

THE EARLY HISTORY OF THE CITY OF LONDON

THE history of the Crystal Sceptre, which is handed down by each Lord Mayor to his successor in office, is symbolic of the history of the City of London. There is no record of its origin, or of the year when it was first taken into use, but it is known to be mainly of Anglo-Saxon workmanship and to have been enlarged after the Norman Conquest. It is borne by the Lord Mayor, as a matter of prescriptive right, at the coronation of the Sovereign of the realm.

Similarly, there is no record of the origin of the City of London, although it appears to be agreed by modern historians that there was an organized and important British Settlement on the site long before the Roman Conquest of Britain in A.D. 43. Civilization of the type that is known as Celtic prevailed in Britain and the same Celtic tribes dwelt on both shores of the channel. Sir Arthur Evans fixes "somewhere about 300 B.C." as the date from which Celtic Princes, like Roman Emperors and Norman Dukes in later years, reigned on both sides of the channel.

Professor F. J. Haverfield, in his Lectures on the Roman Occupation of Britain, points out that our island is, as it were, made for invasion from Europe. Its plains are in the east. Its navigable rivers flow out on the eastern coast, but only one site in the lowland area can claim definite strategic importance. That is London. London is the greatest expression of the primæval geographical bond between England and the opposite lands. Here many advantages combine. Here is a harbour, not only capacious and accessible in all weathers, but also handy to the continent, whence all early and mediæval trade necessarily came. Here is, further, a crossing over the one tidal estuary which cuts deeply into south-eastern England. No other site in England can match the advantages which London enjoyed under early and mediæval conditions.

It is clear from exhibits in the British Museum, many of which are figured in the Guide to the Antiquities of the Early Iron Age, published by the Museum authorities, that the inhabitants of Britain had reached a high standard of artistic culture, and had developed a communal life in townships served by market centres, long before Julius Cæsar's raids on Britain in B.C. 55 and 54. The well-known bronze shield found in the Thames near Battersea, and now in the British Museum, was probably made in the first century B.C. and other exhibits, notably a series of richly enamelled gold brooches and a bronze hand mirror, show an advanced stage of civilization and culture.

Yet there is no mention of London until eighteen years after the Roman Conquest, which was successfully undertaken by the Emperor Claudius in A.D. 43, almost 100 years after the cut-and-run incursions of Julius Cæsar. Claudius dispatched a well equipped army of 40,000 all arms, under Aulus Plautius, a most competent soldier, who is believed to have sailed from Boulogne and to have disembarked in three divisions at the ports of Richborough, Dover and Lympne, moving forward along the fertile and easy plains of north Kent, across the Medway to the Thames. Here, according to Cassius Dio, Roman arms met with a temporary check. In a too eager pursuit they became entangled in trackless swamps and had to fall back with heavy loss. Cassius Dio was born in Cilicia about A.D. 150 and died in A.D. 235. He settled in Rome about A.D. 180, and there is no evidence that he visited Britain at any time, nor does he specify the place where Roman arms received a check, but it may be conjectured from the discovery of a British shield and of Roman weapons in the Thames near Battersea, that Aulus Plautius, like Duke William of Normandy, more than a thousand years later, underrated the valour of Londoners. The Roman commander sent for reinforcements, which arrived under the personal leadership of the Emperor Claudius. The Thames was crossed once more and in a few weeks the invading army was firmly established in the island.

In spite of these stirring events, it was left to another historian to make the first recorded mention of Londinium as "a town of the highest repute and a busy emporium for trade and traders." This passage in the Annals of Tacitus refers to Londinium in A.D. 61 at the time of the revolt of Boudicca (or Boadicea), Queen of the Iceni. Cornelius Tacitus died in A.D. 120, aged about 65. As in the case of Cassius Dio, there is no record of his presence in Britain, but he was a prolific author, and in addition to the Annals and Histories, he wrote a biography of his father-in-law, Agricola, who served in the Roman army of occupation, and was afterwards, for seven years, Governor of the Province of Roman Britain. The sketch of the history of our island contained in the biography adds a special interest to the work.

