

Cambridge University Press

978-1-107-46402-5 - Calendar of Plea and Memoranda Rolls: Preserved Among the Archives of the Corporation of the City of London at the Guildhall: A.D. 1413–1437

Edited by A. H. Thomas

Frontmatter

[More information](#)

Calendar
OF
PLEA AND MEMORANDA ROLLS

Cambridge University Press

978-1-107-46402-5 - Calender of Plea and Memoranda Rolls: Preserved Among the Archives of the Corporation of the City of London at the Guildhall: A.D. 1413–1437

Edited by A. H. Thomas

Frontmatter

[More information](#)

Cambridge University Press

978-1-107-46402-5 - Calender of Plea and Memoranda Rolls: Preserved Among the Archives of the Corporation of the City of London at the Guildhall: A.D. 1413–1437

Edited by A. H. Thomas

Frontmatter

[More information](#)

Calendar
OF
PLEA AND MEMORANDA ROLLS
Preserved among the ARCHIVES of the CORPORATION
of the CITY OF LONDON at the GUILDHALL
a.d. 1413–1437

Edited by
A. H. THOMAS, M.A., LL.D.

OF ST CATHARINE'S COLLEGE, CAMBRIDGE
DEPUTY-KEEPER OF THE CITY RECORDS

PRINTED BY ORDER OF THE
CORPORATION UNDER THE DIRECTION
OF THE LIBRARY COMMITTEE

CAMBRIDGE: AT THE
UNIVERSITY PRESS
MCMXLIII

Cambridge University Press
978-1-107-46402-5 - Calender of Plea and Memoranda Rolls: Preserved Among the Archives of the Corporation
of the City of London at the Guildhall: A.D. 1413–1437
Edited by A. H. Thomas
Frontmatter
[More information](#)

CAMBRIDGE
UNIVERSITY PRESS

University Printing House, Cambridge CB2 8BS, United Kingdom

Cambridge University Press is part of the University of Cambridge.

It furthers the University's mission by disseminating knowledge in the pursuit of
education, learning and research at the highest international levels of excellence.

www.cambridge.org

Information on this title: www.cambridge.org/9781107464025

© Cambridge University Press 1943

This publication is in copyright. Subject to statutory exception
and to the provisions of relevant collective licensing agreements,
no reproduction of any part may take place without the written
permission of Cambridge University Press.

First published 1943

First paperback edition 2014

A catalogue record for this publication is available from the British Library

ISBN 978-1-107-46402-5 Paperback

Cambridge University Press has no responsibility for the persistence or accuracy of
URLs for external or third-party internet websites referred to in this publication,
and does not guarantee that any content on such websites is, or will remain, accurate
or appropriate.

Cambridge University Press

978-1-107-46402-5 - Calender of Plea and Memoranda Rolls: Preserved Among the Archives of the Corporation of the City of London at the Guildhall: A.D. 1413–1437

Edited by A. H. Thomas

Frontmatter

[More information](#)

CONTENTS

	PAGES
INTRODUCTION	vii
THE LANGUAGE OF THE RECORDS	vii
The increasing use of English	vii
The spheres of Latin and French	xvi
The character of London French	xviii
GIFTS OF GOODS AND CHATTELS	xix
THE WARD PRESENTMENTS OF 1422 AND 1423	xxiv
THE EARLY HISTORY OF THE WARDS	xxx
CALENDAR OF PLEA AND MEMO- RANDA ROLLS	1–301
A LIST OF LESS USUAL WORDS IN THE TEXT	302
INDEX OF SUBJECTS	305
INDEX OF NAMES AND PLACES	318

Cambridge University Press

978-1-107-46402-5 - Calender of Plea and Memoranda Rolls: Preserved Among the Archives of the Corporation of the City of London at the Guildhall: A.D. 1413–1437

Edited by A. H. Thomas

Frontmatter

[More information](#)

CORRIGENDA

p. 3, n. 5, *for Calais read Wales.*

p. 19, l. 30, *for John read Robert.*

p. 59, l. 21, *for executors read testator.*

p. 146, l. 5, *for James read Jacobus.*

Cambridge University Press

978-1-107-46402-5 - Calendar of Plea and Memoranda Rolls: Preserved Among the Archives of the Corporation of the City of London at the Guildhall: A.D. 1413–1437

Edited by A. H. Thomas

Frontmatter

[More information](#)

INTRODUCTION

THE PLEA AND MEMORANDA ROLLS calendared in this volume cover the period 1413 to 1437, each roll being the record of a single mayoralty. Two rolls, those of Richard Merlawe (1417–18) and John Perneys or Perveys (1432–3), which are missing, had gone astray before the early years of the 19th century, when the present enumeration was adopted. As the City records are now so fully known and listed, the only chance of their survival would appear to lie outside the walls of Guildhall.

During the twenty-two years included in the present Calendar, the matters considered worthy of enrolment by the City clerks are of the same general character as in previous rolls. They give further information or supply illustrative detail on a number of topics, apprenticeship, orphanage, the law merchant, foreign merchants and trade, City custom, household goods, textiles, metalwares, furs, jewellery, the everyday life of the citizens and social conditions in general. Among other matters, mention may be made of an action (p. 174) against a surgeon for an alleged error of treatment—a case which reveals the part played by astrology in the medical theory of the middle ages. Another new feature of interest is the lengthy record of prosecutions for usury in 1421 (pp. 95–109) and 1435 (pp. 285–7). It is no easy task to discover exactly where medieval men, under the guidance of the Church, drew the line between legitimate enterprise and immoral gain accruing from the use of capital. The several prosecutions give specific instances of actions which offended the conscience of the City authorities. We learn also that the latter had been accustomed from time immemorial to punish “bargains of horrible usury and false chevisance”, irrespective of any sanction from the national authorities.

THE LANGUAGE OF THE RECORDS

The increasing use of English

A noticeable difference between the present Calendar and its predecessor lies in the increased number of enrolments in English. Before 1413 no more than three documents or groups of documents in English were entered in the Plea and Memoranda Rolls.

Cambridge University Press

978-1-107-46402-5 - Calendar of Plea and Memoranda Rolls: Preserved Among the Archives of the Corporation of the City of London at the Guildhall: A.D. 1413–1437

Edited by A. H. Thomas

Frontmatter

[More information](#)

In 1406 a certain John Osbarne, son of the Constable of Dunster Castle, and Walter Gregory, vicar of a parish unnamed, made sworn statements as to a feoffment and re-eneffment whereby John, the last Lord Mohun, then expecting to go abroad on military service, had settled the castle and other manors upon himself and his wife Joan and their issue, thus bringing his daughters into inheritance¹. A few years later, doubtless in connection with the purchase of the Leadenhall and its market by the Corporation in 1409, a certain Robert Rykedon brought in three English documents for enrolment. These consisted of two letters of credence written by Sir John Hawkwood, the famous leader of the White Company, at Florence in 1392 and 1393 and an indenture having the effect of a nuncupative will². Though legal or semi-legal in character, they must be classed as private documents. The same description applies to a threatening placard placed by unknown persons in 1412 on a garden door close by a mud wall which they had demolished³. The only official English documents copied into the City records up to this date are four proclamations issued by the mayor and aldermen in 1383, 1387 and 1411⁴. Hitherto proclamations had been invariably written in French, and several instances of the use of French⁵ in this class of documents are still found, but from this time forward the majority are couched in English⁶.

Among the English enrolments in the present Calendar are five awards in arbitration. During the preceding century disputes were from time to time submitted to arbitrators, usually four in number, two being chosen by either side, with an umpire to make the award if the four failed to agree. The awards were usually presented to the court in French. In the early 15th century the mayor and aldermen, probably as a natural development of the equitable jurisdiction of their court, began to assume the function of arbitra-

¹ *Cal. of Plea and Memoranda Rolls, 1381–1412*, pp. 279–82.

