandasti per D(rogonem)
clericum tuum. Et uolo ut in me ex hoc amodo habeas fiduciam, et libenter pro te faciam. Vale.

\(^2\) D(rogonem) Brial \(\) D. MSS Baluze. Drogo is named as a letter-carrier in ep. 86, and may well be Drogo, the bishop’s oeconomus, mentioned elsewhere in the letters and in Lambert’s Gesta (references in Giordanengo’s index)

Henry by the grace of God king of the English and duke of the Normans to Lambert bishop of Arras greeting and friendship. I render thanks to you for what you sent to me by D(rogo) your clerk. And I will that you shall for this reason hereafter put your trust in me, and I shall willingly act on your behalf. Farewell.

DATE: After the battle of Tinchebray, 28 or 29 September 1106, since King Henry did not use ‘dux Normannorum’ in his style before then; before Bishop Lambert’s death, 1115. The editors of Regesta date the letter c. 1108, saying, ‘dated by order in collection of letters’. In fact they have taken the date from the edition of 1808, the work of Michel Brial, who placed the date ‘An. 1108’ in the margin and justified it by a guess as to what business the letter may allude to. This is of no value, but it served Brial’s purpose in seeking to arrange his selection of letters chronologically. Very few letters in the collection are dated, but ep. 143 has the date 1108; the order of the collection does not support this date.

ADDRESS: Lambert, bishop of Arras. The use of \textit{dei gratia} is appropriate in writing to a bishop who is not the king’s man, and the unusual inclusion of Normandy in the royal style was perhaps also a deliberate reminder for Bishop Lambert.

CONTEXT: Lambert of Ghisnes, bishop of Arras from 1093 to 1115, was a kinsman by marriage of Gui, count of Ponthieu, as we learn from Gui’s letter (ep. 44) inviting him to attend the knighting of Louis, heir to the French crown. He preserved three letters that passed between him and Anselm (epp. 37, 92–3; added to Anselm’s letters in Schmitt’s edition, epp. 437–9). In the first of these Anselm, invoking the bishop’s respect for the papacy, asked for safe conduct for his clerk. In 1103 he sent greetings to Lambert via Lambert’s carrier, Conon (Anselm, ep. 285; compare Lambert, ep. 91). If one could simply guess at the business, one might have thought this was something connected with the king’s argument with Anselm, but they had reached agreement and Anselm had returned to England for the date of this letter. Brial’s guess that the business was the fosterage of Duke Robert’s son William in the years immediately after the duke’s capture at Tinchebray has little to recommend it.

34 Lost letter of King Henry to Pope Paschal requesting a pallium for Archbishop Ralph. Late 1114

PRINTED: Rule, 226.
CALENDAR: Not in \textit{Regesta}. 


Around this time envoys were sent to Rome to bring back from the papal see a pallium for the archbishop of Canterbury. They were John, monk of Sées, who a little earlier had been elected and blessed as abbot of Peterborough after Ernulf, and Warner, monk of Canterbury, and John the clerk, son of the archbishop’s sister. Arriving in Rome they brought to the lord Pope letters from the king of the English, from the archbishop, and from the community of brethren of the church of Canterbury, and individually from nearly all the bishops of England.

DATE: After John was elected abbot of Peterborough, which must have followed the election of Ernulf as bishop of Rochester on 15 September 1114. CONTEXT: Eadmer recites only the letter of the monks of Christ Church (Rule, 227). The request was granted, and Abbot Anselm of San Saba, nephew of Archbishop Anselm, was sent to England with the pallium and with letters from Pope Paschal to King Henry dated 30 March 1115 (JL 6450; Eadmer, Historia nouorum, ed. Rule, 228–9).

35 Writ of King Henry, addressed to Archbishop Ralph, licensing him to allow a monk of Canterbury [Eadmer] to go to Scotland to become bishop of St Andrews. June × November 1120

PRINTED: Rule, 281.
CALENDAR: Farrer 401; Regesta 1232.

Henry king of the English to Ralph archbishop of Canterbury greeting. I will and grant that you shall allow the monk to go freely, for whom the king of Scotland has asked you, according to the custom of his land in the bishopric of St Andrews. Witness Everard of Calne. At Rouen.

DATE: After Eadmer was elected bishop of St Andrews, 29 June 1120; before the king left Rouen on his way to cross the channel on 26 November 1120.
ADDRESS: Ralph, archbishop of Canterbury.
WITNESS: Everard of Calne, royal chaplain, who would be nominated bishop of Norwich early in 1121 (Eadmer, Historia nouorum, 293).
PLACE: Rouen.
CONTEXT: Written in reply to a request from Archbishop Ralph, which was also copied in full by Eadmer, Historia nouorum, 280–81. Ralph’s letter to the king is strikingly more respectful in its language than Anselm’s letters. The wider context is also fully set out by Eadmer, who is named in Ralph’s letter as the monk in question, chosen to be bishop of St Andrews. The difficulties that followed Eadmer’s departure for Scotland involved other letters from King Henry (36), which have not survived, and an exchange of letters between King Alexander and Archbishop Ralph, copied by Eadmer, Historia nouorum, 286–8.

