

A study of York's civic administrative
literacy: writing, records and archives,
1272-1377

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Abstract

This thesis explores civic administrative literacy of York from 1272 to 1377. Studies of pragmatic literacy argued that the making of documents, preservation of records and use of records were three steps in the development of administrative literacy. However, firstly, the distinction between the first two steps was not explained enough, because what survives were presupposed to be intentionally preserved. Documents can accidentally survive as well. Secondly, individual documents and records played a limited role in explaining contemporaneous concepts of preservation and use.

In order to redress the problems, this thesis includes two Parts. Part One exploits royal and religious archives to study the scope of documents made for civic administration and whether civic records were preserved. The research shows that the city government wrote down a massive number of documents, and some records were preserved. However, this preservation was not for a long term. Afterwards, this thesis plans to explain this divergence between making documents and preserving records by studying lay clerks in the city. Part Two focuses on a civic customal, the first Freeman's Register. It combines methods of manuscript study and historical study to critically review previous ideas about the compilation of this customal. This thesis proves the usefulness of this customal in shedding light on the civic documents and records available when the compilation started around the 1360s and 1370s, the use of royal records by the city, and causes behind the compilation.

Overall, this thesis has two significant implications. Firstly, the years around the 1360s and 1370s was a key period when the civic administrative literacy developed in York. The earliest civic customals started to be compiled and an office of clerk was established in the civic government. Secondly, the collection of institutional archives should be studied carefully to assess their role in history.

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Abbreviations

BL	British Library
CCR	<i>Calendar of Close Rolls</i>
CChR	<i>Calendar of Charter Rolls</i>
CIM	<i>Calendar of Inquisitions Miscellaneous</i>
CPR	<i>Calendar of Patent Rolls</i>
Fol.	Folio
FF	<i>Feet of Fines of Yorkshire, 1272-1377</i> , eds. W. Paley Baildon, et al., Yorkshire Archaeological Society, record series, 42, 52, 121, 127, 158, 5 vols (Leeds, 1910-2006).
FR	<i>Register of the Freemen of the City of York</i> , ed. F. Collins, Surtees Society, 96 and 102, 2 vols (Durham, 1897-1899).
HMSO	His/Her Majesty's Stationary Office
M.	Membrane
R.	Recto
TNA	The National Archives
TR Hist S	<i>Transactions of the Royal Historical Society</i>
V.	Verso
VC	<i>Charters of the Vicars Choral of York Minster: City of York and its suburbs to 1546</i> , ed. Nigel J. Tringham, Yorkshire Archaeological Society, Record series, 148, (Leeds, 1993).
YAJ	<i>The Yorkshire Archaeological Journal</i>
YAR	York's Archbishops Registers Revealed
YCA	York City Archives
YD	<i>Yorkshire Deeds</i> , eds. W. Brown et al., Yorkshire Archaeological Society, record series, 39, 50, 63, 65, 69, 76, 83, 102, 111, and 120, 10 vols (Leeds, 1909-1955).
YMA	York Minster Archives
YMB/A	<i>York Memorandum Book A/Y</i> , ed. M. Sellers, Surtees Society, 120, 125, 2 vols (Durham, 1912, 1914).

YMB/B

York Memorandum Book B/Y, ed. Joyce W. Percy, Surtees Society, 186,
(Durham, 1969).

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Declaration

I declare that this thesis is a presentation of original work and I am the sole author. This work has not previously been presented for an award at this, or any other, University. All sources are acknowledged as References.

Introduction

This thesis is a study of civic administrative literacy in York from 1272 to 1377. Literacy here does not merely indicate the ability to read and write, but all forms of written communication.¹ Writing was utilised as a method of communication for a long time by individuals and institutions. This thesis defines literacy to be administrative, because it principally studies records related to York's civic government.

Studies of pragmatic literacy have already shown that some writing was preserved and records came into being. The archives were the place where records were preserved. According to Michael Clanchy, there were three distinct stages in the development of secular literacy, that is, 'making documents for administrative use, keeping them as records, and using them again for reference'.² This description of the relationship between documents, records and archives initiated this thesis. As will be outlined, this thesis intends to respond to this general theory by taking York from 1272 to 1377 as a case study. The limitation of a case study may be a concern, but this thesis also attempts to consider experiences of other English towns.³

¹ For the former definition, see V. H. Galbraith, 'The literacy of medieval English kings', *Proceedings of the British Academy* 21 (1935), 201-238; reprinted in: V. H. Galbraith, *Kings and Chroniclers: Essays in English Medieval History* (London, 1982), Essay 1, 78-111.

² Michael T. Clanchy, *From memory to written record: England 1066-1307*. (Wiley-Blackwell, 2013), 151-156.

³ For details of a comparative approach used in this thesis, see pages 25-6.

1. Historiography

As shown in the title of the thesis, this research is mainly inspired by the history of medieval literacy. Medieval literacy was already a subject associated with a great number of secondary literatures.⁴ However, this research is closely related to pragmatic literacy, so the historiography of this concept must be the focus. This section, at first, introduces the background from which pragmatic literacy became a topic. Then, it describes the theoretical drawbacks of this perspective and the challenges to this concept. The revision influenced why the thesis claimed to be a study of administrative literacy rather than pragmatic literacy.

Before the subject of pragmatic literacy was given a name, written records in institutional archives have long been studied by English palaeographers, diplomatists, codicologists and historians. The abundance of records spawned a large body of scholarship. Records transcribed or translated were a reservoir nourishing historical studies, such as administrative history in the nineteenth and early twentieth centuries.⁵ The royal archives conserved a series of records uninterruptedly dating back to the late twelfth century, which offered a solid basis for scholars to examine the use of records by administration.⁶ The records of local archives may not be preserved as completely as royal records. Yet, from the nineteenth century, local historians started to devote themselves to the survey and publishing of inventory and texts preserved at local archives.⁷ In addition to the reports of the Historical Manuscripts Commission, a large amount of locally-sponsored publication became the starting point for subsequent research and has not been surpassed until today.⁸ Thus, before the concept of pragmatic literacy was raised, records produced or kept by administration had been associated with an accumulated historiography.

⁴ Marco Mostert, 'A Bibliography of Works on Medieval Communication', in Marco Mostert, ed. *New approaches to medieval communication*. (Turnhout: Brepols, 1999), 193-297.

⁵ T. F. Tout, *Chapters in the administrative history of mediaeval England*. 6 vols. (Manchester University Press, 1920-1933). James F. Willard, William A. Morris, eds. *The English Government at Work, 1327-1336*, 3 vols. (Massachusetts: Medieval Academy of America, 1940-50).

⁶ Charles Johnson and Hilary Jenkinson, *English court hand, A.D. 1066 to 1500: illustrated chiefly from the public records*, 2 vols. (Oxford: Clarendon Press, 1915); Hilary Jenkinson, *Palaeography and the Practical Study of Court Hand* (Cambridge: Cambridge University Press, 1915).

⁷ For a recent inventory of sources, see Maryanne Kowaleski, 'An annotated list of printed or online transcriptions and translations of medieval town courts in Britain to 1500', Richard Goddard and Teresa Phipps, eds. *Town Courts and Urban Society in Late Medieval England, 1250-1500*. (Martlesham: Boydell Press, 2019), 220-35.

⁸ Historical Manuscripts Commission online at <https://www.nationalarchives.gov.uk/archives-sector/our-archives-sector-role/historical-manuscripts-commission/>. The series of publication of local societies are irreplaceable in giving a handle to local manuscripts mostly not digitalised yet. To take York as an example, the publication of the Surtees Society and the Yorkshire Archaeological Society must be read.

The concept of pragmatic literacy was born because of the implications of anthropology and literary history. In 1963, Jack Goody and Ian Watt argued that writing was possibly a motor of historical change.⁹ This heralded a trend to view the written record not only as an object, but also a subject to be examined. From the 1970s, the study of medieval literacy intensified, as did that of pragmatic literacy. In 1979, Michael Clanchy had his seminal work, *From Memory to Written Record*, published.¹⁰ In the English-speaking Academy, this is the cornerstone of ‘pragmatic literacy’.¹¹ In order to explain his main argument that ‘lay literacy grew out of bureaucracy’, Clanchy referred to the practices of records by the royal government.¹² From the perspective of methodology, Clanchy was both ‘technocentric’ and ‘anthropocentric’.¹³ On the one hand, he constructed a systematic structure to demonstrate the historical function of records. On the other hand, he depicted the inconsistent and perplexing process of how lay literacy grew from eleventh- to thirteenth-century England.

The marked impact of Clanchy’s work on the Academy is evident, not only among his followers, but also in the critical reviews he inspired.¹⁴ The development of lay literacy attracted a wide range of questions, because the relationship between literacy and orality could be affected by various social and cultural factors. Therefore, it is easy to find evidence to challenge Clanchy’s arguments. For instance, recent legal studies have offered many cases on how memory continued to play a no less important role than writing in late medieval England.¹⁵ In contrast, Clanchy’s framework of studying record-making activities was more easily defended. Following him, the research on *Pragmatische Schriftlichkeit* (Pragmatic Literacy) in the Middle Ages developed from the 1980s in the German Academy.¹⁶ The potential to apply his methodology across Latin Europe or even the rest of the world could be discerned in a collection of essays in the 1990s.¹⁷ Richard Britnell, the editor of this

⁹ Jack Goody and Ian Watt, ‘The consequences of literacy’, in *Comparative Studies in Society and History* 5 (1963), 304-345; reprinted in J. Goody, *Literacy in traditional societies*, (Cambridge University Press, 1968), 27-68.

¹⁰ Clanchy, *From memory to written record*. (Edward Arnold Ltd and Harvard University Press, 1979).

¹¹ Clanchy, *From memory to written record*, 1979, 9-148.

¹² Clanchy, *From memory to written record*, 1979, 19.

¹³ I borrow the two terms from Simon Franklin. See Simon Franklin, *Writing, society and culture in Early Rus, c. 950-1300*. (Cambridge University Press, 2002), 2-9.

¹⁴ For a critical review, see Nicholas Karn, ‘Information and its retrieval’, Julia Crick and Elisabeth Van Houts, eds. *A Social History of England, 900-1200*. (Cambridge University Press, 2011), 373-380.

¹⁵ Shannon McSheffrey, ‘Sanctuary and the Legal topography of Pre-reformation London.’ *Law and History Review* 27.3 (2009), 483-514; Bronach Kane, ‘Custom, Memory and Knowledge in the Late Medieval English Church Courts.’ in R. Hayes and W. Sheils, eds. *Clergy, Church and Society in England and Wales, c.1200-1800*, (Borthwick Publications, 2013), 61-81; Tom Johnson, ‘The Tree and the Rod: Jurisdiction in Late Medieval England.’ *Past and Present* 237.1 (2017), 13-51.

¹⁶ Hagen Keller, Klaus Grubmüller, and Nikolaus Staubach, eds. *Pragmatische Schriftlichkeit im Mittelalter: Erscheinungsformen und Entwicklungsstufen*. (Wilhelm Fink Verlag, Munich, 1992).

¹⁷ Richard H. Britnell, ed. *Pragmatic Literacy, East and West, 1200-1330*, (Boydell & Brewer, 1997).

symposium, distinguished pragmatic texts from literary manuscripts. The former was argued to serve ‘some legal or administrative operation’, while the latter mainly consisted of instructing or entertaining works, such as ‘philosophy, theology, history, law, poetry or romance’.¹⁸ This binary paradigm is questionable, and it is time to explain some conceptual problems behind it.

Although pragmatic literacy was a new concept, the expansion of royal bureaucracy was not. In the eyes of constitutional historians, there was no lack of teleological narrative related to the advance of a centralised administration and the Common Law in the later Middle Ages.¹⁹ Clanchy’s work did not question the theoretical basis for this narrative. Instead, he backdated this tendency and sought its origin in the high Middle Ages.²⁰ Interestingly, a subsequent revision was to follow this direction further backwards to England before the Conquest or Carolingian Europe.²¹ In this logic, the bureaucracy-oriented paradigm focused on the close relationship between records and bureaucracy. In order to keep public authority and its own operation, any administration had an intention to make documents, preserve records and manage archives. During this process, documents, records and archives functioned effectively to support bureaucracy.

Before we discuss revisionist ideas, it is time to introduce another historian who studied pragmatic literacy in the civic context. His research had implications for subsequent studies, including this thesis, but also left problems that this thesis will solve. G. H. Martin started his career from exploiting records preserved at Ipswich Borough Archives.²² Afterwards, Martin moved to systematically studying English town records.²³ Martin was interested in the origin

¹⁸ Britnell, ed. *Pragmatic Literacy, East and West, 1200-1330*, 3.

¹⁹ Mary Bateson, *Borough Customs*, Selden Society, 18, 21, 2 vols. (London, 1904, 1906).

²⁰ For a similar standpoint, see Robert Ian Moore, *The First European Revolution: 970-1215*. (Wiley-Blackwell, 2000).

²¹ Susan Kelly, ‘Anglo-Saxon Lay Society and the Written Word’, in R. McKitterick, ed. *The Uses of Literacy in Early Medieval Europe*. (Cambridge University Press, 1992), 36-62; Rosamond McKitterick, *The Carolingians and the written word*. (Cambridge University Press, 1989).

²² G. H. Martin, *The borough and the merchant community of Ipswich, 1317-1422*. Diss. University of Oxford, 1955. It is a pity that during the pandemic, I did not find a slot to view this un-digitalised thesis in person. However, it is obvious to recognise Martin’s knowledge of Ipswich records from some of his publications. See G. H. Martin, *The Early Court Rolls of the Borough of Ipswich*, Department of English Local History, Occasional Papers, 5 (Leicester, 1954); David Allen, *Ipswich Borough archives, 1255-1835: a catalogue*, Suffolk Records Society 43, (Boydell Press, 2000), with introductory essays on the governance of the borough by G. H. Martin and Frank Grace.

²³ G. H. Martin, ‘The origins of borough records.’ *Journal of the Society of Archivists* 2.4 (1961), 147-153; ‘The English Borough in the Thirteenth Century’, *Transactions of the Royal Historical Society*, Vol. 13 (1963), 123-144; ‘English Town Records, 1200-1350’, in Richard H. Britnell, ed. *Pragmatic Literacy, East and West, 1200-1330*. (Boydell & Brewer, 1997), 119-130. Martin also co-published a *Bibliography of English and Irish Municipal History* (Leicester: U.P., 1972), which intended to follow Charles Gross’ *Bibliography of British Municipal History* (Longmans, Green, and co., 1897).

of civic record-keeping. By exploring current holdings of British civic archives, Martin made a general argument that the internal administration of a city was enough to result in preservation of records. Before boroughs were granted charters, the appearance of the guild merchant in some towns, such as Leicester, Dublin and Shrewsbury, generated the making and keeping of guild rolls.²⁴ Meanwhile, external factors influenced the development of civic record-keeping. For example, the compilation of civic customals was spurred by the *quo warranto* inquisitions under Edward I.²⁵ Nevertheless, Martin's idea of civic literacy shared the same problems as Clanchy's argument. The collection of civic archives was admitted to be records made, kept and used by civic administration.

The problem of this perspective could be explained by a document of York. A husgabel roll was found among the collection of the York City Archives. This roll included a list of properties in several parishes of York. David Palliser dated this document to the years between 1283 and 1285. He argued that this document was created because of 'a survey of husgabel despite the inclusion of properties which did not pay it'.²⁶ However, this document was fragmentary. No heading indicates who wrote or owned it. Moreover, the City of York lost its privileges of autonomy from 1280 to 1282. In this period, neither mayor nor bailiff was elected and the Sheriff of Yorkshire was appointed to be the keeper of the city. Is it possible that this husgabel roll was composed by county officials and then accidentally survived in the civic archive? This suspicion could be supported by the fact that this roll was the only example of its kind in the collection of the City Archives. This roll is a result of a special episode, and it becomes doubtful if it should be defined as a civic administrative document.

Moreover, Martin did not consider the distinction between documents and records. This may be caused by the fact that 'documents' and 'records' tend to be used indiscriminately in English.²⁷ Clanchy noted this distinction, as he stated that 'writing may be done for ephemeral purposes without any intention of keeping the documents permanently'.²⁸ However, Clanchy's research focused on the central government. When Martin discussed the civic pragmatic literacy, he presupposed that what survives in civic archives have been

²⁴ Martin, 'English Town Records, 1200-1350', 120; Martin, 'The English Borough in the Thirteenth Century', 127-8.

²⁵ Martin, 'English Town Records, 1200-1350', 125-6.

²⁶ D. M. Palliser, 'York's earliest administrative record: the Husgabel roll of c. 1284', *YAJ*, 50 (1978), 81-91.

²⁷ For a similar discussion in the German Academy, see Geoffrey Yeo, A Review of 'Files: Law and Media Technology', *Journal of Archival Organization*, 7:4 (2009), 222-223.

²⁸ Clanchy, *From memory to written record*, 2013, 147.

preserved intentionally.²⁹ Nevertheless, the survival may not be the result of an intention to keep, but the lack of an intention to destroy them. It is possible that some documents survived in archives but they were not intentionally preserved by anyone.³⁰ It is also possible that some records were kept for a short time. After they became useless or were forgotten, they stayed in an archive for a long time.

In order to redress these problems, this thesis adopts a strict distinction between documents and records. Documents are writings issued from the seat of power and authority, such as charters and writs granted by the royal government, while records are writings accumulated and kept by any authority, such as registers. At first, it is important to define the subject of documents and records. For example, some manuscripts surviving at the National Archives were composed locally, and they were working ‘documents’ in terms of the civic administration, but they could be called ‘royal records’, because they were collected and preserved by the royal archives. In this thesis, the difference between ‘civic records’ and ‘civic documents’ will be shown. Next, if a writing was preserved for a short term rather than a long term, the definition could change with time. A short-term record could become a long-term document. Thus, the boundary between document and record is not fixed.

Therefore, this thesis avoids presupposing the ‘subject’ and the ‘function’ of administrative writings. These features must be explained by examining the context where a writing existed and functioned. How could we fulfil this target? Some new academic tendency throws light on the approaches. Under the influence of the ‘archival turn’, the subjectivity of archives was emphasised. Archives were not believed to be a place where records objectively accumulated. Historians became interested in the process of how and why archives were established and records were handed down to us.³¹ This tendency obviously had implications for the early modern studies. In the introduction of a collection of essays on the early modern archives, Alexandra Walsham thought what they discussed was ‘the social history of the archive’.³² By studying the process of receiving, processing and storing diplomatic correspondence, Filippo De Vivo proved that early modern Italian states were successful in tackling the information overload.³³ On the other hand, De Vivo reminded us of the multifaced relationship between

²⁹ Martin, ‘English Town Records, 1200-1350’; ‘The English Borough in the Thirteenth Century’.

³⁰ I appreciate that Peter Foden, who had working experiences in diverse public and private archives in the UK, offered this idea.

³¹ Filippo De Vivo, Andrea Guidi, and Alessandro Silvestri, ‘Archival transformations in early modern European history’. *European History Quarterly* 46.3 (2016), 421-434.

³² Alexandra Walsham, ‘The Social History of the Archive: Record-Keeping in Early Modern Europe. *Past & Present Supplement* 11.’ (2016), 9-48.

³³ Filippo De Vivo, ‘Archival intelligence: diplomatic correspondence, information overload, and information management in Italy, 1450-1650.’ in Kate Peters, Alexandra Walsham, and Liesbeth

archives and bureaucracy. For instance, the development of archives was sometimes ‘less to signal the glories of a dynasty than to mask its decline’.³⁴ In a more recent article, Margaret McGlynn discussed the retrieval of previous records in the sixteenth century. This action was due to the statute of 1490, which restricted benefit of clergy for laymen by making it available for a first offence. Therefore, justices must search the record of a first felony conviction. Because the records were at the hands of justices of assize and gaol delivery, royal courts sent writs to ask for return of names. Yet, the returns did not meet the expectation of the Tudor governors.³⁵ This is a vivid case study which demonstrated the ineffective retrieval of records. What we could learn from the studies above is that they did not presuppose the relationship between records/archives and bureaucracy. Instead, they carefully examined how records and archives functioned in the administration.

Is it possible to borrow this method to study the fourteenth century? This looks promising, because we know little about the later medieval attitude towards writing, records and archives in a civic context. There is a large number of works individually introducing local archives in England due to the diligence of archivists. However, a positivistic approach generally dominated. The main topics included institutional evolution, important personages, and the growth of holdings. Guides to archives tended to focus on when the archive was founded and by whom, what documents were acquired from whom and how they came to the archive.³⁶

The lack of discussion can be explained by the limitation of sources. Many civic records survive individually, and very few records explicitly suggested why they were written or whether they were designed to be preserved. Thus, it is difficult to detect contemporaneous ideas about record-keeping. First, is it persuasive that this shortage was caused by the lack of literacy in a local society? Probably not. In 1984, Brian Stock introduced the concept of the ‘speech/textual community’ from linguistic anthropologists into the medieval Academy.³⁷ Following him, Brigitte Bedos-Rezak argued that the function of civic documentary practices relied on a symbiosis between townspeople’s personal experience and the city’s communal

Corens, eds. *Archives and information in the early modern world*, (Oxford University Press, 2018), 53-85.