² *Ibid.* pp. 308–10; cf. pp. 257–8; said by C. L. Kingsford to be the earliest private letters in English, *Prejudice and Promise*, pp. 22–3. See also *London Topographical Record*, XIII, p. 10.

³ *Cal. of P. and M. Rolls, 1381–1412*, p. 313.

⁴ Letter Book H, fos. 172, 223; I, fo. 111; the texts are set out in H. T. Riley, *Memorials of London and London Life in the XIIIth, XIVth and XVth Centuries*, pp. 480, 481, 500, 580.

⁵ Letter Book I, fos. 112, 147v., 178, 212v.

⁶ Texts are set out in H. T. Riley, *Memorials*, pp. 628–9, 635, 645, 664–5, 668–9, 670–3.

Cambridge University Press

978-1-107-46402-5 - Calender of Plea and Memoranda Rolls: Preserved Among the Archives of the Corporation of the City of London at the Guildhall: A.D. 1413–1437

Edited by A. H. Thomas

Frontmatter

[More information](#)

INTRODUCTION

ix

tors, acting either as a whole or as a committee of the mayor and twelve aldermen or delegating the duty to one, two or four aldermen. Their awards are recorded in Latin. In 1430, however, Alderman Robert Large brought his award into court in English, and his example was followed by three other bodies of aldermanic arbitrators¹. The earliest award in English, interesting as being addressed to the “Lord Mair”, was delivered by two non-official citizens in 1414².

Three further enrolments in English are also of some interest. In 1425 two servants of John Holland, earl of Huntingdon, who had been captured at Baugé in 1421 and was now a prisoner in Anjou, brought into court a letter (pp. 182–7) from their master asking that a writ and a deed relating to his ransom might be enrolled. Five months later the earl appeared in person before the mayor and aldermen to acknowledge the deed, together with a declaratory document setting forth the terms. The story they tell illustrates the mercenary character of medieval wars, where a leading incentive was the hope of capturing important prisoners, from whom heavy ransoms might be exacted³. In this case a complicated family arrangement secured the earl’s release. His mother, Elizabeth, sister of Henry IV, had married as her second husband Sir John Cornwall. To the latter had been assigned by the king in 1417 the count of Vendôme, taken prisoner at Agincourt, whose ransom had been fixed at 46,665 gold crowns valued at 11,665 English marks (£7776. 13s. 4d.). By the fortune of war the earl had fallen into the count’s possession either because he had been captured by adherents of the count or had been acquired by his friends in some other way. Vendôme, in his captivity in England, naturally stipulated that his own freedom should be the price of Huntingdon’s, thus leaving the problem to be solved between the son and the stepfather. Out of his “grete godenesse and kyndenesse” Cornwall consented to abate Vendôme’s ransom by 2665 marks, to take in part exchange two other prisoners, the seigneurs de Gaucourt and Estouteville, with a sum of money contributed by the king, valued together at 5000 marks, and to receive other

¹ Below, pp. 237, 253–5, 256–7, 283.

² pp. 17–18.

³ Cf. the negotiations for the ransom of Thomas de Voudenay, taken prisoner at Poitiers in 1356, Letter Book G, fo. 58; H. T. Riley, *Memorials*, pp. 290–1; and Richard Whityngton’s speculative purchase of a prisoner taken at Agincourt, below, pp. 91–3.

Cambridge University Press

978-1-107-46402-5 - Calender of Plea and Memoranda Rolls: Preserved Among the Archives of the Corporation of the City of London at the Guildhall: A.D. 1413–1437

Edited by A. H. Thomas

Frontmatter

[More information](#)

miscellaneous sums of money and bonds of Huntingdon's friends to make up the balance. On these terms Vendôme had been released and Huntingdon in turn had received his freedom.

Another English enrolment of 1431 concerns a dispute (pp. 256–8) between a widow, chief legatee of her husband, and two others as to their respective rights to any ransom which might accrue from the capture of Alfonso, count of Denia. This would appear to be that count of Denia who was taken prisoner at the battle of Najara some sixty-four years before, and with regard to whom blood had already been shed¹.

In the remaining English enrolments there are several points of legal interest. Reynold Barentyn, a nephew of Alderman Drew Barentyn, and his son Drew² agree by an English indenture (pp. 195–6) of 1425 to deliver muniments and evidences relating to properties in the parish of St John Zakary which had been in dispute between themselves and Alderman Henry Barton. The action, as usual, was recorded in Latin (pp. 191–3) and mention is made therein of the City customs that a deed on enrolment in the Husting had the same force and effect as a fine at common law outside the City, and that citizens could devise lands and tenements to their wives for life and to other persons in fee simple, fee tail, for life or otherwise. Livery of seisin of tenements by placing the ring of the door in the hands of the recipients is mentioned in another English document (pp. 265–6) of 1432. This is a declaratory deed from Ralph Barton notifying that William Myldenhale, whose will is recited, had mortgaged a tenement in the parish of St Mary Aldermary and had afterwards devised it to his daughters Jonet and Eleyne, to whom the said Ralph had delivered seisin on payment of the sum of money due to him. Another English will (pp. 277–80), that of William Caldewell, saddler, devises the remainder of certain tenements to the Craft of Saddlers, in accordance with the City's custom of devise in mortmain. Two further English documents (pp. 291, 298–9) are certificates, relating that Alderman Robert Tatersall had acquired the manor of Wanstead by a fine, and afterwards, moved by remorse in his conscience at having purchased a property which he knew to be entailed, he had instructed his co-feoffees to restore it to the next heirs in tail.

¹ C. L. Kingsford, *Chronicles of London*, p. 14 (Julius B II, fo. 15).

² On this important Oxfordshire family see *Notes and Queries*, CLXXXI, pp. 156, 206; CLXXXIII, pp. 190, 350.

Cambridge University Press

978-1-107-46402-5 - Calendar of Plea and Memoranda Rolls: Preserved Among the Archives of the Corporation of the City of London at the Guildhall: A.D. 1413–1437

Edited by A. H. Thomas

Frontmatter

[More information](#)

INTRODUCTION

xi

His son now enrols the documents in fulfilment of his father's wish. The last English deed (p. 300) is a covenant of the sale by Philip Caxton of the manor of Wrating to John Cristemasse, draper—no doubt an enrolment of the original formerly in the possession of Earl Winterton¹.

The greatest number of English enrolments in the period covered by the rolls consist of certain returns of the inquest juries of the wards, known as the Wardmote Presentments². At the winter wardmotes, held in the latter part of December, and from the 15th century on St Thomas's Day, juries of householders were impanelled to whom the Articles of the Wardmote Inquest were read. They were then given a day to bring in their verdicts or presentments of defaults, which in due course were brought before the mayor and aldermen at a "General Court" (afterwards known as the Grand Court of Wardmote) on the Monday after the Epiphany. In practice the procedure seems to have been more elaborate than in the above description from the City's Liber Albus³. Some wards sent in a return for the whole ward. Others presented separate returns from the parishes within their boundaries, and in these cases it would appear that the real work of presenting defaults had been carried out by parish juries⁴. The language of the verdicts varied from ward to ward, apparently at the choice of the ward clerk. As interesting as the increasing use of English is the survival of French at this date. Of the returns (pp. 115–41) made on 11 Jan. 1422, four only are in Latin, fourteen in French and eight in English. Aldersgate Ward (p. 127) uses Latin for the opening sentence and English for the verdict. The ward of Farringdon Without (pp. 124–6) presents its return in English and includes a return from the parish of St Sepulchre in the same language, followed by that of St Andrew, Holborn, in Latin, from which we may perhaps infer a legal training of the parish clerk. At the next presentment in 1423, Bishopsgate Ward (p. 153) changed from Latin to French and the return deals with the ward as a whole and not separately by the six parishes as in the

¹ See *The Times*, 18 Dec. 1942.

² The returns are set out in abstract in the present Calendar. The texts are printed, with critical notes, in *A Book of London English, 1384–1425* (Clarendon Press, 1931), by Prof. R. W. Chambers and Miss Marjorie Daunt.

