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978-1-108-04254-3 - Munimenta Gildhallae Londoniensis: Volume 3: Translation of the  
Anglo-Norman Passages in Liber Albus, Glossaries, Appendices and Index

Edited by Henry Thomas Riley

Excerpt

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TRANSLATIONS

FROM THE

ANGLO-NORMAN PORTION OF LIBER ALBUS.

VOL. III.

A

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TRANSLATIONS FROM THE ANGLO-NORMAN  
PORTION OF LIBER ALBUS.

FIRST BOOK.

PART THE FIRST.

CHAPTER XVI.

[*The Election of Sheriffs.*] Page 43.

As concerning the election of Sheriffs,—the Mayor, Recorder, Aldermen, and Commons, are to be assembled on the day of Saint Matthew the Apostle [21 September], in such manner as is ordained on the election of the Mayor; and in the first place, the Mayor shall choose, of his own free will, a reputable man, free of the City, to be one of the Sheriffs for the ensuing year; for whom he is willing to answer as to one half of the ferm of the City due unto the King, if he who is so elected by the Mayor shall prove not sufficient. But if the Mayor elect him by counsel and with the assent of the Aldermen, they ought to be answerable with him. And those who are elected for the Common Council, themselves, and the others summoned by the Mayor for this purpose, as before declared, shall choose another Sheriff, for the commonalty; for whom all the commonalty is bound to be answerable as to the other half of the ferm so due to the King, in case he shall prove not sufficient. And if any controversy arise between the commons as to the election, let it be done and discussed in such manner as is contained in the article

F. 12. a.

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upon the 'Common Council' in the Thirteenth Chapter of this First Book.

And if any one of those then chosen to be Sheriffs shall refuse or absent himself, so as not to be ready at the Guildhall on the Vigil of Saint Michael next ensuing, at ten by the clock, [there] to receive his charge, there shall be levied forthwith from the goods, lands, and tenements, of him who so absents himself, one hundred pounds; one half to the use of the Chamber, and the other half to the use of him who shall then be suddenly elected and charged by reason of his default. And if the second person elected shall refuse the charge, all his goods, lands, and tenements shall be arrested, for all expenses touching that office.

And the old Sheriffs shall come to the Guildhall, at eleven by the clock at the very latest, and shall deliver unto the Mayor (at the latest, at the Mayor's General Court that is held after the Feast of the Epiphany) all records of pleas touching freeholds pleaded before them in their time, with all other memoranda touching recoveries suffered by any person, under a penalty of one hundred shillings, to be levied from each of them and to be paid to the use of the Chamber. To do which, the Mayor shall warn them the day on which they shall receive their charge. And then the Mayor shall deliver the Cocket to such Sheriff as he himself shall have chosen, and the records to the Chamberlain, for safe custody; and forthwith, the newly elected are to be charged in such form as is written in the Second Part of Book III. of this Volume, folio 25.

## CHAPTER XVII.

[*The Oath of all the Sheriffs' Servants, and their duties.*] Page 45.

F. 12. b.

And as soon as the Sheriffs are sworn, all the servants of their office—clerks, serjeants and their vadlets, bailiffs of the customs and of Middlesex, the gaoler of Neugate

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[More information](#)P<sup>r</sup> I.] OATH ADMINISTERED TO SHERIFFS' SERVANTS. 5

and his clerk,—shall also be sworn, each according to that which pertains unto the position that he holds, any oath made before to their masters to the contrary notwithstanding. And he who refuses such oaths is to be adjudged incapable of holding any office for that year. And he who does not appear that day to receive the charge before the said Mayor and Aldermen, shall lose all his offices for that year. And none of the Sheriffs shall have more than eight serjeants, but fewer, if they may suffice to execute the business of the public. The oaths of the Under-Sheriff and of all the Sheriffs' clerks, of the serjeants of the Sheriffs, and of the vadlets of the serjeants, are set forth in the Second Part of Book III. of this Volume, folio 27.