³⁴ De Vivo, ‘Archival intelligence: diplomatic correspondence, information overload, and information management in Italy, 1450-1650’, 84.

³⁵ Margaret McGlynn, ‘From Written Record to Bureaucratic Mind: Imagining a Criminal Record.’ *Past & Present* 250.1 (2021), 55-86.

³⁶ To name just a few examples, see Philip E. Jones and Raymond Smith, *A guide to the records in the Corporation of London Records Office and the Guildhall Library Muniment Room*. (English Universities Press, 1951); Elizabeth Ralph, *Guide to the Bristol Archives Office*. (Bristol Corporation, 1971); Rita J. Green, *York city archives*, (York: Public Libraries, 1971).

³⁷ Brian Stock, *The Implications of Literacy* (Princeton, N.J.: Princeton University Press, 1983).

role.³⁸ In studying the rebellion of 1381, Steven Justice argued that the rebels recognised the written culture initiated by the government and they utilised this culture for their own.³⁹ These works suggested that literacy was already a part of popular culture, even though most people did not know how to write.

Furthermore, it is probable that literacy developed more quickly in the city. Marco Mostert and Anna Adamska argued that urban literacy became an important branch under the study of literacy because ‘in towns one seemed to have had more chance of being confronted with writing than elsewhere’.⁴⁰ Even though rural literacy existed, the urban space was closely related to the use of records because of the relatively higher density of residents, trade, and schools. Katalin Szende admitted that high density of population in towns led to the need for increased communication and administration, both of which facilitated the use of writing.⁴¹ Paul Bertrand attributed the massive creation of documents in towns to the fast legal, economic and political change, and mixed and large population.⁴²

The emphasis on the speciality of urban space represented the urban history under the influence of the ‘cultural-turn’, which analysed civic cultural features. This new trend is not a return to constitutional standpoint, which was popular at the turn of the twentieth century. At that time, urban history was limited to boroughs granted with royal charters. Cities possessed legal and political significance, rather than economic or social. It was argued that the local liberties were deeply influenced by the crown-town relationship. The civic administration was meagrely mentioned or explained mostly as a branch of the royal government. Urban history was not a study of cities yet, because it aimed at demonstrating the origin of modern ideas, such as freedom, equality and democracy.⁴³

³⁸ Brigitte Bedos-Rezak, ‘Civic Liturgies and Urban Records in Northern France, 1100-1400.’ in Barbara Hanawalt and Kathryn Reyerson, eds. *City and spectacle in medieval Europe*. (University of Minnesota Press, 1994), 34-55, 34.

³⁹ Steven Justice, *Writing and rebellion: England in 1381*. (University of California Press, 1994).

⁴⁰ Marco Mostert and Anna Adamska, ‘Introduction’, in *Writing and the administration of medieval towns: Medieval Urban Literacy*, 1-10, 1.

⁴¹ Katalin Szende, *Trust, Authority and the Written Word in the Royal Towns of Medieval Hungary*, (Brepols, 2018), 1.

⁴² Paul Bertrand, *Documenting the Everyday in Medieval Europe: The Social Dimensions of a Writing Revolution, 1250-1350*. Translated by Graham Robert Edwards, (Brepols, 2019), 307.

⁴³ Frederic William Maitland, *Township and Borough: Being the Ford Lectures Delivered in the University of Oxford in the October Term of 1897. Together with an Appendix of Notes Relating to the History of the Town of Cambridge*. (Cambridge, U. P., 1898). James Tait, *The medieval English borough: studies on its origins and constitutional history*. (Manchester University Press, 1936, 1968). Erwin T. Meyer, ‘Boroughs’, in *The English Government at Work, 1327-1336*, III, 105-141.

However, current historians attempted to prove that a city was conceptually distinct, based on the study of texts which explained how contemporaries imagined a city. Urban history became a study of a city itself rather than something merely happening in the city. Meanwhile, the interaction between jurisdictions was noted in research, which led us to think about the possibility that civic administrative literacy was deeply influenced by royal and ecclesiastical administrative literacy. Therefore, the arguments above enlighten us to speculate that civic government of York did not fall behind in making documents and keeping records. Though very few civic records of York before the 1370s survived, it is assumed that this was not caused by the lack of literacy.

Second, how could we seek evidence to cast light upon the attitudes? In 2014, 'Utrecht Studies in Medieval Literacy' had a volume dedicated to administrative civic records published.⁴⁴ It presented a recent trend that medieval historians explored preservation, transmission and retrieval of records by studying the materiality of civic institutions, the agency of literacy and the compilation of records. The first approach included examining the buildings where records were preserved and technical solutions for preservation.⁴⁵ The second focused on the professionals with literate skills, such as clerks and notaries.⁴⁶ The third indicated transcribing, composing or assembling records.⁴⁷

The second and third angles were related to this thesis. The third was less straightforward than the second, so a case of research will be shown to explain the function of this approach further. In an article published in 2004, Andrew Butcher analysed the civic customs of Hythe, a coastal town and one of the Cinque Ports. Butcher used customs to challenge the binary division between pragmatic literacy and literature. Customs were based on administrative, financial, legal documents. Meanwhile, customs held features of literature, because they represented the contemporaneous ideas and concepts of community, history, and

⁴⁴ Marco Mostert and Anna Adamska, eds. *Writing and the administration of medieval towns: Medieval Urban Literacy*, (Brepols, 2014).

⁴⁵ Katalin Szende, 'Towns and the Written Word in Medieval Hungary', in *Writing and the administration of medieval towns: medieval urban literacy*, 123-48, 139-40; Sarah Rees Jones, 'Civic literacy in later medieval England', in *Writing and the administration of medieval towns: medieval urban literacy*, 219-30.

⁴⁶ M. López-Villalba, 'Urban Chanceries in the Kingdom of Castile in the Late Middle Ages', in *Writing and the administration of medieval towns: medieval urban literacy*, 69-96; A. Bartoszewicz, 'Urban Literacy in Small Polish Towns and the Process of "Modernisation" of Society in the Later Middle Ages', in *Writing and the administration of medieval towns: medieval urban literacy*, 149-82.

⁴⁷ Geertrui Van Synghel, 'The Use of Records in Medieval Towns: The Case of 's-Hertogenbosch (Brabant)', in *Writing and the administration of medieval towns: medieval urban literacy*, 31-47.

memory.⁴⁸ This idea is enlightening, because both York and Hythe were towns where the surviving archive mainly included customals. In addition, it is easy to apply Butcher's approach to other towns. As a type of genre, customal widely appeared in many English towns from the later thirteenth century.⁴⁹ Literally, a customal refers to a collection of customary law, and a town customal concerns town customs. In fact, customals contained information more miscellaneous than customs, such as lists of officials, recognition of debts, lists of freemen admitted, royal writs and returns, etc.⁵⁰ Therefore, the boundary between a register and a customal was ambiguous. However, both terms suggest a compilation of records. The first 'Freemen's Register of York', the key manuscript studied in this thesis, looks like an abnormal customal. The contents of this manuscript were miscellaneous and the manuscript was an assemblage of separate quires.⁵¹ Yet, it is sure that this manuscript suggests the large scale of record-making activities. Compared with any individual document or record, a compilation discloses more about the making of new records, and preservation and use of old documents and records.

More importantly, a study of customals is probably an approach to explore civic constitutional changes. Maud Sellers commented that the 'York Memorandum Book' was born in a period 'fertile in national and municipal experiments'.⁵² More recently, Christian Liddy offered a comprehensive explanation of the political background when Y/COU/1/4/1 and Y/COU/1/4/2 were made. Y/COU/1/4/2 was started in 1371 as a step in John de Gisburn's reform of the civic administration.⁵³ In addition, Y/COU/1/4/1, which began in 1377, was fulfilling the common requirement that the city government should be 'more accountable and efficient'.⁵⁴ In addition, studies of customals of other towns illuminated similar reasons at action. For instance, Caroline Barron attributed the 'Jubilee Book' to the radical reforms in London's government in the 1370s and 1380s.⁵⁵ Peter Fleming noted the coincidence between bureaucratic re-organisation and the making of the two civic registers in

⁴⁸ Andrew Butcher, 'The functions of script in the speech community of a late medieval town, c. 1300-1550.' in Julia Crick, Alexandra Walsham, eds. *The uses of script and print: 1300-1700*, (Cambridge: Cambridge University Press, 2004), 157-170, 159-162.

⁴⁹ G.H. Martin, 'The diplomatic of English borough customals', in Walter Prevenier and Thérèse de Hemptinne, eds. *La diplomatie urbaine en Europe au Moyen Age: Actes du congrès de la Commission internationale de diplomatique, Gand, 25-29 août 1998* (Leuven, 2000), 307-20.

⁵⁰ Bateson, *Borough Customs*. The introduction of the first volume gave a reference list of customals used. In addition, many customals of an individual town have been edited and printed.

⁵¹ This manuscript will be described in detail later, see pages 29-30.

⁵² *YMB/A*, I, i.

⁵³ Christian D. Liddy, 'Urban Conflict in Late Fourteenth-Century England: The Case of York in 1380-1.' *The English Historical Review* 118.475 (2003), 1-32, 19.

⁵⁴ Liddy, 'Urban Conflict in Late Fourteenth-Century England', 13.

⁵⁵ Caroline Barron, 'The Political Culture of Medieval London', in L. Clark and C. Carpenter, eds. *Political Culture in Late Medieval Britain* (Woodbridge, 2004), 110-33, 127-8.

mid-fourteen-century Bristol.⁵⁶ Therefore, this thesis will attempt to use the ‘Freemen’s Register’ to contribute to our knowledge of York’s civic politics.

To conclude, in this thesis, we avoid presupposing subject, function and type of writings found in a City Archive. We attempt to explore and define these features in our research. In rethinking the survival of civic administrative records, Marco Mostert asked a question: ‘Is it sufficient to investigate only samples of documentation that we consider typical and draw far-reaching conclusions?’⁵⁷ What survives is probably a tip of the iceberg of records ever made. Is the survival explained by their usefulness in administration? This is a tricky question, because our understanding of administrative literacy was influenced so much by what survives. Nevertheless, this research plans to answer this question by taking York as a case study. For instance, royal charters survive in York’s city archives. However, in Chapter Two, some litigation in the thirteenth and fourteenth centuries will be examined to prove whether York’s urban officials used these charters at that time. In Chapters Five and Six, this thesis examined the lists of personal names and a quire which belonged to a lost customal to depict how civic and royal documents and records were used to compile civic customals.

2. Methodology

As already noted, this thesis intends to study a civic customal, the ‘Freemen’s Register’. This manuscript was related to the civic government, so according to the binary distinction between bureaucracy and literature, this manuscript belonged to the former. However, this thesis intends to break through this model. As argued by Andrew Prescott, this binary was an impediment to study administrative documents ‘whose codicology (if this is appropriate word here) and script are just as worthy of close investigation and analysis as celebrated scribal achievements’.⁵⁸ Therefore, this thesis borrows methodology from manuscript study. The codicological features of this manuscript, including binding, format, marking, and handwriting, will be examined (see Chapter Four).

⁵⁶ Peter Fleming, ‘Time, space and power in later medieval Bristol’. Working Paper. University of the West of England, 2013, 40. Available from: <http://eprints.uwe.ac.uk/22171>.

⁵⁷ Mostert and Adamska, ‘Introduction’, 6.

⁵⁸ Andrew Prescott, ‘Administrative Records and the Scribal Achievement of Medieval England.’ *English Manuscript Studies: 1100-1700*, 17 (2012), 173-199, 189.

Furthermore, the texts of unpublished primary sources will be critically checked. Cross-referencing among different sources is a classical method of historical studies. However, this thesis undertakes this method on a large scale. For example, in order to examine the lists of York's mayor and bailiffs from 1273 to 1377 in the 'Freemen's Register', more than 1,000 local deeds of title dated in this period have been searched to make a new list of urban officials (see Chapter Five). Although most of these deeds were already in print, this research raises some doubts about the edited versions, especially with regard to the date. Thus, original documents are consulted if possible. The footnotes of this thesis prefer to show the published copy if it is confirmed. Otherwise, the reference to the primary source is given. This research is also assisted by the transcripts of manuscripts, such as the lay subsidy roll of York in 1332 and the accounts of York's keepers from 1292-7 (see Chapters One and Six).⁵⁹ However, the original records will be consulted because some errors in the transcripts are noticed.

The civic government was not the only jurisdiction located in the city. Instead, the city was a 'honeycomb' of jurisdictions.⁶⁰ In addition to being a county town, many powerful ecclesiastical institutions located in the city acted as seigneurial lords over certain districts, such as the Dean and Chapter of St Peter's church. This institutional density leads us to think about whether royal and religious archives can be utilised to study the civic administration. This thesis must show respect to Edward Miller, who wrote a history of medieval York with his wide knowledge of both royal and local records.⁶¹ Even though the early intention to finish the whole thesis by principally relying on royal records failed, royal records were the main source to support a chapter exploring the use of royal charters by urban officials (see Chapter Two). In addition, the whole thesis is influenced by this perspective to consider archives beyond the civic archives. Most of aforementioned local deeds survive in archives of religious institutions. Some royal records never used to study York, such as the lay subsidy rolls of 1327 and 1332, become a source for this research. Pamela Nightingale already demonstrated the value of C 241 in discussing York's economy, but this thesis studies York's clerks through using her database (see Chapter Three).

This thesis is mainly a case study focusing on York. Undertaking a case study is a practical strategy, but this thesis does not completely give up on a comparative method (see Chapter

⁵⁹ Philip Michael Stell and Alasdair Hawkyard, *The lay subsidy of 1334 for York*. Yorkshire Architectural and York Archaeological Society (Ebor Press, 1996), 2-14. J.P. Bischoff, York Keepers Accounts, 1293-1296. (Unpublished source). I'm grateful to Prof. Sarah Rees Jones who shared the draft with me.

⁶⁰ I borrow this metaphor from Edward Miller. See Edward Miller, 'Medieval York', in P. M. Tillott, ed. *A History of Yorkshire; the City of York*, (Oxford 1961), 25-116, 38.

⁶¹ Miller, 'Medieval York'.

Four). As noted above, civic customals appeared in many English cities in addition to York. This research analyses the compilation of two customals of Bristol and Colchester. It finds common features between York and the other cities. Given that most of the edited copy of civic customals were published at the turn of the twentieth century, it is promising to apply this methodology of thesis to the study of other civic customals.

Finally, it must be admitted that digitisation plays a vital role in this thesis. Digital databases already in shape form a solid basis for the research. Sarah Rees Jones' database of York's deeds makes it possible to check records preserved in archives beyond York (see Chapters One and Five).⁶² Nightingale's database of C 241 and York's Archbishops Registers Revealed support the study of York's clerks (see Chapter Three).⁶³ The database of ancient petitions is used for the research in Chapter Two.⁶⁴ Meanwhile, faced with the shock caused by the Covid-19 pandemic, this thesis cannot be completed without digitisation of unpublished primary sources, such as the Anglo American Legal Tradition (AALT).⁶⁵ The footnotes in many pages will show the contribution of this online source. In addition, figures in this thesis present extracts of photos which I took in the National Archives and the York City Archives.⁶⁶

3. York: 1272-1377

This thesis is a case study, so it is time to explain why the City of York is selected as the case. York was an important city not only in Yorkshire but also in the north of England under three Edwards. In the fourteenth century, York was probably one of the largest and most wealthy cities in England after London. According to the tax returns of 1334 and 1377 respectively, York ranked the second and the first among provincial cities.⁶⁷ The population of York was around 14,000 in 1377, the greatest of any provincial city.⁶⁸ Geographically, York was at the

⁶² Sarah Rees Jones, *Medieval Title Deeds for the City of York, 1080-1530*, UK Data Archive (Colchester, 1996), SN: 3527. I'm grateful to Prof. Sarah Rees Jones for sharing an e-copy of her database (and a guidebook) with me.

⁶³ TNA, C 241. <https://discovery.nationalarchives.gov.uk/details/r/C3773>. Due to the works of Pamela Nightingale, the documents under this title now become searchable. York's Archbishops Registers: <https://archbishopsregisters.york.ac.uk/>.

⁶⁴ TNA, SC 8. <https://discovery.nationalarchives.gov.uk/details/r/C13526>.

⁶⁵ Anglo-American Legal Tradition (AALT). <http://aalt.law.uh.edu/>.

⁶⁶ All these photos were shot with the permission of the National Archives and the York City Archives.

⁶⁷ Alan Dyer, *Decline and growth in English towns 1400-1640*. (Cambridge University Press, 1995), 70, 64.

⁶⁸ Dyer, *Decline and Growth in English Towns, 1400-1640*, 74, 27.

middle of the route from London to Edinburgh. Thus, York had a strategic importance in the Anglo-Scottish relationship. This was demonstrated in the Anglo-Scottish wars.⁶⁹ Furthermore, York was located in the centre of Yorkshire, the largest shire of England. Not surprisingly, York became the key to govern the North of England.⁷⁰ Culturally, York derived from a Roman city, and afterwards, a cathedral city.⁷¹ Therefore, York was a city full of historical heritage. Due to St Peter's Church, the seat of Archbishop of York, York enjoyed high status as the religious centre of the archdiocese of York.⁷²

With regard to the civic government, there is evidence that it appeared from the early thirteenth century. The city paid the fee farm to the crown in order to have the right to elect its own officials and become a royal borough. The civic officials included a mayor and three bailiffs, both annually elected. In addition, there were lesser officials, such as coroners.⁷³ Bailiffs were responsible for releasing the city from its fee farm. A city court may exist where both the mayor and bailiffs sat as justices. Some informal or formal councils may assist officials. However, the little survival of civic records stops us from illustrating a more complete profile of civic bureaucracy. A point to clarify is that the urban liberties did not make the civic administration totally independent from the royal government. The suspension of privileges took place twice in the late thirteenth century.⁷⁴ However, in most years, civic officials were able to keep the city in their hands.

Fourteenth-century York witnessed the development of the civic government. New civic offices and councils were established, and the bureaucratic structure became more complex. In addition to the mayor and bailiffs, three chamberlains and four bridgemasters were elected every year. Three councils appeared: the council of 12 aldermen, the council of 24, and the council of 48. The former two councils consisted of civic elites, while the latter represented

⁶⁹ W. M. Ormrod, 'York and the crown under the first three Edwards.' in Sarah Rees Jones, ed. *The Government of Medieval York: Essays in commemoration of the 1396 Royal Charter*, 15-22; W. M. Ormrod, 'Competing capitals? York and London in the fourteenth century', in Sarah Rees Jones, Richard Marks, A. J. Minnis, eds. *Courts and Regions in Medieval Europe* (York: York Medieval Press, 2000), 75-98; D. M. Broome, 'Exchequer Migrations to York in the Thirteenth and Fourteenth Centuries', A. G. Little and F. M. Powicke, eds. *Essays in Medieval History Presented to T. F. Tout*, (Manchester, 1925; reprinted in 1967), 291-300.

⁷⁰ *The Northumberland Eyre Roll for 1293*, ed. Constance M. Fraser, Surtees Society, 211, (Durham, 2007).

⁷¹ Patrick Ottaway, *Roman York* (2nd edn, Stroud: Tempus, 2004).

⁷² R. B. Dobson, 'The Later Middle Ages', in G. E. Aylmer and Reginald Cant, eds. *A History of York Minster*, (Oxford: Clarendon Press, 1977), 44-109.

⁷³ David Palliser, 'The Birth of York's Civic Liberties, c. 1200-1354.' in Rees Jones, ed. *The Government of Medieval York*, 88-107, 93-5.

⁷⁴ See pages 39, 68.

the commons. In terms of minor offices, we can find the common clerk, the recorder, the mayor's sergeant, the constables, and some market officials.⁷⁵

Meanwhile, the life of more urban residents was interwoven with the bureaucracy. Christian Liddy attributed this tendency to the increasing intensity of royal financial requirement. From the 1360s, in order to support the Hundred Years War which restarted, the royal government expected more taxes levied from local society. The local government must become more powerful to bear this pressure.⁷⁶ Different from Liddy who focused on a short period, the second half of the fourteenth century, Sarah Rees Jones explained the influence of civic government from a long-term perspective. The use and preservation of written records by civic officials changed the way of governance in the thirteenth and the fourteenth centuries. Because copies of charters were stored in the civic archive, the civic government was equipped with more authenticity in witnessing transactions of lands.⁷⁷

Rees Jones' idea is enlightening in connecting civic literacy to the development of civic government. However, her argument was based on fragmentary civic documents and records. This is inevitable, because fewer civic records of York survive, compared with other provincial towns, such as Ipswich, Shrewsbury, and Nottingham.⁷⁸ York was not among the English towns with surviving civic records from before 1300.⁷⁹ This observation has been challenged by David Palliser's discovery of a husgabel roll dated to the 1280s. However, as noted above, the subject of this document is uncertain.⁸⁰ Even if the chronological scope extends to the fourteenth century, there is no record of the city court, such as a registry of land transactions and wills. Neither can we find any record directly related to the office of mayor, bailiff, chamberlain or any civic office already established. Therefore, the limited survival increased the difficulty of using documents and records to explain York's civic administrative literacy.

⁷⁵ Sarah Rees Jones, 'York's Civic Administration, 1354-1464' in Rees Jones, ed. *The Government of Medieval York*, 108-140, 140.