The Roman general, Suetonius Paulinus, who was in Wales at the time of Boudicca's insurrection, made a forced march to meet the patriot armies. He seems to have abandoned Londinium to its fate, as it was sacked and burnt by Boudicca, but a new city arose soon after the defeat of the British queen, and Londinium, provided with stout protective walls, became the centre of the road system, and the seat of the financial officials of the Roman Province of Britain. Londinium is stated by Professor Haverfield to have been "probably the largest of all Romano-British towns, certainly the most important in commerce, and in all likelihood, the only mint in the island." A diagram in "The Roman Occupation of Britain" shows the comparative size of Londinium and eleven other Romano-British towns, with Londinium (the largest) covering 325 acres and Kenchester (the smallest) 17 acres.

The uncertainty regarding the early history of Londinium fully justifies a statement by H. B. Wheatley, F.S.A., in the article "London," contributed by him to the Tenth Edition of the *Encyclopædia Britannica* :

"The origin of London will probably always remain a subject of dispute for want of decisive facts."

Unfortunately, the period of more than a century-and-a-half following the evacuation of Britain and the final withdrawal of the Roman garrison about the year 410 A.D., is also a blind spot in the history of Britain and of London.

According to the accepted theory, the highly organized Province of Britain lapsed into anarchy, and Londinium itself fell into ruin. Blocks of stone from public and private buildings have been found, built into the post-Roman city, and it may be that even the Roman walls were quarried in parts for the same purpose, but Londinium cannot have collapsed in a moment, like a house of cards. It would seem permissible to diminish the time-gap at the Roman end of the blind spot, for the walled city would have afforded protection to the native population and to refugees from invasions in the south and east. In modern times it has been observed how the most ruinous city, such as Stalingrad in 1942, may continue to harbour and protect a considerable population.

No mention is made of London after the Roman withdrawal until the appointment of a bishop in 604 A.D., but this event appears to justify a diminution of the time-gap at the Saxon end of the blind spot.

The London to which Mellitus was appointed as first bishop is described by Bede in the *Ecclesiastical History* as being, at that time, "an emporium of many nations coming by land and sea." A city thus described by the "Father of English History" could scarcely be of mushroom growth. It would have needed a long period of time to reach such an important status, and it would seem doubtful if the word "desolate" could have accurately described the city for any considerable period of time. London, deserted or thronged, still overlooked the water highway from the east and guarded the land crossing from the south. Such a centre would invite a concourse. Moreover, a church dedicated to St. Paul, the patron saint of London, was built there early in the 7th century, from which time to the present day a cathedral has stood upon the hill looking down to Ludgate. A cathedral would not be built, nor would a bishop be appointed, in an area of desolation.

The spades and pick-axes of the recently established Roman and Mediæval London Excavation Council may add to our knowledge concerning the undocumented period between the departure of the Romans and the appointment of the Saxon bishop.

There is no doubt that municipal institutions flourished in London under the Romans, and even as fragments of the Roman Wall can still be identified, so can the imprint of their institutions be seen in the modern government of the City. Local government

in London was built in the status of Freemen, a privileged status dear to the Romans, and the counterpart of inherited citizenship in Roman Law can be found in London in the custom of patrimony, which still confers rights on the son of a Freeman of the City.

From the seventh century onwards to the twelfth the Saxon Chronicle contains testimony of contemporary writers with regard to outstanding events, and it is to be noted that Alfred the Great appointed his son-in-law, Ethelred, in 886, to be governor of London, and in so doing apparently assured its detachment from the surrounding kingdoms of the East Saxons, Mercia and Wessex. He thus laid the foundations of the present municipal system, with county status, and he would seem to have envisaged a larger city with jurisdiction over Middlesex.

There is conclusive evidence of this development at a later period, for Gosfrith, the Portreeve mentioned in the Conqueror's Charter, was also Sheriff of Middlesex, and several earlier pre-Conquest portreeves have been identified as Sheriffs of the County.

The office of Sheriff of Middlesex continued to be held by the Sheriffs of the City until the passage of the Local Government Act of 1888, and the County status of the City has often been recognized in Statutes. By Section 50 of the Militia Act of 1882, it is clearly stated that the City of London shall *continue to be* a separate County for the purposes of the Militia, and similar recognition was given in the Town Planning Act of 1932 (since repealed), and in the Licensing Planning Acts of 1945-46, still in force.

