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To these however was added one of still greater moment. The introduction of Christianity in a settled form, which finally embraced the whole Saxon portion of the island, dates from the commencement of the seventh century. Though not unknown to the various British tribes, who had

long been in communication with their fellow-believers of Gaul and, according to some authorities<sup>1</sup>, of Rome, it had made but little progress among the German tribes, although a tendency to give it at least a tolerant hearing had for some time been making way among them<sup>2</sup>. But in 595 Pope Gregory the Great determined upon giving effect to his scheme of a missionary expedition to Britain, which he had long revolved, had at one time determined to undertake in person, and had relinquished only as far as his own journey was concerned, in consequence of the opposition manifested by the inhabitants of Rome to his quitting the city. Having finally matured his plan, he selected a competent number of monks and ecclesiastics, and despatched them under the guidance of Augustine, with directions to found an episcopal church among the heathen Saxons. The progress and success of this missionary effort must not be treated of here; suffice it to say that, one by one, the Teutonic kingdoms of the island accepted the new faith, and that

<sup>1</sup> See Schrödl, *Erste Jahrhundert der Angl. Kirche*, 1840, p. 2, notes. If the assertion of Prosper Tyro is to be trusted, that Celestine sent Germanus into Britain as his vicar, *vice sua*, the relation must have been an intimate one. See also Nennius, *Hist.* cap. 54. Neander however declares against the dependence of the British church upon Rome, and derives it from Asia Minor. *Alg. Geschichte der Christ. Relig. u. Kirche*, vol. i. pt. 1. p. 121. The question has been treated in late times as one of bitter controversy.

<sup>2</sup> This may be inferred from Gregory's letters to Theódríc and Theódbert and to Brunichildis. "Atque ideo pervenit ad nos Anglorum gentem ad fidem Christianam, Deo miserante, desideranter velle converti, sed sacerdotes e vicino negligere," etc.; again: "Indicamus ad nos pervenisse Anglorum gentem, Deo annuente, velle fieri Christianam; sed sacerdotes, qui in vicino sunt, pastorem erga eos sollicitudinem non habere." *Bed. Op. Minora*, ii. 234, 235.









































































































































































Oxford or Bath. In the smaller towns, it is probable that the court of the portreeve was a sort of pie-powder court; but in the larger, it must have had cognizance of offences against the customs laws, the laws affecting the mint, and the general police of the district. As a general rule I imagine the portgeréfa to have been an elective officer: perhaps in the large and important towns he required at least the assent of the king. In London he holds the place of the sheriff, and the king's writs are directed to the earl, the bishop and the portreeve<sup>1</sup>. There are two cities in which we hear of portreeves, viz. London and Canterbury: in the former we have Swétman<sup>2</sup>, Ælfsige<sup>3</sup>, Ulf<sup>4</sup>, Leófstán<sup>5</sup>, and the great officer of the royal household, Esgár the steallere<sup>6</sup>, which alone would be sufficient evidence of the importance attached to the post. In Canterbury we read of Æðelred<sup>7</sup>, Leofstán<sup>8</sup>, and Gódríc<sup>9</sup>, occupying the same station. Again we have Ælfsige portgeréfa in Bodmin<sup>10</sup>, and Leófcild portgeréfa in Bath<sup>11</sup>. It is worthy of remark that the

<sup>1</sup> Cod. Dipl. vol. iv. *passim*. There is not the slightest reason to suppose that there ever was a special ealdorman of London, as Palgrave imagines. The city was governed by Portreeves, usually two at once, until long after the Conquest, when it obtained mayors, like many other towns.

<sup>2</sup> Cod. Dipl. Nos. 857, 861.

<sup>4</sup> Ibid. No. 872.

<sup>6</sup> Ibid. No. 872.

<sup>8</sup> Ibid. No. 799.

<sup>10</sup> Ibid. No. 981.

<sup>11</sup> Cod. Dipl. No. 933. This evidence that the officer in Bath was a portreeve and not a burhreeve may suggest the possibility of those persons whom I have cited under the former head, belonging rather to the present one. The Latin *praepositus civitatis* will denote either one or the other office, and indeed it is difficult to prove any difference between them by direct testimony.