⁷⁶ Christian D. Liddy, *War, politics and finance in late medieval English towns: Bristol, York and the crown, 1350-1400*. (Boydell & Brewer Ltd, 2005), 19-99.

⁷⁷ Sarah Rees Jones, *York: the Making of a City 1068-1350*. (Oxford University Press, 2013), 214-221.

⁷⁸ David Allen, *Ipswich Borough archives, 1255-1835: a catalogue*, Suffolk Records Society 43, (Boydell Press, 2000); *Calendar of the Muniments and Records of the Borough of Shrewsbury* (Shrewsbury, L. Wilding, Printer, and Stationer, 1896); *Records of the Borough of Nottingham, Being a Series of Extracts from the Archives of the Corporation of Nottingham*. eds. William Henry Stevenson and James Raine, 1155-1625, 4 vols. (Quaritch, 1882).

⁷⁹ G. H. Martin, 'The English borough in the thirteenth century', *TR Hist S*, 5th ser., 13 (1963), 129-31.

⁸⁰ See page 18.

Civic customals will be an alternative and necessary approach. Thus, it is time to introduce the civic customals in question in this thesis and tell how they spurred on the writing of this thesis. There are three texts argued to be created in the fourteenth century: the 'Freemen's Register of York' and the two 'York Memorandum Books'. In the past these texts have been known by a variety of names. In 1909, William Giles published a catalogue of the City of York. The 'Freemen's Register' was stated to be 'known as C/Y', and he classified it into Class D (Freemen), and the reference number is D 1.⁸¹ The 'York Memorandum Books' referred to two manuscripts created in the 1370s. Giles mentioned that the two manuscripts were called 'A/Y' and 'B/Y'.⁸² In Giles' catalogue, they were labelled E 20 and E 20A.⁸³ More recently, the York City Archives updated some reference of its collection, so this thesis will follow the contemporary archival reference. In the following texts of this thesis, Y/COU/3/1, Y/COU/1/4/1 and Y/COU/1/4/2 are respectively used to indicate 'Freemen's Register of York', 'York Memorandum Book/A' and 'York Memorandum Book/B'.

On the one hand, these manuscripts share common features: they are large books of parchments; historians defined them to be civic customals; their contents are miscellaneous. On the other hand, there are obvious differences. Firstly, in terms of the date of creation, the last two manuscripts are more definite than the first. The texts of Y/COU/1/4/1 and Y/COU/1/4/2 explicitly stated when they started to be written down. In contrast, Y/COU/3/1 seems like the earliest surviving customal of York, but no strong evidence can support this suspicion. The lists of freemen and officials were uninterrupted from the 1280s, but the handwriting was not contemporaneous.⁸⁴ As will be shown, the previous arguments relating to the date of creation of this manuscript are challenged in this thesis. Secondly, as for the contents, Y/COU/1/4/1 is filled with ordinances issued by the city government, charters granted by the crown, and memoranda of events from the 1370s; Y/COU/1/4/2 features deeds of title from the 1370s; Y/COU/3/1 contains a large body of lists of freemen and civic officials from the 1270s. Thirdly, not all texts of Y/COU/3/1 are in print. In the 1890s, Francis Collins had the freemen's lists in Y/COU/3/1 published.⁸⁵ The transcription of Collins is not free from

⁸¹ William Giles, *Catalogue of the Charters, House Books, Freemen's Rolls, Chamberlains', etc., Accounts and other Books, Deeds, and old documents belonging to the Corporation of York*, (Corporation of York, 1909), 53.

⁸² Giles, *Catalogue*, 7.

⁸³ Giles, *Catalogue*, 63.

⁸⁴ R.B. Dobson, 'Admissions to the Freedom of the City of York in the Later Middle Ages.' *The Economic History Review* 26.1 (1973), 1-22, 6; Debbie Cannon (Deborah Jean Steele O'Brien), "'The veray registre of all trouthe": the content, function, and character of the civic registers of London and York c. 1274-c. 1482'. Diss. University of York, 1999, 143-4.

⁸⁵ *Register of the Freemen of the City of York*, ed. by F. Collins, 2 vols, (Surtees Society, 96 and 102, 1897-1899).

errors.⁸⁶ Moreover, he ignored other texts, such as lists of civic officials and a fragment of a lost customal. These texts will be discussed in Part Two. In contrast, the texts of Y/COU/1/4/1 and Y/COU/1/4/2 were edited more completely.⁸⁷

The last point is related to the purpose of compilation. Y/COU/1/4/1 and Y/COU/1/4/2 have already been discussed.⁸⁸ With regard to Y/COU/3/1, Francis Collins argued that freemen's lists were copied for chamberlains' use.⁸⁹ R. B. Dobson brought forth the argument that this manuscript served the mayor.⁹⁰ However, the evidence cited by Collins and Dobson were dated the fifteenth century or afterwards. To what extent could their arguments be applied to explain the manuscript created in the fourteenth century? To sum up, Y/COU/3/1 was the most abnormal one within the three civic customals, and there are many questions unsolved: Who compiled it? How was it compiled? Why was it compiled? Therefore, this manuscript will be carefully analysed in this thesis (see Part Two).

4. Structure of the thesis

This thesis consists of two parts due to the process of this project. This research started with the intention to explore the making of documents, preservation of records and establishment of archives by York's urban officials. As noted, the method of Edward Miller influenced me, so I planned to use royal records as the principal source to offset the limitation of civic records.⁹¹ However, after spending lots of time in reading royal records, the result was not completely encouraging. On the one hand, it is a successful plan to search royal archives, because we found many documents issued from civic officials. It is certain that the civic administration made a substantial number of documents for administrative use. On the other hand, very little evidence revealed the use of records nor explicitly told us what people of the fourteenth century thought about record-keeping. As a result, the idea that records were not viewed as important to be kept by contemporaries arose. This suspicion led me to rethink Y/COU/3/1, a civic manuscript with texts dated from the 1270s. If records were not preserved, how should we define freemen's lists which became continuous from 1290 and the

⁸⁶ D. M. Palliser, 'The York Freemen's Register 1273-1540: Amendments and additions', *York Historian*, 12 (1995), 21-7.

⁸⁷ *York Memorandum Book*, ed. M. Sellers and J.W. Percy, 3 vols. (Surtees Society, 120, 125 and 186, 1912, 1915 and 1969).

⁸⁸ See page 23.

⁸⁹ *FR*, I, xii.

⁹⁰ Dobson, 'Admissions to the Freedom of the City of York in the Later Middle Ages', 7.

⁹¹ See note 61.

mayors and bailiffs' lists from 1273? Was the writing contemporaneous? Did records serve as the source behind the writing? These questions seem unanswerable, because Y/COU/3/1 is an individual record. Nevertheless, two methods rescued this research. Firstly, after reading manuscripts for a long time, I had the confidence to discern the changes of handwriting. This allowed me to review Y/COU/3/1 from a codicological perspective and argue that the date of creation was no earlier than the 1360s. Secondly, I accidentally discovered the way to evaluate whether records were the source of lists of names in Y/COU/3/1. When I read the charters of Vicars Choral of St Peter's Church, I noted that mayors and bailiffs frequently appeared in the witness clause. Afterwards, I started to edit lists of mayors and bailiffs by exploiting information from local charters. The new lists were then compared with the lists in Y/COU/3/1. Because the two lists matched well, I argued that documents and records were the source of Y/COU/3/1. Therefore, Part One is a presentation of how royal and religious archives played a role in revealing the making of documents and preservation of records by the civic officials, while Part Two explores Y/COU/3/1 to prove the survival and use of civic and royal documents and records.

Part One includes three chapters to present how royal and ecclesiastical archives throw light on civic administrative literacy. Chapter One, at first, searches for evidence to demonstrate that documents were made by the civic government on a large scale. These records did not survive in the City Archives, but the records in other archives disclosed the activity of the civic administration. Because the city was financially accountable to the royal bureaucracy, different kinds of accounts were composed for the payment. For customary payment, accounts were annually written down because not every component had a fixed sum. For a national tax based on personal movable property, accounts of assessment and collection were composed for each tax. In addition, the civic government was a public power and had the authority to confirm local transactions. Deeds of title and bonds of debts were both confirmed in the city court. By examining the survival of the two kinds of legal documents, it is possible to deduce that a large number of legal documents were made by the civic government.

Having established the argument that documents were made, we then move on to explore preservation of records in Chapter Two. During jurisdictional disputes between 1275 and 1354, different authorities used records to defend their jurisdiction. This process throws light on whether some records were preserved, so they can be consulted in time. The source of this research mainly includes royal court rolls and petitions, both surviving in the royal archives. The city was compared with religious jurisdictions located in or neighbouring the city. The research shows that from the late thirteenth century to the mid fourteenth century, the city became more familiar with the use of records. Yet, compared with the church, the city

frequently referred to more recent records. This indicates that the 'civic' archive was not stable, and records were preserved for short-term purposes.

After the divergence between making documents and preserving records has been shown, it is time to think about the reason behind this phenomenon. Chapter Three plans to approach this question by studying the agent of literacy, lay clerks active in the city. Many clerks witnessing charters in the city court showed a relationship to the church of York. The practical boundary between different jurisdictions was permeable, and this explains why the civic government did not fall behind in the making of documents. Furthermore, for the execution of the Statute of Merchants and Staple, local clerks actually served the principal role. This research did not believe that the statute clerk was the predecessor of the civic clerk. The office of clerk was established around the 1370s and the common clerk in 1377. Because an important duty of the common clerk was to preserve civic records, the absence of an office of clerk in the civic government explains why civic records were not preserved for a long time before the 1370s.

Part Two focuses on a civic custumal (Y/COU/3/1) to explain civic administrative literacy. This Part is divided into three chapters. Chapter Four examines the civic custumal as an object. By borrowing the method from manuscript study, this research examines the codicological features of Y/COU/3/1, especially the hand-writing. The research finds that the manuscript was once some separated quires. It is not certain when these quires were bound together. The handwriting suggests that the earliest quires were not created until the 1360s. This argument was further demonstrated if Y/COU/1/4/1, whose date of creation was definite, was observed. Therefore, the entries before the 1360s in Y/COU/3/1 were a compilation rather than a contemporaneous writing. Finally, by comparing Y/COU/3/1 with other civic custumals, it is proved that the compilation of custumals was commonly achieved by assembling folios and quires.

After it is certain how this cusutmal was compiled, we start to explain the source and intention behind this compilation. Two parts with contents dated from 1273 to 1377 are selected as the cases. Chapter Five discusses the first part: lists of freemen and urban officials. The method of cross-referencing among different historical sources will be thoroughly adopted in this chapter. Firstly, the mayor's and bailiffs' lists are checked with local deeds and royal records. Secondly, the freemen's lists are compared with lists of taxpayers and those of urban officials. The two studies both confirm the accuracy of most names. This indicates that documents and records were referred to during the compilation. Lastly, the freemen's lists and the mayors' list are cross-referenced to demonstrate that court rolls were

probably the source of freemen's lists. The compilation was to make a new kind of civic record about freemen.

Chapter Six focuses on Quire 49 of Y/COU/3/1. The foliation suggested that this quire belonged to a custumal now missing, so this quire throws light on the compilation of a custumal in late-fourteenth-century York. The contents can be classified into three groups, two of which will be analysed, because entries in each group showed some regularity. The first group includes financial records copied from royal Exchequer rolls in the 1330s and 1340s. By examining contents and marginal notes, it is obvious that the compilers intended to record the contribution of York to national taxation. Based on our knowledge of York, this research links this compilation to the financial problems in the 1370s. Through comparing the texts copied in Quire 49 and the original in the royal Exchequer rolls, this chapter argues that this compilation was to make a guide to royal records for civic officials. The second group includes notes describing election of bailiffs in the 1350s. These notes explicitly stated duties and accountability of bailiffs. This chapter explains why an interest in the office of bailiff emerged in the 1370s. By examining the history of bailiffs from 1272 to 1370, it argues that the regulation of bailiffs' role in civic finance was a long-term issue in the civic administration.

The conclusion will review some of the key arguments presented in the chapters, such as the distinction between making documents and preserving records, and why the third quarter of the fourteenth century was the period when civic records started to be preserved intentionally. Then, I will outline how this thesis contributes to methodology of historical study and some future avenues for research. This thesis highlighted the usefulness of analysing the originals of administrative documents and records by borrowing methods from the manuscript study. It is promising to apply this approach to documents and records of other towns. Finally, it will explain how the arguments of this thesis influence our understanding of York and cities. For instance, the role of records in governance was not important as we believed because the civic archive was in an unstable situation.

Part I. Civic administrative literacy: a general study

Part One plans to explore York's civic administrative literacy. As already mentioned, very few civic records of York before the 1370s survive.⁹² Is there any other way of exploring administrative literacy? Recent scholarship of literacy has emphasised the importance of studying materiality and agents.⁹³ However, with regard to York before the last quarter of the fourteenth century, we know too little about the places where documents were made and records were preserved, and the people who undertook these practices. Two reasons could explain this knowledge gap. First, some administrative buildings of the city have been dismantled or severely damaged, such as the Old Ouse Bridge and the toll booth. The former used to be the seat of York's civic government, and it is probable that many civic records were preserved there before its destruction in the early nineteenth century.⁹⁴ The latter also acted as a treasury of civic records.⁹⁵ The disappearance of these buildings made it impossible to conduct empirical research.⁹⁶ Second, York was probably a city where many clerks

⁹² See page 28.

⁹³ See notes 45-6.

⁹⁴ Barbara Wilson and Frances Mee, *"The Fairest Arch in England": Old Ouse Bridge, York, and Its Buildings: the Pictorial Evidence*. (York Archaeological Trust, 2002).

⁹⁵ Rees Jones, *York: the Making of a City 1068-1350*, 218.

⁹⁶ For studies of buildings of archives, see John Steane, 'Medieval Muniment Rooms, their Furniture, Fittings and Information Retrieval Systems.' *Transactions of the Ancient Monuments Society* 54 (2010), 35-50; Trevor Henry Aston, 'Muniment Rooms and their Fittings in Medieval and Early Modern England', Trevor Henry Aston, and TA Ralph Evans, eds. *Lordship and learning: studies in*

gathered, and there was a guild of scribes in the fifteenth century.⁹⁷ However, civic records only indicated that the common clerk became an office of the civic government from 1377.⁹⁸ Before that, no civic record cast light on the activities of civic clerks.

Faced with these obstacles, it seems that York's civic administrative literacy before the 1370s is a mystery. In order to solve this problem, this research intends to, firstly, explore the documents made by civic officials. In spite of the limitation of civic records, royal and ecclesiastical archives can be examined. First, York was a royal borough, but it was not independent from the royal bureaucracy. Some official documents composed by civic officials were delivered to the royal government. Second, the civic government was not the only jurisdiction located in the city. Powerful ecclesiastical institutions located in the city acted as seigniorial lords over certain districts, such as the Dean and Chapter of St Peter's Church. Land owned by a citizen might be transferred into the hands of the church. As a result, some deeds of title confirmed by the city court survive in the church archives. Therefore, it is possible to trace documents made by the civic administration in royal and ecclesiastical archives.

In addition, institutional disputes broke out and caused conflict sometimes, because of the co-existence of jurisdictions in the city. Meanwhile, the relationship between the crown and the city was in tension in some years. This became noteworthy during the reign of Edward I.⁹⁹ In these disputes, civic officials used records to support their claims and defend their jurisdiction. This gives us an opportunity to deduce the preservation of records in the civic government. Moreover, some disputes were recorded by royal or ecclesiastical institutions. Thus, royal and ecclesiastical archives will be consulted once again.

This Part is divided into three chapters. Chapter One proves that documents were commonly created by the civic government long before the 1370s. The current holdings of the York City Archives were not a real reflection of the making of documents by the civic administration. Chapter Two argues that civic records were preserved for the short term. The civic archive was not in a stable situation yet. It developed more slowly than the archives of religious institutions in the city. In general, the massive use of writing did not result in the long-term

memory of Trevor Aston. (Boydell Press, 2004), 235-47; A. K. B. Evans, 'The Custody of Leicester's Archives from 1273 to 1947'. *Transactions of Leicestershire Archaeological and Historical Society* 66 (1992), 105-20.

⁹⁷ For an undated ordinance of the scribes' guild, see *YMB/A*, I, 56-7.

⁹⁸ *YCA*, Y/COU/3/1, fol. 7v.

⁹⁹ James Campbell, 'Power and authority 600-1300', in David Palliser, ed. *The Cambridge urban history of Britain*. vol. 1. (Cambridge university press, 2000), 51-78, 74.

preservation of records and the construction of a civic archive. Chapter Three studies the lay clerks in the city and argues that the absence of an office of clerk was a reason why the civic government created a lot of writing but did not have permanent preservation.

Chapter One. The making of documents

Introduction

York's civic administration dated back to the early thirteenth century, when the mayor, bailiffs and some other civic officials were already established. In the mid-thirteenth century, a city court was in action.¹⁰⁰ Thus, up to the time in question in this thesis, the civic administration had experienced a development of nearly three quarters of a century. However, the existence of administration does not explain that writing must be created to serve the administration. We still need to find evidence to demonstrate documents were made by the civic administration.

The collection of the York City Archives offers sources to prove that documents were created before the 1370s. For example, some deeds dated from 1300 to 1369 survive.¹⁰¹ In addition, Y/COU/1/4/1 and Y/COU/1/4/2 transcribed some documents dated as early as 1252.¹⁰² However, these clues can only demonstrate that documents were made in a limited number. This research intends to seek archives beyond the City Archives to speculate about the scale of documents made by the civic government for the administration.

Because the City Archives did not give us a comprehensive picture of the system of documents, this research has to rely on knowledge of the civic administration 'as a handle'. What were the main duties that a civic government had to undertake? On the one hand, the civic administration had to meet demands from the royal bureaucracy. On the other hand, the civic administration was a public authority in the city to govern urban residents. Thus, this chapter intends to explain the making of documents from two aspects. The first section discusses the making of documents for finishing tasks allocated from above, while the second section focuses on the documents for governance. Both sections prove that York's civic government had the ability to make documents to fulfil their duties. The holdings of the York City Archives do not reflect the large scale of documents made by York's civic administration before the 1370s.

¹⁰⁰ Palliser, 'The Birth of York's Civic Liberties, c. 1200-1354', 88-107, 93-4.

¹⁰¹ YCA, G 70/1, 2, 3, 4, 5, 6, 8, 11, 12, 14, 15, 16, 17, 19, 22, 23; G 28; G 41/2; G 1; G 2.

¹⁰² YMB/A, I, 116.

1. Financial documents

According to the historiography, there were at least three kinds of financial tasks allocated by the royal government to the civic administration: feudal revenues, taxes, and loans. Feudal revenues included the fee farm (*firma burgi*) and the tallage. The levy was due to the king's role as a feudal lord. The farm was a fixed sum owed to the crown each year. It was a condition of a town granted with the status of royal borough. For York, in 1212, the amount of £160 was agreed between the city and King John.¹⁰³ The tallage derived from an old levy on the royal demesne called 'aid' (*auxilium*). Different from the farm, both the time and the amount of the tallage were not fixed. From the thirteenth century, the expenses of government increased rapidly. Meanwhile, sustained inflation exacerbated the royal finances further, because the sum of the farm was stable. These factors pressed the royal government to alternative forms of national taxation by means of parliament. The 'new' tax system included lay subsidies, clerical subsidies, customs and subsidies, and levies in kind.¹⁰⁴ Except clerical subsidies, the other three taxes directly burdened citizens. Up to the 1330s, English kings usually borrowed money from Italian financiers. After their bankruptcy, Edward III, at first, turned to syndicates of English merchants, and then to cities from the 1350s.¹⁰⁵

The general description above was the background where financial documents were created in the city. As will be outlined, the surviving documents in the royal archives do not cover all types of financial duties. However, the research intends to demonstrate that a large number of financial documents were probably composed by civic officials to complete their financial tasks. The sum of York's fee farm remained unchangeable from 1212, but this customary collection could not be completed without the help of written accounts. By examining the royal keepers' accounts, the first sub-section plans to re-construct the system of accounts behind this collection. In the second sub-section, the accounts for the collection of a national taxation, the lay subsidy, will be explored. Accounts of lay subsidies were composed by civic officials and some were then submitted to the royal government.

¹⁰³ Lorraine Christine Attreed, *The king's towns: identity and survival in late medieval English boroughs*. (Peter Lang Pub Incorporated, 2001), 146.

¹⁰⁴ Joseph Strayer, 'Introduction', *The English Government at Work, 1327-1336*, II, 3; Ormrod, 'The crown and the English economy, 1290-1348', in Bruce Campbell, ed. *Before the Black Death: studies in the "crisis" of the early fourteenth century*. (Manchester University Press, 1991), 149-83; W. M. Ormrod, 'England in the Middle Ages', in Richard Bonney, ed. *The rise of the fiscal state in Europe c. 1200-1815*. (Clarendon Press, 1999), 19-52, 27.

¹⁰⁵ Liddy, *War, politics and finance in late medieval English towns*, 20-43.