The brevity of the act, its use of ‘uolo et concedo’, and its witness give this a character closer to a writ than to a letter. It is perhaps a rare surviving example of the kind of royal congé (‘leave’) that may have been given often and in many contexts.

36 Lost letters of King Henry to Archbishop Ralph and to King Alexander concerning the consecration of the bishop elect of St Andrews. June × November 1120

PRINTED: Rule, 282.
CALENDAR: Not in Regesta.

Inter hoc eousque Thurstanus Eboracensis in transmarinis partibus morabatur et supra hoc memorato negotio suo uiriliter insudans ad hoc etiam regem Anglorum prouocauit quatinus et pontifici Cantuariorum semel et regi Scottorum ter scriptis mandaret ne aut ille electum Sancti Andree consecraret aut iste ullæ ratione sacrari permitteret.

All this time Thurstan of York remained overseas and, striving manfully in this business, he so provoked the king of the English that he ordered the archbishop of Canterbury once and the king of Scots three times, by letters, that the one should not consecrate the elect of St Andrews and the other should not for any reason allow him to be consecrated.
DATE: After Eadmer was elected bishop of St Andrews, 29 June 1120; before Archbishop Thurstan returned to England, January 1121. The king carried out no business between the sinking of the White Ship on 26 November 1120 and Epiphany 1121, and the thrust of Eadmer’s account suggests during the summer and autumn of 1120.

CONTEXT: See previous document.

37 Lost letter of King Henry bidding Archbishop Thurstan return to England from Normandy. January 1121

SOURCE: Hugh the Chanter’s account of the primacy dispute (00), York Minster Archives, D&C, MS L2/1, Magnum Registrum Album (s. xiv), pt 1, fol. 24v.


CALENDAR: Not in Regesta.

Post octabas Theophanie nuncius uenit Rotomag<um>a ad archiepiscopum cum litteris regis iubentibus eum uenire. Qui gaudens de exilio reuocatus, paratis que opus erat, triduo ante purificationem sancte Marie transfretauit. Deinde ad regem ueniens eum Windesoris inuenit, a quo et a regina, quam nuper duxerat, et aliquantis episcopis et proceribus et de curia multis gaudenter susceptus.

a Rotomagensis MS, perhaps expanding abbreviated form

After the octave of Epiphany, a messenger came to Rouen to the archbishop with the king’s letter bidding him come. Rejoicing in his recall from exile, he made the necessary preparations and crossed the Channel two days before Candlemas. He then came to the king and found him at Windsor, and he was joyfully received by him and by the queen whom he had lately married, by a number of bishops and barons, and by many of the court.

DATE: If the messenger arrived at Rouen straight after the octave of Epiphany (Wednesday, 13 January 1121), he must have set off about a week earlier; the letter to Thurstan was probably written during the king’s Epiphany court at London, the first occasion of public business since his return from Normandy and the loss of the White Ship, 26 November 1120.

CONTEXT: Archbishop Thurstan had left England early in 1118 and remained first in Normandy and then in France, where he was consecrated by Pope Calixtus at Reims, 19 October 1119. His dispute with Archbishop Ralph of Canterbury kept him in exile until January 1121 (Nicholl, Thurstan, 58–74; Burton, EEA 5 York 1070–1154, 114–16). Hugh the Chanter provides a narrative of Thurstan’s actions during the whole period. At this point, as soon as the king resumed business at Epiphany, he summoned
Thurstan, returning to England and arriving at Windsor two days after the king’s marriage to Adeliza of Louvain. The urgency of the king’s position forced Archbishop Ralph to concede to Thurstan’s return.

38 Writ of King Henry to Archbishop Ralph ordering him to consecrate the bearer of the letter, Gregory, bishop elect of Dublin. 1121

COPY FROM CANTERBURY: BL MS Cotton Claudius E. v (s. xii, Christ Church), fol. 255v, at the end of a collection of papal letters, fols. 233–256, copied soon after 1122, which begins with the forged privileges for Canterbury (Holtzmann, Papsturkunden, i. 83–5) [B].


CALENDAR: Not in Regesta.


 getDate: After the king returned to England in November 1120 and resumed business at Epiphany 1121; before Gregory was consecrated, 2 October 1121. Eadmer places the coming of Gregory to Canterbury after the visit of the legate Peter Pierleoni, who probably arrived around June 1121.

ADDRESS: Ralph, archbishop of Canterbury.
WITNESS: Ranulf, as chancellor.
PLACE: Windsor.