<sup>3</sup> Cod. Dipl. No. 856.

<sup>5</sup> Ibid. Nos. 857, 861.

<sup>7</sup> Ibid. No. 929.

<sup>9</sup> Ibid. No. 789.

two, Ælfsige and Leófstán, served the office together in London, and that Ulf also occurs as sheriff of Middlesex. In the smaller towns especially it must have been a principal part of the portreeve's duty to witness all transactions by bargain and sale<sup>1</sup>. A portion of his subsistence at least was probably derived from the proceeds of tolls, and fines levied within his district.

WÍCGERE'FA.—The Wícgeréfa was a similar officer, in villages, or in such towns as had grown out of villages without losing the name of a village. I presume that he was not concerned with the freemen, but was a kind of steward of the manor, and that his dignity varied with the rank of his employer and the extent of his jurisdiction. However there is so much difficulty in making a clear distinction between Port and Wíc, that we find wícgeréfa applied to officers who ruled in large and royal cities. Thus the Saxon Chronicle mentions Beornwulf under the title of Wícgeréfa in Winchester<sup>2</sup>, whom Florence in the same year calls Praepositus Wintoniensium. And in the laws of Hloðhere and Eádríc<sup>3</sup>, the same title is given to the king's officer in London, Cyninges wícgeréfa. In general I should be disposed to construe the word strictly as a village-recve, and especially in any case where the village was not royal, but ducal or episcopal property. Many places may indeed

<sup>1</sup> Leg. Eádw. § 1. Thorpe, i. 158. Eádm. iii. § 5. Thorpe, i. 253. Æðelst. i. § 12. Thorpe, i. 206

<sup>2</sup> Chron. Sax. an. 897

<sup>3</sup> § 16. Thorpe, i. 34.

























































































































































































































dered as pilgrims; it was the interests of Rome that her missionaries preached in Germany<sup>1</sup> and Friesland; it was to her that the archbishops elect looked for their pall<sup>2</sup>—the sign of their dignity:

<sup>1</sup> Boniface found an ancient church even in Germany. Vit. Bonif. Pertz, ii. 341. He rendered it a papal one. It is no doubt difficult to imagine how it could have been originally anything else; but at all events his efforts brought it back into subjection to the Vatican. "D'abord les églises de la Grand Bretagne et de l'Allemagne, fondées par les missionnaires du pape, furent toutes rattachées et subordonnées à l'épiscopat Romain. C'est surtout Saint Boniface, le fondateur de l'église Allemande, mort en 755, qui reserra cette union. Ou diminue partout les métropolitains, et les simples évêques devinrent plus indépendans par leurs rapports directs avec Rome." Warnkönig, Hist. du Droit Belgique, p. 163. The spirit in which Boniface considered his mission, which he himself calls *apostolicæ sedis legatio* (Vita, Pertz, ii. 342) is apparent from the correspondence with Pope Gregory III. in 731. "Denuo Romam nuntii eius venerunt, sanctumque sedis Apostolicæ pontificem adlocuti sunt, eique prioris amicitiae foedera, quæ misericorditer ab antecessore suo, Sancto Bonifatio eiusque familiae conlata sunt, manifestaverunt; sed et devotam eius in futurum humilitatis apostolicæ sedi subiectionem narraverunt, et ut familiaritati ac communioni sancti pontificis atque totius sedis apostolicæ ex hoc devote subiectus communicaret, quemadmodum edocti erant, præcabantur. Statim ergo sedis apostolicæ Papa pacificum profert responsum, et suam sedisque apostolicæ familiaritatis et amicitiae communionem tam sancto Bonifatio quam etiam sibi subiectis condonavit, sumptoque archiepiscopatus pallio, cum muneribus diversisque sanctorum reliquiis legatos honorifice remisit ad patriam." Pertz, ii. 345. With such provocation, the Popes would indeed have acted an unwise part in not availing themselves of the ready service of their Anglosaxon converts!