The designation of Portreeve clearly indicates the commercial development of the City in the tenth and eleventh centuries, for such officers were appointed only by the foremost trading communities. Alfred and his successors made special provision for the accommodation of merchants from north-western Europe, and later privileges were granted to traders from Italy and the Baltic, the majority of whom made London their chief port of call. The City itself developed a code of Law for mercantile cases, which was afterwards absorbed into the law of the land, and this caused Sir Laurence Gomme, in "The Governance of London," published in 1907, to regard the City as an independent kingdom, making its own laws. The customary law of London, particularly in relation to trade, extended and strengthened the English legal code, supplying new actions and new remedies.

The trade of London was further assisted by King Athelstan in the tenth century, when he permitted eight mints to be established in London as against six in Winchester, the capital of Wessex, and four in Canterbury, to provide sufficient currency for the purposes of commerce. This affords evidence of the prosperity and importance of the federal state of London, a city composed of Wards governed by Aldermen, who presided over their wardmotes, with a folkmote for the whole City, meeting under the shadow of St. Paul's.

After the Battle of Hastings the victorious Duke William marched towards London, and the citizens sallied forth to oppose

him. They were repulsed, but were not intimidated by the burning of Southwark. William, appreciating the difficulties of a direct assault and having no desire to destroy London but rather to preserve so valuable an asset, decided to isolate the City and to play a waiting game in Hertfordshire. The "best men of London," in company, it is said, with Edgar Atheling, grandson of Edmund Ironside, Edwin, Earl of Mercia, and Morcar, Earl of Northumbria, eventually submitted themselves to the Conqueror at Berkhamstead.

At some date between 1068 and 1075, William granted the citizens of London a charter, now preserved among the archives of the Corporation. It is written in Anglo-Saxon and runs as follows: "William, King, greets William, Bishop, and Gosfrith, Portreeve, and all the burgesses within London, French and English, friendly. And I give you to know that I will that ye be all those laws worthy that ye were in King Edward's day. And I will that every child be his father's heir after his father's day, and I will not suffer that any man offer you any wrong. God keep you."

This charter granted nothing new, but ratified the rights and privileges of the citizens already in existence. That such a confirmation was highly prized by the citizens is clear from the fact that they were long accustomed to pay a solemn visit annually to the Bishop's tomb in St. Paul's in grateful memory of his intercession with the Conqueror on their behalf.

Although the City retained and continued to enjoy its independent customs and privileges, it owed allegiance to the Crown and was bound to support the Royal Exchequer and Household. The extent of the demand for this purpose depended on the strength and character of the King, and the efforts of the citizens were directed towards controlling and limiting such prerogatives. New immunities and further privileges were purchased by the citizens from the Crown and are embodied in a long succession of royal charters. That granted by Henry I in 1132 is a landmark in the development of municipal independence and recognizes the full *county* status of the City. London was no longer content to be the inexhaustible reservoir from which revenue was drained away by royal officials. The City aimed at collecting its own customs and dues and at electing its own justices, thereby emancipating itself not only from royal interference but also from intermediate extortions by uncontrolled persons protected by royal favour. The charter of 1132 confirms other essential attributes of civic independence, such as freedom from toll, billeting and purveyance, acknowledging the authority of local courts, making provisions in respect of land tenure and recovery of commercial debts, granting exemption from trial by battle and according the privilege of hunting in the Chilterns, Middlesex and Surrey. The conception of corporate action and corporate responsibility grew naturally in the fertile soil of the above privileges and the anarchy of Stephen's reign increased the need for even closer unity to combat external intervention. By 1141 the whole body of citizens seem

to have confederated to form a single community. John, in the absence of Richard, Cœur de Lion, at the Crusades, acknowledged on October 8th, 1191, the right of the citizens to combine in a sworn association undertaking by oath to preserve the City and its liberties, and to be obedient to its officers. This is generally known as the granting of a "commune" and in it may be seen the recognition of the citizens as a corporation bound together by corporate oath, replacing the pre-Conquest loosely knit association of wards, soles and liberties. Many urban associations similar in form had been set up on the other side of the Channel, and the English equivalent, seeking a name for an entirely new officer at the head of the Corporation, adopted the French title of Mayor.

From that time onwards the government of London seems to have developed along the same lines as the government of England. The Great Charter granted by King John at Runnymede on June 15th, 1215, accorded to the citizens of London all their ancient liberties and free customs and the name of the mayor of the City appeared among those specially appointed to see that the terms of the Charter were strictly carried out. Late in the year 1295, Edward I summoned a Parliament which became known as "The Model Parliament," because of its representative character. To it were elected two knights from each shire and two burgesses from each borough. This introduction of representative democratic government was consolidated by Edward II in 1322, when it was decreed that no further statute should come into force without the consent of the Commons. The same year provides the first evidence in the City of London of a Common Council formed of ward representatives, elected on a wide franchise by the citizens. It is clear that the same democratic influence was moulding both assemblies.

