

## LONDON NOTES.—No. 2.

### THE ENGLISH GILD OF KNIGHTS AND THEIR SOCN.

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IN A.D. 1125 certain burgesses of London, fifteen in number, who are described as the descendants of the knights to whom I propose to call attention this evening, and who are severally named Raulf, son of Algod; Wolward le Doverisshe; Orgar le Prude; Edward Upcornhill; Blackstan, and Alwyn his (Blackstan's) cousin; Ailwin, and Robert his (Ailwin's) brother, sons of Leofstan; another Leofstan, called the Goldsmith, and Wyzo his (Leofstan's) son; Hugh, son of Wolgar; Orgar son of Dereman; Algar Fecusenne (*sic*); Osbert Drinchewyn; and Adelard Hornewitesume (*sic*), assembling together in the chapter-house of the church of the Holy Trinity, within the walls of the City of London, near the gate called Aldgate, gave to that church and the canons serving God therein all the land and the soke which was called "English cnihtegild," and, in testimony thereof, offered up on the high altar the title-deeds of the property, including a charter of Edward the Confessor, which I will hereafter recite in full.

This donation was not in writing, but the transaction was fully recorded at the time in the chartulary of the convent by some scrivener of the day.

That chartulary, after coming into the hands of Stowe, the historian of London, is not known now to exist. Its contents, however, were at a very early date transcribed into the records of the Hustings Court at Guildhall, and these are not only extant but accessible also to all inquirers who know of their existence.\*

\* Anno ab incarnatione domini Millesimo centesimo octavo et Anno regni gloriosi Regis Henrici octavo fundata est ecclesia Sancte Trinitatis infra Aldgate Londoni per venerabilem Reginam Matildam uxorem Regis predicti, et Consilio sancti Archipresulis Anselmi data est dicta ecclesia Normanno Priori primo

To this rich source of history and archaeology I shall refer in the observations which I am about to make. The donation thus made by the fifteen burgesses was shortly afterwards confirmed to the Prior and Convent by Henry I. to be held of him in frank almoyne.\*

tocius regni Canonico. A quo tota Anglia Sancti Augustini Regula ornatur et habitu canonicali vestitur et congregatis ibidem fratribus augebatur in dicta ecclesia multitudo laudantium deum die ac nocte ita quod tota ciuitas delectabatur in aspectu eorum. In tantum quod anno ab incarnatione domini millesimo centesimo vicesimo quinto quidam burgenses Londonie ex illa antiqua nobilium militum Anglorum progenie, scilicet Radulfus filius Algodi Wulwardus le Doverishe, Orgarus le Prude, Edwardus Upcornhill, Blackstanus et Alwynus cognatus eius, Ailwinus et Robertus frater eius filii Leostani, Leostanus Aurifaber, et Wyzo filius eius, Hugo filius Wulgari, Algarus fecusenne (*sic*) Orgarus filius Deremanni, Osbertus Drinchewyn, Adelardus Hornewitesume (*sic*) conuenientes in capitulo ecclesie Christi que sita est infra muros eiusdem ciuitatis iuxta portam que nuncupatur Algata dederunt ipsi ecclesie et canonicis Deo seruientibus in ea totam terram et socam que dicebatur de Angliish Cnihegilda urbis que muro adiacet foras eandem portam et protenditur usque in fluuium Thamesiam. Dederunt inquam suscipientes fraternitatem et participacionum beneficiorum loci illius per manum Normanni Prioris qui eos et predecessores suos in societatem super textum euangelii recepit. Et ut firma et inconstuta (*sic* for inconcussa) staret hec eorum donacio cartam sancti Edwardi cum aliis cartis prescriptis quas inde habebant super altare optulerunt. Et deinde super ipsam terram seisiuerunt predictum priorem per ecclesiam sancti Botulphi que edificata est super eam et est ut aiunt capud ipsius terre. Hec omnia facta sunt coram hiis testibus Bernardo Priore de Dunstap'l Johanne Priore de Landa Gaufrid Camer. de Clinton et Capellanus (*sic*) eius Petro et Nicho' Cunand' Wilelmo clerico Edwardo filio Alwardi, Hugone filio Radulphi Dapifero eius et Capellano Edwardo de Suthwerke et Willelmo filio eius Lenegaro Sacerdote Eylwynno Filio Siredi Hacone Diacono Algaro presbitero Aschetillo et multis aliis clericis et laicis Francis et Anglis. Miserunt ergo predicti donatores quendam exseipsis, Ordgarum scilicet le Prude, ad regem Henricum petentes ut ipse donacionem eorum concederet et confirmaret. Rex vero libenter concessit predictam socam et terram prefate ecclesie liberam et quietam ab omni servicio sicut clemosinam decet et cartam suam sequentem confirmauit.—(*Letter Book C.* fo. 135. *Liber Dunthorn*, fo. 79.)