CONTEXT: Eadmer, *Historia nouorum*, ed. Rule, 297–8, reports the arrival of Gregory at Canterbury, ‘electus a rege et clero et populo Hibernie’ and bringing a letter, ‘littere sigillo ecclesie Dublinensis incluse’, which he transcribed. The letter is composed in the name of all the burgesses and clergy of the city of Dublin. Election ‘a clero et populo’ was required by canon law, and it is a moot point why the king’s writ makes no mention of clergy: words could have been omitted from the sole manuscript witness, but it is perhaps more likely that the king’s draftsman deliberately confined his attention to the secular aspect. The reason for Gregory’s coming to Canterbury lies in disputes then affecting Dublin (Flanagan, *Irish Society, Anglo-Norman Settlers, Angevin Kingship*, 30–31). It follows a pattern that had led several previous Irish bishops to Canterbury for consecration, and the letter itself refers to Bishop Samuel, consecrated by Anselm; the people of Dublin were harrassed by the Irish bishops and especially by the archbishop of Armagh, according to the letter, and therefore preferred to seek consecration at Canterbury. The burgesses’ letter was copied into BL MS Cotton Claudius E. v, fol. 255v, followed immediately by the only known copy of the king’s writ; both were printed from here by Ussher in 1632, who cites the source thus, ‘Hanc uero Dubliniensium epistolam ad calcem collectionis decretalium Isidori Mercatoris in Cottoniana bibliotheca inuenimus’ (Ussher, *Sylloge*, 147). King Henry’s writ mentions a letter from the Irish king too. Flanagan suggests that this may have been Toirdelbach Ua Conchobair, king of Connacht, or Ênna mac Donnchada mac Murchada, king of Leinster; M. Holland, ‘Dublin and the reform of the Irish church’, *Peritia* 14 (2000), 111–60 (at pp. 147–52) makes a strong case for Toirdelbach. Perhaps Henry had kept that when sending Gregory on his way from Windsor. Gregory was ordained on the archbishop’s instructions by Bishop Roger of Salisbury at Devizes castle on Saturday, 21 September, and then consecrated by Archbishop Ralph and five other bishops at Lambeth on Sunday, 2 October 1121 (John of Worcester, iii. 150). Here he professed obedience to Archbishop Ralph and repeated it four days later at Canterbury (Richter, *Canterbury Professions*, 39, no. 69). Gregory survived forty years as bishop and, from 1152, archbishop of Dublin, dying on 8 October 1161.

39 Letter of King Henry to Abbot Anselm of Bury, forbidding him to travel outside the realm. 1121 × July 1133, probably 1121 × 1123

COPY FROM BURY ST EDMUNDS: New York (NY), Pierpont Morgan Library, MS M. 736 (s. xii, c. 1124–5, Bury) (Thomson, *Archives*, 119, no. 1276), p. 1, the first of several letters added at the front of a copy of the Lives and offices of St Edmund [B].


CALENDAR: *Regesta* 1340.
Henricus rex Anglorum Anselmo abbatii sancti EADMUNDI salutem. De itinere tuo unde a me licentiam quesisti, scias pro certo quod conventus monachorum tuorum et amici et barones terre tue maximo et studiosissimo affectu genibus meis prouoluti supplicati sunt ne iter istud fieri concedam, ne ecclesiam suam pastore et pio patre suo desolari permittam, ne hunc discessum tuum quem irreuertibilem existimant ulla occasione consentiam. Mando ergo et intimo dilectioni tue et impero fidelitati illi quam michi debes ne hoc iter tuum amodo in aliquo prepare nec in animo tuo de retinentia mea aliquantulo perturberis. Pro certo namque scias quoniam pro honore et necessitate ecclesie tue et pro dilectione persone tue hoc facio, qui nullo modo hoc iter fieri uolo. Si uero in huius itineris effectu uitam tuam prolongari siue salutem corporis tui in aliquo magis uigere cognoscerem, proculdubio scias quoniam, si necesse esset, a baronibus meis te illuc deferri facerem ubi sanitatem illam te consecuturum comperissem et omnia tibi de meo necessaria inuenirem, si sanitati tue in aliquo prodesse putarem. Sed quoniam infirmitas ista ad mortem non est, recessus uero tue ad perniciem ecclesie tue est, nolo quod eas, uolo omnibus modis quod remaneas, et deus prouidebit ecclesie sue necessitati que in tua infirmitate condeolet et in sanitate tua conualebit. Teste Mauricio de Windeleshora. Apud Wintoniam.
assured that you would obtain that health, and I should myself find everything you needed from my own resources, if I thought that it would in any way be of benefit to your health. But since your illness is not life-threatening, but your absence harms your church, I forbid you to go, I will in every way that you remain, and God will provide for the need of your church which grieves at your illness and will be strong in your health. Witness Maurice of Windsor. At Winchester.