³ *Munimenta Gildhallae Londoniensis* (Rolls Series 12), I, pp. 36–9.

⁴ Below, pp. 121–4, 125–6, 127–9, 131, 136–7.

Cambridge University Press

978-1-107-46402-5 - Calender of Plea and Memoranda Rolls: Preserved Among the Archives of the Corporation of the City of London at the Guildhall: A.D. 1413–1437

Edited by A. H. Thomas

Frontmatter

[More information](#)

preceding year. The wards of Cordwainer Street (p. 152), Farringdon Within (p. 153), Broad Street (p. 156), and the Within portion of Cripplegate (p. 158) abandon French in favour of English, though curiously enough three of the wards which again return in English now adopt French preambles. Not all the ward presentments of 1423 have survived, but the result of the above changes is two returns in Latin, eight in French and twelve in English, showing a marked movement in favour of the native speech.

In the City's Letter Books, which are concerned more with the administrative than the legal courts, there is a similar increase in the number of English enrolments. At the end of Letter Book I the City clerk has recorded in English¹ those statutes and ordinances relating to purveyance which were recited in the Parliament of 2 Henry VI after being ordered in the previous year to be proclaimed and observed². The translation from the French of the Statutes into English clearly emanated from the Chancery. Of a more civic character is an inquisition taken at the Guildhall as to an alleged forgery of a conveyance, followed by a confession or self-exculpation written by a certain John Canesby, clerk, otherwise called "Sir John the Morowemasse prest" of St Bride's, Fleet Street³. Since proceedings in court, though recorded in Latin, were from 1362 supposed to be conducted in English in place of French⁴, the choice of giving a précis of a confession in Latin or of recording the actual words in English would depend upon the clerk's estimate of its importance. This no doubt was responsible for the preservation of a document connected with the suppression of Lollardy. John Russell, a woolpacker, was charged in 1416 with having slandered Thomas Fauconer, late mayor, who had been active against the Lollards⁵, by alleging that he had suppressed a charter of pardon in favour of Richard Gurmyn, baker, and had caused the latter to be burnt at Smithfield, together with the pardon. The pleadings are recorded in Latin; Russell's confession, written in English, is reproduced in full⁶.

¹ R. R. Sharpe, *Cal. of Letter Book I*, pp. 288–98.

² *Statutes of the Realm*, II, p. 213.

³ Letter Book K, fo. 11v.; *Cal. of K*, pp. 17, 21–2.

⁴ Miss M. Dominica Legge, "Anglo-Norman and the Historian" (*History*, Dec. 1941, p. 167), thinks that the statute was not obeyed.

⁵ H. T. Riley, *Memorials*, pp. 576, n. 3, 617–18; Letter Book I, fo. 155.

⁶ *Ibid.* fos. 194v.–195v.; *Memorials*, pp. 630–4.

Cambridge University Press

978-1-107-46402-5 - Calender of Plea and Memoranda Rolls: Preserved Among the Archives of the Corporation of the City of London at the Guildhall: A.D. 1413–1437

Edited by A. H. Thomas

Frontmatter

[More information](#)

INTRODUCTION

xiii

The remaining English passages in the Letter Books of this period are in the nature of innovations, gradually becoming settled custom. They consist mainly of petitions, ordinances, proclamations and letters. These classes of documents had hitherto been written in French or less frequently in Latin, and they continued to be written in French from time to time until that language had fallen out of fashion. It survived only in the City law-courts, where bills of complaint initiating actions by customary and common law, and petitions, which led to proceedings in equity, still followed the ancient fashion. As late as the 18th century apprentices, who sought remedies in court for non-enrolment, lack of instruction and certain other grievances, were supplied with printed forms of petitions in French, with blanks for names and dates—a striking instance of conservatism. But ordinary petitions to the administrative courts ceased to be written in French between 1430 and 1440.

Closely connected with petitions were ordinances. The Courts of Aldermen and Common Council rarely legislated unless stimulated to do so by some body which desired the amelioration of its own or general conditions. Even where no petition is recorded, the wording of ordinances often reveals that the suggestion had come from without. Not infrequently a petitioning body would set out its desires in the form of an ordinance, which was adopted word for word, and either prefaced by a statement that the court had so ordained, or ended by a note in Latin to the effect that the above articles had been approved. The fact that French remained the traditional language of petitions long after it had ceased to be understood by the common people, involved as a consequence that throughout the 14th century until as late as 1432 the ordinances of a large number of misteries, some representing very humble crafts¹, were drawn up in a language which must have been unintelligible to many of their members.

Already, however, during the stormy period 1384–6, when a struggle was waged between the victualling and non-victualling guilds, a petition in English had been forwarded to the Chancellor by the Mercers². The lead in preferring petitions to the City

¹ E.g. Cordwainers and cobblers, 1395; Hurers, 1398; Fletchers, 1403, 1432; Forcermakers, 1406; Joiners, 1427, and Bakers, 1428. See H. T. Riley, *Memorials and Cals. of Letter Books*, *passim*.

² R. W. Chambers and M. Daunt, *London English*, pp. 20, 33–7.

Cambridge University Press

978-1-107-46402-5 - Calender of Plea and Memoranda Rolls: Preserved Among the Archives of the Corporation of the City of London at the Guildhall: A.D. 1413–1437

Edited by A. H. Thomas

Frontmatter

[More information](#)

authorities in that language was taken in 1423 by the physicians and surgeons of the City¹, who were then desirous of being combined in one craft. Each paragraph of their petition begins with the words “Also please it you to ordeyne” and the document concludes with a sentence stating that the mayor and aldermen had granted that the articles should be “putte in execucion”. In the same years a dispute between the Shearmen and the two or three persons who enjoyed a monopoly of shear-grinding led to an ordinance² fixing prices for satisfactory workmanship and providing for assistance in turning the grindstones. In 1430 an ordinance fixing the seasonal price of butter was couched in the native speech³, obviously in order to obtain wide publicity. The Common Council was the next to follow the new fashion by presenting a bill in 1433 to the mayor, aldermen and sheriffs praying that all persons obtaining the privileges of the freedom should continuously dwell within the City and take their share of its burdens. It was followed by an Act of mayor, aldermen and commons dealing with the whole question of the freedom, the methods of acquiring it, and the duties attaching to it⁴. The Skinners in the same year petitioned against alien merchants, who seem to have been Italians, coming in galleys into the port of London and bringing furs of budge and lambskin “wroght untrewely⁵”. The Turners in 1435 made a like complaint against divers “foreins” who had been importing measures, bushels, half bushels and pecks, turned out of green timber, with the result that these measures, when dry, became deficient in content. Authority was given to their wardens to exercise oversight over all such imports. To the same period belongs an undated petition of the Girdlers⁶ praying for certain modifications of their ordinances issued in 1344, with a further petition of 10 Nov. 1435 desiring a limitation in the number of apprentices and more stringent rules for securing better quality in materials and workmanship⁷. It must be remembered that up till 1432 there had been an even larger number of petitions and ordinances in French. Henceforward English became the usual vehicle of non-legal petitions and English or Latin the languages in which the resulting ordinances were granted.

¹ R. W. Chambers and M. Daunt, *London English*, pp. 108–15, from Letter Book K, fos. 6v.–7v.

² R. R. Sharpe, *Cal. of Letter Book K*, pp. 22–4.

³ Letter Book K, fo. 68v.

⁴ *Cal. of K*, pp. 161–6.

⁵ *Ibid.* pp. 170–1.

⁶ *Ibid.* p. 193.

⁷ *Ibid.* pp. 197–201.