This record, as well as all the muniments afterwards referred to by me, were subsequently transcribed into the two Hustings Books belonging to the city of London, now called respectively Letter Book C and Liber Dunthorn. Of these transcripts Letter Book C is much the earlier. In the margin of Letter Book C is a memorandum that the transcripts therein were made from the Charulary of the Convent. "In libro signato cum littera B in custodia Prioris ecclesie Christi."

\* Henricus Rex Anglie R. Episcopo Lond. et Vicecomiti et preposito et omnibus Baronibus et fidelibus suis Francis et Anglis de London. et de Middelsexa

He did so on the application of Orgar (or rather Ordgar), one of

salutem. Sciatis me concessisse et confirmasse ecclesie et canonicis sancte Trinitatis London socum de Anglica cnihtene-gilda et terram que ei pertinet et ecclesiam sancti Botolphi sicut homines ejusdem gilde eis dederunt et concesserunt. Et volo et firmiter precipio quod bene et honorifice et libere teneant cum saka et soka et toll et theam et Hinfangentheof et omnibus consuetudinibus suis sicut homines predictae gilde melius habuerunt tempore Regis Edwardi et sicut Rex Willelmus pater meus et frater meus eis concesserunt per brevia sua. Testibus A. Regina et Gaufr. Cancellario et Gaufr. de Clinton et Willelmo de Clintona apud Wdestocam. *Letter Book C.* fo. 135. *Liber Dunthorn*, fo. 79. b.

This charter is amongst the *Cartae Antiquae* (or ancient enrolments) at the Record Office. There it is entered as follows:—

Henricus Rex Anglie Ric. episcopo London. et vicecomiti et preposito et omnibus Baronibus et fidelibus suis Francis et Anglicis de London et Middelsexa salutem. Sciatis me concessisse ecclesie et canonicis sancte Trinitatis Lond. socam de Anglica cnihtene-gilda et terram que eis pertinet infra burgum et extra sicut homines ejusdem gilde eis dederunt et concesserunt. Et volo firmiter precipio quod bene et honorifice et libere teneant cum saka et soka toll et theam et infangetheof et omnibus consuetudinibus suis sicut homines predictae gilde habuerunt tempore Regis Edwardi et sicut Willelmus pater meus et frater meus eis concesserunt. Teste A. Regina et Gaufrith. Cancellario et Gaud. de Clinton et Willelmo de Clintona, apud Wodestocam.

Besides this charter there is also at the Record Office another of the same king to the same grantees entered as follows:—

Henricus Rex Anglie vicecomiti at Baronibus Lond. salutem. Precipio quod Prior et Canonici sancte Trinitatis London. teneant homines suos et terram suam de Anglica cnihtene-gilda ita bene et in pace et juste et quiete et honorifice sicut antecessores eorum unquam liberius tenuerunt tempore patris mei et fratris mei et meo et tempore Leofstani et ipsi postea et hucusque melius et super hoc quieti sint de warda et forisfactura ejus sicut mea propria elemosima quia inde juste debent esse quieti et sicut tam ipsi quam antecessores eorum semper hucusque inde fuere quieti. Teste R. de Ver. apud Westmonasterium.

It may interest the reader if I add from the same source as the last a charter of Henry II. *in pari materia*.

Henricus Rex Anglie et Dux Normannie et Aquitanie et Comes Andegavie Episcopo et Vicecomiti et preposito et omnibus Baronibus et fidelibus suis Francis et Anglicis de Lond. et Middelsexa salutem. Sciatis me concessisse et confirmasse ecclesie et canonicis sancte Trinitatis Lond. socam de Anglica cnihtene-gilda et terram que ei pertinet infra burgum et extra; sicut homines ejusdem gilde eis dederunt et concesserunt. Et volo et firmiter precipio quod bene et in pace et honorifice et libere teneant cum saka et soka et toll et theam et infangenetheof et omnibus consuetudinibus suis sicut homines predictae gilde melius habuerunt tempore Regis Eadwardi et aliorum tempore.

Testibus Alien Regina et Herberto Albrinc episcopo et Thoma Cancellario et Ric. de Luci et Hunfr. de Bohun Dapifer et Rad. de Hasting. Apud London.

the knights who had been officially commissioned by his brethren to make it.

After thus parting with their land all these gentlemen entered into religion in the same convent which they had thus benefitted.

The land thus alienated consisted of what was afterwards comprehended in Portsoken Ward, when it included the nunnery of St. Catherine, whose site was (in the present century) erased to make room for the docks known under that name.\*

The *socn* (or *soke*) conveyed with the land was the right to administer justice, civil and criminal, to and in respect of the men or under-tenants of the knights, *i.e.*, all the inferior members of the gild, whether they resided within the district or outside of it.†

This manor, for such it was, was then and had previously been known by the name of Port-*socn*, that is, the City manor, as being situate within the liberties of the Borough of London.

With the alienation of the land and the retirement of the knights from the outside world, the gild which they had composed dissolved itself; and from this time forth there is no further mention of it except in reference to the past.

In all this there is interest enough, I think, to excite in us Londoners a wish to know more of the history of the institution itself which was thus abruptly terminated, seemingly without regret or protest on the part of the citizens of London.