1.1 Accounts of the fee farm

No account of the fee farm survives in the York City Archives. The farm was already customary, as it was paid annually and its total kept fixed from 1212. Did these clues suggest that the collection could be completed via orality? This sub-section will answer this question by analysing the constituents of the farm and their amount. The research shows that the contribution of main items of the farm was not fixed. Instead, these items consisted of many individual payments. Bailiffs, who were responsible for the collection, must compose their accounts every year.

To start with, how could we learn the constituents of the farm? At first sight, the royal archives do not help either, because the Pipe Rolls only recorded the sum of receipt in most cases.¹⁰⁶ No particular was presented. However, when the city lost its rights of self-governance, and the sheriff of Yorkshire was appointed to be the royal keeper, accounts in the Pipe Rolls changed. The Pipe Rolls from 1281 to 1282, 1292 to 1294 and 1301 include the particulars of York's accounts of farm.¹⁰⁷ Here, the accounts of the 1290s are examined, because some working documents of York's keepers survive in the National Archives as well (see fig. 1). By comparison, the keepers' accounts were more specific than the accounts in the Pipe Rolls. In addition, the keepers accounts showed the sign of revision, which suggests that these items were audited. Thus, the accounts in the Pipe Rolls were probably based on these keepers' accounts.¹⁰⁸ The components of keepers' accounts from 1292 to 1297 are presented below (see table 1).

¹⁰⁶ See TNA, E 372, *passim*.

¹⁰⁷ TNA, E 372/125, m. 17v. (account of 1281); E 372/126, m. 13v (account of 1282).; E 372/137, m. 24v. (account of 1292); E 372/139, m. 19r. (accounts of 1293 and 1294); E 372/146, m. 7v. (accounts of 1295, 1296 and 1297).

¹⁰⁸ TNA, SC 6/1088/13.

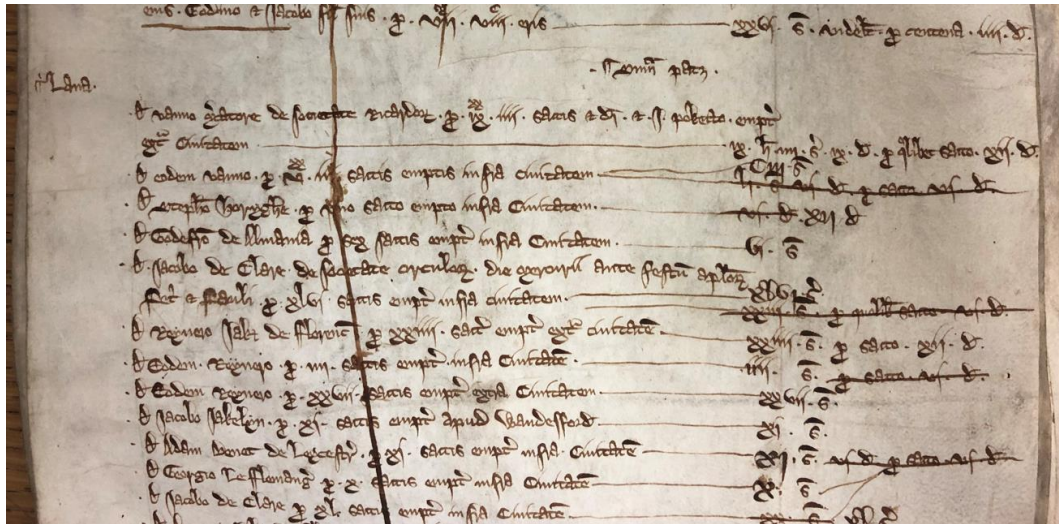


Figure 1 TNA, SC 6/1088/13 (extract)

Table 1 Accounts of York's keepers, 1292-1297¹⁰⁹

	E 1292- M 1292 ¹¹⁰	M 1293- E 1294	E 1294- M 1294	L 1294- E 1295	E 1295- M 1295	E 1296- M 1296	M 1296- E 1297
<i>Nundine</i>	176s. 8d.		176s. 8d.				
<i>Firme</i>	598s. 10d.	569s. 10d.	484s.	433s. 9.5d.	609s. 11.3d.	614s. 7d.	445s. 10.5d.
<i>Redditus assize</i>	25s. 2d.	47s.	48s. 4d.	32s. 10d.	34s. 10d.	34s. 10d.	33s. 10d.
Toll of Dinant metalworkers	4d.		13s. 4d.				
Toll of skin and hide		20s. 2d.	2s. 10d.	6s.			2s. 4d.
Toll of woad				2s. 8d.			2s. 8d.
Wool customs	952s. 9d.	85s.	722s.	3s.	76s.	233s. 6d.	215s.
Issues and fines of court	110s. 10d.	96s. 3d.	155s. 2d.	120s.	113s.	28s. 5d.	28s. 4d.

¹⁰⁹ Source: TNA, SC 6/1088/13.

¹¹⁰ E (Easter), M (Michaelmas), L (St Lucia's day, 13 December).

Sum	1678s.	800s.	1600s. 2d.	[598s. 3.5d.] ¹¹¹	833s. 9.25d.	[911s. 4d.]	[753s. 0.5d.]
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In general, the sum was not stable in these years, which was principally caused by the fluctuation of the wool customs and the judicial revenues. In 1292, the wool customs contributed more than 900s., but in early 1295, only 3s. were collected. The revenue of the court ranged from 28s. to 155s. In contrast, the items at the top of this table kept steady. Furthermore, one of these items was titled *firme*, is it possible that this item denoted the fee farm, while the other items were new sources sought to bridge the gap? In order to answer this question, the particulars of the items must be examined at first.

By taking all the accounts into consideration, it is discovered that the *firme* had regular components (see table 2). Various kinds of tolls were the most significant. In addition, the amount of these items was relatively fixed. For example, the stallage of butchers kept to be 66.7s. between 1292 and 1297, and the difference in 1293 and 1294 was caused by an increment. Although the stability was broken in some cases, these items can generally maintain the level.

In addition, the items of the *nundine* and the *redditus assize* overlapped with those of the *firme*. For instance, in the account of Easter to Michaelmas 1295, the *firme* included the husgabel and market fees, which formed the *nundine* in the accounts of Easter to Michaelmas 1292 and Easter to Michaelmas 1294. In the accounts of Easter to Michaelmas 1295 and Easter to Michaelmas 1296, the pasture of ditches (*herbagio fossatorum civitatis Eboraci*) was included in the *firme*, but this item belonged to the *redditus assize* in the accounts of 1293 to 1295. Similar to the *firme*, the components of the *nundine* and the *redditus assize* were generally regular (see tables 3-4). The former included the market issues, while the latter some rents. Their amount kept stable as well. Furthermore, the items under the *firme*, *nundine* and *redditus assize* were leased to an individual for a lump sum. In the account of Easter to Michaelmas 1292, the thurgtoll of City of York was by John de Buggethorp.¹¹² William de Grymesby was accountable for the toll at Foss Bridge in 1295.¹¹³ Therefore, the farm probably originated from the items under not only the *firme*, but also the *nundine* and the *redditus assize*.

¹¹¹ ‘[]’ indicates that the sum was not stated in the texts, but calculated in this research.

¹¹² TNA, SC 6/1088/13.

¹¹³ TNA, SC 6/1088/13.

During the years between 1292 and 1297, it is clear that the contribution of these customary components cannot meet the requirement. By calculation, the sum of the three parts was only around 1000s. per year. There remains a large gap before the £160 (3200s.) can be met. As mentioned above, the wool customs and the court fees and amercements became the new sources. This proves that the components of the farm were more changeable than the fixed sum suggested.

Is it reasonable to use the keeper's accounts to postulate the situation when bailiffs were in charge of the collection of the farm? First, the stability of traditional items of the farm indicates that the bailiffs were probably also faced with the problem that new sources must be found. Second, were the wool customs and judicial revenues the principal new sources? There is no direct evidence to demonstrate it, so this research plans to approach this question by discussing York's economy and background and duties of civic bailiffs. This could support the argument that wool customs and judicial revenues regularly contributed to the farm.

According to J. N. Bartlett's research, York was a distributive centre for the exports of Yorkshire, including wool from the 'Yorkshire Dales, the North York Moors and even from the Wolds to the south-east of York'.¹¹⁴ Moreover, many of York's bailiffs were involved with the export of wool. In the keepers' account of Easter to Michaelmas 1292, we find Peter de Appleby, the bailiff in 1289-91, and two future bailiffs, George le Fleming and Adam de Pocklington. They were taxed because they exported wool.¹¹⁵ In the fourteenth century, more merchant-bailiffs could be detected. Based on E. B. Fryde's research, in the 1330s and 1340s, York's wool merchants actively lent money to support Edward III's military activities. This group of merchants included: John Goldbeter, Thomas de York, William de Acaster, John de Rouston, William de Skelton, Thomas de Lindsey, Adam de Lutrington, Roger de Hovingham and William de Haxby.¹¹⁶ Four of these merchants served the office of bailiff.¹¹⁷ Jenny Kermode undertook a painstaking study by searching York's 'merchant' bailiffs and measuring the proportion. For the period from 1300 to 1396, 63 of 186 men (34%) serving as bailiff were defined to be merchants.¹¹⁸ Her definition of the merchant was predicated upon

¹¹⁴ J. N. Bartlett, 'The expansion and decline of York in the later Middle Ages.' *The Economic History Review* 12.1 (1959), 17-33, 19.

¹¹⁵ TNA, SC 6/1088/13.

¹¹⁶ E. B. Fryde, *Some business transactions of York merchants: John Goldbeter, William Acastre and Partners, 1336-1349*, Borthwick Papers. no:29, (York: St. Anthony's Press, 1966), 4-5.

¹¹⁷ Thomas de York (1345-6), William de Acaster (1344-5), William de Skelton (1347-8), Roger de Hovingham (1351-2).

¹¹⁸ Jenny Kermode, *Medieval merchants: York, Beverley and Hull in the Later Middle Ages*. (Cambridge University Press, 1998), 39; Jenny Kermode, 'The merchants of York, Beverley and Hull in the fourteenth and fifteenth centuries'. Diss. University of Sheffield, 1990, appendix iv.

their investment in wholesale trade, especially wool trade. The close relationship between office-holders of bailiffs and wool trade indicates the growth of York's wool-merchants. Meanwhile, it is possible that experience of exporting wool facilitated bailiffs to levy wool customs.

The duties of the bailiffs were interwoven with the civic justice. In a memorandum dated 1353, bailiffs were stated to be responsible for execution of the assizes of bread and ale and some market regulations, convention of jurors, maintenance of justice and collection of fines of the city courts.¹¹⁹ This was probably a writing-down of a custom. In the Hundred Rolls of 1274-5, the jury declared several complaints that civic bailiffs abused their judicial power. For instance, the jury said that three former bailiffs received a bribe to remove a person from an assize.¹²⁰ The bailiffs extorted some fees every year from the bakers, otherwise they would harm them.¹²¹ There was a law in the city requiring anyone who asked for land by the writ of right to have a pledge. The jury claimed that this regulation frustrated the poor and many others who intended to take action.¹²²

In addition, the royal Exchequer heard a case in York. This case derived from a local ordinance issued in 1301, which was to regulate the price of commodities, especially the victual. However, the execution of this ordinance was not smooth, thus three years later complaints were reported to the royal government again. At court, the mayor responded that the ordinance could not be observed, nor transgressors punished. In contrast, the accused bailiffs defended themselves that they faithfully obeyed the ordinance, and they had punished transgressors in a proper way. The statement of the jury confirmed that three bailiffs in 1300-1 fulfilled their role, whereas the others were not.¹²³ Therefore, given the role of bailiffs as justices and executors, it is not surprising that the collection of the farm would rely on revenues of the city court.

To conclude, the accounts of York's keepers can be a guide for us to learn about the accounts of the farm used by bailiffs of York. The components of the farm included two parts: the traditional items and the new sources. The former was farmed out to some attorneys, and the sum was fixed. In contrast, the latter was in the hands of bailiffs. The sum fluctuated with the amount of wool exported and that of cases heard in court. Therefore, accounts must be

¹¹⁹ YCA, Y/COU/3/1, fol. 313r.

¹²⁰ *Yorkshire Hundred and Quo Warranto Rolls*, ed. Barbara English, Yorkshire Archaeological Society, record series, 151 (Leeds, 1996), 75.

¹²¹ *Yorkshire Hundred and Quo Warranto Rolls*, 75.

¹²² *Yorkshire Hundred and Quo Warranto Rolls*, 74.

¹²³ *York civic ordinances, 1301*, ed. Michael Prestwich, (Borthwick Publications, 1976), 18-22.

composed every year to calculate how much was collected for the farm. In addition, because there were many individual payments under wool customs and court fees and amercements, it is possible that working accounts of these categories were composed by bailiffs or their assistants before the final audit.

Table 2 Main particulars of the *firme*, 1292-7¹²⁴

	E 1292- M 1292	M 1293- E 1294	E 1294- M 1294	L 1294-E 1295	E 1295- M 1295	E 1296- M 1296	M 1296- E 1297
Thurghtoll in York (Ouse Bridge)	180s.	180s.	180s.	61s. 11d.	75s. 10.2d.	130s.	97s. 3.5d.
Stallage of butchers	66s. 8d.	73s. 4d.	73s. 4d.	66s. 8d.	66s. 8d.	66s. 8d.	45s. 7d.
Toll at Foss Bridge	46s. 8d.	53s. 4d.	53s. 4d.	46s. 8d.	46s. 8d.	40s.	40s.
Toll at Micklegate Bar	47s. 6d.	32s. 2d.	10s.	40s.	40s.	40s.	40s.
Toll at Bars of Walmgate, Fishergate, Bootham, Monkgate et Layerthorpe	110s.	86s. 8d.	86s. 4d.	73s. 4d.	66s. 8d.	66s. 8d.	66s. 8d.
Thurghtoll in Doncaster	40s.	46s. 8d.	46s. 8d.	46s. 8d.	46s. 8d.	66s. 8d.	46s. 8d.
Thurghtoll in Malton	4s.	6s. 8d.	6s. 8d.		26s. 8d.	13s. 4d.	12s. 4d.
Toll of oil	3s.	3s.	3s.	1s. 2d.	2s.	8d.	
Toll called scrothe	1s.	1s.	1s.		8d.	7d.	
Toll in Ouse River	20s.	23s. 4d.	23s. 4d.	20s.	20s.	20s.	20s.
Toll and other issues in Ainsty	80s.	53s. 4d.	53s. 4d.	50s.	50s.	53s. 4d.	53s. 4d.
Stadegeld		10s. 4d.		7s. 8d.			5s. 8d.
Sum	598s. 10d.	569s. 10d.	484s.	433s. 9.5d. [433s. 9d.] ¹²⁵	[441s. 10.2d.]	[497s. 11d.]	[427s. 6.5d.]

¹²⁴ Source: TNA, SC 6/1088/13.

¹²⁵ '['] indicates that the sum was not stated in the texts, but calculated in the research.

Table 3 Particulars of the *nundine*, 1292-7¹²⁶

	E 1292- M 1292	M 1293- E 1294	E 1294- M 1294	L 1294-E 1295	E 1295- M 1295	E 1296- M 1296	M 1296- E 1297
Market of Pentecost	46s. 8d.		46s. 8d.		30s.	23s.	
Market of St. Peter and St. Paul	50s.		50s.		21s.	17s.	
Husgabel before the day of St. Peter ad vincula	80s.		80s.		60s. 2.5d.	60s. 7.5d.	

Table 4 Particulars of the *redditus assize*, 1292-7¹²⁷

	E 1292- M 1292	M 1293- E 1294	E 1294- M 1294	L 1294-E 1295	E 1295- M 1295	E 1296- M 1296	M 1296- E 1297
Shops near St Crux's church	10s.	13s. 4d.	14s. 4d.				
Shops of Robert de Rykehale	6s.	6s.	6s.	6s.	6s.	6s.	6s.
St Leonard's hospital	6s. 4d.	6s. 4d.	6s. 8d.	6s. 4d.	6s. 4d.	6s. 4d.	6s. 4d.
Prior of St Andrew	2s. 2d.	2s. 4d.	2s. 4d.	2s. 4d.	2s. 4d.	2s. 4d.	2s. 4d.
John Basy	8d.	8d.	8d.	8d.	8d.	8d.	8d.
Plea at a mill	5s.	5s.	5s.	7s. 6d.	7s. 6d.	12s. 56d.	7s. 6d.
Pasture of ditches		12s. 4d.	13s. 4d.		35s. 4d.	32s.	

¹²⁶ Source: TNA, SC 6/1088/13.¹²⁷ Source: TNA, SC 6/1088/13.

Shops of William Byhindekirk				10s.	11s. 6d.	11s. 6d.	11s.
Hugh de Selby					6d.	6d.	

1.2 Accounts of lay subsidies

The discussion of this sub-section is straightforward, because accounts of lay subsidies survive in the royal archives, and it is certain that they were locally composed. The lay subsidy was one of the new kinds of taxes. Unlike the farm, the lay subsidy was a direct tax levied on the moveable property of free tenants.¹²⁸ For the lay subsidies between 1290 and 1332, each collection was based on a separate assessment of every individual household. From the 1334 lay subsidy onwards, the Exchequer was only concerned with the total sum raised by the community, and the sum became fixed for each community, such as £162 for York.¹²⁹ There is no evidence to explain whether any assessment was conducted from 1334. Therefore, the accounts from 1290 to 1332 will be considered in this sub-section, because they represent the largest scope of documents used for this taxation.

As will be shown, some accounts in question were fragmentary, and no title was found. Thus, it is necessary to explain, at first, why we define these accounts to be related to civic officials. After a parliament consented to a lay subsidy, groups of chief assessors and collectors were appointed to conduct their duties within counties or other administrative divisions of the county. From 1319, the City of York was treated as an independent area with a separate group of assessors and collectors assigned.¹³⁰ Evidence shows that urban officials acted as the assessors and collectors. The collectors of the twelfth in 1319 included John Payn, one of the bailiffs of York, and the mayor, Robert Meek.¹³¹

For the lay subsidies between 1319 and 1332, there were five rolls found in the royal archives. The first three were all related to an individual assessment for the eighteenth and twelfth granted to Edward II in 1319 (see figs. 2-3).¹³² The titles suggest that they covered the parish of St. Martin, Coney Street; the parish of St. Helen, Stonegate and St. Wilfrid; and the parish of All Saints, North Street respectively.¹³³ The contents indicated that an assessment

¹²⁸ James F. Willard, *Parliamentary taxes on personal property, 1290 to 1334: a study in mediaeval English financial administration*. (Massachusetts: Medieval Academy of America, 1934), 3.

¹²⁹ J. F. Hadwin, 'The medieval lay subsidies and economic history'. *Economic History Review* (1983), 200-217, 201. James F. Willard, 'The Taxes upon Movables of the Reign of Edward III.' *English Historical Review* (1915), 69-74.

¹³⁰ Willard, *Parliamentary taxes on personal property, 1290 to 1334*, 41.

¹³¹ TNA, E 359/14, m. 12v.

¹³² TNA, E 179/242/75 part v, E 179/242/95, E 179/378/75.

¹³³ It is a usual practice to use existing sub-divisions of towns for collection, such as the ward in London, the leet in Norwich, and the quarter in Bristol. See Willard, *Parliamentary taxes on personal property, 1290 to 1334*, 64.

was an arduous task, because the rolls listed names of people, the nature and total value of goods upon which each individual was being taxed, and the amount each was to pay (written in the left-hand margin). For instance, the first entry in the roll of the parish of St. Martin says:

‘Thomas de Appleby had money 40s., 1 suit of clothes 10s., 4 tapestries 16s. 8d., ..., 3 silver vessel 15s., 1 mazer cup 5s., 1 silver spoon 8s., 1 silver brooch and ... 4s., feather pad 5s., 1 barrel of oil 40d., household utensils 1 mark. Sum £7 6s. 8d.’¹³⁴

The manuscripts themselves tell us more about their writing, because the three rolls are all indented. The rolls of St. Martin and St Helen/Wilfrid share the same style of indenture in its left- hand side, while the roll of All Saints has zig-zag heads. This indicates that when the valuation was finished, the results were written down on two duplicate rolls. After being indented, one copy, under seals of sub-assessors, was to be kept by chief assessors; the other, under seals of chief assessors, was to be retained by sub-assessors for the collection of the tax. Even though only half survives, it is easy to speculate the original shape of these documents.