<sup>2</sup> Mr. Soames very cursorily says: "Augustine received about the same time from Gregory the insidious compliment of a pall. He was charged also to establish twelve suffragan bishops, and to select an archbishop for the see of York. Over this prelate, who was likewise to have under his jurisdiction twelve suffragan sees, he had a personal grant of precedence. After his death the two archbishops were to rank according to priority of consecration." Anglosax. Church, p. 55. The language, thus most carefully selected, is intended to meet any argument which might be derived from the despatch of the pallium, in token of assumption of authority by the Pope. But there can be little

to the Pope her prelates appealed for redress, or for authority: in the eighth century we find one

doubt, whatever its original character may have been, that this distinction was both intended and accepted as a mark of the archiepiscopal dignity, and as conveying powers which without it could not be exercised. This was obviously the way Beda understood it, and Gregory meant it to be understood. In his answers to Augustine's questions, one of which referred to the relations which were to subsist between the Gallican and English churches, the pope thus refuses to give his missionary any authority over the continental bishops:—"In Galliarum episcopis nullam tibi auctoritatem tribuimus; quia ab antiquis prædecessorum meorum temporibus pallium Arelatensis episcopus accepit, quem nos privare auctoritate percepta minime debemus." Hist. Eccl. i. 27. And in a subsequent letter to Augustine the same pope writes:—"Et quia nova Anglorum ecclesia ad omnipotentis Dei gratiam, eodem Domino largiente et te laborante, perducta est, usum tibi pallii in ea ad sola missarum solemnia agenda concedimus: ita ut per loca singula duodecim episcopos ordines, qui tuæ subiaceant ditioni, quatenus Lundeniensis civitatis episcopus semper in posterum a synodo propria debeat consecrari, atque honoris pallium ab hac sancta et apostolica, cui Deo auctore deservio, sede precipiat. Ad Eburacam vero civitatem te volumus episcopum mittere, quem ipse iudicaveris ordinare; ita duntaxat, ut si eadem civitas cum finitimis locis verbum Dei receperit, ipse quoque duodecim episcopos ordinet, et metropolitani honore perfruatur; quia ei quoque, si vitæ comes fuerit, pallium tribuere Domino favente disponimus." Beda, Hist. Eccl. i. 29. On which Beda remarks:—"Misit etiam litteras in quibus significat se ei pallium direxisse, simul et insinuat qualiter episcopos in Britannia constituere debuisset." Thirty years later, Pope Honorius sent palls both to Paulinus of York and Honorius of Canterbury, with letters to Eadwini of Northumberland; in these he says:—"Duo pallia utrorumque metropolitanorum, id est Honorio et Paulino direximus, ut dum quis eorum de hoc sæculo ad Auctorem suum fuerit arcessitus, in loco ipsius alter episcopum ex hac nostra auctoritate debeat subrogare." Hist. Eccl. ii. 17. The reason of this Beda tells us was the inconvenience of going to Rome for archiepiscopal ordination:—"Ne sit necesse ad Romanam usque civitatem per tam prolixa terrarum et maris spatia pro ordinando archiepiscopo semper fatigari." Hist. Eccl. ii. 18. We learn from Honorius's letter to the archbishop of Canterbury, that this alleviation was granted at the petition of the English kings and prelates:—"Et tam iuxta vestram petitionem, quam filiorum nostrorum regum, vobis per præsentem nostram præceptionem, vice beati Petri apostolorum principis, auctoritatem tribuimus, ut quando unum ex vobis Divina ad



















































































































































































I. *Première Charte ou Keure de la ville de St. Omer, accordée par Guillaume de Normandie, comte de Flandre, et confirmée par Louis-le-Gros, roi de France. 14 Avril 1127.*

“ Ego Guillelmus Dei gratia Flandrensium Comes petitioni Burgensium Sancti Audomari contraire nolens, pro eo maxime quia meam de Consulatu Flandriæ petitionem libenti animo receperunt, et quia honestius et fidelius cæteris Flandrensibus erga me semper se habuerunt, lagas seu consuetudines subscriptas perpetuo eis iure concedo, et ratas manere præcipio.

“ § 1. Primo quidem ut erga unumquemque hominem, pacem eis faciam et eos sicut homines meos sine malo ingenio manuteneam et defendam; rectumque iudicium scabinorum erga unumquemque hominem, et erga me ipsum eis fieri concedam; ipsisque scabinis libertatem, qualem melius habent scabini terræ meæ constituam.