Fortunately upon the main points of this domestic history there is a sufficient amount of evidence still recoverable to enable us without much difficulty to re-construct this episode in the general history of London.

The earliest of the existing documents bearing upon the subject is a charter confirming the *socn* to the knights, granted by King Eadward the Confessor—in fact, the one which was offered up upon the high altar of the church of Holy Trinity, as before mentioned.

This charter is to the following effect:

Eadward the King greeteth Ælfward the bishop and Wulfgar the portreeve and all the burgesses of London as a friend. And I make known to you that I will that my men in the English Gild of Knights retain their manorial rights within the City and without over their men; and I will that they retain the good

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\* Stowe (Thoms's edition) pp. 46, 47. Maitland, 1006.

† For the meaning of "*socn*" see *The Romans of Britain*, pp. 475, 476, and note.

laws (*i.e.*, the privileges) which they had in King Eadgar's day and in my father's and Cnut's day; and I will also with God and also man and ī will not permit that any man wrong them but they shall all be in peace; and God preserve you all.\*

This charter, though undated, as we see, was granted in the very first years of the reign of the Confessor, for it is addressed to Ælfward, who was Bishop of London from A.D. 1034 to 1044, his episcopacy immediately preceding that of Eadweard's Norman Bishop William.†

Of the English gild of knights named in this charter the before-mentioned fifteen London burgesses were thus the sole surviving representatives in A.D. 1125, and it is with the history of this English gild, so far as it is recoverable, before that date that I propose to occupy myself.

It will have been seen that Eadweard's charter recited three previous royal grants, all made *in pari materia*, *viz.* of Eadgar, of Æthelred, and Cnut, and confirmed them all. All these are now lost. Like the charter

\* Of this charter there are two copies in the Hustings Record. (*Lib. Dunthorn*, fo. 79. *Letter Book C.* fo. 134 b.) Out of them it is practicable to restore the text to something like purity. This I have endeavoured to do in the following:—

“Eadward cyng gret Ælfward biscop and Wulfgar minne portgerefan, and ealle ða burhware on Lundene freondlice. And ic cyðe eow ðæt ic wille ðæt mine men on Ænglisc e cnihta (or cnihtena) gilde beon heora socne and heora socne (*sic*) wurðe binnan burh and butan ofer heora men. And ic wille þæt heo beon swa godra laga wurðe swa heo wæron on Eadgares dæge cynges ge on mines fæder and swa on Cnudes. And ic wille eac *luc* (*sic*) mid Gode ge eac mon. And ic nelle geðafian þæt heom anigman misbeode, ac beon heo ealle gefriðe. And God eow ealle gehealde.”

With the exception of one word the charter is thus restored. Where the words “heora socne,” however, are repeated I would suggest that the original must have been “heora saca.” A contemporaneous charter of the same king to the priests of S. Paul's (No. 887, 4 *Kem. Cod. Dip.* p. 227) shows that to be the reading, while it otherwise elucidates the text generally: “And ic cyðe eow þæt ic wille ðæt hig beon heora saca and heora socne wurðe, ægðer gebinnan burh and butan, and swa godera lagana wurðe,” &c. So also Nos. 893, 894. *Ib.* p. 230.

Cnud for Cnut is found in an English charter of that king in *Kem. Cod. Dip.* vol. vi. p. 183, No. 1319, and also in a Latin charter, *ib.* No. 1320. “Gefriðe” is a form which I have not met elsewhere. It is, however, analogous to such a word as “unlage,” which is common enough.

† Maitland's *History of London*, p. 1216. Maitland calls this bishop “the last of the Saxon bishops.”

of Eadward himself, each of the three others refers only to the *socn*, or manorial powers belonging to the gild. Each presupposes the existence of the gild. There is, therefore, nothing that directly demonstrates when the gild was first instituted. It is, however, reasonable to suppose that the gild is not much older than the grant of *socn*, viz. that of Eadgar; that, in fact, their original dates are not far apart. For it was an old principle of internal politics—a principle which existed before the middle ages, and was continued into or was revived in them—that, to make a soldiery promptly efficacious in its peculiar agency, it should be withdrawn from the interference of the general courts of law, and be placed under the sole and immediate control of its own chiefs.

Assuming, therefore, that we may refer the one as much as the other to the reign of King Eadgar, we have next to consider from what source the land of the gild—that land which the royal grant of Eadgar invested with manorial privileges—was derived.

There is nothing which can lead us to believe that this king gave the land to the gild, though, as we shall presently see, there was a tradition, or a fancy, perhaps, in the twelfth century, that he did so.

The land, as lying within the outside *pomarium* or liberties of the city must have belonged to the collective citizens, and the services required of the knights, as we shall also see, were solely for the benefit and behoof of the municipality, and not of the King.

Having arrived so far in our research, the next question we have to ask is, what was the purpose of the gild, and what was the constitution of its *gegyltan* or members, whose specific denomination was “knights.”