Unlike other cities, London has no charter of incorporation, being a corporation by prescriptive right, but as the municipal structure of the City assumed a definite form it served as a matrix in which the government of many other towns was shaped. It has been estimated that the charters of nearly 150 boroughs in the British Isles have been modelled upon the governmental system of the City of London.

It will thus be seen that the constitution of the City is unique among British municipalities, and that it is the result of centuries of growth and development. It became the prototype to which lawyers pointed when they wished to explain the meaning of the word "Corporation." The development of this constitution is in the hands of the Corporation itself, and can be exercised by means of Acts of Common Council, a power enjoyed by no other local authority in the Kingdom. This power was confirmed by Charters of Edward III in 1341, and of Richard II in 1377 and 1383, the Charters appearing to acknowledge powers already habitually exercised rather than conferring them for the first time.

The name of the Corporation has always been a matter of difficulty. A Charter of 1608, after listing the various titles by

which the citizens had been described in royal grants, continues "and by whatsoever corporate name heretofore made." In 1690 the statute of 2 William and Mary, c.8, declared that the Mayor and Commonalty and Citizens should: "remain, continue and be and prescribe to be, a body corporate and politick *in re, facto et nomine.*"

Although the conception of the City is so old the use of the convenient name "Corporation of London," is comparatively modern. At the present time statutory powers are conferred usually on the Common Council and very occasionally on the Court of Aldermen. The legal Corporation remains "the Mayor and Commonalty and Citizens of the City of London," and as a Local Authority for purposes of Acts of Parliament the City is designated "The Mayor, Aldermen and Commons of the City of London in Common Council assembled." Acts of the Corporation are authenticated by the Common Seal, which for more than seven centuries has borne the legend *Sigillum Baronum Londiniarum*. It can be affixed only after formal resolution during a public sitting of the Court of Common Council.

Roman London, within the Walls, covered 325 acres. The space and liberties without the Walls, originally claimed for grazing and similar purposes, were incorporated during the Anglo-Saxon period. Its boundaries have not altered materially since the Norman Conquest, and inclose a small area of 677 acres, little more than one square mile, forming the heart of the Metropolis. Legislative changes have not greatly affected its government, and no other municipal body shares the traditions and peculiar dignity of the Corporation of London.

Certain points of difference between its constitution and that of other municipalities have been already mentioned and there are many others, particularly with regard to the election and organization of Aldermen and Common Councilmen.

The Aldermen are chosen by the electors of the Ward over which they will afterwards preside and are not appointed by the Common Council. This conforms with the constitution of the Common Council, which is organized on a Ward basis, preliminary work in almost all matters being delegated for consideration and report to Committees composed of six Aldermen and representatives from each Ward appointed by the Common Council on the recommendation of the Ward members, Standing Orders ensuring an equitable distribution of Committees among such members. Each Committee elects its chairman by secret ballot, no interference from outside the Committee Room being tolerated. Moreover, under the Standing Orders, no member can be appointed by the Common Council as an additional member, either for a special purpose or generally, unless a Committee shall have passed a resolution by ballot asking the Court to add such member to the Committee; but upon all questions referred by the Court to any Committee to examine and report thereon the Member moving the reference is entitled to attend the Committee for the purpose

of explaining the motion, and is also entitled to take part in any discussion that may arise thereon, although not permitted to record a vote.

This system differentiates the Corporation of London from all other municipalities in the country, and more particularly from those elected on political lines, where Aldermen and some or all Chairmen of Committees are appointed by the City or Borough Council in proportions corresponding with the strength of the political parties. The differences are also reflected in the proceedings of the Court of Common Council, where voting is individual, free and unfettered and is not directed by party organisations. These differences, combined with the practice of annual elections, now resumed after a period of suspension during the War, with direct representation of *every* ratepayer of *every* ward on *every* spending Committee, and the rendering an account to the Ward electors *every* year, appear to justify the claim that the government of the City of London is more truly democratic than that of any other municipal body in the Kingdom.