“ § 2. Si quis Burgensium Sancti Audomari alicui pecuniam suam crediderit, et ille cui credita est, coram legitimis hominibus et in villa sua hereditariis sponte concesserit, quod si die constituta pecuniam non persolverit, ipse vel bona eius, donec omnia reddat, retineantur: si persolvere noluerit, aut si negaverit hanc conventionem, et testimonio duorum Scabinorum, vel duorum iuratorum inde convictus fuerit, donec debitum solvat, retineatur.

“ § 3. Si quis de iure christianitatis ab aliquo interpellatus fuerit, de villa Sancti Audomari alias pro iustitia exequenda, non exeat: sed in eadem villa coram episcopo vel eius Archidiacono, vel suo presbytero, quod iustum est clericorum, scabinorumque iudicio exequatur: nec respondeat alicui, nisi tribus de causis; videlicet de infractura ecclesiæ, vel atrii, de lesione clerici, de oppressione et violatione feminæ: quod si de aliis causis querimonia facta fuerit coram iudicibus et præposito meo hoc finiatur. Sic enim coram K. Comite et episcopo Johanne statutum fuit.

“ § 4. Libertatem vero, quam antecessorum meorum temporibus habuerunt eis concedo. Scilicet quod nunquam de terra sua in expeditionem proficiscentur, excepto si hostilis exercitus terram Flandriæ invaserit; tunc me et terram meam defendere debebunt.

“ § 5. Omnes qui Gildam eorum habent, et ad illam pertinent,

et infra cingulam villæ suæ manent, liberos omnes a teloneo facio, ad portum Dichesmudæ et Graveningis; et per totam terram Flandriæ, eos liberos a Sewerp facio. Apud Batpalmas teloneum, quale donant Atrebatenses, eis constituo.

“ § 6. Quisquis eorum ad terram imperatoris pro negotiatione sua perexerit, a nemine meorum hansam persolvere cogatur.

“ § 7. Si contigerit mihi aliquo tempore præter terram Flandriæ aliam conquirere, aut si concordia pacis inter me et avunculum meum H. regem Angliæ facta fuerit, in conquisita terra illa aut in toto regno Anglorum eos liberos ab omni teloneo et ab omni consuetudine in concordia illa recipi faciam.

“ § 8. In omni mercato Flandriæ si quis clamorem adversus eos suscitaverit iudicium scabinorum de omni clamore sine duello subeant; ab duello vero ulterius liberi sint.

“ § 9. Omnes qui infra murum sancti Audomari habitant et deinceps sunt habitaturi, liberos a Cavagio hoc est a capitali censu, et de advocationibus constituo.

“ § 10. Pecuniam eorum quæ post mortem Comitum K. eis ablata est, et quæ propter fidelitatem quam erga me habent adhuc eis detinetur, aut infra annum reddi faciam, aut iudicio scabinorum institiam eis fieri concedam.

“ § 11. Præterea rogaverunt regem Franciæ et Raulphum de Parona, ut ubicumque in terram illorum venerint, liberi sint ab omni teloneo, et traverso et passagio; quod et concedi volo.

“ § 12. Communionem autem suam sicut eam iuraverunt permanere præcipio, et a nemine dissolvi permitto, et omne rectum rectamque iustitiam sicut melius stat in terra mea, scilicet in Flandria, eis concedo.

“ § 13. Et sicut meliores et liberiores Burgenses Flandriæ ab omni consuetudine liberos deinceps esse volo; nullum scyth, nullam talliam, nullam pecuniæ suæ petitionem ab eis requiro.

“ § 14. Monetam meam in Sancto Audomaro unde per annum xxx libras habebam et quidquid in ea habere debeo, ad restorationem damnorum suorum et gildæ suæ sustentamentum constituo. Ipsi vero Burgenses monetam per totam vitam meam stabilem et bonam, unde villa sua melioretur, stabiliant.