Our forefathers evidently asked themselves the same question when the institution, as having passed out of active existence, could no longer explain itself. For on the same transcripts—at the Hustings which I have referred to, and immediately before the entry of King Eadward’s charter, there is engrossed a statement—borrowed from the chartulary of the convent to the following effect :

In the times of King Cnut there were thirteen knights very dear to the king and the kingdom, who besought of the king a certain land on the eastern side of London, abandoned by the inhabitants for too much service (*i.e.* by reason of rack-renting), that he would grant them that land and the freedom of a gild for ever. The king willingly granted it to them on the following condition, viz. that each one of them should victoriously accomplish three single-handed fights, viz. upon earth, under it, and in the water; and, afterwards, on a certain day, in the field which is now called “East Smithfield,” should contend with lances against

all comers, which was gloriously done; and on that day the king named it "Knyttegild."\*

I do not pretend for one moment that a statement like this, obviously incorrect in some particulars, can be accepted entirely as unexceptionable history. This would be out of all reason. But to have procured a place in the chartulary of the convent, as we see that it has, among authentic charters and documents, it must have ranked in men's minds as a tradition at least, and it is just because it is a tradition that it has taken a form so glaringly incorrect in its details.

In the first place it ascribes to the time of King Cnut the institution of a gild which we know from King Eadgar's charter was in existence in the latter king's reign. This is an every-day liberty taken by tradition. In the second place it attributes to that king himself the authorization of the gild. This again is inexact, for no English king before the Norman Conquest ever exercised the right of licensing a gild. Every gild was then perfectly legal without royal authority. It required no other formality than the consent of its members to form and constitute it. In Norman times, the practice of specially legalizing such associations was profitably introduced. But, though these are unmistakable mis-statements, their error in no way militates against the main and central fact embodied in the tradition, viz. that the gild in question was an association of soldiers formed for the special purpose of protecting the City of London against marauders and assailants. For this special institution, however, there must have been a special reason, and if we turn to the history of the times of King Eadgar we shall find it.

Immediately before that king's accession to the throne there had arisen a very cogent necessity for the city to look out for increased protection—for some regular and settled means which should ensure her citizens against sudden and stealthy attacks during that chronic war-

\* *Temporibus Knuti Regis Anglorum fuerunt tres decim milites regi et regno multum amabiles qui quandam terram in orientali parte London. ab incolis pro nimia sermitate derelictam a rege pecierunt quatenus predictam terram et gilde libertatam imperpetuum eis concederet. Quibus Rex libenter concessit condicione que sequitur, videlicet quod quilibet eorum tria duella scilicet super terram subtus et in aqua victoriose perageret. Et postea certo die in campo qui modo vocatur Estsmithfeld contra quosque aduenientes ipsimet hastis decertarent quodque gloriose factum est. Et ipso die Rex nominavit eam Knyttegildam. . .* (*Letter Book C. fo. 134b. Liber Dunthorn, fo. 78b.*)

fare to which the age had been for some time tending. There had been a civil war caused by the disgust of a part of the nation at King Eadwig's unparalleled profligacy, and in that war, as it is expressly stated by historians, the outskirts of London had suffered much. During its pendency there had been fighting and devastation on both sides of the Thames in the immediate vicinity of the city.\*

This war was compromised in A.D. 957, and Eadgar was made joint king with his brother Eadwig, taking that half of England which lay immediately north of the Thames.†

To this time I am inclined to refer the foundation of the gild—holding that the grant of socn followed close upon the foundation of the gild itself, for to make the one really effective the other was indubitably necessary.

In respect of the particular date of the charter of Eadgar which grants the socn, it is to be observed that it may have been made when he was half king only of England, for even then London, as a city of Mercia, was included in what had been ceded to him. But whether we put the date backward or forward, the facts which motived the grant will be precisely the same.

Besides the sufficiency in itself of the motive which London must have had for taking this step, she had a precedent for so doing. She was not the first city which in those troublous times had recourse to such a special mode of defence in accretion upon the warlike services which the general body of citizens was bound to render. A gild of knights (*cnihtra gild*) existed already in England in some city, whose name is not given in a MS. deed to which these knights are attestants, between A.D. 860 and 866.‡

\* Lingard's History of England, vol. i. p. 219 (the edition in thirteen volumes). "Each bank of the Thames was alternately laid waste by parties of marauders." Stubbs's "Memorials of S. Dunstan, p. 102. *Vita S. Dunstani*, Auctore Osberno." Osbern, who copies a life of the Saint, written by a contemporary, says of this war: "Respiens ergo Christi clementia Anglorum populum tanto patrono (*i. e.* S. Dunstan) destitutum suscitavit corda virorum ab Humbro fluvio usque ad fluvium Tamisiam, supra quem urbs Londonia est fundata, adversus impium regem Eadwium."

† Florence of Worcester (sub anno D. 957) says that Mercia and Northumberland were ceded to Eadgar—"ut flumen Tamense regnum disterneret amborum." London, as belonging to Mercia, therefore fell to Eadgar.