DATE: Formally, after Anselm was nominated abbot of Bury, 1121; before the king left England for the last time, July 1133. Williamson, Letters of Osbert of Clare, 195, proposed to link this letter with Anselm’s desire, very soon after his appointment as abbot, to visit the church of St James at Compostella, guessing a date in 1122 (see Context). Anselm visited Rome in 1123, when he accompanied Archbishop William of Corbeil.

ADDRESS: Abbot Anselm of Bury.

WITNESS: Maurice of Windsor, steward of the abbey, who had presumably reported to the king the wishes of the convent and of the barons of the honour. The combination of witness and place-date is not sufficiently strong to associate this act with 000, Regesta 1278, datable soon after the abbot’s appointment. The king was often at Winchester, and Maurice may have often acted as agent for the abbey at court; he also witnessed 000, Regesta 1321, at Windsor and 000, Regesta 1813, at Woodstock.

PLACE: Winchester, Hants.

CONTEXT: There was no general freedom to enter and leave the realm, but the king only exercised his direct authority over the simple matter of travel in the case of those who held lands or office of him in England. Hugh the Chanter, 78, for example, mentions that two archdeacons of York diocese were not important enough to need the king’s leave. (More complex secular issues are considered by S. D. B. Brown, ‘Leavetaking: lordship and mobility in England and Normandy in the twelfth century’, History 79 (1994), 199–215.) Abbot Anselm has observed the king’s right and sought permission to travel; the community of the abbey, both monks and tenants, have made their views known to the king; and he has refused licence.

Other evidence provides a clue as to the journey desired by Abbot Anselm. An account of the dedications of altars in the various chapels of the abbey and in the churches of the town of Bury was copied into the prior’s register, now BL MS Harley 1005, fol. 217v–218v; with the exception of a clause added at the end, which refers to Abbot Simon, this text was composed in the time of Abbot Ording (1148–56). It has been printed by A. Gransden, The Customary of Bury St Edmunds, Henry Bradshaw Society 99 (1973), 114–21. Here we read that ‘the same Abbot Anselm at the time when he first came into the abbacy of St Edmund proposed to go on pilgrimage to St James the apostle. But the wise men of the abbey argued that it would be better if he caused a church to be built and dedicated in the name of the apostle. He gave in to this view and founded a church of St James, and at his petition William of Corbeil (Willelmus Curbius), archbishop of Canterbury [1123–1136], dedicated it, and on the next day the chapel of the infirmary was consecrated by him in commemoration of St Michael the Archangel’ (p. 119). Abbot Anselm’s interest in the cult of St James was also expressed through the establishment of a seven-day fair at the time of his feast, confirmed by the king after June 1123 but very likely before September 1126 (000, Regesta 1599).
Interest in the cult of St James was growing at this date. Pilgrims from England to Santiago are first recorded in the first years of King Henry’s reign (D. W. Lomax, ‘The first English pilgrims to Compostela’, Studies in Medieval History presented to R. H. C. Davis (London, 1985), 165–75). Henry’s daughter Matilda brought the hand of St James from Germany in 1125, which became the principal relic at Henry’s own foundation of Reading abbey (Regesta 1448). None the less, some reason is needed to explain why Anselm, abbot of the Roman monastery of San Saba, should develop a particular interest in St James. A key date, which may help to explain this interest, is the success of Bishop Diego Gelmírez of Compostella in obtaining bulls from Pope Calixtus II in 1120, which raised the church to metropolitan status. The envoys from Compostella met the pope, a long-term ally and frequent correspondent of Bishop Diego, at Cluny in January–February 1120. At this date Anselm’s whereabouts are unknown. He had been in Normandy in 1116, when he was received by the king at Rouen, but he did not return to his monastery in Rome until 1120. It is tempting to conjecture that he may have joined the papal party at Cluny and may there have met the envoys from Compostella and been persuaded of the potency of St James’s relics.

40 Lost letter of King Henry to Pope Calixtus reporting the election of William of Corbeil as archbishop of Canterbury and seeking the pallium for him. March 1123

SOURCE: Hugh the Chanter’s account of the primacy dispute (00), York Minster Archives, D&C, MS L2/1, Magnum Registrum Album (s. xiv), pt 1, fol. 27.
CALENDAR: Not in Regesta.

Venientibus ad curiam Bernardus qui erat archiepiscopi prolocutor et prorator, premissa salutatione domino pape ab imperatore, a rege, ab episcopis Anglie, a capitulo Cantuarie, missas a singulis litteras seorsum obtulit, quas illis resalutatis cancellario suo recipere iussit. Dehinc post modicum dicens se litteras uisurum et per consilium fratrum responsurum archiepiscopum cum suis ad hospicium secedere precepit. . . . Lectis litteris de archiepiscopi electione, de persone commendatione, de pallei requisicione, et precibus imperatoris et regis pro eo, cardinales et curia tota per dies aliquot conferentes et inter <se> discpectantes, tandem non esse canonican . . . . Volens ergo dominus papa imperatoris et regis quas litteris eorum acceperat peticionibus fauere, curiam conuenit, humiliiter et obnixe deprecans quatinus pro amore imperatoris
qui nuper ecclesie Romane reconciliatus erat, et regis, eiusdem ecclesie filii et fidelis, a iusticie rigore condescenderent, et Cantuariensi palleum dare concederent.