Item, after dinner on the same day, the old and the new Sheriffs shall go together to the prison of Neugate ; and there the new Sheriffs shall receive all the prisoners by indenture made between them and the old Sheriffs, and shall place safeguard there at their own peril, without letting the gaol to ferm. And be it made known, that all profits arising from any customs or bailiwicks pertaining unto the Sheriffs of London and Middlesex, after the hour of noon on the Vigil of Saint Michael aforesaid, shall belong to the new Sheriffs, and before the hour of noon to the old ones.

Item, no Sheriff hereafter shall take any fine from baker or from brewster, beyond what it is ordained for them to take. And if any Sheriff shall do so, and be attainted thereof, he shall pay for each penny so received twelve pence unto the Chamber.

Item, if it happen, which may God forbid, that any one of the Sheriffs or their officers shall have especial command on part of the Mayor or Aldermen to perform any business touching the City, and such Sheriff or his officers will not take in hand the same, such Sheriff or officer shall be warned forthwith to appear before the Mayor and Aldermen, and the Common

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Council of the City, there to answer why he has not done what he was commanded to do. And if he shall not think proper to appear on the day appointed, or if he shall come and not offer reasonable excuse, let him be ousted from his office and another established in his place. And if such default shall be found in a servant of the Sheriffs, let him be ousted from his office and adjudged incapable of holding any other office in the said city, thenceforth for ever, without restitution thereof. And also, neither Mayor, Sheriff, nor Aldermen, clerks of the Sheriffs or of the Chamber, serjeants, bedels, serjeants' vadlets, porters of the Compters, nor officers of Newgate, nor their vadlets, shall from henceforth, either themselves or by others, brew for sale, keep oven, or let carts for hire; nor shall they be regrators of any provisions, or hucksters of ale, or in partnership with such. And let the person who will not make oath thereto, or who shall contravene this ordinance, be ousted from his office for ever.

F. 13. a.

Item, the Sheriffs shall not let the County of Middlesex to ferm in any manner, but the same shall remain in their own keeping, by their deputy; that so the folks in the said County of Middlesex may be treated and governed in due manner as the law demands, without extortion committed upon any one.

Item, the said Sheriffs shall not let the Gaol of Neugate to ferm, but shall put there a man, sufficient and of good repute, to keep the said gaol in due manner, without taking anything of him for such keeping thereof, by covenant made in private or openly. And the gaoler, who by the said Sheriffs shall be deputed thereunto, shall make oath before the Mayor and Aldermen, that neither he, nor any other for him, shall take fine or extortionate charge from any prisoner for putting on or taking off his irons, or shall receive monies extorted from any prisoner. But it shall be fully lawful for the said gaoler to take from each person, when set

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[More information](#)P<sup>r</sup> I.] FEES AND DUTIES OF THE CITY OFFICERS. 7

at liberty, four pence for his fee, as from ancient times has been the usage: but he shall take from no person at his entrance there, nor shall he issue [execution] suddenly, by <sup>1</sup>command of the Mayor and Aldermen, without other process. And if he shall be found to commit extortion upon any one, let him be ousted from his office, and be punished at the discretion of the Mayor and Aldermen, and Common Council of the City.

Item, the serjeants' grooms who <sup>2</sup>seize cartage, shall take no more carts or horses than are necessary, and even then, such carts and horses [only] as are on hire; and not those of poor folks who bring victuals and other merchandize to the City, while they spare carts and horses that are to be let on hire, for their own private advantage,—on pain of being dismissed from their office for ever.

## CHAPTER XVIII.

[*The Fees and Duties of the Chamberlain, his clerk, the Common Serjeant-at-Law, the Common Clerk, and his clerks.*] Page 47.

The Chamberlain, the Common Serjeant-at-Law, who F. 13. b. is otherwise called the 'Common <sup>3</sup>Countor,' and the Common Clerk, shall be elected by the Common Council of the City, and removed, at their pleasure. And each of these shall receive for his labour from the Chamber ten pounds *per annum*. And further, the Common Clerk shall receive sustenance for his clerks in either Chamber, and for each deed and will enrolled in the Hustings, ten pence; and for every deed enrolled in the Mayor's Rolls, he shall take two

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<sup>1</sup> This passage is probably corrupt.