‡ In the reign of Æthelberht of Wessex (A. D. 860—866) Ealdhere, a private person, sells and conveys by deed to other private persons an estate not described, as the deed is defaced in that respect (2 Kem. *Cod. Dip.* p. 83). It is attested



The object in both cities, the known and the unknown, was the same—to have at all hours the prepared and watchful defence of a permanent burghal guard.

That this is the only meaning of the expression *cnihta* (or, *cnihtena*) gild—gild of knights, can be easily proved.

The word *cniht* in Anglo-Saxon means a soldier generally—either on foot or horseback.\* The word *gild* in the same language means a body of men confederated by oath to effect and continue a common purpose, and presided over by a hierarchy of officers.† *Cnihta* (or *cnihtena*) gild was therefore a gild of soldiers—in other words, a cohort or regiment. It is this military character of our gild which is intended to be commemorated in that portion of the *Hustings* transcripts before given, where the romantic manners of the chivalry of fiction are attributed to these older London knights.

But far better than this reference, curious as it is in its way, is a declaration contained in a later municipal document, respecting a right or privilege which continued to attach itself to the priors of Holy Trinity, as the successors of the knights.

Among the rights which the Fitzwalters, who in later days became the heirs of the Bainards, declared as belonging to them *lege tenuræ*, was that the castellan of Bainard's Castle and chief banneret of London, who was entitled as such to lead the citizens in time of war, was to come with nineteen men at arms on horseback to St. Paul's, with the banner of the city displayed, there to require a marshal to be nominated, and to assemble the burgesses, he, the castellan, at the same time appointing out of the latter two persons for every ward to keep the city during the absence of himself and the aldermen. This absolute power of the Bainards, and through them of the Fitzwalters, thus specifically stated, is afterwards in the same memorial curiously

first by the king, viz. to give the necessary sanction to the alienation, next by [D]ryhtwald *dux* (see *ib.* pp. 73, 87, for the full name), Ælfred the king's son, &c., &c. The attestation closes with these words: "Ego Æthelstan and ingan (*for* innan, burgware). Ego Æthelhelm and *cnihta* gieldan (*for* gegyldan), *i.e.* knights gild brothers." This conjunction of Æthelstan and inner burgesses (see *The Romans of Britain*, p. 379, as to this) with Æthelhelm and the members of a knights' gild shows the connexion of rank and *status* between the two terms. We have in the latter the president of a gild belonging to the city whose portreeve and burgesses proper have previously attested.

\* *The Romans of Britain*, p. 405 and note.

† *Ibid.* p. 397 and *seqq.*

tempered down in the following manner: "And this counsel shall be taken in the Priory of Holy Trinity, near Aldgate." (E cel counsaill sera pris en la priorie de la Trinite, coste Aldegate).\* The meaning of this can only be that the prior and chapter were to be parties to the counsel-taking on this occasion.

The declaration of the Fitzwalters makes the military condition of the old knights quite plain. Such an uncanonical privilege as is therein admitted to belong to the priors of Holy Trinity could only have come to them from a source outside of their sacred office, and the transfer to them by the old knights of the collective rights which made up their *status* is, beyond all doubt, that source.

Upon all this evidence we must therefore pronounce that the gild of the knights was an organised body, formed for the ordinary and daily defence of the city, in times when the wealth of the citizens must have formed an unfailling attraction to the impressionable outside marauder.

Next is to be considered why such an association took the form of a gild? There is, however, no difficulty in this. It was an association necessarily intended to last for all time—not to be formed this year and to be disbanded the next. On the contrary, there was to be a perpetual maintenance of the force, through an unfailling succession of its members. But this perpetuity could only be obtained for the institution, in an age when standing armies were unknown, through an organization such as that of the gild.

In that form of institution, whatever were its object, all its members were under oath to perform their allotted duties, the chiefs as well as the subordinate ranks. Untrammelled discretion on the part of the one and plenary obedience from the other provided agencies which could be profitably applied in the military sense.

Though a privilege like that we are now discussing might at first sight seem such as would embroil the borough with the unscrupulous rulers of those days, it is evident that no such peril was incurred. For the *soen* was confirmed to the knights by three subsequent kings, each of very different character, before the Norman Conquest—by Æthel-

\* The text of the entire declaration is published by Riley from the *Liber Custumarum*, p. 147 and *seq.* See also his Introduction, p. lxxvi. The declaration is *temp.* Edward I. Riley oddly translates the passage quoted above thus: "Council to be held in the priory of the Holy Trinity."

red and Cnut, as well as by the Confessor. These facts we have learned already from Edward's charter.