When they came into the curia, Bernard, who was the archbishop’s spokesman and orator, after greeting the pope, from the emperor, the king, the bishops of England, and the chapter of Canterbury, presented separate letters from them, which the pope, returning their greetings, ordered his chancellor to receive. Soon, after saying that he would look at the letters and answer by the advice of his brethren, he bade the archbishop and his company retire to their lodging. . . . When the letters about the archbishop’s election, his personal character, and the request for the pallium, and the prayers of the king and the emperor on his behalf had been read, the cardinals and curia spent some days conferring and disputing among themselves. They finally decided that the election was uncanonical . . . The pope, therefore, wishing to favour the petitions of the emperor and the king, contained in their letters which he had received, assembled the curia, humbly and earnestly praying them for love of the emperor, who had lately been reconciled with the church of Rome, and of the king, a faithful son of the same church, to mitigate the rigour of the law and to grant the archbishop the pallium.

DATE, CONTEXT: Archbishop William and Archbishop Thurstan were ordered to attend on the king at Woodstock on the first Sunday of Lent, 4 March 1123 (Hugh the Chanter, 186). The archbishops travelled separately to Rome; a Canterbury annal reports that William set out on 13 March (Liebermann, AN Quellen, 5). The king’s letter must have been written in this period. The letters were read in Rome some days before the date of the pope’s response, addressed to the bishops and clergy of the province of Canterbury and dated at the Lateran, 21 May [1123] (JL 7136).

41 Letter of King Henry to Pope Honorius, asking the pope to withdraw his command to Abbot Hugh of Reading to attend him at Martinmas, and threatening, in the event that the pope retained Hugh, to keep the abbey of Reading in his own hands. Summer 1128

SOURCE: A group of thirteen letters copied at the back of the first volume of a two-volume set of Anselm’s treatises, now Edinburgh University Library, MS 104 (s. xii, Reading), fol. 104v–107v [B]. Eleven out of the thirteen are printed by Holtzmann, Papsturkunden, iii. 140–48 (nos. 15–23, 25–6); the two omitted letters are known from other sources, Innocent II’s letter concerning his election as pope (JL 7407) is found also in the Book of Llandaff, and the letter of the chapter of Rouen asking the pope to permit their election of Hugh, abbot of Reading, as their archbishop was printed from a Norman source in d’Achéry’s Spicilegium, 2nd edn (1723), iii. 484, and repr. PL 166. 1319.
PRINTED: Holtzmann, *Papsturkunden in England*, iii. 141 (no. 16); *Regesta*, ii. 361 (no. ccvii) [supplied to the editors by Holtzmann, whose edition (1952) is not cited].

CALENDAR: *Regesta* 1549.

Honorio summo pontifici et uniuersali pape patri suo karissimo Henricus dei gratia rex Anglorum et dux Normannorum salutem et debitam obedientiam. Super hoc quod dilectio uestra mandauit Hugoni abbati de Radingis, scilicet ut se in proximis octabis sancti Martini uestro conspectui presentaret, suppliciter uestram supplicamus paternitatem, ut iter eius ad uos sicut ei mandastis nullo modo fieri permittatis. Magnum enim detrimentum ecclesie sue et rebus illi pertinentibus propter eius absentiam indubitanter accideret. Quod si eum aliqua persuasione ecclesie predicte subtrahere et apud uos retinere proposuistis, proculdubio sciatis me nullum loco illius substituturum, immo possessiones quas ex proprio ecclesie predicte et deo in ea fratribus seruientibus eius precatu, monitu, consilioque dedi et concessi, in meos proprios usus prorsus retrahere. Ea enim de causa eum ibi constitui ut in ea deo digne cum fratribus suis deseruiret, et ut propter eiusdem fratrumque constitutorum bonam conuersationem ueramque religionem res predicte ecclesie augmentarentur. Valeat sanctitas uestra.