Cambridge University Press

978-1-107-46402-5 - Calender of Plea and Memoranda Rolls: Preserved Among the Archives of the Corporation of the City of London at the Guildhall: A.D. 1413–1437

Edited by A. H. Thomas

Frontmatter

[More information](#)

INTRODUCTION

xv

Proclamations of this period fall into two classes, those dealing with national or civic affairs of importance, and the announcements, either read publicly or affixed to the pillory, when citizens underwent that penalty for their misdoings. Of those already mentioned above (p. viii) the warning issued in 1387 against speaking, moving or publishing anything in despite of the king, queen and those about his person, obviously owed its inspiration to the king's council, and this is true of most of the proclamations made between 1416 and 1418 in connection with the war in France. No doubt they were translated into English so as to attract the notice of the mariners and soldiers to whom they were addressed. But it is a curious fact that one-third of the number of proclamations issued at that time were couched in French. As they were addressed to the lords, knights, esquires, captains and leaders of men taking part in the expeditions a more courtly and traditional form of address may have been thought necessary¹. This consideration would of course not apply to the second class of proclamations²—those connected with the pillory. In this case the warning was intended for the populace and especially for the less educated portion of it.

It has been said that “the letters which Henry V wrote to the City of London and the City's replies form the oldest connected series of English letters which has been preserved”. Henry V, as Mr C. L. Kingsford pointed out, “could and did write well in English as is shown by his note on a State paper”—‘for the secreness of this Matere I have written this Instruction wyth myn owne Hande and seled hit with my Signet of th' Egle³.’ All Henry's English letters to the City were in fact sealed with his signet and it is not impossible that they were also written with his own hand. A solitary letter under the signet in French⁴ is headed “on the king's behalf”—a distinction which does not appear in the English letters. But though the king wrote in English, the civic authorities were more conservative. To his letter announcing the surrender of the castle of Touques, the mayor replied in French⁵. The king's brother,

¹ H. T. Riley, *Memorials*, p. 627; Letter Book I, fos. 178, 212v.

² *Cal. of I*, pp. 196–7; *Memorials*, pp. 668, 670, 672, 673; *Cal. of K*, pp. 16–17.

³ C. L. Kingsford, *Prejudice and Promise*, p. 23; *Foedera*, ix, 427–30.

⁴ 22 Sept. 1415, announcing the capture of Harfleur, *Memorials*, pp. 619–20, from Letter Book I, fo. 143. Privy Seal letters, emanating from the Council rather than the king, continued to be written in French for some time. *Ibid.* p. 654.

⁵ *Ibid.* and n. 8.

Cambridge University Press

978-1-107-46402-5 - Calendar of Plea and Memoranda Rolls: Preserved Among the Archives of the Corporation of the City of London at the Guildhall: A.D. 1413–1437

Edited by A. H. Thomas

Frontmatter

[More information](#)

xvi

INTRODUCTION

the duke of Clarence, also preferred the older fashion. The same year, when the king wrote in English to announce the capture of Caen, the duke sent a letter in French¹, and the same was the case next year when the two brothers wrote to tell of the fall of Louviers². However, in 1419 the king and his brother both announced the capture of Pontoise in English and the City's answers, written under the mayoralty seal, were also in English³. From this time onward letters from the king, the duke of Bedford, Henry VI and Cardinal Beaufort, with the City's replies, were all in the native tongue⁴. French ceased to be used in correspondence except with French-speaking towns abroad.

The spheres of Latin and French

Before leaving the subject of languages, a few words should be said as to the respective spheres of Latin and French in the City records. Litigation in the courts was recorded in Latin until the Commonwealth. The actual pleadings, written or oral, were probably in French until the statute of 1362 ordered that as the French tongue was but little understood, all pleas should be pleaded, shown, defended, answered, debated and judged in the English tongue⁵. In 1302 an action of debt in the Sheriffs' Court between two foreigners was reversed on appeal by the Mayor's Court. Sewn to the roll is a *cedula* containing a reasoned judgment in French apparently delivered by the mayor or recorder, annulling the process and proof because, *inter alia*, the witnesses differed as to the source of the indebtedness, whereas according to the Law Merchant they ought to agree, and because there was a difference between the sum mentioned in the writ and that in the proof⁶. But while the attorneys and the recorder doubtless spoke French in court, there is reason to believe that witnesses gave their oral testimony in English. In an action in 1300 where the plaintiff sued for detainment of a goshawk (*ostorius*)⁷, one witness said the defendant had acknow-

¹ H. T. Riley, *Memorials*, p. 657; *Cal. of I*, p. 185.

² Letter Book I, fo. 215. Text set out in J. Delpit, *Collection générale des documents Français qui se trouvent en Angleterre*, pp. 221–4.

³ Letter Book I, fo. 236–236v.; texts set out in R. R. Sharpe, *London and the Kingdom*, III, pp. 362–5; Delpit, *op. cit.* pp. 227–9.

⁴ Sharpe, *op. cit.* III, Appendix A, *passim*.

⁵ See above, p. xii, n. 4.

⁶ A. H. Thomas, *Cal. of Early Mayor's Court Rolls*, pp. 181–4.

⁷ *Ibid.* pp. 127–8.

Cambridge University Press

978-1-107-46402-5 - Calendar of Plea and Memoranda Rolls: Preserved Among the Archives of the Corporation of the City of London at the Guildhall: A.D. 1413–1437

Edited by A. H. Thomas

Frontmatter

[More information](#)

INTRODUCTION

xvii

ledged receipt of “*Anglica lingua unum Goshauk*”, while the other described the bird as “*Anglica lingua simpliciter unum hauk*”. It seems clear that the clerk is reporting the actual words used. On the other hand, in the same year a collector rebuked a fellow-collector for attempting to demand double payment for the return of a pledge, to which the dishonest taxgatherer is recorded as replying “*Jeo ay chie a vous & au Ray ausi*”. No doubt this was the attorney’s rendering of the defendant’s abusive remark into the French of the bill of complaint, for it is difficult to believe that a citizen with the very English name of “Ralph the mason” had used French in the heat of argument¹.

As regards legal instruments, the conveyances recorded in the Husting Roll $\text{\textcircled{S}}$ are almost without exception written in Latin, and Latin continued to be the favourite language for such deeds until the early 16th century. But during the period ending with the present Calendar, lesser legal instruments, leases, quitclaims, letters of attorney, bonds and indentures of agreements and covenants were frequently drawn up in French. As mentioned above, bills and petitions initiating actions at law or equity were by custom written in French and to these must be added the numerous applications for leave to sue at common law outside the City², either because the cause of action was extraneous or because the City was unable to compel the attendance of defendants or witnesses. Awards in arbitration were often presented in French³ until about 1430, when Latin or English became the normal usage⁴.

The actual deliberations of the administrative courts, the decisions at which they arrived and the orders issued on the miscellaneous matters engaging their attention were recorded in Latin. But as shown above, when ordinances and regulations were the direct result of or embodied in petitions couched in the traditional French, they too were written in French. For no apparent reason beyond custom documents issued under the mayoralty seal were almost invariably couched in French. These included both testimonial and ordinary business letters, though those written to ecclesiastics at home and abroad were generally in the language of the Church. Precepts to aldermen to summon their wardmotes, to assess and levy contributions, to set the watch at midsummer and

¹ *Ibid.* p. 58.² Below, pp. 7–8; see Index under “Common Law”.³ Below, pp. 25, 62–3, 67, 166.⁴ Below, pp. 237, 253–5, 256–7, 283.

Cambridge University Press

978-1-107-46402-5 - Calendar of Plea and Memoranda Rolls: Preserved Among the Archives of the Corporation of the City of London at the Guildhall: A.D. 1413–1437

Edited by A. H. Thomas

Frontmatter

[More information](#)

xviii

INTRODUCTION

Christmas, to send in returns of men-at-arms, to prevent sales of articles at more than the regulated prices, and generally to carry out in their wards the policy of the central body, all of which were issued by the mayor, were also in French. As we have seen, important proclamations, national and civic, were issued in the same language until in the reign of Henry V a change-over to English was made. Among other documents recorded in French are the oaths of the several City officials, ranging from the recorder to the humble aleconner¹, and the returns of the sworn masons and carpenters, who in 1428 were still reporting in French on building-disputes between neighbours². No explanation beyond custom can be given for the last two examples.