With the Norman invasion, however, the city entered upon critical times. In the early stage of this period it resisted William with some show of energy, in favour of the English claimant to the crown. But eventually, after much internal dissension, it surrendered to William on terms more than favourable. On this submission of the citizens, the *Anglo-Saxon Chronicle* says that William "promised them that he would be a loyal lord to them" (and he heom behet þæt he wolde heom hold hlaford beon."\*)

The contemporaneous Brussels poem (as it is called) says of the same pact:

Culpas indulsit gratanter.†

*i.e.* William, with much pleasure, pardoned the offences of the citizens. To such expressions as these, the last one more particularly, only one meaning can be justly attributed, viz. that the foreign king was very pleased to come to a settlement with so powerful a section of his new subjects as the Londoners, and William's actions sufficiently demonstrate this his disposition, for he straightway guaranteed, by charter, to the citizens, the possession of their old rights and privileges,‡ at the same time insuring them against all forfeiture of their lands § on the

\* *Sub.* A.D. 1066.

† V. 749.

‡ This charter was particularly mentioned by me in my former paper on London ("London Notes. No. 1,") and the first part of it was quoted.

§ See the second clause in the before-mentioned charter, which is as follows: "and ic wille ðæt ælc cild beo his fæðer yrfrume æfter his fæðer dæge."—Maitland, p. 37. Maitland, like all the old writers on the antiquities of London, has not the faintest conception of the meaning of this clause. He has however copied it correctly. How highly the citizens valued this confirmation of their existing but threatened rights is shown by an interesting circumstance connected with the day on which the mayors of London were sworn in at the exchequer. On that day ceremonies took place at St. Paul's before the tomb of Bishop William to whom the charter is addressed jointly with and in priority over the portreeve. The citizens believed, and justly so, that the bishop's influence was instrumental in obtaining this grant. (See Fabyan, 537, 538; Grafton, 460.) The ceremonies referred to were these: On the day in question the new mayor and all the aldermen after dinner repaired to the cathedral, and there (*viz.*, in the middle of the church) prayed for the bishop's soul. "Solebant orare pro anima episcopi Willelmi qui ut dicitur magnas libertates a domino conquestore civitatis Willelmo Londoniarum suis rogatibus impetravit, dicente presbytero *de*

pretext of rebellion, or by whatever name he might call their recent resistance to him. Being in this mood, the politic king did not stop there, but in order to leave no door open to discontent—perhaps also the better to blind the citizens to the stern rule he intended to put them under, in addition to this general charter, he granted a separate one to the knights, confirming to them not only their *soch* and their land, but legalising and ratifying the gild itself. This charter is lost, but being re-granted by William II. and Henry I. we know exactly its contents.

The Charter of William II. is in the following words :—

“ William, King of England, to Bishop M. and G. de Magnaville and R. Delpare and his lieges of London, Greeting. Know ye that I have granted to the men of the *cnihdene gild* their gild and land which belong to them, with all customs, as they were in the time of King Edward and my father. Witness, HENRY DE BOTH, at Rethyng.”\*

The charter of Henry I. is as follows :—

“ Henry, King of England, to Bishop M., to the *gerefa* of London, and to all his Barons and lieges of London, French and English, Greeting. Know ye that I have granted to all the men of the *cnihdene gild* their gild and land which belong to them, with all customs, as were better in the time of King Edward and

*profundis.*”—Riley’s *Liber Albus*, p. 26. Thierry, *Histoire de la Conquête de l’Angleterre par les Normands*, vol. ii. liv. 4, says, very mistakenly, in reference to the charter, “ On ne sait combien de temps ils (*i.e.* the Londoners) jouirent de ces nouvelles concessions du vainqueur.” But we do know how long the citizens of London have enjoyed these concessions of the Conqueror. They have enjoyed them all from that time to the present without any interruption whatever.

\* “ Et postea Willelmus Rex filius Willelmi conquestoris qui totam Angliam subegit eis confirmacionem huiusmodi benigne concessit: ‘ Willelmus Rex Anglie M. Episcopo et G. de Magū et R. Delpare et fidelibus suis londoni, Salutem. Sciatis me concessisse hominibus de *cnihthenegilda* *gildam* eorum et terram que ei pertinet cum omnibus consuetudinibus sicut habuerunt tempore Regis Edwardi et patris mei. T. Henrico de Both apud Rethyng.”—*Letter Book C*, fo. 134b. *Liber Dunthorn*, fo. 79. The licence and confirmation of the *Cnihtena* gild by William I. which this charter represents was the very first of a long series of such charters. The early licences of trade gilds are all expressed in the same common form of expression as the one just recited, the word *mysterium* only being added to the word *gild*. See the charter of Henry II. to the Weavers’ Company about to be published by the Society of Antiquaries. The original of this charter still exists and is in the custody of the Company.

my father, and as my brother granted to them by writ and his seal, and I forbid upon pain of forfeiture to me that any man dare do them an injury in respect of this. Witness, R. DE MOUNTFORD and R. BIGOT and H. DE BOOTH, at Westminster.\*

But, though the Conqueror thus permitted the gild of knights to legally exist, he straightway took order for muzzling them individually.

Without further ado he built by the river side, at the west end of the city, a strong castle after the Norman fashion, and amply garrisoned it with French soldiers, assigning to it a precinct (now a ward) with similar manorial rights over the inhabitants of both castle and precincts to those enjoyed by the knights at the eastern end.