To Honorius, supreme pontiff and universal pope, his dear father, Henry by the grace of God king of the English and duke of the Normans greeting and due obedience. Upon learning that your Affection ordered Hugh abbot of Reading to present himself to you in person on the octave of St Martin following, we beg you, Father, earnestly, that you should in no way permit his journey to you as you have ordered him, for a great loss would undoubtedly befall his church and its affairs on account of his absence. And if by some persuasion you were minded to retain him with you and to take him from his church, you should be in no doubt that I should not put anyone else in his place. Rather I should take back into my own use all the property which therein by his prayer, advice, and counsel I gave and granted from my own resources to the foresaid church and the brethren serving God there. For the reason that led me to establish Hugh in that church was so that in it he and his brethren should worthily serve God and so that the property of the church should be increased on account of the good life and true religion of Hugh and the brethren established under him. May your Holiness fare well.
DATE: July–August 1128. The letter must have been written after receipt of the pope’s first letter to Hugh of Amiens, dated 30 April 1128; in view of the lengthy notice envisaged in the pope’s summons, this letter was presumably not carried post haste, and it may have been July when it reached England. This letter from the king in Normandy, and others sent with it from England, had reached Rome in time for the pope to respond by letter dated 15 October.

ADDRESS: Pope Honorius. As in early letters to Pope Paschal, the king adopts the deferential form of address, but the words *dei gratia* are included in the royal style.

WITNESS, PLACE: None. The letters to Pope Paschal ([13], [15]) and Pope Innocent ([42]) similarly have no dating clause.

CONTEXT: The dossier of letters preserved at Reading abbey, which is the source of this letter, provides a remarkable witness to Pope Honorius’s sudden and unexplained interest in Hugh of Amiens, sometime prior of Lewes and the first abbot of King Henry’s foundation at Reading. First, Honorius’s apparently unsolicited letter to Hugh is dated 30 April [1128]; in this, he praised the abbot and summoned him to Rome for November of that year (Holtzmann, *Papsturkunden*, iii. 140–41, no. 15). The letter was presumably shown to the king in Normandy before it was delivered to Hugh. The king responded with this letter (no. 16). With it were sent letters from the monks of Reading to the pope (no. 17) and from Hugh himself to the pope (no. 18) and to the papal chancellor (no. 19), all seeking to avoid the call to Rome. It must have taken some time for these letters to be assembled, for Hugh says he was awaiting the arrival of the papal legate Matthew in England. The four letters reached Rome in time for the pope to write again to Hugh on 15 October (no. 20), repeating the summons, and this time Hugh went. On 10 May [1129], Honorius wrote to the monks of Reading (no. 21), encouraging them during the absence of their abbot. A month later, he wrote to King Henry on 16 June [1129] to say that he had decided to allow Hugh to return to England (no. 22); from this letter it is clear that sanctions had been imposed, with or without any direct effect, by both king and pope. The king had withheld payment of Peter’s Pence, and Hugh was instructed to sort this out, a subject on which he writes in revealing detail to the pope in the autumn of 1129 (no. 23). What provoked all this? It has been suggested that Honorius may already have had Hugh in mind to succeed the ailing Archbishop Geoffrey of Rouen (Hollister, *Henry I* (London, 2001), 445–6), but this was proposed with hindsight and is surely contradicted by the evidence. Geoffrey died in November 1128, and the chapter of Rouen elected Hugh in September 1129; having obtained the consent of the king and the bishop of Salisbury (in whose diocese Reading was situated), they wrote also to the pope for permission, because Hugh was his *specialis clericus* (*PL* 166. 1319). Hugh himself had told them they had to do this. The chapter quoted from the pope’s letter to the king (no. 22), which Hugh might have shown them, though they might have seen it when the king received it in 1128, in Normandy and presumably at Rouen. Orderic, indeed, relates that the king met the papal legate Matthew in the chapter-house at Rouen in 1128, while Archbishop Geoffrey lay ill (Orderic, vi. 388). By the time the chapter’s letter reached Rome, however, Pope Honorius had died in February 1130, and the new pope Innocent II had already written to Hugh, in England, about Peter’s Pence on 3 March [1130] (Holtzmann, *Papsturkunden*, iii. 146, no. 25). This letter must have been overtaken by events, for on 28 March Innocent wrote again (no. 26) in response to the letter of the clergy of Rouen (which intervenes in the Edinburgh manuscript but was not printed by Holtzmann since it was already known). Innocent II continued to show special trust in
Hugh. In 1135, Hugh attended the Council of Pisa and was then occupied in the papal service in Italy for some time, ‘to the great displeasure of the king’ (Orderic, vi. 442). It seems that the papacy knew of and valued Hugh’s talents.

The group of letters was evidently assembled and retained at Reading. The selection appears to have been focused on the popes’ participation, and it is likely that there was at least one letter from the king to Abbot Hugh himself that was not selected for preservation. This evidence is discussed by P. Hébert, ‘Un archevêque de Rouen au XIIe siècle. Hugues III d’Amiens’, Revue des questions historiques 20 (1898), 325–71 (at p. 344); Brett, *English Church under Henry I*, 48, 168–9; T. G. Waldman, ‘Hugh of Amiens, archbishop of Rouen (1130–64), the Norman abbots, and the papacy’, Haskins Society Journal 2 (1990), 139–53 (at pp. 140–41); Hollister, *Henry I*, 446–9.