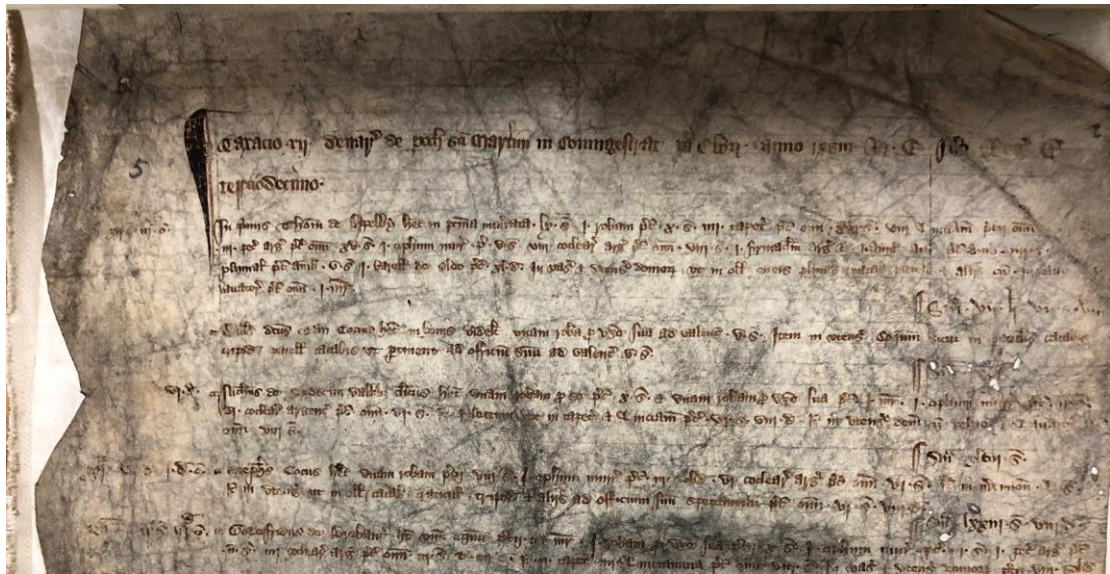


Figure 2 TNA, E 179/242/75, part v (extract)
Note the left-hand zig-zag.

¹³⁴ ‘Thomas de Appelby habuit in pecunia numerata lx s. j robam precium x s. iiij tapetum precium omni xvj s. viij ... precij omni ... iij pecia argenti precij omni xv s. j ciphum murra precium v s. j coclear argentum precium omni viij s. j firmaculum argentum et j ... iiij s. plumalumen precium v s. j barell de oleo precium xl d. in vas et ... domorum ut in olla viens ... lavatorum precium omni j m. Summa vij li. vi s. viij d’. See TNA, E 179/242/75 part v.

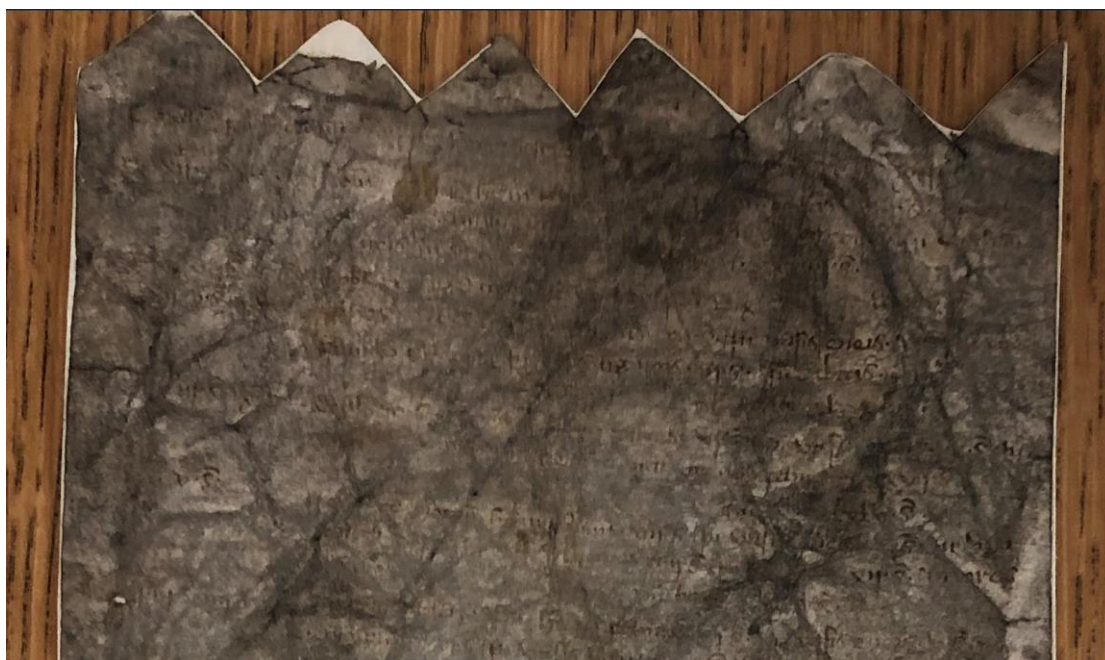


Figure 3 TNA, E 179/378/75 (extract)
Note the zig-zag head.

Because no other roll of the 1319 lay subsidy was found, it is not clear about the situation of the other parishes and the city as a whole. Nevertheless, there are two city rolls which can give us an overall perspective. One roll was related to the twentieth granted to Edward III in 1327, and it covered the entire city except the suburb of Bootham (see fig. 4).¹³⁵ The other one presented the fifteenth and tenth granted to Edward III in 1332, and it included all parishes of the city.¹³⁶ Compared with the parish rolls, their contents are more summarised. The roll of 1327 listed the name, the total value of taxed goods and the amount of tax of each individual. The 1332 roll was briefer, because it omitted the value of taxed goods. This indicates that these rolls showed the result of the inspection of chief assessors. Having scrutinised and corrected those parish rolls, the key information for collecting the tax, that is, the names of the property owners and the amount they should pay, was to be extracted in rolls for the whole city.

In terms of the manuscripts, the 1327 roll shows indented signs. Each membrane was indented left-hand before being sewn together. This suggests that it was one of the two copies written by the chief assessors. One copy of city rolls was to be held by chief assessors for collection of the tax, and the other was to be submitted to the royal Exchequer.

¹³⁵ TNA, E 179/217/3.

¹³⁶ TNA, E 179/217/5.

No parish roll for the 1327 or 1332 lay subsidies survives. However, if we place the five rolls mentioned above together, it is possible to deduce the number and size of documents composed for the assessment and collection of lay subsidies. There were over 800 taxpayers distributed in around 30 parishes in each of the 1327 and the 1332 lay subsidy. If every individual was assessed and their information was recorded as shown in the parish rolls of 1319, there were 30 parish rolls written in a duplicate form, in which the financial information of over 800 taxpayers was enrolled.

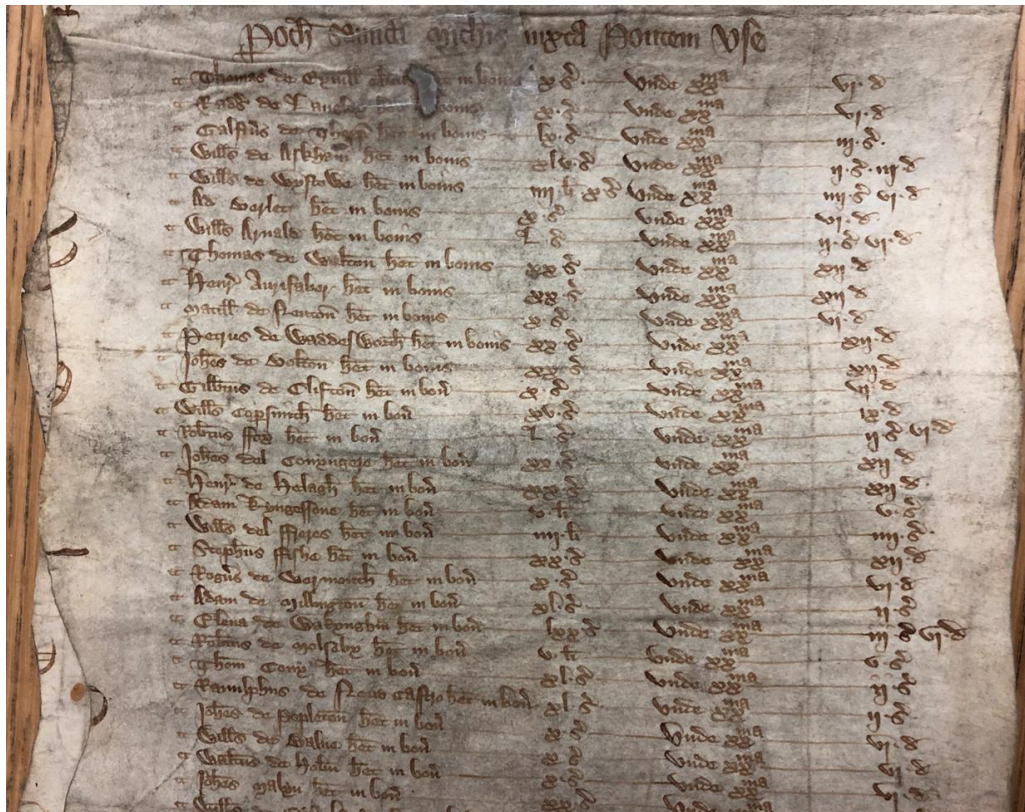


Figure 4 TNA, E 179/217/3 (extract)
Note the left-hand indented and chirographs.

To sum up this section, the collection of the York City Archives was not an accurate reflection of financial documents composed by civic officials before the 1370s. This research searched for evidence from the royal archives. First, this section argued that bailiffs' accounts of the fee farm were not different from those of York's keepers from 1292 to 1297. The sum of the farm and some traditional particulars was customary. However, there were some new components, whose contribution was not fixed and whose collection relied on a lot of individual payments. The calculation must have been completed with the help of accounts. Second, this research takes one kind of national tax as an example. By examining accounts of lay subsidies levied from 1319 to 1332, it is obvious that York's civic officials composed at

least two levels of accounts for the procedures of assessment and collection. These accounts were composed as duplicate rolls. The parish rolls were substantial, because they included particulars of movable property to be taxed.

2. Legal documents

For an individual who wished to endow their bonds with wider publicity and stronger legal effectiveness, some person of public authority had to be asked to endorse their authenticity. In twelfth-century Italy and some Mediterranean lands, a notary public was able to make a document authentic by dating, writing it and preserving a copy of it. In Northwest Europe, including England, the notarial system developed in a different way.¹³⁷ The authority of the pope was less influential, but there were other powers. In the twelfth century, the royal chancery of England started to provide an official enrolment of private charters, and the royal courts were prepared to record titles through the final concord or fine.¹³⁸ When it comes to a city, the civic government is a public authority for confirmation of transactions. This represented an aspect of their jurisdiction, and it was important to defend from both a financial and legal perspective.

The collection of the York City Archives included some legal documents issued under the auspices of the civic government, but the number was not large. For instance, five deeds dated between 1321 and 1331 for founding chantries survive.¹³⁹ These chantries were located in a civic chapel, neighbouring to the major seat of the civic government, on Ouse Bridge.¹⁴⁰ In a charter dated 1328, Richard le Toller, a citizen and a civic bailiff in 1316-7, granted a chaplain and his successors an annual rent of six marks. The grantee's task was to celebrate the souls of Richard le Toller, Isabel, his wife, his parents, brother, and other family members

¹³⁷ Christopher Robert Cheney, *Notaries public in England in the thirteenth and fourteenth centuries*. (Clarendon Press, 1972); Clanchy, *From memory to written record*, 2013, 305-9.

¹³⁸ Feet of fines. <https://www.nationalarchives.gov.uk/help-with-your-research/research-guides/land-conveyance-feet-of-fines-1182-1833/>

¹³⁹ YCA, G 70/1, 2, 3, 5, 8.

¹⁴⁰ For citizens' dedication to chantries in York, see David Smith 'The Foundation of Chantries in the Chapel of St William on Ouse Bridge, York', in David M. Smith, ed. *The Church in Medieval York: Records Edited in Honour of Professor Barrie Dobson*. Vol. 24. (Borthwick Publications, 1999), 51-68; R. B. Dobson, 'The Foundation of Perpetual Chantries by the Citizens of medieval York', *Studies in church history*, 1967, vol. 4, 22-38.

(see fig. 5).¹⁴¹ These charters demonstrated that the civic government started to make legal documents from the early fourteenth century.

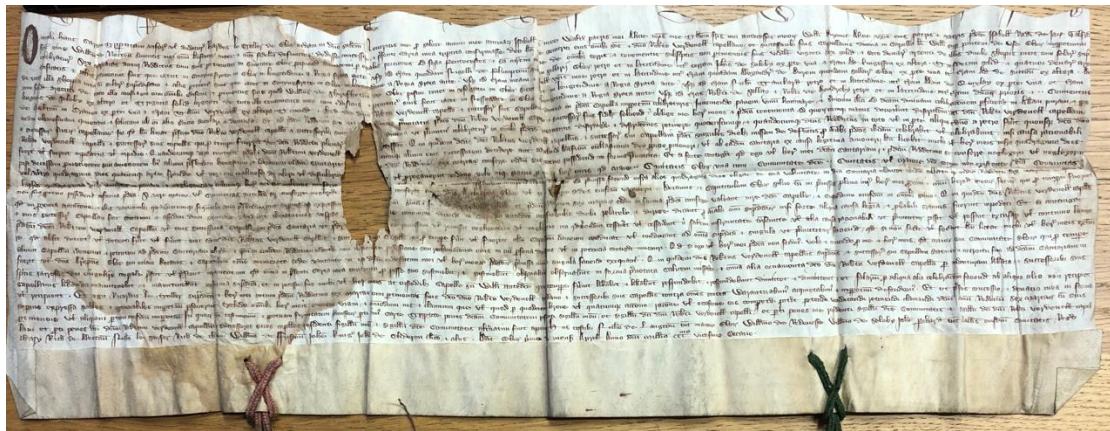


Figure 5 YCA, G 70/5.
Note the indented head and chirographs.

However, this section plans to speculate the number of legal documents confirmed by the civic government. Due to the limitation of civic records, this research continues to explore other archives. Given the sources at hand, two kinds of documents are taken as the object of research: deeds of title and bonds of credit.¹⁴² This decides the framework of this section. First, many deeds of title authenticated by the civic government survive in ecclesiastical archives. As landlords in the city, religious houses collected these deeds when they received lands from citizens. Second, in order to execute the royal statutes of recognising debts, the civic administration was involved in making documents and issuing them to the royal government.

2.1 Deeds of title

Ownership of land was an important aspect of urban life. G. H. Martin speculated that endorsing deeds of title was ‘one of the oldest functions, perhaps indeed the primary function of the borough court’.¹⁴³ In terms of York, there is evidence to suggest that the city court registered transactions in land and became a place of authentication by the mid-thirteenth

¹⁴¹ YCA, G 70/5.

¹⁴² The will was another important legal document also confirmed by the civic administration. However, York’s church courts were a more popular way than the city court for citizens. See Rees Jones, *York: the Making of a City 1068-1350*, 221.

¹⁴³ G. H. Martin, ‘The registration of deeds of title in the medieval borough’, in D. A. Bullough and R. L. Storey, eds. *The Study of Medieval Records* (Oxford, 1971), 151-173, 155.

century.¹⁴⁴ For the courts of ecclesiastical lords, they started to confirm titles by using records from the mid-twelfth century. Thus, it was argued that the civic administration learnt the use of documents from the church courts.¹⁴⁵ How about the city court in the years from 1270 to 1370? This research intends to argue that the city court started to confirm deeds from the early thirteenth century, and the number of deeds increased in the fourteenth century.

To start with, because most of deeds used in the section come from archives beyond the City Archives, it is necessary to explain how we define a charter to be related to the civic administration. No direct evidence is available, because the texts of deeds do not include a prologue or a clause of location. However, the clause of witnesses reveals some information about where a document was authenticated. By going through charters in this research, the witness clauses are classified into three types. First, the witnesses did not have any individual with any official title.¹⁴⁶ To take a charter of 1300 as an example, the witnesses are: ‘John Sampson, Thomas de Stodley, Roger son of Roger Basy, Nicholas le Spicer of Petergate, etc.’¹⁴⁷ Second, the officials of religious institutions led the witnesses. For instance, a charter dated to the 1280s was attached with a long list of witnesses. It started with the dean of St. Peter’s, the chancellor, archdeacons, the precentor of Lincoln, and canons of St. Peter’s.¹⁴⁸ Third, urban officials, including the mayor and the bailiffs, were the first witnesses. For instance, in a charter dated 1301, the witnesses were led by ‘John le Spicer Junior, the mayor, William de Osney, William Spry and Michael the usher, bailiffs’.¹⁴⁹

This research argues that the third type suggests that the charter was witnessed in the city court. Three reasons support this argument. First, the mayor and the bailiff were the head offices sitting at the city court. Second, more charters with the mayor and bailiffs as the first four witnesses appeared from the mid-thirteenth century. The mid-thirteenth century was an important period in the development of the city court. In 1256, the royal government confirmed that the registration of title in city court was as secure as the final concord, so it is possible that more citizens chose to have charters confirmed by the city court from the mid-fourteenth century.¹⁵⁰ Third, the formulary of the mayor and three bailiffs leading the

¹⁴⁴ Rees Jones, *York: the Making of a City 1068-1350*, 214-221.

¹⁴⁵ Rees Jones, *York: the Making of a City 1068-1350*, 174.

¹⁴⁶ Even if a charter was not witnessed by any institution, there were alternatives to demonstrate their trustworthiness, as shown in the remains of seals or the slits. The use of personal seals was an important step to improve the authenticity of legal records. See Clanchy, *From memory to written record*, 2013, 309-18.

¹⁴⁷ *VC*, no. 416.

¹⁴⁸ *VC*, no. 419. This charter was undated, and the editor dated it to between 1279/80 and 1285/6.

¹⁴⁹ *YD*, VIII, 174.

¹⁵⁰ Rees Jones, *York: the Making of a City 1068-1350*, 122.

witnesses frequently appeared in the deeds recorded in Y/COU/1/4/2.¹⁵¹ Because this register was designed to be a record of transactions of lands authenticated by the civic administration, it becomes more persuasive that the aforementioned formulary indicates that a charter was confirmed by the civic administration.

After we define the method of selecting charters, it is time to introduce the sources. Local deeds were dispersed in different archives and it is an arduous work to have a comprehensive knowledge of them. Some of these charters were published, such as those in the *Yorkshire Deeds* and the charters of the Vicars Choral of St Peter's Church.¹⁵² However, most charters are in unpublished manuscripts. In order to take account of records as many as possible, Sarah Rees Jones's database of York's deeds was referred to. This database includes more than 2,000 deeds from 1080 to 1530.¹⁵³ With these sources at hand, this research did not ignore the value of original manuscripts. Some charters in the VC and the cartulary of the York Merchants Adventurers are without date but were dated by editors. This research finds some doubts in the previous dating, and the original manuscripts are referred to.¹⁵⁴

The research shows that, first of all, the activities of the city court started from the early thirteenth century.¹⁵⁵ Given the fact that the civic administration was just established at that time, it is probable that the city court started to authenticate deeds of title from its establishment. Secondly, the number of deeds confirmed by the civic government from 1270 to 1369 is calculated and presented (see graph 1). Almost 600 charters were confirmed by the city in this period. The sum was much larger than that of deeds surviving in the York City Archives. Furthermore, given the rate of loss, it is probable that there were more documents ever made by the civic government.

Thirdly, the most obvious tendency is a remarkable and continuous increase in the number of charters from 1290 to 1340. During the 1290s, less than 20 charters were witnessed by the

¹⁵¹ YCA, Y/COU/1/4/2, *passim*.

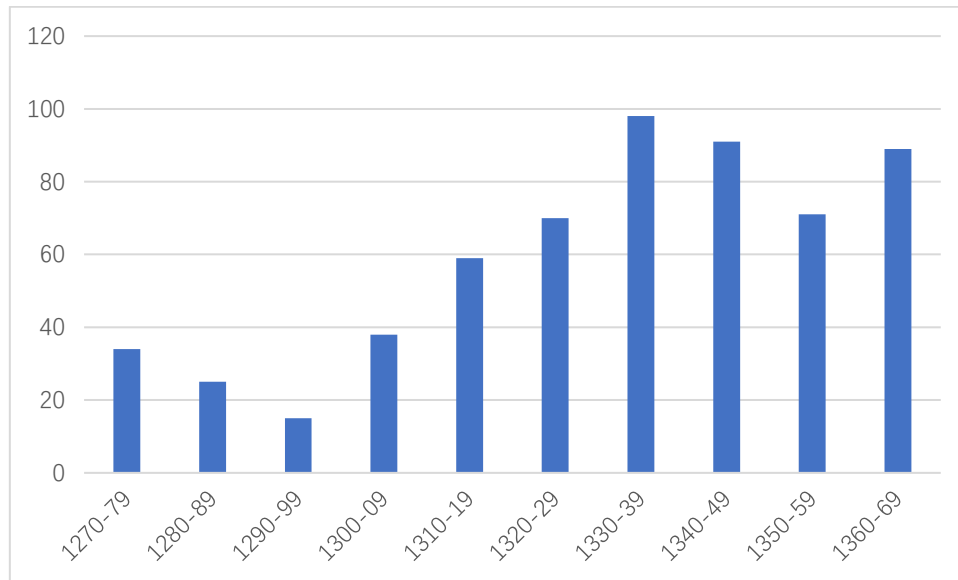
¹⁵² *Yorkshire Deeds*, eds. W. Brown et al., Yorkshire Archaeological Society, record series, 39, 50, 63, 65, 69, 76, 83, 102, 111, and 120, 10 vols. (Leeds, 1909-1955); *Charters of the Vicars Choral of York Minster: City of York and its suburbs to 1546*, ed. Nigel J. Tringham, Yorkshire Archaeological Society, Record series, 148, (Leeds, 1993); *The Cartulary of St Leonard's Hospital, York: Rawlinson Volume*, ed. David X Carpenter, 2 vols. (Woodbridge: The Boydell Press, 2015).

