

TABLE OF CONTENTS

| | |
|--|-----|
| LIST OF ABBREVIATIONS | XI |
| INTRODUCTION | I |
| Chapter I THE BEGINNINGS OF DISTRIBUTION OF PROPERTY AT DEATH AMONG THE ANGLO-SAXONS | 5 |
| I Germanic Practice | 6 |
| II Christian Practice | 11 |
| III Death-bed Alms among Early Anglo-Saxon Christians | 12 |
| IV Motives for the free Disposition of Property at Death | 16 |
| Chapter II THE ANGLO-SAXON WILLS, THEIR LEGAL NATURE AND EFFECT | 19 |
| I Documentary Evidence for the Distribution of Property at Death | 21 |
| II The Nature and Legal Effects of the Acts whereby the Anglo-Saxons disposed of Property at Death | 24 |
| III External Forms of Dispositions of Property at Death | 47 |
| IV The Written <i>Wills</i> | 54 |
| V Completion of the Distribution of Property at Death: Competence in Disputes | 59 |
| Chapter III THE USE OF THE RIGHT TO DISPOSE OF PROPERTY AT DEATH AMONG THE ANGLO-SAXONS | 67 |
| I Personal Limitations in the Making of Wills | 67 |
| II Beneficiaries of the Wills | 74 |
| III Material Limitations in the Anglo-Saxon Wills | 76 |
| IV The Kinds of Property Distributed by the Anglo-Saxon Wills | 83 |
| Chapter IV THE WILL IN ENGLAND FROM THE CONQUEST TO THE END OF THE THIRTEENTH CENTURY, ITS NATURE AND EFFECT | 107 |
| I The <i>Post obit</i> Gift and the Death-bed Gift in Anglo-Norman England | 107 |
| II Development of the Canonical Theory of the Testament | 119 |
| III The Canonical Will in England | 138 |

| | | |
|--------------|---|-----|
| Chapter V | THE CANONICAL WILL, FORMALITIES, IMPLEMENTATION AND CONTROL | 163 |
| I | The Acquisition of Internal and External Jurisdiction over the Will by the Ecclesiastical Courts | 164 |
| II | Formalities of the Will | 176 |
| III | The Implementation of the Will | 195 |
| Chapter VI | THE USE OF THE POWER OF DISTRIBUTION OF PROPERTY AT DEATH DURING THE FIRST TWO CENTURIES AFTER THE CONQUEST | 231 |
| I | Personal Limitations in the Making of Wills | 233 |
| II | Beneficiaries of the Wills | 258 |
| III | Property Distributed by Will | 265 |
| IV | Material Limitations in the Wills of the Twelfth and Thirteenth Centuries | 288 |
| CONCLUSION | | 303 |
| APPENDICES | | |
| Appendix A | List of the Wills Cited in Chapters Three to Six | 309 |
| Appendix B | Selected Documents Concerning the Bequest of Property | 313 |
| Appendix C | Selected Documents Concerning the Exe- cution of Wills | 316 |
| BIBLIOGRAPHY | | 327 |
| INDEX | | 349 |