42 Letter of King Henry I to Pope Innocent II, complaining that Archbishop Hugh of Rouen has demanded professions of obedience from the abbots of Norman monasteries. November 1131 × July 1132

ANTIQUARIAN TRANSCRIPTS: BNF MS lat. 10055 (s. xvii, collections by Jean Bigot, 1588–1645, Sieur de Sommesnil, concerning the chapter of Rouen and the abbeys of Saint-Amand, Le Bec, and Saint-Ouen), fol. 40v–41r [B]; Rouen, Bibl. mun., MS Y 17 (s. xviii, copied by Abbé Pierre-Philippe Le Brasseur (d. 1730), author of *Histoire civile et ecclésiastique du comté d’Évreux* (Paris, 1722)), fol. 83r [C].


CALENDAR: Not in *Regesta*.

Innocentio dei gratia summo pontifici patria venerando
Henricus eadem gratia rex Anglorum et dux Normannorum salutem et debitam obedientiam. Conqueror apud paternitatem uestram de Hugone archiepiscopo Rothomagensi, qui personam meam conturbauit, et ducatum meum Normannie grauauit, et contra me et dignitates et statum ducatus mei a patre meo et ab omnibus antecessoribus meis et a me ipso usque ad nouissimum discessum uestrum de Normannia in pace habitos, et tempore beatissimorum pontificum
antecessorum uestrorum et sanctorum Rothomagensium archiepiscoporum predecessorum eius inconcussae illibateque possessos, uehementer et irreuerenter eigit, in benedictionibus scilicet et extortis professionum scriptis intra\textsuperscript{g} ducatum meum et prouinciam suam ab abbatibus meis Normannie, me inconsulto, uobis in concilio querimonii inde propositis, cum eos in pace dimiserim, quando nouissime in regnum meum transfretaiu, et ipsum archiepiscopum \textsuperscript{h} ad uos amicabiliter\textsuperscript{h} destinaui. Attentius itaque suppliciter rogo paternitatem uestram ut in\textsuperscript{i} his et ceteris que contra honorem et consuetudines et dignitates regni mei et ducatus mei spectare uideritis, eo modo manum correctionis imponatis, tam de his qui fecerunt quam de iis\textsuperscript{j} a quibus exigitur ut faciant,\textsuperscript{k} ne, quod absit, insolitis nouitatibus et consimilibus grauaminibus me ab amore et fidelitate et seruitio uestro uestrorumque\textsuperscript{l} discedere cogatis; quoniam sine honore olim habito et debito terram tenere non possum\textsuperscript{m}, nec ullo modo a baronibus et hominibus meis, sine quorum consilio et auxilio esse non possum, in huiusmodi uilitate et ignominia terram "amplius tenere" permettar, qui inde uehementer et frequenter improperant michi et insolens, tanquam qui honorem pristinum et regni mei iura tam integre semper hactenus conservata, meo tempore tam negligenter et nimis remissee michi subripi sustineam, nec ullo modo amplius acquiscescent "barones terre mee ipsum archiepiscopum\textsuperscript{o}" in eadem terra cum pace uel amore remanere, nisi uos et ipse hec et huiusmodi studueritis emendare, quoniam si ipse archiepiscopus in presentia nostra\textsuperscript{p} dum Rothomagi fuimus super hac re uerbum fecisset, ego in omnibus que Deum uelle et contra honorem meum non esse cognoscerem, adecquieuisse, quia\textsuperscript{q} itaque in iis\textsuperscript{r} que ad Deum sunt et sancte Romane ecclesie et uestre persone dignitatem semper obedire paratus sum et fui. Postulo michi a uobis honorem debitum et "hactenus habitum\textsuperscript{s} integre conservari, ac de his de quibus pretaxatum est, reuestiri, \textsuperscript{t}sicut Richardus
familiaris et amicus uester plenius dicet. Conseruet autem Deus apostolatum uestrum ad honorem suum et pacem ecclesie sue.