¹⁵³ Rees Jones, *Medieval Title Deeds for the City of York, 1080-1530*.

¹⁵⁴ YMA, VC 3/Vi; YMAA, 3/1. Only manuscripts in York were double-checked, because the limited accessibility of local archives during the Covid-19 pandemic obstructed the reference to manuscripts preserved outside of York.

¹⁵⁵ Rees Jones, *Medieval Title Deeds for the City of York, 1080-1530*, [*Cartulary of Fountains Abbey*, ed. W. T. Lancaster, 2 vol., (Leeds, 1915), 277, no. 35, BL Cotton Nero D3/174/5].

city, but in the 1340s, the amount rose to almost 100. The number of charters kept steady between the 1340s and the 1360s. The accuracy of data is influenced by the rate of survival in different archives. Yet, the fact that the lowest number was in the 1290s matched the period of suspension of civic autonomy. Therefore, perhaps the trend presented in this table was not a distorted representation of that of charters authenticated by the city.



Graph 1 Number of deeds authenticated by the city government, 1270-1369¹⁵⁶

To conclude, charters surviving in ecclesiastical archives in York and Yorkshire throw light on the role of the city court in making legal documents. Neither court roll nor contemporaneous register of deeds can be referred to. In addition, very few individual deeds survive in the York City Archives. However, this research demonstrated that the city court actively authenticated land transactions before the 1370s, and many more deeds were ever confirmed by the city from 1270 to 1369 than what survives in the York City Archives.

2.2 Bonds

From an economic perspective, one of the key characteristics of a town was its function as a market.¹⁵⁷ The development of trades increased the requirement of money as an exchange. However, before the widespread use of notes, payment was restricted by the inadequate

¹⁵⁶ Source: Rees Jones, *Medieval Title Deeds for the City of York, 1080-1530*; VC; YD; YMAA, 3/1.

¹⁵⁷ Richard Britnell, *The commercialisation of English society, 1000-1500*. (Cambridge University Press, 1993).

supply of coins, so credit became an important method to deal with this problem.¹⁵⁸ The relationship between the creditor and the debtor possibly became strained, as debt occupied a large proportion of cases heard in royal, civic and manorial courts.¹⁵⁹

This research intends to study the credits recognised according to the statutes of Acton Burnell (1283), Merchants (1285) and Staple (1353). There are many certificates, compiled in the name of York's mayor and the statute clerk, surviving in the royal archives. These documents act as an index to the workload of civic officials in making legal documents.

Before the discussion starts, it is time to explain why the execution of royal statutes is defined as part of the civic administration. In name, it was a task initiated by the royal bureaucracy. However, in practice, civic officials acted as agents. In Chapter Three, York's statute clerks will be explored. The office of statute clerk tended to be granted by the crown, but the grantees frequently named a deputy, who was usually connected to the city.¹⁶⁰

In addition, civic bailiffs played an important role in the enforcement of these statutes. For example, in 1292, Thomas de Pickering complained that his cloth and wool had been detained by civic bailiffs without reason. The bailiffs claimed that Hugh de Sutton had borrowed money from John de Grantham by the Statute of Merchants. When the debt was not paid, the bailiffs found by an inquisition that the wool which Sutton possessed on the day of the recognisance came into the hands of Pickering. Thus, they detained this wool and passed it to Grantham. Yet, Pickering argued that Sutton had been a debtor to him, and the wool was transferred to him before the debt between Sutton and Grantham.¹⁶¹ The accused in this case included six people. In addition to Grantham, three of the other five were urban bailiffs of 1290-1. In 1315, a man called Adam son of Henry de Spofford accused bailiffs of York in the Exchequer court. The cause was that when Beatrix, wife of Richard the carpenter from

¹⁵⁸ Pamela Nightingale, *Enterprise, Money and Credit in England before the Black Death 1285-1349*. (Springer, 2018), 1-22.

¹⁵⁹ Paul Brand, 'Aspects of the law of debt, 1189-1307', in Phillip R. Schofield and Nick J. Mayhew, eds. *Credit and Debt in Medieval England, c: 1180-1350*, (Oxbow Books, 2002, reprinted in 2016), 19-41; Maryanne Kowaleski, 'Town Courts in Medieval England: An Introduction', in Richard Goddard and Teresa Phipps, eds. *Town Courts and Urban Society in Late Medieval England, 1250-1500*. (Martlesham: Boydell Press, 2019), 17-36; Chris Briggs, 'Money and rural credit in the later Middle Ages revisited.' in M. Allen et al., eds. *Money, Prices and Wages*. (Palgrave Macmillan, London, 2015), 129-142.

¹⁶⁰ See pages 90-7.

¹⁶¹ TNA, KB 27/132, m. 10r.

Catton-super-Swale, who owed money to Spofford according to the Statute of Merchants, was put in the prison, the bailiffs let her go without permission.¹⁶²

According to the royal laws mentioned above, debtors and creditors could come before the mayor and a clerk in certain towns, including York, to have the debt recognised. The debt was enrolled by the clerk, who also drew up a bond to be kept by the creditor. The bond was sealed with both the seal of the debtor and a royal statute merchant seal. The official seal was in two pieces: the greater in the custody of the mayor, while the smaller in the hands of the clerk. If the payment of the debt became overdue, the creditor could present the bond at the registry to ask for help. For citizens, the civic officials had the authority to detain the debtor's movables and burgages to have them sold. However, if the wealth of the debtor was beyond the civic jurisdiction, the mayor had to certify the bond to the royal chancery, where a writ was issued to any sheriff in whose county the debtor obtained wealth.¹⁶³

As a consequence, the surviving records in the royal archives were the certificates delivered from towns to the royal chancery.¹⁶⁴ These documents only reflected the enforcement of some overdue debts. Not all overdue debts resulted in the issue of certificates. Yet, according to the research of Pamela Nightingale, the percentage was approximately 20%.¹⁶⁵ Based on Nightingale's database, this research counted the number of documents issued from York's registry and the result is shown below (see graph 2). Apparently, the number of certificates changes considerably from 1285 to 1374, and the most obvious trend is a decline from the 1314. The variation between decades was probably influenced by the economic situation of the city or even the North of England.¹⁶⁶ Nevertheless, the number between the 1280s to the 1310s indicated how many documents this system resulted in. From 1285 to 1294, over 1,000 certificates were forwarded from the city. This suggests that there were on average almost 500 overdue debts, and more debts were registered just in a year.

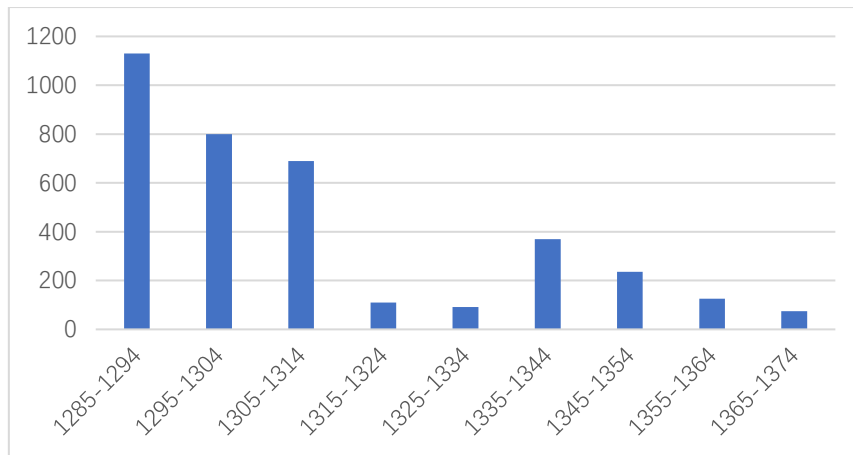
¹⁶² TNA, E 13/37, m. 3v.

¹⁶³ Nightingale, *Enterprise, Money and Credit in England*, 27-50; Christopher McNall, 'The recognition and enforcement of debts under the statutes of Acton Burnell (1283) and Merchants (1285), 1283-1307'. Diss. University of Oxford, 2000, 48-116.

¹⁶⁴ TNA, C 241.

¹⁶⁵ Pamela Nightingale, 'The lay subsidies and the distribution of wealth in medieval England, 1275-1334.' *The Economic History Review* 57.1 (2004), 1-32, 12.

¹⁶⁶ Pamela Nightingale, 'The rise and decline of medieval York: a reassessment.' *Past and Present* 206.1 (2010), 3-42.



Graph 2 Number of certificates sent by registry of York, 1285-1374¹⁶⁷

Probably the heavy reliance on documents explains why this system of debt recognition and enforcement was urban-oriented, because there were more clerks active in the city and it was easy to find a clerk dedicated to the office of statute clerk. Apparently, registries of the statute of Acton Burnell were located in seven large towns: London, Bristol, Winchester, Lincoln, Newcastle-upon-Tyne, York and Shrewsbury.¹⁶⁸ More towns and fairs were selected after the Statute of Merchants.¹⁶⁹ Furthermore, one of the precedents of the two statutes, the Ordinances of the Jewry issued in 1194, was applied to 21 towns where there existed Jewish communities (including York).¹⁷⁰

Therefore, this research studied the number of certificates issued from York's registry to the royal Chancery. In name, the statutes of recognising and enforcing debts were royal. However, the operation of these statutes relied on the co-operation of civic officials. From the number of surviving documents, it is clear that this system was welcomed by the locals in order to have their transactions confirmed by a public authority. This high demand from consumers may make the government in stress, similar to what the private petitions caused in the years of Edward I and Edward II.¹⁷¹ However, the civic administration was able to make legal documents on a large scale to meet this demand.

¹⁶⁷ Source: TNA, C 241.

¹⁶⁸ Nightingale, *Enterprise, Money and Credit in England*, 28-9.

¹⁶⁹ Nightingale, *Enterprise, Money and Credit in England*, 28-9.

¹⁷⁰ Irwin, Dean A. 'From *archae* to archives.' *Archives: The Journal of the British Records Association* 52.134 (2017), 1-11.

¹⁷¹ Gwilym Dodd, *Justice and grace: Private petitioning and the English parliament in the late Middle Ages*. (OUP Oxford, 2007), 49-88.

To conclude this section, the number of legal documents made by the civic government was much higher than the City Archives indicated. Legal pluralism was a vital feature of the medieval city. The co-existence of jurisdictions probably made it easier for York's civic administration to learn how to make legal documents from other institutions, such as the county office or St Peter's Church. This section pushed the direction forward by asking how many documents were created by the civic government. There is not a straightforward answer, because the source was not the civic archive. Yet, any archive experienced the loss of documents, so the result shown above was probably the minimum. Because the minimum was not a small number, this section argued that massive numbers of legal documents were made by civic officials.

Conclusion

This chapter has proved that a great many documents were made by York's civic officials before the 1370s. Faced with the limited collection in the York City Archives, this research consulted the royal archives and archives of ecclesiastical institutions in York and Yorkshire. On the one hand, the civic officials were accountable to the royal bureaucracy for the collection of feudal revenues and national tax. This research examined the accounts of the fee farm and lay subsidies surviving in the royal archives. The farm was an annual payment and the sum was fixed. However, it was found that the principal components were wool customs and judicial revenues. These items were not farmed out for a fixed amount, but based on many individual payments. Thus, accounts of the farm must be annually composed by bailiffs. In terms of the lay subsidies from 1319 to 1332, the sum fluctuated with the assessment of personal movable property. For each tax, parish rolls were at first composed to register names, the nature and total value of goods to be taxed, and the quota due to pay. Afterwards, city rolls, which only included the valuation or the tax, were composed for the collection. Because the aforesaid rolls were all duplicate, and over 800 taxpayers from almost 30 parishes contributed to the lay subsidies, it is clear that the size and number of accounts of lay subsidies were both large.

On the other hand, as a public authority in the city, the civic government had many local transactions confirmed. This research, at first, explored ecclesiastical archives to search deeds of title confirmed in the city court. Even though no charter claimed the place of authentication, a formulary in the witness clause served as the key for the definition. It was a

tough task, but the result was encouraging. The city court started to confirm land transactions from the early thirteenth century, and the number of authenticated charters kept increasing from 1290 to 1340. Next is the certificates of debts sent from York to the royal Chancery. These debts were recognised according to the statutes of Acton Burnell, Merchants and Staple. The years from 1285 to the 1310s witnessed 60-100 certificates issued per year. Moreover, the number of certificates reflected only 20% of overdue debts, so there were many more legal documents made for this system.

As argued by Michael Clanchy, the massive making of documents for administrative use was a condition of the preservation of records.¹⁷² The making of documents has been proved, so how about the preservation of records? The next chapter will answer this question by examining how records were preserved by civic officials.

¹⁷² Clanchy, *From memory to written record*, 2013, 156.

Chapter Two. Preservation of records

Introduction

Chapter One already showed that York's civic government made massive numbers of documents from 1272 to 1370. Did the preservation of records take place as well? This is the question to answer in this chapter. As noted, some records dated from 1300 can be found in the York City Archives.¹⁷³ However, because they were single items, it is not certain whether they accidentally survived or were intentionally preserved. Thus, we must find more evidence to explain the context why some records survive.

On the one hand, some cases can be found to indicate that the civic government called upon records for evidence from the early fourteenth century. In a petition of 1305, the citizens of York requested that they shall be discharged forever of £8 4s. 10*d.* of the £102 12s. 11*d.* owed to the crown. According to the 'great rolls' of the Exchequer, when the wines of the king were sold at York by Robert de Dacre, king's butler, to the citizens, Robert de Kirkby, Dacre's attorney, received the aforesaid sum from the citizens and acknowledged that before the barons of the Exchequer in Michaelmas term 44 Henry III (1260). The response to this petition said that the Exchequer officials should be ordered to search the rolls.¹⁷⁴ Around 1327, another petition in the name of citizens of York stated that Edward II owed them £30, as can be proved by a writing of the wardrobe. A copy of this writing was attached to this petition.¹⁷⁵ They requested that this document should be forwarded to the Exchequer, and the sum could cover part of the fee farm of the city. As a response, the Exchequer officials were requested to examine the document.¹⁷⁶ The two cases suggest that civic officials probably had to keep some records at hand for the civic administration. The first case did not explicitly state whether the city used any civic record for reference. Yet, because what was remembered was an incident taking place more than half a century ago, and the details were described, it is probable that records were referred to.

¹⁷³ See note 101.

¹⁷⁴ TNA, SC 8/264/13161. 'Great Rolls' are now named 'Pipe Rolls'.

¹⁷⁵ TNA, SC 8/17/800.

¹⁷⁶ TNA, SC 8/17/801.

On the other hand, there is evidence to question the possibility that records can be preserved safely for a long time. Some clues indicate that official records were actually kept by officials as their private belongings. In 1305, when Edward de Ebor was granted the office of the statute merchant clerk, it was said that the smaller seal of merchants was ‘in the room’ of his predecessor, Robert de Sexdecim Vallibus.¹⁷⁷ In 1371, an ordinance was issued to regulate that the previous mayors shall hand in the rolls of the Statute of Merchants in person or by their heirs and executors. In addition, the future mayors shall submit the rolls before they leave the office. All these rolls should be stored in the Treasury, so those individuals who had debts recognised according to the Statute of Merchants could smoothly request the execution.¹⁷⁸ It was also claimed that before this ordinance was declared, the rolls in the hands of the mayor tended to become unknown when the mayor died. Thus, the preservation of civic records could be interrupted due to the transition of office.

Faced with evidence of two directions, this chapter firstly classifies records. As argued by Paul Bertrand, the life-span of a medieval document was as important as a current one. Some documents were designed to last for a long life, but others to disappear or be recycled. The long-term documents included royal ordinances, papal letters, acts and charters of foundation and freedom, while the short-term were leases, schedules and notelets.¹⁷⁹ Borrowing this classification, records are classified into long-term and short-term. This chapter plans to study the ‘long-term’ records. Theoretically, they were more likely to be preserved well. If they were not, this could be strong evidence that records were not preserved carefully.

Based on the aforementioned definition, charters granted by the crown to the City of York should belong to ‘long-term’ records for the civic administration. According to historiography, charters of liberties were important documents for towns. In litigations disputing the civic jurisdiction, citizens referred to charters granted by the crown or their lords as the evidence.¹⁸⁰ Steven Rigby argued that the intention behind gaining new charters was to support and increase the power of civic governments.¹⁸¹ Christian Liddy believed that charters indicated the more intensive cooperation between the crown and civic elites.¹⁸² More recently, Eliza Hartrich has broken through the focus on one or two towns, and brought forth the

¹⁷⁷ CPR, 1301-07, 411.

¹⁷⁸ YMB/A, I, 12-3.

¹⁷⁹ Bertrand, *Documenting the Everyday in Medieval Europe*, 23-79.

¹⁸⁰ J. Röhrkasten, Conflict in a monastic borough: Coventry in the reign of Edward II, *Midland History*, (1993), 18:1, 1-18, 5.

¹⁸¹ Steven Rigby, ‘Urban “Oligarchy” in Late Medieval England’, in J.A.F. Thomson, ed. *Towns and Townspeople in the Fifteenth Century* (Gloucester, 1988), 62-86, 79-80.

¹⁸² Liddy, *War, politics and finance in late medieval English towns*, 190-212.

argument that the acquisition of charters was a method for towns to enter an ‘inter-urban political network’ in the mid-fifteenth century.¹⁸³

What previous historians did not examine was the selection of royal charters when they were used by civic officials. G. H. Martin believed that ‘during the Middle Ages the towns seem to have preserved their original charters carefully’.¹⁸⁴ At first glance, evidence of York supports Martin’s argument. Through searching the collection of the York City Archives, the royal charter granted by Henry II is the oldest surviving record.¹⁸⁵ Between the late twelfth century and 1327, there were eleven charters granted by the crown to the city, of which six survive.¹⁸⁶ However, as will be shown, civic officials tended to offer the most recent one rather than a series of charters. This phenomenon questions Martin’s argument that records were preserved safely for a long term. Furthermore, the counterparts in York’s religious institutions are taken as a comparison, which assists us to detect the difference between institutions in terms of the keeping of records.

Court rolls and petitions are selected as the source of this research because, first, when the city was involved with jurisdictional disputes or had some jurisdictional claims, suing and petitioning were the two important ways to seek for a solution. In order to support their claim at court, parties tended to refer to the history. Thus, these cases cast light on how records, including royal charters, were used. Second, given the loss of many of York’s civic documents and records, court rolls and petitions were the main sources that we could access to explain the use of records by urban officials before the 1370s. The discussion of this chapter stretches along the episodes of jurisdictional disputes in the years from c.1275 to c.1354. Therefore, this chapter is chronologically divided into three sections. This framework contributes to our understanding of the changes taking place, so the comparison could be made in both synchronic and diachronic ways.

¹⁸³ Eliza Hartrich, ‘Charters and Inter-Urban Networks: England, 1439-1449’, *EHR*, 132 (2017), 219-49, 245.

¹⁸⁴ Martin, ‘English Town Records, 1200-1350’, 126-7.

¹⁸⁵ YCA, Y/ADM/1/1/1.

¹⁸⁶ For charters preserved in York now, see YCA, Y/ADM/1/1/1-4, 6-7. Y/ADM/1/1/5 is not a charter but a royal letter, in the name of Edward I. For royal charters to York, see *British borough charters, 1042-1216*, ed. Adolphus Ballard, (Cambridge University Press, 1913), cxlv; *British Borough Charters 1216-1307*, eds. Adolphus Ballard and James Tait, (Cambridge University Press, 1923), ci; *British borough charters 1307-1660*, ed. Martin Weinbaum, (Cambridge University Press, 2010), liv-lv. The charter of 1267 mentioned in *British Borough Charters 1216-1307* is not included here, because it was actually granted to the archbishop of York.

1. 1275-1280

Edward I was believed to be the ‘English Justinian’.¹⁸⁷ In his early years, he initiated a series of royal inquisitions to investigate the erosion of the king’s feudal rights.¹⁸⁸ An old system of dispatching royal justices to local places was adopted, but the task was renewed by adding the clauses of inquiring as to the origin of rights held by local authorities. This annoyed the local powers, because the ancient records tended to be lost and they had to refer to custom instead. Meanwhile, it facilitated the transfer of local disputes into the royal bureaucracy. This formed the background to explore the use of records by local jurisdictions from 1275 to 1280.

In 1275-6, the mayor, citizens and bailiffs of York were respectively in contention with the Dean and Chapter of St Peter’s Church and St Mary’s Abbey of York. These parties showed their declarations in Parliament. Two auditors were appointed to hear and their decision was to have these cases judged in York. Afterwards, justices of *oyer* and *terminer* were allocated.¹⁸⁹ They did not begin the inquisition immediately, because the information of the preceding plea was enrolled and held by the two auditors. The justices required those rolls to be delivered and jurors summoned by the sheriff.¹⁹⁰ The hearing started on 6 August 1275. It is more possible that the mayor and bailiffs were the initiators behind this litigation. The direct cause was the excommunication of two citizens and two bailiffs by the Dean and Chapter.¹⁹¹

However, there were more jurisdictional disagreements between the lay and the other two ecclesiastical authorities. According to the articles, the mayor and bailiffs found it difficult to enforce their power when they were faced with the two religious houses. For instance, it was claimed by the religious houses that civic officials should not levy tolls or tallages from men of the church. Neither should they take felons or malefactors in the lands of the church.¹⁹² Within their lands, the religious houses were the lord, and they claimed that they enjoyed no less rights the lay authority could declare in its space, such as the return of writs, the standard

¹⁸⁷ Caroline Burt, *Edward I and the Governance of England, 1272-1307*. (Cambridge University Press, 2012), 2.