<sup>2</sup> For the public service of the City.

<sup>3</sup> Or Pleader.

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shillings; and for every writ of assize, of nuisance, and of intrusion, and for every precept directed unto the Sheriffs for pleas of Hustings, and for every writ of *Scire facias* and of *Fieri facias* six pence, the case of Aldermen excepted.

And the Chamberlain shall give in his account each year, between the Feasts of Saint Michael and of Saint Simon and Saint Jude the Apostles [28 October], at the latest, before two Aldermen and four of the Commons, who shall be chosen by the Common Council of the City, on the Day of Saint Matthew [21 September], to take such account. And the persons so chosen shall appoint for the Chamberlain a certain day, upon which he shall hold himself in readiness to render his account. And also, the Wardens of the Bridge shall each year give in their account in the same manner, before the same auditors, or others by the Common Council thereunto assigned.

Item, if any one shall ask to see any record, he shall shew unto the Chamberlain or unto the Common Clerk the reason for his demand; and if it shall seem reasonable unto the Chamberlain or the Common Clerk, it shall be shewn unto him by a clerk, sworn unto the Chamber, and not otherwise; and if he shall wish to have a copy, he shall have the same for a competent payment, to be given to him who shall makethe trans cript. And if any clerk shall otherwise disclose the secrets of the rules and records, and shall be clearly convicted thereof, he shall be punished bodily by imprisonment, and shall lose his office for ever.

Item, the clerk of the Chamberlain shall receive in part for his labour one half of the sum that arises from the twelve pence taken for the entry of writs of franchise; and further, he shall receive for his labour what the auditors of the Chamberlain's account may think proper to allow him, at their discretion.



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## PT I.] FEES OF THE MAYOR'S SUBORDINATE OFFICERS. 9

Item, he who is Mayor for the time being, and is sworn unto the City, and [is also] Escheator for such time being, shall keep a clerk for that office; for whom he shall be prepared to answer as well unto the King as to the City, for the saving of his own honour and estate.

Item, the Common Serjeant-at-Arms of the City, who is otherwise called the 'Common Crier,' shall be always of the household of the Mayor for the time being, and ready at his commands, as the other serjeants are; and he shall receive from the Chamberlain's account, in consideration of his good behaviour; and he shall receive from each of the Aldermen, for his fee, the entire robes or cloaks in which they are sworn upon the day on which they receive charge of their office, or else six shillings and eight pence, at their own pleasure; and he shall further receive from the Sheriffs twelve pence for every cry that he makes throughout the City; [to enable him] to do which, they shall find him a sufficient horse, for the honour of the City. And he shall also receive for each testament proclaimed at the Hustings, and for each plea determined at the Hustings, four pence, as his fee. And such serjeant shall be elected by the Common Council, and removed when they please. F. 14. a.

Item, the Mayor shall have two other serjeants at least, and an esquire, a man well bred (one who knows how in all places, in that which unto such service pertains, to support the honour of his lord and of the City), to bear his sword before him, at the private cost of such Mayor. Saving however, that each of these three shall receive from the Chamber forty shillings *per annum*, and no more, as his wages. And the esquire shall receive, in addition to this, for each letter that shall be sealed with the Seal

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of the Mayoralty, twelve pence, the case of Aldermen excepted.

Item, in the Chamber there must be three serjeants, and no more, to serve the Chamberlain in business touching such Chamber, and who shall be elected and removed by the Common Council, when they please. And each of these shall receive from the Chamber forty shillings *per annum*, and they shall share between them the half of the sum arising from the forty pence taken for the entry of writs of franchise; and they shall be clothed in the suit of the Mayor, at the cost of the Chamberlain, twice each year.

Item, if any serjeant of the Chamber shall be found negligent and not attentive to his duty, by testimony of the Chamberlain, upon the first default forty pence shall be deducted from his salary, and upon the second, half a mark, and the third time, ten shillings. And it is not the intention of the Common Council that by these penalties they shall be excused for any outrageous faults; but, according to the extent of such offences, they shall be removed or otherwise punished, at the discretion of the Common Council of the City.

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