The character of London French

The French written and spoken in England during the 13th, 14th and early 15th centuries is usually described as Anglo-Norman, though it contained other elements. Miss Legge points out that the wool-trade with Northern France and Flanders exposed the language used by travelling merchants to the influence of the Picard and Walloon dialects and that the wine-trade brought a similar contact with the Gascon dialect³. It has also been remarked that the vocabulary contained words of Romance and Teutonic origin and that Middle English and Latin affected the syntax⁴. In spite of Higden's insistence on the uniformity of the "language of Normandy" in England, as contrasted with the varieties of dialects both in France and England, it is probably true to say that London French may be classed among the "better non-literary Anglo-Norman writings" and that it was closer than the rest to the general run of continental French. A knowledge of French, good enough to be understood in the several districts of France, was essential to the large numbers of London merchants, factors, apprentices, shipmasters and professional clerks engaged

¹ *Liber Albus* (R.S. 12), I, 306–19; *Cal. of Plea and Mem. Rolls*, 1364–1381, p. 256; 1381–1412, p. 92.

² *Ibid.* 1364–1381, p. 150; 1381–1412, p. 178; below, pp. 218–19; cf. sworn information in French of the fishermen of the lower Thames, 1381–1412, pp. 116–17.

³ M. D. Legge, "Anglo-Norman and the Historian," *History*, Dec. 1941, pp. 174–5.

⁴ G. F. Chapple, "The Correspondence of the City of London, 1298–1370," *June 1938*, Univ. Lond. Ph.D. Thesis, pp. 45, 132, 181, 200, 208–9.

Cambridge University Press

978-1-107-46402-5 - Calendar of Plea and Memoranda Rolls: Preserved Among the Archives of the Corporation of the City of London at the Guildhall: A.D. 1413–1437

Edited by A. H. Thomas

Frontmatter

[More information](#)

INTRODUCTION

xix

in continuous trading abroad or in business correspondence. London was a busy centre of foreign commerce, and the long-continued use of French in its records was probably due to the fact that it formed a necessary part of the young clerk's and merchant's training.

GIFTS OF GOODS AND CHATTELS

Another feature which distinguishes the present Calendar from its predecessors is the number of deeds described as "gifts of goods and chattels". From this time forward they occupy an ever larger space not only in our London rolls but also in the rolls of Chancery. In this Calendar it has not been thought necessary to do more than preserve the names, with the dates on which the deeds were brought in for enrolment. The form of the instrument varies very little. It conveys all goods and chattels, live and dead, of whatsoever kind or wheresoever they might be, to have, hold and dispose thereof, without any reclamation or condition whatsoever. No consideration is mentioned. That these deeds, so large in number, were not as a rule the outcome of generous impulses or evidence of a general desire among medieval men to divest themselves of their possessions must be obvious. But in the great majority of these disappointing documents, which occupy so much space, no reason appears for the gift. The very few instances where a clue is given suggest that the deed might serve various purposes, and that the gist of the matter usually lay in an unrecorded and unwritten agreement between the parties.

It should be noted first that the goods and chattels are specified in only rare instances. In 1435 a dyer gives to a tailor the vats, cisterns and other vessels in his house belonging to his occupation, but no other goods or chattels¹. This has the appearance of a pledge rather than an outright gift. In 1404 a vintner gives four pieces of silver with silver covercles and all other his goods, jewels and chattels. Here the silverware was probably a token of delivery of seisin, the goods still remaining in the hands of the donor². This was clearly the meaning of a deed of 1397, when a Canterbury man puts the donee in possession of the goods and chattels by delivering to him "in better evidence" thereof a dagger *stipatum*

¹ Below, p. 277.² *Cal. of P. and M. Rolls*, 1381–1412, p. 267.

Cambridge University Press

978-1-107-46402-5 - Calender of Plea and Memoranda Rolls: Preserved Among the Archives of the Corporation of the City of London at the Guildhall: A.D. 1413–1437

Edited by A. H. Thomas

Frontmatter

[More information](#)

(probably hafted) with silver¹. Sometimes silver spoons and other articles served the same purpose. Whether the rest of the goods followed there is nothing to show. One suspects that in many cases the token sufficed as a symbol of legal ownership.

A few instances in the previous century supply reasons for these gifts. A Flemish innkeeper, who had stood surety for two English purchasers of cloth in the Hall at Ghent, complained in 1345, through his own city authorities, to the mayor and aldermen of London that one of the merchants, in order to defraud the sellers, had given away all his goods and chattels to his son-in-law and another man, thus leaving the complainant liable as surety². In the upshot the donees agreed to relieve the innkeeper of his liability. A gift of goods and chattels to a group of friends by the ill-fated Sir Nicholas Brembre, when dangers were thickening round him, was obviously designed to prevent their forfeiture as “felon’s chattels”. A month later he was appealed of high treason and ultimately brought to trial by the Merciless Parliament on 20 Feb. 1388, suffering the fate of a traitor. An equally provident conveyance of his lands and tenements, on the day before the appeal, was designed to save his real property³. That these deeds sometimes served evasive or dishonest purposes is shown by the formula that the gift was made “without fraud or guile”. One form of this fraud is indicated in the statute 3 Henry VII, c. 5, where the Commons complained that such gifts “be made to thentent to defraude ther creditours of their duties”. The debtor, having made over his goods and chattels to friends for his use, “goth to seyntwarie or other places privyleged” and there lived leaving his creditors unpaid⁴. It was enacted that all “dedes of gyfte of goodes and catalles made or to be made of trust to thuse of that persone or persones that made the same dede of gyfte be voide and of non effecte”. It is probable that this act remained largely a dead letter, because unwritten agreements and trusts could not easily be proved and the gift, on the face of it, was absolute. Moreover, most of such gifts and agreements were doubtless made for quite honourable reasons. The form of the deed is given in the 18th-century editions of Jacob’s *Law Dic-*

¹ *Cal. of P. and M. Rolls*, 1381–1412, p. 259.

² *Cal. of P. and M. Rolls*, 1323–1364, pp. 214–15.

³ *Cal. of P. and M. Rolls*, 1381–1412, p. 134 and n. 1.

⁴ *Statutes of the Realm*, II, p. 513.

Cambridge University Press

978-1-107-46402-5 - Calender of Plea and Memoranda Rolls: Preserved Among the Archives of the Corporation of the City of London at the Guildhall: A.D. 1413–1437

Edited by A. H. Thomas

Frontmatter

[More information](#)

INTRODUCTION

xxi

tionary; it was evidently still in use for various purposes, among which we are probably correct in assuming that trusteeship was one.

A clear instance of a fiduciary gift occurs in 1381. John atte Wode, salter, made a gift of all his goods and chattels, including apprentices, to his daughter and son-in-law and four other persons on condition that they provided him with necessaries and took charge of him (*ad gubernandum*) for life. The donees promised to dispose of his goods after his death according to his wishes, if he were, before that event, of sound mind to frame such wishes. On the death of his son-in-law, the donor, then being *compos mentis*, made a new gift to his daughter, who agreed to provide him competently, according to his rank, with food, clothing, bed, shoes and other necessaries including 14*d.* a week to spend as he liked¹. Many other gifts to relatives are recorded, in which a trust of some kind though not stated may be surmised. In addition to the wife, son or brother there are generally several other donees, who are often persons of official importance, among whom John Carpenter, town clerk and official trustee for the City, is frequently found². These gifts may have been made before a merchant went abroad on business, or in order to facilitate the administration of property after death, in the same way as lands and tenements were vested in feoffees for the purposes of a will³. It is not unlikely that this latter was the reason why Robert Brendwode, salter, on 22 March 1428 made a gift of all his goods and chattels to Alice his wife, Master William Lynwode, official of the Court of Canterbury at St Mary le Bow (the probate officer), Henry Barton, alderman, and Thomas Rolf, sergeant-at-law⁴. Such gifts also would serve to evade the City customs of orphanage and of the division of personal estates into the wife's, children's, and "dead man's" portions⁵. Perhaps travel abroad or sickness may have been the reason why Robert Coventre, grocer, in 1434 gave all his goods and chattels to Alice his wife, Thomas Canynges, grocer, and Benedict Harlewyn, draper, who on 12 March 1436 brought in a deed restoring to him such goods as he had previously given to them. On the same day Coventre again gave his goods and chattels to Richard Hill and Richard Bartfeld,

¹ *Cal. of P. and M. Rolls, 1364–1381*, p. 294.