Calvi, infra usque ad domum Lanikini carpentarii, supra terram Balduini de Prat, infra fossatum veteris molendini, et illud veritate scabinorum cognoscatur de quacunque re factum sit, ad domum in qua ille manet, qui vulnus imposuit, per scabinos et per iustitiam comitis submoncatur. Qui submonitus, si scabinis se præsenteret, veritate inquisita de illo qui vulnus fecerit per sexaginta libras forefactum emendet, et si scabini sciunt quod vulnus non fecerit, liber et in pace remanebit. Si die quâ submonebitur se non præsenterit, remanebat in forefacto sexaginta librarum, et si scabini voluerint domum eius prosternere, poterunt et in respectum ponere, sed ex toto condonare non possunt nisi voluntate Comitum.

“2. Si verò quis aliquem in domo suâ assiluerit, unde clamor factus sit, scabini et iustitia domum ibunt inspicere: et si scabini poterunt videre, assultum esse apparentem, illo de quo clamor factus est submoneri debet; qui si scabinis se præsenterit et illum intellexerint assultum fecisse, LX libras amittet. Si vero cognoverint illum assultum non fecisse, liber et in pace recedat. Si autem ad diem submonitionis venire noluerit, domo ejus prostrata LX librarum reus erit. Quod si alii assultui interfuerint, de quibus clamor factus non sit, si comes super hoc veritatem scabinorum requisierit, scabini veritatem inquirere debent, et quotquot veritate scabinorum de assultu tenebuntur, unusquisque eorum LX librarum reus erit, ac si de eo clamor factus sit. Si vero scabini nullum assultum agnoscere potuerunt ab ipsis super hoc veritas est inquirenda.

“3. Qui cum armis molutis infra præfinitos terminos aliquem fugaverit, si veritate scabinorum convincatur forisfacto librarum LX tenebitur: si aliquis assiliatur, quidquid ipse faciat in defendendo corpus suum nullo tenebitur forisfacto.

“4. Qui aliquem bannitum occiderit in hoc nullum facit forisfactum.

“5. Quicumque testimonio scabinorum convictus fuerit de rapina, LX lib. de forisfacto dabit et dampnum rapinæ restituet.

“6. Qualemcunque concordiam bannitus faciat comiti, remanebit tamen bannitus, donec viris Brugensibus ad opus castri LX solidos dederit.

“7. Qui bannitum de forefacto LX libr. hospitio susceperit, veritate scabinorum convictus LX libras amittet.

“8. Qui aliquem fuste vel baculo percusserit, convictus a scabinis in forisfacto x lib. incidit de quibus comes habebit v lib. Castellanus xx sol. ille qui percussus est LX sol. et ad opus castri xx sol.

“9. Qui pugno vel palma aliquem percusserit seu per capillos acceperit inde per scabinos convictus LX sol. dabit unde xxx solidi comitis crunt, percussi xv sol. castallani x sol. ad opus castri v sol. Qui aliquem per capillos ad terram traxerit sive per lutum trahendo pedibus conculcaverit, x lib. comiti dabit, maletractato xv solidos, Castellano x sol. et ad castrum v solidos.

“10. Qui vero alicui convitia dixerit, si testimonio duorum scabinorum convincatur, illi cui convicia dixerit v solidos dabit, Iusticiæ XII denarios.

“11. Qui duobus scabinis aut pluribus inducias pacis, quæ treuix dicuntur, de quilibet discordiâ dare noluerit, illud emendabit per LX lib.

“12. Si dissensiones aut discordiæ aut guerræ aut aliquod aliud malum inter probos viros oppidi exoriat, unde ad aures scabinorum clamor perveniat, salvo iure comitis, scabini illud componere et pacificare poterunt. Qui verò compositionem vel pacem quam super hoc scabini consolidaverint, sequi noluerit, forisfactum LX lib. incurret.

“13. Qui ea dediderit quæ scabini in iudicio vel testimonio affirmaverint, LX lib. amittet, et unicuique scabinorum qui ab eo deditus erit x libras dabit.

“14. Quicumque per vim fœminam violaverit, si de eo veritate scabinorum convincatur, eadem pœnâ dampnabitur, quantâ a prædecessoribus comitibus, tales malefactores dampnari solent in Flandriâ.

“15. Quicumque per malum in scabinos manum suam immiserit, si scabini illud testificentur, LX libras dabit.