To the reverend father Innocent by God’s grace supreme pontiff, Henry by the same grace king of the English and duke of the Normans greeting and due obedience. I bring complaint to you, Father, concerning Hugh archbishop of Rouen, who has troubled me personally, and harmed my duchy of Normandy, and forcefully and without respect acted against me and against the privileges and standing of my duchy, which had been held in peace by my father and by all my ancestors and by me, even until you recently departed from Normandy, and had been possessed unchallenged in the time of the blessed popes your predecessors and the saintly archbishops of Rouen who preceded him—I mean in the matter of blessings and in demanding written professions from my abbots of Normandy within my duchy and his province. He did not consult me, though complaints were made to you in council, although I had taken leave from them in peace, when I most recently crossed the channel into my kingdom and sent the archbishop himself in friendly fashion to you. And so I ask you, Father, keenly and earnestly, that you should impose the hand of correction in these and other matters which you see to have an effect against the honour, customs, and privileges of my realm and of my duchy, and that you should do this in such a way, both against those who have done wrong and those from whom it is demanded that they do, that you do not compel me—which God forbid—to leave the love and fealty and service of you and yours on account of these unusual innovations and similar causes of harm. For I should not be able to hold my land without the honour formerly had and due, nor shall I be permitted by my barons and men (without whose counsel and aid I am not able to be) to hold my land any longer in this sort of demeaning and disgrace. They repeatedly and forcefully berate and accuse me, as if in my time I so negligently and too carelessly allow to be snatched away from me my original honour and the rights of my realm that had hitherto always been preserved entire. The barons of my land will not in any way further tolerate that that archbishop should remain in the same land with peace and love, unless you, and he, make efforts to put right this and such like wrongs. If that archbishop had uttered a word on this matter in our presence when we were at Rouen, I should have acceded in all things that I understood were what God wanted and were
not contrary to my honour, for in these matters, which concern God and the dignity of the holy Roman church and you personally, I am and was always ready to obey. I ask from you, pray, that the honour due, and hitherto always had, shall be preserved entire and, in regard to the matters touched on above, restored, as your servant and friend Richard will fully tell. May God keep your Holiness to his honour and the peace of his church.

DATE: After the king had returned to England in early August 1131, and probably some time after the council of Reims in October 1131; before the pope’s reply to King Henry, dated 15 July [1132]. The pope remained in France during most of this period, crossing the Alps at the end of March and beginning of April 1132.

ADDRESS: Pope Innocent.

WITNESS, PLACE: None. The letters to Pope Paschal ({13}, {15}) and Pope Honorius ((41)) similarly have no dating clause.

CONTEXT: The king and the pope had met at Rouen in May 1131, a meeting to which the letter refers. The pope left Normandy soon after 10 May, for he was at Beauvais by 19 May (see 000, Regesta 1691 for Cluny). King Henry left Normandy for England in August 1131. It appears from this letter that it was after this that the king sent Hugh to attend the pope, presumably at the council held at Reims on 18 October 1131. An insight into relevant events at this council is provided by an important letter, written by Archbishop Hugh to Pope Adrian IV in 1157, and preserved as a schedule attached to a letter of his nephew E(gidius), bishop of Évreux (Gilles du Perche, 1170–79), addressed to Pope Alexander III (original is Canterbury, D&C, Chartae Antiquae A/61; printed in Wharton, Anglia Sacra, vol. ii, p. v; reprinted among letters of Alexander III in M. Bouquet and others, Recueil des historiens des Gaules et de la France (Paris, 1738–1904), vol. xv (1808), 961–2, and in PL 200. 1411–12; discussed by W. Levison, England and the Continent in the Eighth Century (Oxford, 1946), 206–10). Archbishop Hugh tells how he had taken with him two abbots-elect, Rainfred of Saint-Ouen and William of Jumièges. Both were reluctant to make profession, and the pope inquired after privileges to prove their immunity; as the abbot of Saint-Ouen hesitated, another bishop stepped forward and related the tale of Guerno, a monk of Saint-Médard, who had confessed to forging papal privileges for Saint-Ouen and for St Augustine’s in Canterbury. The pope then instructed Archbishop Hugh to bless the abbots-elect ‘sub professione canonica’.

In reaction to the king’s letter, Pope Innocent wrote King Henry (JL 7585), Quemadmodum personam, dated at Cremona, 15 July 1132, and, presumably at the same time, to Archbishop Hugh (JL 7586), Quemadmodum sit concedendum, [15 July 1132] (JL 7586) (both printed in Bouquet, xv. 378; PL 179. 150). While the pope acknowledges that Hugh had acted in accordance with the decision of the council at Reims, he is entirely conciliatory, telling Hugh to act on the king’s wishes.

In the recent past, when the legate Matthew of Albano, another Cluniac monk, held a council at Rouen in the autumn of 1128, King Henry had been present and acted as protector (fautor) of the Norman abbots, ‘and did not allow any burdens to be imposed on them by the bishops’ (Orderic, vi. 390). The king’s reaction is consistent with his support of the abbots as well as with his protection of his own rights.

Hollister, Henry I, 447 n. 437, also cites the evidence of the Lives of the Abbots of Le Bec for Hugh’s seeking to quash the election of Abbot Theobald, until Bishop Audoen of Évreux intervened; Theobald was reluctant to make profession,
which his predecessors had not done, but Peter the Venerable, abbot of Cluny, persuaded Hugh—a Cluniac monk—not to demand a written profession, and Theobald made a verbal one: ‘deprecatione atque consilio Petri abbatis Cluniacensis, qui tunc forte in Northmannia erat, archiepiscopus sine scripto, solo verbo, suscepit ab eo professionem, et sic benedixit’ (PL 150. 734). This happened between June 1136 and the summer of 1137.