² Below, pp. 250, 256, 260, 283, 290.

³ Possibly the reason for Alderman Hugh Fastolf's gift, *Cal. of P. and M. Rolls, 1381–1412*, p. 176.

⁴ Below, p. 220.

⁵ R. R. Sharpe, *Cal. of Wills, 1*, p. xxxiii; *Remembrancia*, p. 312.

Cambridge University Press

978-1-107-46402-5 - Calender of Plea and Memoranda Rolls: Preserved Among the Archives of the Corporation of the City of London at the Guildhall: A.D. 1413–1437

Edited by A. H. Thomas

Frontmatter

[More information](#)

with a power of attorney¹. He died six years later, having survived his wife. Similar reasons may have led John Michell, stockfish-monger (p. 283) on 11 April 1435 to make a gift of all his goods and chattels to Alderman Henry Barton, Thomas Morestede, esquire, the famous surgeon, John Carpenter and four other citizens. Michell had been an alderman for many years and had served the office of mayor in 1424–5. If he was then under Morestede's care, he recovered his health sufficiently to take a further term of office next year, 1436–7, continuing as an alderman until his death in 1445².

It is a remarkable fact that many of these gifts of goods and chattels were made by men of the aldermanic class and by commercial magnates engaged in the import and export trades, who carried on business dealings for many subsequent years and died possessed of large estates. In these cases dishonest motives can be ruled out, and some form of trust or attorneyship was probably the object of the deeds. In other cases no guess can be made and there is no clue to explain why Thomas Richere, painter (p. 267), in 1432 gave his goods and chattels to such notable personages, connected with the royal family, as Henry Bouchier, "earl" of Ewe, and John Cornwall, Lord Fanhope, or why two Milanese ladies and an esquire of Verona (p. 171) were given the goods and chattels of Lucia Visconti, of the ducal house of Milan, widow of that Edmund Holland, earl of Kent, who died in 1408 of wounds received in Brittany. It is equally mysterious to find William Cantelowe, mercer (p. 250), who afterwards was sheriff, alderman, master of the Mercers' Company, member of Parliament and knight of the Bath in 1461, giving all his goods and chattels in 1430 to twelve persons, including four aldermen, the City recorder and the town clerk.

A few instances indicate another purpose for which the gifts of goods and chattels might be used, namely either in satisfaction of a debt or as pledge for payment. Where a debtor had no prospect of being able to raise the amount due, an actual transfer may have taken place. This is suggested by a gift from Bernard Barbo of Venice (p. 290) in 1436 to Master Thomas Frank, Doctor in Medicine, and William Toby, clerk, of all his goods and chattels with the exception of his wearing apparel. But in most cases the goods and chattels probably never left the donor's possession, the

¹ Below, pp. 271, 289. ² A. B. Beaven, *Aldermen of the City of London*, II, p. 4.

Cambridge University Press

978-1-107-46402-5 - Calender of Plea and Memoranda Rolls: Preserved Among the Archives of the Corporation of the City of London at the Guildhall: A.D. 1413–1437

Edited by A. H. Thomas

Frontmatter

[More information](#)

INTRODUCTION

xxiii

deed of gift being equivalent to a mortgage of lands and tenements where only legal instruments passed, the mortgagor remaining in occupation of the property. Normally debts were secured either by recognizances under the Statute of Merchants enrolled in Guildhall or by civic recognizances entered in the City chamberlain's books, by bonds or other obligations¹. In the recognizance the debtor acknowledged that in default of payment the amount should be levied from his lands, rents and goods. But though a recognizance was regarded as a judgment in itself, execution was by no means automatic. Proof of non-payment might be necessary, and execution might require the intervention of the court's officials in levying the debt. With a gift of goods and chattels no such difficulties arose, for the creditor was already legally if not actually in possession either of the whole or part of the repayment. In 1377 a Lucchese merchant, Torellus Gascoyn, makes a gift of all his goods and chattels in part satisfaction of a debt of £30. There is reason to believe that he retained his stock in trade and that the debt was duly paid, for he was still engaged in trading three years later². Another foreign merchant from Zeeland, described as a chapman, appears to have used his merchandise as a pledge for his current expenses of board and lodging. In 1375³ he makes a gift, followed by a quitclaim of all his goods and chattels in the house in which he was living in Candlewick Street and elsewhere in London to a certain John Peterson. In 1381⁴ he executes a recognizance of a debt of £120 for victuals supplied to him by Peter Blower, dyer, and again makes a gift of all his goods and chattels as an immediate security. It is evident that though arrangements of this kind might turn seriously to the disadvantage of the donors, donees were content to observe the spirit rather than the letter of the gift. A certain William Bartelot, mercer, on 10 Sept. 1392 enters into a recognizance of a debt of £1000 payable at Christmas, and a month later makes a gift of all his goods and chattels to the creditors. A marginal note records that three years later the latter acknowledged satisfaction and the above "obligations" were cancelled⁵.

¹ On these instruments see *Cal. of P. and M. Rolls*, 1381–1412, pp. xxxiii–xxxiv.

² *Cal. of P. and M. Rolls*, 1364–1381, pp. 234, 264.

³ *Ibid.* p. 209.

⁴ *Ibid.* p. 284.

⁵ *Cal. of P. and M. Rolls*, 1381–1412, p. 197.

Cambridge University Press

978-1-107-46402-5 - Calendar of Plea and Memoranda Rolls: Preserved Among the Archives of the Corporation of the City of London at the Guildhall: A.D. 1413–1437

Edited by A. H. Thomas

Frontmatter

[More information](#)

THE WARD PRESENTMENTS OF 1422 AND 1423

In discussing the use of English in the City records, mention was made above that the largest single section of English enrolments in the Calendar was concerned with the Ward Presentments of 1422 and 1423¹. These presentments are of considerable interest as illustrating both the development of municipal services and the social conditions of London in the 15th century. Unfortunately, except for these years, it was not considered necessary to copy the returns into the rolls and books, and it is probable that such original files as were preserved finally disappeared in the Fire of London, the only exceptions being 15 membranes of the presentments of Portsoken Ward for the years 5–22 Edward IV and 23 Henry VII. A few records of proceedings against individuals, with excerpts from the presentments of their wards occur here and there in earlier rolls. On 23 Dec. 1298, for instance, a number of persons were brought before the Mayor's Court for riotous conduct and for keeping disorderly houses. They had been reported before Adam de Hallingberi, alderman of Aldgate Ward, at his winter wardmote, and their names had been forwarded in the ward presentment. Similar offenders were dealt with in 1300 and 1304². In 1338 the return of the ward of Farringdon Without is preserved with the mayoral precept summoning the wardmotes for Sunday after Lady Day³. The midsummer wardmote of this ward next year brought a further batch of evildoers into the Mayor's Court, the offenders being of the same character as before—bullies, nightwalkers, protectors of women of ill-fame and keepers of disorderly houses⁴. In 1373 we have presentments of the wards of Langbourn, Portsoken, Aldgate, Queenhithe and Castle Baynard, but as they deal almost entirely with unlawful enclosures, obstructions of the streets and insanitary conditions, it is probable that they represent only portions of the returns⁵. Two other prosecutions, one of a Billingsgate man⁶, who was a common dicer and nightwalker and said to be a corrupter of the wives, daughters and maidservants of his fellow-citizens, and the other of the

¹ Below, pp. 115–41, 150–9.² *Cal. of Early Mayor's Court Rolls*, 1298–1307, pp. 23, 74, 155–6.³ *Cal. of P. and M. Rolls*, 1323–1364, pp. 187–8.⁴ *Ibid.* p. 109.⁵ *Cal. of P. and M. Rolls*, 1364–1381, pp. 156–7.⁶ *Ibid.* p. 139.