Of this castle the King made his countryman Bainard the commander, giving it to him and his heirs to hold in chief for ever. The stronghold received the Norman appellation of Castle Bainard. Bainard was moreover made by William chief banneret of the city of London, and this dignity was attached permanently to the tenure of the castle.

The city was thus, in spite of the guaranteed existence of its ancient guard, put into the hands of an alien authority—that of a French captain and his garrison.† It was to be overawed as well by the stronghold, itself a novelty to London, as also by the hostile force

\* Henricus Rex Anglie, Ric Episcopo, Vicecomiti London, et omnibus Baroni- bus et fidelibus suis Francis et Anglicis de London Salutem. Sciatis me concessisse omnibus hominibus de cnihtene-gilda gildam eorum et terram que eis pertinet cum omnibus consuetudinibus sicut melius habuerunt tempore Regis Edwardi et patris mei et sicut frater meus eis concessit per breve et sigillum suum et defendo super forisfacturam meam ne aliquis sit ausus eis super hoc iniuriam facere. Testibus R. de Mountford et R. Bigot et H. de Booth. Apud Westmonasterium.—“*Letter Book C. fo. 135. Liber Dunthorn, fo. 79.*”

† It is a curious admission to make, but it is nevertheless a true one, that of the building of Castle Bainard and of the setting apart of the district to be subjected to its jurisdiction, which now is Castle Bainard ward, there is not the slightest contemporary evidence. Though the facts are incontestable, we know them only from the declaration of the Fitzwalters, *temp.* Edward I. (see *ante*). Domesday is of course silent for a well-known reason. William of Poitiers (*Gesta Willelmi*, in Caxton Society's *Scriptores rerum gestarum Willelmi Conquestoris*, pp. 147-148) says of the king “Egressus e Lundonia dies aliquot in propinquo loco morabatur Bercingis, dum *firmamenta quedam* in urbe contra mobilitatem ingentis ac feri populi perficerentur. Vidit enim in primis necessarium magnopere Londonienses coerceri.” This is a reference, I think, to the Tower and to Baynard's Castle.

which it contained. But this was no exceptional case. William's castle-building and foreign garrisons were pretty widely distributed throughout England, as a threat and a coercion, against his English subjects; London only shared a fate common to York and the other boroughs of England.\*

The effect of Castle Bainsard, thus commanded and garrisoned, was certain and definite as against our gild of knights. It is true the gild had a legal existence until the day of its voluntary dissolution before mentioned by me. For, as I have shown, Will. II. and Henry I. each re-confirmed to the knights their gild, their land, their customs, and their rights.

But with all this, from the day of the completion of Bainsard's castle the knights had nothing to do in the way of what should have been their special vocation. In this respect the Norman soldiers had checkmated them at all points. They seem, however, to have been honoured by their fellow-citizens for what their predecessors had been—for being themselves of the ancient stock of the noble English knights (to take their description of themselves in the time of Henry I.,†) and they seem also to have compensated themselves for the discredit of being obliged to do nothing, by appropriating as private property amongst themselves what was of course only a trust estate. This curious fact we shall have to consider further on.

At length, weary of their sinecure, perhaps ashamed of retaining individually property which belonged to them as a corporation only, they retired in A.D. 1125, as we have seen, from their anomalous position, surrendering themselves and their land to the Prior and Convent of Holy Trinity. The very surrender itself is a proof of what I have asserted respecting the merely private position which had by that time been taken up by the gild.

\* As to William's castle-building, see Ellis's *General Introduction to Domesday*, sub voce *Castles*. At York William built two castles and put 500 knights in them. (Simcon of Durham.) When the Castle at Exeter was built (Ordericus Vitalis, A.D. 1067) William delivered it to Baldwin de Molis "aliosque milites præcipuos reliquit." Of Clifford, another of William's castles, it is said in *Domesday*, "Istud Castellum est de regno Angliæ (belongs to the Crown). Non subjacet alicui hundred neque in consuetudine." How William manned his castles William of Poitiers tells us (p. 148)—"Custodes in castellis strenuos viros collocavit, ex Gallis traductos, quorum fidei pariter ac virtuti credebatur, cum multitudine peditum et equitum."

† "Ex illa antiqua nobilium militum Anglorum progenie."—See *ante*,

In the conveyance made by the knights of their land to the prior and convent nothing is said about the trust with which the land was burdened, and which was the object for which the land had been originally granted, the right of socn conferred and the gild instituted, viz. the ordinary military defence of the city.

But an obligation such as this, created and accepted for the behoof of others, could not be abandoned or extinguished even in that age by the mere will of the parties burdened with the troublesome obligation. The assent of those others who were entitled to its benefits was essential to its extinguishment.