“16. Præterea sciant omnes, quod vir de oppido Brugensi, cuiuscumque forisfacti se reum fecerit, non amplius quam LX lib. amittere poterit, nisi legitime per scabinos convictus fuerit de raptu,













The next passage is in the law of Eádmund, about 940. He says: "Tithe we enjoin to every Christian man on his christendom, and church-shot, and Rome-fee and plough-alsms. And if any one will not do it, be he excommunicate." Thorpe, i. 244.

"Let every tithe be paid to the old minster to which the district belongs; and let it be so paid both from a thane's *inland* and from *geneditland*, as the plough traverses it. But if there be any thane who on his bookland has a church, at which there is a burial-place, let him give the third part of his own tithe to his church. If any one have a church at which there is not a burial-place, then of the nine parts let him give his priest what he will. . . . And let tithe of every young be paid by Pentecost, and of the fruits of the earth by the equinox. . . . and if any one will not pay the tithe, as we have ordained, let the king's reeve go thereto, and the bishop's, and the mass-priest of the minster, and take by force a tenth part for the minster whereunto it is due; and let them assign to him the ninth part; and let the eight parts be divided into two, and let the landlord seize half, the bishop half, be it a king's man or a thane's." Eádg. i. § 1, 2, 3. Thorpe, i. 262. Cnut, i. § 8. 11. Thorpe, i. 366.

"This writing manifests how Eádgár the king was deliberating what might be a remedy for the pestilence which greatly afflicted and decreased his people, far and wide throughout his realm. And first of all it seemed to him and his Witan that such a misfortune had been merited by sin, and by contempt of God's commandments, and most of all by the diminution of that *need-gafol* (necessary tax or rent or recognitory service) which men ought to render to God in their tithes. He looked upon and considered the divine usage in the same light as the human. If a geneát neglect his lord's *gafol*, and do not pay it at the appointed time, it may be expected, if the lord be merciful, that he will grant forgiveness of the neglect, and accept the *gafol* without inflicting a further penalty. But if the lord, by his messengers, frequently remind him of his *gafol*, and he be obdurate and devise to resist payment, it is to be expected that the lord's anger will so greatly increase, that he will grant his debtor neither life nor goods. Thus

is it to be expected that our Lord will do, through the audacity with which the people have resisted the frequent admonition of their teachers, respecting the *need-gafol* of our Lord, namely our tithes and church-shots. Now I and the archbishop command that ye anger not God, nor earn either sudden death in this world, nor a future and eternal death in hell, by any diminution of God's rights; but that rich and poor alike, who have any tith, joyfully and ungrudgingly yield his tithes to God, according to the ordinance of the witan at Andover, which they have now confirmed with their pledges at Wihthordestán. And I command my reeves, on pain of losing my friendship and all they own, to punish all that will not make this payment, or by any remissness break the pledge of my witan, as the aforesaid ordinance directs: and of such punishment let there be no remission, if he be so wretched as either to diminish what is God's to his own soul's perdition, or in the insolence of his mood to account them of less importance than what he reckoneth as his own: for that is much more his own which lasteth to all eternity, if he would do it without grudging and with perfect gladness. Now it is my will that these divine rights stand alike all over my realm, and that the servants of God who receive the moneys which we give to God, live a pure life: that so, through their purity, they may intercede for us with God; and that I and my thanes direct our priests to that which the shepherds of our soul's teach us, that is, our bishops, whom we ought never to disobey in any of those things which they declare to us in God's behalf; so that through the obedience with which we obey them for God's sake, we may merit that eternal life for which they fit us by their doctrine and the example of their good works." Eádgár, Suppl. Thorpe, i. 270 *seq.* Such are the views of Eádgár under the influence of Dúnstán, Æðelwold and Oswald.

"And let God's dues be willingly paid every year; that is, plough-alsms fifteen days after Easter, the tithe of young by Pentecost, and of the fruits of the earth by Allhallows' Mass, and Rome-fee by St. Peter's mass, and lightshot thrice a year." Æðelr. v. § 11; vi. § 17; ix. § 9. Cnut, i. § 8.

"Et ut detur de omni caruca denarius vel denarium valens, et

