Cambridge University Press

978-1-107-46402-5 - Calender of Plea and Memoranda Rolls: Preserved Among the Archives of the Corporation of the City of London at the Guildhall: A.D. 1413–1437

Edited by A. H. Thomas

Frontmatter

[More information](#)

INTRODUCTION

xxv

raker of Cheap Ward, who was bound over not to remove the dung and ordure of his own ward into the neighbouring ward of Coleman Street, followed on the ward presentments of 1371 and 1384¹. For the 16th century the only surviving copies of ward presentments belong to Tower Ward and are found in a book of precedents to which the compiler, possibly the ward clerk, was still adding in 1610. They cover some sixty years. From 1668 until the present day the series of original ward presentments is almost complete. Though not so full of information as in earlier centuries, they throw much light on conditions in London immediately after the Fire. As time passed other remedies than prosecutions in the Mayor's Court were found for the grievances which the ward juries had ventilated in their presentments, and the returns tended to contain little more than the appointments of ward officers. Finally in 1856 a recommendation of the Corporation Inquiry Committee that those parts of the mayoral precepts for summoning wardmotes, which related to the impanelling of inquestmen, should be omitted, was agreed to by the Common Council² and the Court of Aldermen³.

According to that portion of the Liber Horn which is dated 1311 it was provided (fo. 232) by ancient ordinances that there should be four principal wardmotes in the year attended by all inhabitants of the ward except knights, clerks and women, at which everyone over the age of fifteen years must be put in frankpledge and take an oath of fealty and loyalty to the king. At the wardmotes held about Michaelmas, Christmas and Easter the civic ordinances must be read and the *Eschaweyours* and watchmen chosen, while at the Whitsuntide meeting special measures must also be taken against the danger of fire during the coming dry season. Though there is evidence of wardmotes held about Easter and midsummer, the meetings, to judge from the precepts recorded, seem to have been narrowed down during the 14th century to that held on or about the Feast of St Thomas. John Carpenter, the City's "common clerk", writing in 1419, tells us that wardmotes must be held at least once in the year, but they might also be held twice or several times by virtue of warrants issued by the mayor⁴.

A number of these warrants or "precepts", as they were more

¹ *Cal. of P. and M. Rolls*, 1381–1412, p. 71.

² *Minutes*, 30 Oct. 1856. ³ *Minutes*, 29 Nov. 1856.

⁴ Liber Albus in *Munimenta Gildhallae Londoniensis* (R.S. 12), 1, p. 36.

Cambridge University Press

978-1-107-46402-5 - Calendar of Plea and Memoranda Rolls: Preserved Among the Archives of the Corporation of the City of London at the Guildhall: A.D. 1413–1437

Edited by A. H. Thomas

Frontmatter

[More information](#)

commonly called, have been recorded. They vary somewhat in content. That of 19 Dec. 1343 enjoins each alderman to make careful inquiry of all the Articles of the Wardmote and then draws attention to matters contained in those articles relating to lodging-house keepers, suspicious characters, the carrying of arms and the cleansing of the streets. It concludes by asking for a report as to whether the proposed enclosing of St Paul's would be to the prejudice of any in the City, and requiring that the names of all persons indicted of felony or other trespass be certified under the seals of the twelve ward-jurors¹. Sometimes the aldermen are ordered to see to the setting of the Christmas watch, to prevent overcharges for bread and ale, to ensure the quality of these provisions, to provide for the collection of money granted by Parliament, to fine absentees from the wardmote the customary *4d.*, to take care that street-lanterns are lighted over Christmas, and to certify to the mayor's General Court any matter presented in the wardmote, which they may be incapable of redressing, in order that due redress and correction may be made according to the good usages and customs of the city². In 1410 the precepts direct the aldermen to ensure that their wards return the prescribed number of common councilmen. This was repeated in 1411 and again in 1423³, probably as a reminder to the ward clerks, who may have been remiss. All the above precepts were issued in French. The first English precept appeared in 1437⁴. It calls, *inter alia*, for the election of constables, scavengers and beadle, and a raker to keep clean the streets and lanes of the ward, the constables being empowered to distrain, if necessary, for the salaries of the beadle and raker.

For the guidance of the inquest jurymen, as well as for the benefit of the ward inhabitants at large, certain ordinances were read in the wardmote. The earliest text of these standing regulations is preserved in the Liber Horn (A.D. 1311) under the title "*Ceo sount les chapitres des les assises & estableissements Des aldermans que sount a moustrer en pleyn Wardemote*"⁵. Either the whole or

¹ *Cal. of P. and M. Rolls*, 1323–1364, p. 156.

² *Cal. of Letter Book H*, pp. 276, 293, 337, 348, 361, 418; *Cal. of I*, pp. 53–4, 61–2.

³ *Ibid.* pp. 89, 98; *Cal. of K*, p. 19.

⁴ *Ibid.* p. 215.

⁵ Liber Horn, fo. 232. A later version is given in *Lib. Alb.* (R.S. 12), 1, pp. 257, 332–6.

Cambridge University Press

978-1-107-46402-5 - Calender of Plea and Memoranda Rolls: Preserved Among the Archives of the Corporation of the City of London at the Guildhall: A.D. 1413–1437

Edited by A. H. Thomas

Frontmatter

[More information](#)

INTRODUCTION

xxvii

a part of the regulations was also brought to the notice of citizens in the annual proclamations or “cryes” issued by the mayors soon after taking office¹, to which several references are made by the jurors in their presentments. The claim to ancient usage, both in the articles read in the wardmotes and in the proclamations was well-founded. Many of the paragraphs were borrowed almost word for word from the regulations ordained by the king in 1285² when he took the City into his hand and from their later issue *c.* 1294³, while others obviously derive from the “Assizes read by the mayor and reputable men” in 1276 and 1277⁴. They were in fact a summary of civic legislation for many years past, some portions of which, relating to the structure of houses and precautions against fire, can be identified as having originally formed part of the Assize of Buildings of 1212⁵.

The actual articles submitted to the ward juries are set out in the *Liber Albus*⁶. They order the jurors to present all affrays against the peace, inhabitants of ill-fame or not under frankpledge, women of evil life, defective ovens and furnaces, sales by taverners and others by measures which had not been sealed by the aldermen, offences against the assizes of bread and ale, gamesters and riotous persons received in inns, outlaws, hucksters, houses roofed with reed or straw, the fouling of the streets with rubbish and ordure, the keeping of pigs and cows, lepers, usurious bargains, purprestures, nightwalkers, extortions by City officers, persons guilty of maintenance and champerty, overpayment of artisans and labourers and projecting tavern signs. As will be seen in their verdicts below the jurors felt themselves free to complain of many more inconveniences and defects than mentioned in the articles. It is clear that the aldermen had done their duty in making the dwellers in their wards acquainted with the general body of civic regulations.

¹ *Liber Horn*, fos. 237v.–249v.: “*les Articles des auncienes usages qe doivent estre cries par mi la dite Cite.*” Cf. *Liber Custumarum*, fos. 201–205v.; *Lib. Alb.* (R.S. 12), 1, pp. 260–80.

² *Cal. of P. and M. Rolls*, 1323–1364, pp. xx, n. 3; xxi, n. 1; *Liber Ordinationum*, fos. 197–202v.; *Liber Horn*, fos. 211v.–18.