This sort of assent was never given, for to the alienation by the knights the citizens are not parties, and it is not suggested that such an assent had been given in any other form. The citizens, as a corporation, by virtue of their old municipal constitution, could legally surrender an interest of their own, and there would necessarily be some form by which this could be done. But there is nowhere any indication of such an act on their part. We may, therefore, conclude that no formal surrender was ever made by the city, and we are confirmed in this conclusion by the concluding statement of the record before referred to by me, where it is stated that King Henry I. at the prayer of Ordgar, "willingly granted the socn and the land free and quit of all service as becomes alms," *i. e.* he ratified that the tenure of the gild land by the prior and convent should be as by *franc almoigne*, under which no military service was at all performable.

From these data I think it is a necessary consequence that the obligation on the knights and the beneficial interest of the citizens had ceased before A.D. 1125. Disusage, compulsory rather than voluntary, had extinguished them both. The retirement of the gild brethren within the walls of the Augustinian convent only effaced themselves. The object of the gild had been by common consent already erased.

The main features of this curious institution, I venture to say, are so far plain enough. But there are two minor matters connected with it that require a little further consideration. In the first place it is not at all clear why this gild should have been specially called, as it was, the "English Gild of Knights," when there was no possibility of its

\* King Eadward's charter, as we have seen, calls the gild the English gild of knights (*Ænglisc cnihta gild*), and, as he refers to the previous charters of Eadgar, Æthelred, and Cnut, it is presumable that the same appellation was given to it by these kings also. Unquestionably after the Norman conquest the gild had

being anything else. For guilds were general in England; the members of this particular association, as being Londoners, were necessarily Englishmen, and it was instituted and endowed in order exclusively to protect an English city. Under such conditions no necessity suggests itself for any such differentiation, and yet it is expressed, and something must have been intended by the expression.

In this, therefore, there is a little problem which has to be solved. I confess I cannot offer any reasonable explanation of it. The other point remaining for our consideration is this.

We know two facts respecting our gild, viz.: that it was formed presumably in the reign of King Eadgar, and that it was maintained thenceforth without break or reconstitution until the third of Henry I. when it dissolved itself. These facts at once raise the question, What was the manner of succession maintained inside the gild during all this period of time? To this question I think there are two answers, each varying according to the two periods through which the gild passed, the Anglo-Saxon and the Norman. Up to the Norman epoch the gild would be recruited in the only way legally competent to guilds, viz.: by the admission through recurrent elections of new members to fill up the vacancies occasioned by death and retirement. This was the mode of affiliation known to Roman *collegia*, and through them to Anglo-Saxon guilds.\*

But after the Norman conquest there is reason to suppose that this old rule was altered and a new one adopted; for, in the final cession made by the knights in the time of Henry I. they do not style themselves the knights of the gild, as they might be expected to do, but

no other name. The charters of William II. and Henry I. call it so in their charters of ratification. The record of the knights' conveyance of their land to the prior and convent of Holy Trinity gives the same reading, and Henry's confirmation of the cession to the prior and convent leaves no doubt as to this by employing the unmistakable words "Anglica enihte gilda."—See *ante*.

\* It is not expressly so stated in the rules of Latin colleges and Anglo-Saxon colleges which have come down to us, but it is clearly inferable. The application for admission into a Roman college was an act of free volition on the part of the postulant, and his adoption by those who were already seized would be equally so on their part. "Quisquis in hoc collegium intrare voluerit" are words used in the rules of the College of Antinous and Diana. (*The Romans of Britain*, p. 391.) The rules of Anglo-Saxon guilds still extant give us the oath of the new brother which precedes his admission—a condition *sine qua non*, which could never be applied to one who succeeded of his own right.



they affirm that they are "of the old stock of the noble English knights" (*ex illa antiqua nobilium militum Anglorum progenie*), in other words, the heirs of the former knights.\*

In this studied expression we see what time and new circumstances had done for the gild. The succession was no longer one of election and affiliation, but had become identified not only with legal succession to land, but also with that peculiar fashion of devolution which the Normans had introduced—masculine primogeniture. No other succession but this could give us in the year of Our Lord 1125 fifteen gentlemen taking upon themselves to act as the proprietors of the old gild land and manor because they were of the stock of the ancient knights. If the succession had remained as it ought, that would have given them no title at all.

Again, general succession to land, such as was known before the Norman conquest, when females, if they were the children or next of kin of an intestate, would have taken equally with the males, could never have produced this result of the ultimate heirs being fifteen only, and those males. There would have been many more heirs to the old property, and there must have been females amongst them, if the old and not the new rule had been really followed.

My hearers will have seen that my paper, such as it is, has been founded upon certain ancient and unpublished documents. These and other muniments of equal value may be inspected at the town clerk's office, Guildhall, in the department presided over by Reginald R. Sharpe, Esq. LL.D.

I hope I may be allowed to say, that I think the Corporation of London have a right to congratulate themselves upon having secured for the care of their unrivalled records the services of a gentleman possessing so much special aptitude as Mr. Sharpe. I cannot also forbear the expression of my opinion that, should our great municipality hereafter determine, as it is to be wished it should, to have the work of Mr. Riley continued, they will find no more competent editor of their still unpublished treasures than their own officer.

\* See *ante*.