A ROYAL ADMINISTRATION

18. "The Laws of William the Conqueror" (1070–87)

This document appears in its earliest form in the Textus Roffensis, ed. T. Hearne (1792), a manuscript of the earlier half of the eleventh century. It is probably a compilation of legal enactments made at various times by the Conqueror, apart from his confirmations of earlier laws and customs. The document is thus very miscellaneous in content. Note the introduction of trial by battle, in cases where Normans were concerned, as an alternative to the Anglo-Saxon system of trial by ordeal. The Latin text is printed in F. Liebermann, Die Gesetze der Angelsachsen, 1, 486; and in W. Stubbs, Select Charters (1913 edn), pp. 98–100. An English translation is in E. F. Henderson, Select Historical Documents of the Middle Ages (1896), pp. 7–8.

Here is set down what William, king of the English, established in consultation with his magnates after the conquest of England:

1. First that above all things he wishes one God to be revered throughout his whole realm, one faith in Christ to be kept ever inviolate, and peace and security to be preserved between English and Normans.

2. We decree also that every freeman shall affirm by oath and compact that he will be loyal to King William both within and without England, that he will preserve with him his lands and honour with all fidelity and defend him against all his enemies.

3. I will, moreover, that all the men whom I have brought with me, or who have come after me, shall be protected by my peace and shall dwell in quiet. And if any one of them shall be slain, let the lord of his murderer seize him within five days, if he can; but if he cannot, let him begin to pay me 46 marks for so long as his substance avails. And when his substance is exhausted, let the whole hundred in which the murder took place pay what remains in common.

4. And let every Frenchman who, in the time of King Edward, my kinsman, was a sharer in the customs of the English, pay what they call “scot and lot”, according to the laws of the English. This decree was ordained in the city of Gloucester.

5. We forbid also that any live cattle shall be bought or sold for money except within cities, and this shall be done before three faithful witnesses; nor even anything old without surety, and warrant. But if anyone shall do otherwise, let him pay a penalty, and afterwards a second time for a fine.

6. It was also decreed there that if a Frenchman shall charge an Englishman with perjury or murder or theft or homicide or “ran”, as the English call open rapine which cannot be denied, the Englishman may defend himself, as he shall prefer, either by the ordeal of hot iron or by wager of battle. But if the Englishman be infirm, let him find another who will take his place. If one of
them shall be vanquished, he shall pay a fine of 40 shillings to the king. If an Englishman shall charge a Frenchman and be unwilling to prove his accusation either by ordeal or by wager of battle, I will, nevertheless, that the Frenchman shall acquit himself by a valid oath.

7. This also I command and will, that all shall have and hold the law of King Edward in respect of their lands and all their possessions, with the addition of those decrees I have ordained for the welfare of the English people.

8. Every man who wishes to be considered a freeman shall be in pledge so that his surety shall hold him and hand him over to justice if he shall offend in any way. And if any such shall escape, let his sureties see to it that they pay forthwith what is charged against him, and let them clear themselves of any complicity in his escape. Let recourse be had to the hundred and shire courts as our predecessors decreed. And those who ought of right to come and are unwilling to appear, shall be summoned once; and if for the second time they refuse to come, one ox shall be taken from them, and they shall be summoned a third time. And if they do not come the third time, a second ox shall be taken from them. But if they do not come at the fourth summons, the man who was unwilling to come shall forfeit from his goods the amount of the charge against him — "ceageld" as it is called — and in addition to this a fine to the king.

9. I prohibit the sale of any man by another outside the country on pain of a fine to be paid in full to me.

10. I also forbid that anyone shall be slain or hanged for any fault, but let his eyes be put out and let him be castrated. And this command shall not be violated under pain of a fine in full to me.


This famous charter was issued by Henry I at the beginning of his reign, and since in the surviving copies the address and witnesses vary, it is probable that it was circulated to every shire. It can best be regarded as a bid for support by the new king, who here makes promises which he hopes will be acceptable to various sections of the community and in particular to the lay magnates. Its contemporary significance may thus easily be over-emphasised, but it was later to be cited as an important precedent. It is particularly informative as evidence of feudal custom and of the relations between the Anglo-Norman kings and their tenants-in-chief. Its testimony respecting the "feudal incidents" is also noteworthy, as is also its illustration of the manner in which feudal rights might be abused. It has been many times printed. The best edition is probably in F. Liebermann, Die Gesetze der Angebots, I, 521. It is also printed in C. Henne, Chartres des Libertés anglais (1892), pp. 3-6; and in W. Stubbs, Select Charters (ed. 1917, pp. 177-19.

Henry, king of the English, to Samson the bishop, and Urse of Abbotot, and to all his barons and faithful vassals, both French and English, in Worcestershire, greeting.

1. Know that by the mercy of God and by the common counsel of the barons of the whole kingdom of England I have been crowned king of this realm.

2. Paragraphs are not numbered in the original.

3. Mintage in the sense of a forced levy to prevent loss to the king from depreciation of the coinage.