³ Letter Book C, fos. 15v. *seqq.*

⁴ *Cal. of A.*, pp. 215–19; *Liber Horn*, fos. 265–7.

⁵ B.M. MS. 14,252, fo. 133v.; *Lib. Cust.* (R.S. 12), II, pp. 86–8; *Eng. Hist. Rev.* xvii, pp. 729–30.

⁶ *Lib. Alb.* (R.S. 12), 1, pp. 337–8: “*Inquisitiones Wardemotarum.*”

Cambridge University Press

978-1-107-46402-5 - Calendar of Plea and Memoranda Rolls: Preserved Among the Archives of the Corporation of the City of London at the Guildhall: A.D. 1413–1437

Edited by A. H. Thomas

Frontmatter

[More information](#)

How far these presentments achieved their object it is difficult to say. The fact that many of the complaints made in 1422 are repeated in 1423 shows that the jurors were not satisfied; they say of certain grievances that they had been many times presented and nothing done. The same complaints of negligence appear in the presentments of Portsoken and Tower Wards in the next two centuries. In the precepts the aldermen were ordered to present such defaults as they were not of themselves able to correct, but there is no evidence that correction took place in the wardmotes or that offenders were tried and penalties inflicted there¹. As a rule the aldermen appear to have left the general maintenance of public order to their beadles and constables, only intervening themselves when they happened to be in the neighbourhood of a brawl. The beadles, for their part, seem to have relied on the authority of their office, backed by the Mayor's Court. In 1299 the beadle of Walbrook Ward, patrolling with the watch, intercepted three persons carrying arms and without a light, who refused to surrender to the peace and wounded some of the watch. The beadle identified one of the offenders and charged him in the Mayor's Court². The same procedure was followed in the case of two riotous persons who forcibly broke into a house on the pretext that they wanted a room in which to practise buckler-play and then assaulted the beadle when he came up, carrying his staff of office, to maintain the peace³. If necessary the beadle could raise the hue and cry by horn and voice to summon the men of neighbouring wards to help. This happened in 1302 when the beadle and watch of Walbrook were assaulted by a number of young workmen. The offenders were put in the Tun, the prison on Cornhill, and appeared in the Mayor's Court two days later, where evidence was given that on the night before the offence these persons and others had filled an empty cask with stones and set it rolling down Gracechurch Street to London Bridge to the great terror of the neighbours⁴. One of the principal duties of the beadle was to safeguard public morality and in so doing they exercised an oversight on the

¹ In 1374 three *scawagers* "indicted" in the ward of Billingsgate for extortion were sentenced in the Mayor's Court to imprisonment for disobedience to their alderman and for refusing to "plead" before him. *Cal. of P. and M. Rolls*, 1364–1381, pp. 180–1. This probably means no more than that they were sent for to explain their conduct.

² *Cal. of Early Mayor's Court Rolls*, p. 57.

³ *Ibid.* p. 86.

⁴ *Ibid.* pp. 124–5.

Cambridge University Press

978-1-107-46402-5 - Calender of Plea and Memoranda Rolls: Preserved Among the Archives of the Corporation of the City of London at the Guildhall: A.D. 1413–1437

Edited by A. H. Thomas

Frontmatter

[More information](#)

INTRODUCTION

xxix

chaplains of the City chantries, who were offenders far too often¹ It appears that on complaint made in the wardmote against disorderly houses, the beadle after warning given was entitled, with the help of the neighbours, to remove the doors and windows as a sequestration².

As in the case of the beadles most of the evidence of the aldermen's own activities comes from the prosecutions of those who assaulted or insulted them. Alderman John Causton, who took to task a dyer for throwing stinking trade refuse into the street was called certain opprobrious names which the clerk Latinizes as "*shredulum falsumque*³", and another alderman who arrested a woman for a similar offence was dubbed "*falsum latronem et rusticum veterem & defractum*⁴". None of these offenders were punished in the wardmote. It was the Mayor's Court which bound them over in tuns of wine or sentenced them to imprisonment or the pillory, while the aldermen in many cases interceded for a mitigation of the penalties.

One or two cases, however, seem to take us back to a sterner time when the alderman in his wardmote may have wielded a greater authority. In 1387 a certain William Hughlot, a servant of the king, forced his way into a man's house and attacked him with a dagger and afterwards drew his sword upon an alderman who was passing at the time and intervened. In the affray a constable of Fleet Street was wounded. The Mayor's Court gave judgment that the offender's hand be cut off—the ancient penalty for striking an alderman. An axe was brought in and the prisoner's hand laid on the block. But on the prayer of the alderman and others this penalty was remitted and imprisonment and the pillory substituted, which in turn were reduced to a penitential journey, with a lighted candle weighing 3 lbs., through the streets from Guildhall to St Dunstan's in the East⁵. A similar offender had been sentenced in 1298 to walk from the place of his crime to Guildhall, with bare head and feet and clothed only in his tunic, carrying in his hand an axe to expiate his offence against the alderman as a justice and guardian of the "vill"—a word which probably denotes the ward⁶.

¹ *Ibid.* p. 70; *Cal. of I.*, pp. 273–87. ² *Cal. of E.M.C. Rolls*, pp. 218–19.

³ *Cal. of P. and M. Rolls*, 1323–1364, p. 162. ⁴ *Ibid.* 1364–1381, p. 15.

⁵ Letter Book H, fo. 210; H. T. Riley, *Memorials*, pp. 490–4.

⁶ *Cal. of E.M.C. Rolls*, p. 6: "*tamquam justicie & Custodi ville.*"

Cambridge University Press

978-1-107-46402-5 - Calender of Plea and Memoranda Rolls: Preserved Among the Archives of the Corporation of the City of London at the Guildhall: A.D. 1413–1437

Edited by A. H. Thomas

Frontmatter

[More information](#)

xxx

INTRODUCTION

The London commentator on the laws of Edward the Confessor, writing about 1210, tells us that aldermen had the same dignity and power as the reeves of hundreds and wapentakes in their bailiwicks under the king's sheriffs throughout the kingdom¹. This would imply presiding over a court with a wide jurisdiction in pleas of trespass and where thieves, taken with the mainour of stolen goods, might be condemned to death. It has been said of London a century earlier under Henry I: "it seems certain that each ward had its court, the wardmoot of later records, which corresponded in function to the court of a rural hundred²." Unfortunately no evidence has survived to decide for us whether in the 12th or earlier centuries the wardmotes possessed a jurisdiction which seems to have been exercised by at least one soke-court and to have been claimed by others³.

THE EARLY HISTORY OF THE WARDS

The wård-returns, together with John Carpenter's treatise in the *Liber Albus* and much information in the City's Letter Books show that in the 15th century the wards were developed units of local administration. To some extent their functions had been enlarged as the authority both of the civic and the national governments increased and demanded more from them. But the main lines of their activities appear almost as soon as the first references to them in the 12th century. While there is no need to accept Dr Stubbs' description of London under its port-reeve and bishop at the time of the Norman Conquest as being "only a bundle of communities, townships, parishes and lordships of which each has its own constitutions", it is probably true that most of the business of local government was carried out in the separate wards and that the activities of the central City court, the Husting, were mainly legal.

For the period before the Norman Conquest evidence is scanty and inconclusive. A curious record of civic organization is found in the *Judicia Civitatis Lundonie*⁴—a body of rules drawn up between 930 and 940 by the bishops and reeves belonging to London for mutual protection and the apprehension and punishment of

¹ Liebermann, *Gesetze der Angelsachsen*, I, p. 655.

² F. M. Stenton, *Norman London* (Hist. Assoc.), p. 10.

³ *Liber de Antiquis Legibus* (Camd. Soc. O.S. 34), pp. 243–4; *Placita de Quo Warranto* (Rec. Comm.), p. 456, but note *ibid.* pp. 460–1, 464, 470, 471, 473.

⁴ Liebermann, *Gesetze*, I, pp. 173–83.