¹⁸⁸ Donald W. Sutherland, *Quo Warranto Proceedings in the Reign of Edward I* (Oxford: Clarendon Press, 1963). Sandra Raban, *A second domesday?: the hundred rolls of 1279-80*. (Oxford University Press, 2004).

¹⁸⁹ *CPR*, 1272-81, 119-20.

¹⁹⁰ TNA, JUST 1/1111, m. 4.

¹⁹¹ TNA, JUST 1/1111, m. 4.

¹⁹² YMA, L 2/1, fols. 339v.-345r.; *CPR*, 1334-38, 15-19.

weight and measure, and the hearing of pleas.¹⁹³ When the privileges of the church were challenged, it used excommunication as the weapon.

In the court of royal justices, the mayor and bailiffs sought evidence to legitimise their rights. At first, they referred to royal charters. Versus the Dean and Chapter, the civic authorities argued that the bailiffs distrained the tenants of Master John le Gras based on the essence of the royal charter (*'formam carte'*) granted to the citizens.¹⁹⁴ In the other dispute, it was claimed that the tenor of a charter proved the right of distraining the men of St Mary's Abbey by the mayor and citizens.¹⁹⁵ Nonetheless, it is less certain whether civic officials presented any copy of royal charters.

Do these mentions of the charters suggest that the civic officials did not pay attention to legal records before the *Quo Warranto* inquisitions? This is possible, because the *Quo Warranto* provoked the consumers to safely preserve records and show them to prove their right granted by the crown.¹⁹⁶ However, even though no charter was used, the mayor and bailiffs showed two royal letters in the name of Edward I addressed to the judges undertaking this case. One letter declared that both the city and the religious houses maintained their jurisdictions and liberties. The justices must keep justice in this litigation. The other ordered that the truth should be revealed based on the inquisition conducted by honest and law-worthy men.¹⁹⁷ Compared with royal charters, royal letters were more recent legal documents. Therefore, a doubt comes out whether the mayor and bailiffs had the ability to have royal charters at hand. This doubt may seem to be shocking, because as mentioned, royal charters were important legal records.¹⁹⁸ Nevertheless, this standpoint is to be reviewed further in the next case. Before that, the response of the church in the 1275-6 dispute is examined at first, because this dispute offers a sample of the difference between the use of records by the city and the religious houses.

As for the Dean and Chapter, it brought forward a charter granted by Henry III. By cross-referencing the royal records and a cartulary of the Dean and Chapter, it was found that this charter dated 1253 was the latest royal charter to the Dean and Chapter before 1275.¹⁹⁹ The

¹⁹³ YMA, L 2/1, fols. 339v.-345r.; CPR, 1334-38, 15-19.

¹⁹⁴ TNA, JUST 1/1111, m. 4.

¹⁹⁵ CPR, 1334-38, 15.

¹⁹⁶ Martin, 'The registration of deeds of title in the medieval borough'.

¹⁹⁷ TNA, JUST 1/1111, m. 4.

¹⁹⁸ See pages 62-3.

¹⁹⁹ In royal charter rolls, this charter was dated 6 July 1253 (37 Henry III), see *CChR*, III, 56. However, in the *Liber Albus*, this charter was dated 5 July 1223 (7 Henry III), see YMA, L 2/1, fol. 106v.

1253 charter started with the confirmation of a charter issued by Henry I. Based on these ancient rights, more rights were clarified in the new charter (see table 5).

Table 5 A comparison of two charters granted to the Dean and Chapter²⁰⁰

Ref. no.	Henry I (A)	Henry III (B)
1	Jurisdiction within the church (arrest, judge, fine)	Confirming Henry I's charter
2	Title of canons and their lands	Grant of amercements and fines
3	Collating canon by the archbishop	Free from city and taxation
4	Canons not to contribute to the archbishop when fined	Free from outside jurisdiction
5	Sake and Soke	Personnel of the court
6	Free from outside jurisdiction	Sake and Soke
7	Canons' privileges during the pleadings	Free from outside/Crown pleas
8	Lands obtained	Collecting amercements
9	To find one carrier of banner in the king's wars	Free from distraint (item/person) by outside officials
10	Exempt from lodging king's courts or armies	
11	Duels	
12	Criminal cases	

Generally, the contents of the former charter were more comprehensive. Except the clauses related to the exemption from outside jurisdictions (A5, 6, 8, 12), some clauses regulated the inner administration of the church. For instance, a clause (A7) stated that if any canon was pleaded in court, he could leave off when a signal was given or the bell was tolled, and he could return to his devotions at canonical hours. In contrast, the later charter focused more on the jurisdictional and financial privileges maintained by the Dean and Chapter. For example, if a litigation occurred to the men of the Dean and Chapter and the other party did not belong to the liberty, the jury should consist of the men of the liberty and foreigners in the same number (B5).

In 1275-6, the attorney(s) of the Dean and Chapter probably read aloud this charter in the court. First, by comparing the texts of the court rolls and the original charter, it is clear that there were some minor differences, though the main contents were not revised. Second, not

²⁰⁰ Source: for the charter of Henry I, see John Caley, Sir Henry Ellis, Rev. Bulkeley Bandinel, *Monasticon Anglicanum*, VI, (London, 1849), 1180; for that of Henry III, see *CChR*, III, 56.

all clauses, but A5, A6, B3, B6, B7, were recorded in the court rolls. Within these clauses, some part was cut down (B3).

However, the selection of these clauses was associated with the challenges raised by the city. In the case, the mayor and bailiffs brought forward 11 articles of complaints against the Dean and Chapter. Four are involved with the jurisdictional rights held by the church. The city questioned who had the power to distrain the men of the Dean and Chapter for levying debts of the crown or citizens, who should take felons or malefactors in the lands of St Peter's Church, whether the Dean and Chapter had return of writs, whether they held pleas of the king's tenants or only of their own men and tenants, whether these clergies held pleas by writ or without writ. As a response, the Dean and Chapter chose clauses of the charter to explain its jurisdictional privileges and exemption from outside authority.

When it comes to St Mary's abbey, the dispute was interwoven with a district called Bootham, just beyond the northern gates of the medieval city. The mayor and bailiffs claimed that Bootham was a suburb of the city, and so part of the civic jurisdiction. In contrast, the abbot argued that Bootham was a free borough pertaining to the abbey, and thus it should be termed as 'the town of Bootham'.²⁰¹ The abbot quoted the history of the abbey, which dated back to Alan, earl of Richmond. He came to England with William the Conqueror and granted lands, including Bootham, to the abbey. Moreover, William II confirmed these lands and their privileges. Following these claims, the abbot showed the charter of William II, the confirmations of Henry I, Henry II and Richard I, and a charter of Henry III.²⁰²

It is probable that all the five charters were presented to the court. First, a clause of the charter of 1265 was transcribed into the court rolls.²⁰³ Second, the jury believed that Bootham was the abbot's borough, which was confirmed by charters of William II and other kings.²⁰⁴ By cross-referencing the lineage of royal charters granted to the abbey, it was found that only a charter of King John was not mentioned. Thus, the abbey safely preserved the royal charters and referred to them in time when a dispute broke out.

This case demonstrates that written records played an important role in the jurisdictional disputes, even before the *Quo Warranto* proceedings. However, the use of records should be

²⁰¹ *CPR*, 1334-38, 16.

²⁰² *CPR*, 1334-38, 16.

²⁰³ *CPR*, 1334-38, 16.

²⁰⁴ *CPR*, 1334-38, 19.

further delineated. Obviously, charters could be referred to as an object, while their texts could also be literally cited. A comparison of actions taken by the city and the church indicates the difference in the use of charters. Civic officials had charters in mind, but it is doubtful whether they were always able to discover charters granted to the city and show them to royal justices. This doubt continues when analysing the next case.

Different from the litigation between the city and several religious authorities, this case showed a challenge placed by the crown on the civic government. It demonstrated the possibility that in spite of the civic liberties, the boundary between civic and royal government could be penetrated. In 1280, the citizens of York were subject to an inquisition regarding their jurisdiction in the Ainsty, an adjacent rural wapentake to the west of York. Probably after the city gained civic autonomy in the early thirteenth century, it started to extend its authority over this area. In 1212, the Ainsty was passed from the under-sheriff of Yorkshire to the city.²⁰⁵ Nonetheless, the jurisdiction was challenged in the thirteenth century. In the Hundred Rolls of 1274-5, the jury of the Ainsty complained that the mayor and bailiffs of York increased the farm from 100s. to 17 *marks* (226s.), and the surplus was appropriated by the civic officials.²⁰⁶ Perhaps the disclosure of this financial exploitation led to the royal inquisition.

In the royal court, the mayor appeared as the attorney of the city, and claimed that the right of collecting the fee farm derived from the grant of King John. In addition, the charter of King John was put forward to support the claim. According to the texts transcribed into the court rolls, this charter admitted the city to privileges if the fee farm was paid as a condition. Nothing was said about whether the Ainsty belonged to the civic jurisdiction, but the main problem was that the authenticity of this charter was questioned. The court rolls stated that an erasure was discovered in the number of the regnal year, 'fourth'. Through inspecting the copy preserved at the royal Exchequer, the charter was believed to be made in the fifteenth year of King John (1213-4).²⁰⁷ Thus, it was declared that the king's charter was 'wickedly and fraudulently falsified by those citizens'. As a punishment, they argued that the Ainsty should be excluded from civic governance. Furthermore, the city lost its privilege shown in the

²⁰⁵ Miller, 'Medieval York', 33.

²⁰⁶ *Yorkshire Hundred and Quo Warranto Rolls*, 88.

²⁰⁷ It should be the fourteenth year, see *Rotuli Chartarum in Turri Londinensi*, ed. Thomas Hardy, (London, 1837), I, 187.

charter and the mayor was imprisoned.²⁰⁸ The City of York did not recover its autonomous rights there until 1283.²⁰⁹

This episode obviously indicates the danger of misusing records. However, it is less clear why the charter of 1212 was presented. In the 1252 charter granted to the city, three old charters, including this charter of 1212, were all inspected and confirmed.²¹⁰ However, the mayor of York completely bypassed the charter of 1252, which was more likely to be in the memory of contemporaries. This raises the possibility that the charter of 1252 was not preserved safely by the civic government. More evidence could support this speculation. As will be discussed below, at the turn of the fourteenth century, citizens of York brought forward royal charters several times in the royal court. Yet, the charter of 1252 was never referred to. This charter is also missing in the collection of the York City Archives. It is also possible that the mayor believed that the charter of 1212 held more historical reputation than a more recent one. This reputation was more based on the charter as an ancient object, because the texts cited in this charter did not explain the argument of the city at all. Perhaps the mayor did not find any other charter, but only this altered one.

To conclude this section, in the 1270s, civic officials were less proficient in using royal charters than their counterparts in the religious houses. This suggests that charters were not preserved safely by the civic government. Before the 1270s, eight charters were already granted to the City of York. However, no charter was presented in the cases mentioned above, except a charter defined to be falsified. This absence and misuse of charters cannot be explained by the insignificance of charters, because civic officials mentioned charters to prove their argument. Even though a charter did not include any clause related to their claim, the charter itself was an object to demonstrate the jurisdiction. Thus, the phenomenon mentioned above undermined the possibility that the series of royal charters were preserved well and could be accessed in time. In comparison, the religious houses showed their knowledge of charters and their contents. Faced with the challenge from the civic government, the Dean and Chapter presented and quoted the latest charter to prove their jurisdictional privileges. The abbot of St Mary's used five charters granted by five successive kings (except King John). Therefore, the archives of religious institutions were much more strongly established than that of the city, because the churchmen were more skilful in keeping records, and used them.

²⁰⁸ *Select cases in the Court of King's Bench*, I, 61-3.

²⁰⁹ *CPR*, 1281-92, 70.

²¹⁰ *CChR*, I, 379.

2. 1300-1335

In the early fourteenth century, there is evidence to indicate that the jurisdictional problems in York were not solved yet. In addition, after the outbreak of the Anglo-Scottish War in the 1290s, York became more intensely influenced by high politics. During the forty years from 1298 to 1338, some key departments of the royal bureaucracy, such as the Exchequer and the King's Bench, were occasionally moved to York.²¹¹ The advent of the royal government resulted in a more crowded city and the increasing price of victuals.²¹² The sitting of the royal courts made it more convenient for local disputes to be transferred into those of the royal court.²¹³ This set up the background in which further conflicts between jurisdictions took place.

2.1 Litigation

In the 1300s, the civic government was involved with a dispute against the St Leonard's Hospital, York, 'one of the largest hospitals in the country through most of its history'.²¹⁴ In addition to its ownership of many lands in the city, the hospital was closely related to the royal government at the turn of the fourteenth century. Between 1293 and 1307, Walter de Langton acted as the master of this hospital. Though Langton was frequently engaged with royal business, such as governing the Exchequer or the wardrobe, or being on embassies, he took part in the administration of the hospital in the meantime. In 1294, Langton issued a series of precepts and provisions to regulate the members of the hospital.²¹⁵ Furthermore, the intervention of Langton in the dispute between the city and the hospital could be found from the records of the trial that Langton was faced with in the 1310s.²¹⁶

²¹¹ Ormrod, 'York and the crown under the first three Edwards'; Ormrod, 'Competing capitals? York and London in the fourteenth century'.

²¹² *York civic ordinances, 1301*, 1-9.

²¹³ W. M. Ormrod, *The Reign of Edward III: Crown and Political Society in England, 1327-1377*. (Yale University Press, 1990), 225.

²¹⁴ Patricia Cullum, 'Hospitals and charitable provision in Medieval Yorkshire, 936-1547'. Diss. University of York, 1989, 11.

²¹⁵ *Monasticon Anglicanum*, VI, 610-1.

²¹⁶ Alice Beardwood, 'The trial of Walter Langton, bishop of Lichfield, 1307-1312.' *Transactions of the American Philosophical Society* 54.3 (1964), 1-45.

In September 1300, a man called Adam Silkeston was killed in York. Meanwhile, Robert Ellerton, a servant of Langton was injured in the city.²¹⁷ This incident did not result in any explicit conclusion. In November, a complaint was presented to the royal court by Margery, widow of Adam Silkeston. It was said that she appeared due to the induction of the keeper of the hospital. Silkeston was claimed to be a servant of the hospital and his death happened within the liberty of the hospital. In addition to accusing fifteen people of the murder, there were eight appealed for receiving a suspect. Among those eight, we find John Sampson, the mayor in service, William de Langeleye, the bailiff in 1299-1300, and Bartholomew de Novo Castro, the bailiff in 1304-5. Therefore, civic elites were probably involved with the conflict.

In court, the city and the hospital both declared that the land where the conflict took place belonged to its jurisdiction and the ensuing hearing and judging should be conducted in its liberty. In Michaelmas 1301, the city won the case, and the subsequent litigation was conducted in York's guildhall. Meanwhile, perhaps due to the intervention of Walter de Langton, John de Sampson and some other citizens were imprisoned in late 1300. The following episodes of this dispute continued until the years of Edward II, but a description of the whole story is not the topic here.²¹⁸ What is important is the way in which the city and the hospital argued their jurisdiction at the royal court.

For the mayor and bailiffs of the city, they argued that the royal justices should come to the city's guildhall, and brought forward a charter of Henry III. According to the clause quoted and transcribed into the court rolls, this charter was the first of the two charters granted in 1256.²¹⁹ This charter mainly contained four sections: 1. Citizens exempt from outside jurisdictions (except eyre); 2. Exclusion of non-burgesses from the jury; 3. Place of the eyre; 4. Direct relations with the Exchequer. In court, the urban officials cited excerpts from the first three sections to claim the civic jurisdiction. Apparently, this choice was based on their understanding of the texts of the charter. Furthermore, they explained the clause of the third section by referring to customary practice. The charter said that the citizens shall not answer for any civic litigation before any itinerant justice sitting at York, unless the hearing took place in the city's guildhall, and the citizens were announced certain days in advance. Following this, the bailiffs referred to two previous litigations heard and judged in the guildhall of York by justices of the general eyre assigned to Yorkshire.²²⁰ Based on the royal

²¹⁷ TNA, E 13/24, m. 17.

²¹⁸ Beardwood, 'The trial of Walter Langton, bishop of Lichfield, 1307-1312', 22-4.

²¹⁹ *CChR*, III, 185-6.

²²⁰ TNA, CP 40/135, m. 372.

justices mentioned, John de Vallibus/Vaux and Hugh de Cressingham, these two cases were respectively solved in 1280-1 and 1293-4.²²¹ Thus, it is clear that the argument of the city was supported by both the written record and the custom.

With regard to the hospital, the bailiffs argued that the jurisdictional privilege was permitted by a charter of the present king (Edward I). Then, the charter was shown to support their claim. By cross-referencing the surviving charters granted to the hospital, probably the charter presented was the one granted in 1294.²²² This is the first charter which explained that the hospital held the right to hear and judge cases related to its master, brothers and men. In addition, the bailiffs claimed that there were ancient charters in the name of the ancestors of Edward I which allowed the hospital to have the same liberties to those of the Dean and Chapter of York.²²³ However, no other charter was actually presented. Therefore, the ways of declaring the jurisdiction did not show much difference between the city and the religious house in the case above. Urban officials quoted texts of royal charters to buttress their statements. This charter was not only an object to show, but also a record with clauses to cite. Furthermore, different from their predecessors who did not present a charter, civic officials presented a royal charter granted half a century ago. It is not clear why this charter was ignored in the 1270s, but was recalled in 1300. Nevertheless, this case indicated a successful use of records. Perhaps this charter was always in the civic government, but urban officials did not find it in the 1270s.

The next case was not a dispute between the city and the church. Its origin was the emergence of a political guild within the city. Afterwards, it resulted in an issue to be discussed in the royal court. Similar to the case of 1280, the civic privileges were faced with royal interventions again. Nonetheless, there was some difference in the use of records by the civic officials.

In 1306, when a commission of royal justices sat in York, it was presented by a jury that an association named as *gildebrethere* was secretly established in the city. The members included many members of the civic elite, such as Andrew de Bolingbroke, the mayor in 1305-6 and 1309-10; Robert le Meek, the mayor in 1310-1, 1317-8, and 1320-2; Walter de Whiton and Thomas Durant, the bailiffs in 1305-6.²²⁴ The prosecutor claimed that this

²²¹ David Crook, *Records of the general eyre*. (HMSO, 1982), 148-150, 173-4.

²²² *CChR*, II, 436-8.

²²³ TNA, CP 40/135, m. 372.

²²⁴ For the lists of mayor and bailiffs of York, see pages 139-144.

association was independent from the old civic administration based at the city court. The members of this association were bound mutually by an oath. If anyone acted badly to another member, he should be punished in this guild. If taxation was imposed on the city, guild members who acted as assessors should help their fellows to escape from their proper share. If anyone sued or was sued, or does any transgression to another outside of the guild, his fellows should support him. In addition, they collectively appointed bailiffs and several new offices in the city. The defendants denied these accusations, so a jury was required to investigate and judge.

However, the two parties disagreed in terms of the constituent of this jury. The accused asked for their fellow-citizens to undertake this duty, because the city enjoyed the jurisdictional rights to be free from outside powers. In contrast, the prosecutor argued that the jurors should consist of 'knights, freemen and foreign law-worthy men' (*milites, liberos et legales homines forinsecos*) as well as citizens, because this so-called 'guild' 'to the injury and prejudice of the lord king and the realm and of others of the whole community of the City of York' (*in dampnum et preiudicium domini regis et regie et ceterorum tocius communitatis civitatis sue Eboraci*). It is probable that both parties realised that the selection of the jury would have a strong influence on the result of judgement. In the dispute of 1275-6, the mayor and bailiffs had complained about the candidates summoned by the sheriff, so the sheriff gathered all knights from the county in order to have the names agreed. In the records of the Dean and Chapter, it was exposed that the mayor and bailiffs offered 40s. to have four candidates removed.²²⁵ Unfortunately for the 'guild', the royal justices declined the proposal of the mayor and bailiffs. By convening a jury with both citizens and non-citizens, the facts disclosed were a humiliation to the city. The association was ordered to be dissolved and its members were fined.

In spite of the result, the way that the civic officials defended its claim continues to demonstrate that they were different from those officials in the 1270s. Royal charters were not only taken as an object or generally described. The texts within charters were carefully cited to support the argument of the civic administration. Based on the texts recorded in the royal rolls, the mayor and bailiffs brought forward the charter, the same as the one presented in 1300. As already outlined, the 1256 charter included four sections.²²⁶ In court, the first two were cited, which stated the exclusion of outside jurisdiction and the exclusion of non-

²²⁵ YMA, L 2/1, fol. 339v.

