

Translated by Steven Isaac from Charter #506 in the *Regesta Regum Anglo-Normannorum*, Volume III, edited by R.H.C. Davis and H.A. Cronne (Oxford: Clarendon Press, 1968).

*“Record of a plea coram rege between the prior and the castellan of the Tower of London.”*

Othwer, formerly the castellan of the royal tower, bringing violence upon the Norman prior and canons of the church of Holy Trinity at London, according to whose right the soke<sup>1</sup> called *Englyschknyctengylde* passed into the possession of the selfsame church, took away a large part of the same soke from them. Aschuil, the successor to Othwer in the same office (the custody of the tower), also held the same portion by force, and he did not want to renounce it in any way. When King Henry had arrived, then the Norman prior petitioned that the king might preserve justice to himself from that point on, which the king granted and ordered by his own writ. But the aforementioned Aschuil being a hindrance, the matter was postponed up until the death of King Henry.

In the second regnal year of King Stephen, however, when the king was at Westminster by a certain chance, the previously cited prior approached him and declared plainly by what force or injury that the contested part had been separated from the rest. He had with him as fellow pleaders and helpers queen Matilda wife of the king himself, plus Algar bishop of Coutances, Roger the Chancellor at that time, Arnulf archdeacon of Sées, William Martel the dapifer,<sup>2</sup> Robert de Courcy, Aubrey de Vere, Geoffrey de Mandeville, Hugh Bigod, Adam de Beaunay, Andrew Buchuinte, and many other burghers of London. Aschuil, also being summoned to the king's court, it was sought from him by what right he had held on to that portion and what he claimed beyond it. He himself answered in fact that he claimed nothing beyond those things, but he said thus, “I have held.” Then the king in a loud voice ordered Andrew his justiciar and all the other burghers who were present, indeed even commanded how that they themselves and all others through his writ would establish a certain day for the prior. On which day, with all of them convening about that same land, they would weigh the matter reasonably; the land, however, having been assessed, it would remain even as it had been in the time of Saint Edward

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<sup>1</sup> A legal term deriving from Anglo-Saxon forms of land tenure, the soke was that land which a free tenant could occupy in return for some service other than military or clerical. See Frederick Pollock and F.W. Maitland, *The History of English Law*, vol.1 (Cambridge: Cambridge University Press, 1923): 291-296.

<sup>2</sup> Or, steward.

the King.<sup>3</sup> But if the prior was able to show that the contested portion belonged in the aforementioned jurisdiction of the church, it would be put in possession (*seisin*) of the land without delay.

And it was thus done. On the established day they convened on the same land, the prior with his allies on one hand, Andrew Buchuinte and many other of London's greatest and best on the other hand.<sup>4</sup> With a reckoning therefore made that described this land from the time of Saint Edward the king up to that day on which this happened, it was found and shown that that portion pertained to all the rest, and all of it was likewise from the aforementioned jurisdiction. Also, at that very same place, it was proved by many witnesses and the oath of twenty-one men of whom these have been named: Orgarus the monk surnamed the Prude, Ailwin son of Radumf, Estmund, Alfric Cheich, Bricfred cuherd,<sup>5</sup> Wulfred, Semar, Batun, Alsius, Berman, Wlpsi (an artisan), Alfwin Hallen, Levesune (an artisan), Abbot Wlwin, Ailwin (a cleric), Algar brother of Gerald, Wlfric the butcher,<sup>6</sup> Elfret Cugel, Wlfric, Edric Modlievesune, Godwin Balle. And many others were prepared to swear as well, but these were judged to suffice. And so in this manner, and by reason and justice, that whole land and its soke was awarded to the aforesaid church. Which King Stephen confirmed to the said church, as is made clear in the following charter.

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<sup>3</sup> A reference, I am presuming, to Domesday Book.

<sup>4</sup> An interesting twist in the tale, since Buchuinte and other leading burghers were supporting the prior's cause at the original hearing before the king. Either the burghers were trimming their sails at this point and waiting to see which way the decision would go (not wanting to alienate the powerful custodian of the Tower of London), or this is a strangely precise record by the scribe of who stood where on the field.

<sup>5</sup> Most likely a rendering of Anglo-Saxon *cú-hyrde*, or cowherd.

<sup>6</sup> But it is tempting to see *carnifex* as hangman, not least for seeing in this crowd of names such a spread of local society.