²²⁶ See page 71.

burgesses in the jury. Different from quoting part of the entries in 1300, the entries were completely quoted in 1306. Only the pronouns were changed from the first to the third. Following this, the civic officials requested that the inquisition should be undertaken by their fellow citizens, and not by others, according to the tenor of the aforesaid charter. Therefore, the royal charter played a more remarkable role in supporting the argument of the city. The written record was the only evidence to be relied on, and the texts of this record were referred to in an exact way.

Did the case above suggest that the civic officials started to utilise written records as the main evidence to argue their jurisdiction? The following litigation proves that memory continued to matter. In 1315, the Dean and Chapter appealed to royal justices allocated to Yorkshire.²²⁷ The accused included Nicholas le Fleming, the mayor of York and some citizens. The church claimed that a messuage located at the corner of Petergate and Stonegate should belong to its jurisdiction. According to church records, we find that this property had been indirectly transferred from the family of the Goldsmith (le Orfeurer) to the vicars' choral of St Peter's in the late thirteenth century.²²⁸ This probably led the jury to judge in favour of the church, but the exact reason was not recorded in the court rolls. Here, the use of records by two parties is examined.

To support the argument that this land belonged to the civic jurisdiction, the mayor and bailiffs first referred to a customary royal revenue, called 'husgabel'. This was a traditional revenue, at least from the Norman Conquest, owed to the king by some citizens, because the king acted as the feudal lord of some lands in a city.²²⁹ It was claimed that this service dated back to the time of Henry III, when Richard the Goldsmith's grandfather Thomas owned this property.

However, the civic officials did not end their statement there. Instead, they continued to explain the civic jurisdiction, stating that 'by the charter of ancestors of the present king and the concession of the present king and the others they have the liberty' (*per cartas progenitorum domini regis et concessionem ipsi regis nunc et aliae habent libertas*). Following this was the contents of the liberty. Based on the texts transcribed into the court rolls, it was recognised that these clauses were the same to those cited in 1306. Afterwards, civic officials presented a charter. However, this was definitely the charter granted by Edward

²²⁷ TNA, JUST 1/1114, mm. 35-36v.

²²⁸ VC, nos. 403-14.

²²⁹ Maitland, *Township and Borough*, 70; Palliser, 'York's earliest administrative record'.

II in 1312, as ‘the charter in which it is contained that the current king examines the charter of King Henry in Windsor on 17 May the fortieth year (1256). And, he conceded and confirmed to the citizens, in York on 1 February the fifth year (1312).’²³⁰ Finally, a royal close letter by Edward II was shown, which confirmed that the citizens could use the charter.

Although royal charters were cited in 1300 and 1306, the reference to charters in 1315 showed a difference. As already noted, clauses of charters formed part of the evidence to support the arguments of civic officials in 1300 and 1306. In contrast, in 1315, the argument that the land belonged to the urban jurisdiction was explained by the custom of paying to the crown. The texts of royal charters did not include a description of the geographical scope where the civic officials could exert their powers. Therefore, the charter was cited to generally prove the civic liberties rather than a specific argument in 1315. This use of charter showed similarity to that in 1280.

By comparing the city with the church, the difference between them as to the preservation of records is plain. With regard to the Dean and Chapter, it was declared that the tenements in question are in its liberty ‘from the time beyond memory to the present days’ (*a tempore quo non extat memoria semper hucusque fuerunt*). Privileges included in royal charters were quoted, which were excerpts of the 1253 charter already mentioned.²³¹ Before this case, the 1253 charter had been confirmed by Edward I in 1305 and Edward II in 1311. At court, probably the charters of 1253 and 1311 were both presented, as ‘the charter of King Henry before the present lord king, in Portsmouth on 5 July of the thirty-seventh year (1253), and the confirmation of the present king, in London on 29 September of the seventh [fifth?] year (1313) [1311?]’.²³² Finally, a royal close letter by Edward II was brought forward, which ordered the justices to come to the liberty of St Peter’s.

In this case, we find a similarity in using royal charters between the city and the church again. Both parties quoted clauses of charters and presented charters to the court. Yet, there was a minor difference. The mayor and bailiffs of York only showed the latest charter which contained a confirmation of the previous charter. The Dean and Chapter brought forward not only the most recent charter but also the first charter which included the clauses it intended to demonstrate. This difference suggests the possibility that the preservation of records by the civic government was not long-term yet. When a new royal charter was acquired, the previous

²³⁰ TNA, JUST 1/1114, m. 35.

²³¹ See pages 65-6.

²³² TNA, JUST 1/1114, m. 35.

ones were forgotten. Compared with their counterparts in the church, urban officials focused on the more recent royal charters and letters. This attitude may explain that five of the eleven royal charters granted to York from Henry II to Edward III do not survive in the York City Archives.

To sum up, if we compare the use of records in jurisdictional disputes of the two periods, 1275-80 and 1300-1330, a noticeable change took place in terms of the civic government. The royal charters occupied a more significant place when the city was involved in litigation. They were not only taken as an object or mentioned to prove the existence of civic privileges, but also cited to support specific arguments in cases. The charters were presented to the court, and their texts were probably read aloud at court. The cases also indicated that the custom and written records could work together when the city explained its jurisdiction. The city imitated the church in using charters. However, only the most recent royal records tended to be used. It is less clear whether a civic archive was established to allow urban officials to easily get access to old charters. In the next part, the other type of sources, the petition, was explored to discover more about the use of records in claiming jurisdiction.

2.2 Petitioning

Before the fourteenth century, there was an example that a local institution asked for the confirmation of jurisdictional rights by petition. Probably around 1280, the abbot of St Mary's abbey appealed to the king by a petition. It said that the king should order his justices of eyre allocated to Yorkshire to deal with the pleas touching the franchise of the religious house according to 'the tenor of charters of the king's ancestors and the confirmation of King Henry his father' (*solum la tenure de chartres ses anacestres e le conforment luy roys Henri son pere*).²³³ This brief petition did not explain the right further. By going through the royal charters granted to the abbey, no clause relating to itinerant justices was discovered. Perhaps the request was related to the place of the eyre or the amercements of the eyre, because some clauses concerning these aspects were included in the 1253 charter addressed to the Dean and Chapter, and the 1256 charter to the city.²³⁴ In the use of royal charters, the confirmation of King Henry (Henry III) probably referred to the charter of 1265, which contained an *Inspeximus* of a charter of Henry II.²³⁵ The 1265 charter was the most recent royal charter

²³³ TNA, SC 8/177/8801.

²³⁴ *CChR*, III, 56-8; *CChR*, III, 185-6.

²³⁵ *Register of the Priory of Wetherhal*, ed. J. E. Prescott, (London, 1897), 34-9.

granted to the abbey before 1279. In addition to the concern with the latest charter, the ancient charters were not neglected. Thus, the petition suggested again the concern with the series of royal charters by a religious house.

There is no evidence to cast light on the city until 1302, when a petition in the name of ‘citizens of York’ was delivered to the summer parliament. In this writing, the city explained the jurisdictional privileges it should hold in six points. First, the king should grant and confirm the rights that the city obtained from him and his ancestors. Second, York should be granted the rights that the king had awarded City of London ‘in several times’ (*especiesis severalment*). Third, citizens of York could ‘freely marry’ (*quitis des mariages*), as citizens of Bristol were granted. Fourth, people accused of causing the death of others should be inquired and judged before the mayor, bailiffs and coroners. Fifth, if anyone makes trespass in the city and is punished for it, and if he could find surety to dissolve the main issue to the king or to the party, he can be released. Sixth, if people are to be detained, the same process should be undertaken as that of pleas of debts.²³⁶ This petition proved that, first, citizens of York obtained some knowledge of royal charters granted to other cities. They emphasised that London’s privileges derived from several charters. The right related to marriage in Bristol probably indicated the clause that ‘they [citizens] shall be able to marry themselves, their sons, their daughters and their widows, without the licence of their lords’, included in the charters of 1188 and 1252.²³⁷ However, they did not mention any charter granted to the city when they claimed the civic jurisdiction of York.

In 1330, ‘citizens of York’ stated in a petition that they were granted the tolls and customs in the city to pay their farm. This privilege was proved by charters which were granted and confirmed by the present king’s progenitors. People of Kingston upon Hull and Ravenser Odd used to pay these tolls, but now they claimed to be exempt from these. As a result, the city suffered from financial loss.²³⁸ This is another example that royal charters were referred to by the city, but similar to the petition of 1302, charters were generally mentioned, and no specific charter was quoted in this petition. Thus, this undermines the argument that in the early fourteenth century, the royal charters were utilised more specifically in arguing the civic jurisdiction. Was this because the petition was a kind of shorter and less formal record than

²³⁶ TNA, SC 8/314/E134.

²³⁷ *The Charters and Letters Patent Granted by the Kings and Queens of England to the Town and City of Bristol: Newly Translated, and Accompanied by the Original Latin.* ed. Samuel Seyer, (Bristol, 1812), 8, 18.

²³⁸ TNA, SC 8/257/12820.

court rolls? More petitions composed by religious authorities from 1300 to 1335 are examined to answer this question.

Among the petitions submitted to the parliament of 1302, we also discovered a petition by the abbot of St Mary's, which included two sections. The first was a complaint of a right disturbed by the king's officials. The second was a request of confirming 'the charter of King Henry' (*la charter nostre sygnur le roy Henri*), which admitted the privileges of the abbey.²³⁹ No specific clause was explained, so it is possible that this was a general request for a confirmation of charters. However, the abbot referred to 'a charter' of Henry III rather than 'charters'.

The next petition was in the name of the Dean and Chapter.²⁴⁰ This petition had four sections explaining requests of jurisdictional rights that this institution should maintain. Except the last, the other three sections all made reference to royal charters. First, it was complained that even though by 'the charter' (*la chartre*) it was claimed that no sheriff or other royal minister could enter their lands to make distraint, the charter did not state whether it was within or without the city. Thus, they appealed for a new clause to clarify the privilege applied to both in and out of the city. Second, they asked for another clarification. In 'their charter' (*loure chartre*), a clause declared that the dean, the chapter, the canons or their men in pleas, excluding crown pleas, by or against them should be held in the door of the church. However, the civic bailiffs of York badly interpreted this to include only the villeins, but not other tenants of the Dean and Chapter. Third, King Henry by 'his charter' (*sa chartre*) granted the archbishop of York and the Dean and Chapter the right to appoint a coroner in the city of York. Nevertheless, this right was not used yet, so they requested a confirmation.

Cross-referencing the royal charters, 'the charter of King Henry' mentioned in the third section probably indicated the one granted in 1267 by Henry III.²⁴¹ In contrast, it is less possible to exactly identify the charter referred to in the first two sections. The two privileges depicted originated from the 1253 charter, but this charter was confirmed twice in 1305 and 1311. Given that the petition was dated to 1307-27, there were two or three possible references. Yet, the phrase, 'the charter', suggested that when the petition was composed, charter was not mentioned as a general concept, but a specific charter.

²³⁹ TNA, SC 8/315/E199.

²⁴⁰ TNA, SC 8/323/E564. This charter was dated to 1307-27, as King Henry was described to be the grandfather of the current king. Thus, King Henry must be Henry III, and Edward II was the contemporaneous king.

²⁴¹ *CChR*, II, 74.

In the first part of the next petition, royal charters were generally referred to. Dated to the period from 1312 to 1332, this petition was in the name of the Dean and Chapter. It claimed that its properties were free from tallage according to ‘the tenor of some charters granted by the king’s ancestors’ (*le tenour des chartres des franchises grantees par ses progenitours*). However, the second part of this petition proved the role of records in explaining the ecclesiastical jurisdiction. When the royal Exchequer undertook an inquisition into how many lands the church bought in York after the issue of these charters, the documents taken by the Dean and Chapter were not helpful. Thus, they requested that the royal officials should come to the church, in order to inspect their charters and muniments (*chartres et muniments*), hear their arguments and do justice to them.²⁴² In this clause, charters referred to deeds of titles, different from the charters of franchises mentioned above.

The certainty in quoting charters was reflected again in a petition dated to around 1334, when the conflict between the city and St Mary’s abbey broke out again. In a petition in the name of the abbot and convent, it was stated that because of threats of murder, arson and destruction from the citizens of York, they fled their abbey, and did not dare to return. The citizens detained their provisions when these items were taken to the abbey. This went against the privilege approved by ‘the king by his charter’ (*dits seignour le roy eit grante per sa chartre*). The charter mentioned was probably the one granted by Edward III in 1330.²⁴³ As a consequence, they requested the king and council to take good and sufficient security from the bailiffs and citizens of York who are now before the council, and also to impose a strict penalty on all the citizens and community. Moreover, the abbey claimed that this security and penalty should be recorded in the rolls of Chancery or elsewhere, in case the citizens break this.²⁴⁴ This further showed that royal records were viewed by the religious house as a protection of their privileges, and they could be quoted in future litigations.

Therefore, royal charters were referred to in petitions, but the texts of these charters were not cited. This was a general rule not influenced by the subject of petitions. Nevertheless, if the petitions in the name of the city were compared with those of the church, it is clear that the discourse related to ‘charter’ was different. For the religious authorities, a specific charter was mentioned to support their argument. However, this definite reference to charters was not found in the petitions of the city. In addition to charters, there are examples to prove that the

²⁴² TNA, SC 8/152/7600.

²⁴³ *CChR*, IV, 197.

²⁴⁴ TNA, SC 8/46/2251.

church stored their own records and made efforts to have royal records as a reference. In contrast, the petitions of the city indicated an ambiguous attitude towards what the record was. It seems doubtful if the composers of these petitions had any royal charter at hand.

To conclude this section, in the early fourteenth century, York's urban officials were more familiar with the use of records than their predecessors, but the records at hand were the most recent ones. When they explored the past, custom rather than a specific record was mentioned. Because more records related to the topic of this chapter come from the early fourteenth century, this section was divided into two parts according to the types of sources. With regard to the court rolls, we find that the civic officials used royal charters in a similar way to their parallels in the religious houses. The jurisdictional claim of the city was connected to the texts of charters, and a trustworthy copy of a charter could be brought forward to the court. It is probable that some charters were preserved in a better condition than before. Nevertheless, it remains true that only the most recent charter was shown, which increased the doubt whether charters were preserved for a long time. Moreover, records were more related to the contemporaneous rather than the past. The latter was proved by the customary practices. In terms of the petitions, the city showed less interest in exactly quoting charters than the churchmen. Civic officials may gain a broad view, as they have some knowledge of charters granted to other cities. However, when they discussed the past, custom was referred to. They may recognise the existence of records, but this concept was implicit because no specific record was quoted at all. This questions further whether records related to the civic government were safely and systematically conserved to assist civic officials to explain the past with records.

3. 1340-1354

During the mid-fourteenth century, far less evidence survives to throw light on the jurisdictional problems of York, but this was probably not because they had been resolved. High politics had effects, as royal government returned to London, and warfare moved to the continent due to the outbreak of the Hundred Years' War.²⁴⁵ Thus, royal justice was not easily accessed, and some local disputes may not appear in royal records anymore. Furthermore, evidence proves that the contests between the city and St Mary's abbey continued. In 1334,

²⁴⁵ Ormrod, 'York and the crown under the first three Edwards', 30-1.

the abbey appealed for the justice of the king, and requested that the judgement of 1276 should be enrolled in chancery records. Edward III was in favour of the church, as he confirmed that Bootham was a borough and exempted some of the abbey's properties from tallage.²⁴⁶ Not surprisingly, the citizens of York did not feel satisfied with this result. In the 1340s and 1350s, they continued to challenge the authority of the abbey in Bootham. Therefore, the discussion of this section was more directly related to the rivalry between the city and the abbey.

In 1343, a royal close letter was addressed to the mayor, bailiffs and law-worthy men of York. It ordered that no one should gather armed men in the city or the suburb to damage the abbot and monks of St Mary's by land or water. Otherwise, the violators should be arrested as rebels, and the king even threatened to cancel the city's liberties.²⁴⁷ In June 1350, another royal close letter was issued to the mayor and bailiffs of York. It was almost a repeat of the previous letter. It was learnt that some citizens, 'to no small number, armed and arrayed in a warlike manner', assembled in the city and suburbs to harm the people and detain the goods of the abbey.²⁴⁸ In April 1350, a commission was allocated to York to temporarily take Bootham into the hands of the king as a method of protection.²⁴⁹ Meanwhile, the mayor and bailiffs of York were commanded to appear at Westminster to settle the dispute.²⁵⁰ In May 1350, a commission consisting of the chancellor, the treasurer and others was assigned by the king to determine the dispute. They were ordered to 'survey all charters, writings, records and other evidence here produced by either party'. In addition, they shall hear arguments, complaints, and all other matters relating to the dispute. Finally, they should mark out the boundaries and provide a final judgement.²⁵¹ Here, it is obvious that the royal government admitted the importance of records in arguing jurisdiction. However, it remains unclear how the local authorities responded in the dispute.

With regard to the consequences, a record survived in York City Archives. It is an indenture agreed by the two parties and dated January 1354.²⁵² The texts stated that Bootham, except Marygate and some neighbouring areas, was restored to the city's jurisdiction. Yet, the abbot

²⁴⁶ CPR, 1334-38, 15-9, 85-6.

²⁴⁷ CCR, 1343-46, 96-7.

²⁴⁸ CCR, 1349-54, 232-3.

²⁴⁹ CPR, 1348-50, 497.

²⁵⁰ CPR, 1348-50, 530.

²⁵¹ CPR, 1348-50, 584.

²⁵² Both Francis Drake and William Giles mentioned this record, see Francis Drake, *Eboracum: Or, The History and Antiquities of the City of York, from Its Original to the Present Times*. (William Bowyer, 1736), 595-7; Giles, *Catalogue*, 87.

and monks should not be detained by civic officials in Bootham except for felony or trespass or by command of the king or his officials. Their goods were free from seizure in Bootham as well.²⁵³ In general, the result was in favour of the city. In addition to the contents, the language of this record should be noticed, because it was written in Anglo-Norman French. This is the earliest example of York's civic records in French. With regard to the use of languages, civic records in the fourteenth century were mostly written in Latin or French. The scope of French records varied in different towns. Yet, according to Y/COU/1/4/1, which contained many entries in French, it is possible to speculate that French was a favourite language for ordinances and legal treatises.²⁵⁴ The use of French may indicate a civic intention to make this agreement look like a civic ordinance. Meanwhile, French was an official language, which most ordinary people did not understand.²⁵⁵ It is probable that the audience of this important legal record was limited. At least, this record could be viewed but not be read by most citizens.

In July 1354, this record was asked to be transcribed into the royal chancery rolls.²⁵⁶ It was not stated who initiated this, but it is probable the city did. This indicates that the civic government used a strategy their rivals had previously used. Yet, a difference can be noticed. In 1334, St Mary's had the judgement of 1276 re-confirmed in royal records, while civic officials had a contemporaneous record transcribed. The abbey had a memory of the past, but it is not certain whether the city had such a memory.

Let us come back to the process of the dispute. No evidence has survived to indicate how the city and the church argued in the royal court. However, two petitions dated the early 1350s survive. One was in the name of the tenants and citizens of York, and contained two parts. First, Bootham was claimed as a suburb of the city. The petitioners requested that the king's officials should be commanded to assist the citizens in protecting the king's right and the right of the city. Second, they called for an inquisition to be undertaken within the city, because it was easier to view the bounds of the suburb and what the abbot called his borough.²⁵⁷

²⁵³ YCA, G/F/2.

²⁵⁴ YCA, Y/COU/1/4/1, *passim*. Richard Britnell, 'Uses of French Language in medieval English towns.' *Language and Culture of Medieval Britain-The French of England c. 1100-1500* (2009), 81-9, 84-5.

²⁵⁵ On Bilingualism in Anglo-Norman England, see Helen Suggett, 'The use of French in England in the later Middle Ages.' *Transactions of the Royal Historical Society* 28 (1946), 61-83.

²⁵⁶ CPR, 1354-58, 84-6.

²⁵⁷ TNA, SC 8/178/8867.

The argument that Bootham belonged to the civic jurisdiction was not different from what the civic officials declared in previous contests.²⁵⁸ Nonetheless, no royal charter was referred to in this petition. Instead, the evidence mentioned was related to the customary practices. First, the officials claimed that the City of York with its suburbs contributed to the annual fee farm paid to the Exchequer. Bootham played an important role in the city's finance. Second, 'it could be proved by testimony that the suburb paid more than £16 for one tallage' (*Et de quell surburbe vos peraemtes come est proves per record on este servi a lour taliages de xvj li. et plus a vue feith*). They further explained that tallage was both the right of the king and crown, and all the demesnes in England must be taxed. Therefore, in order to prove that Bootham was a suburb of the city, the civic officials referred to the two feudal revenues owed to the king. This reminds us of the husgabel quoted by the city in the case of 1315 against the Dean and Chapter.²⁵⁹

The other petition was in the name of the abbot and convent of the abbey. The petitioners stated that Bootham should be taken into the king's hands by the escheator until the two parties could negotiate in the court. However, the mayor and commonalty menaced the escheator and intimidated and hindered the petitioners in a violent way. Thus, the petitioners requested that the king command his officials to hear and judge this case, and that a writ should be sent to sufficient men to take the borough into the king's hand until the matter be settled.²⁶⁰ In defending their right in Bootham, the petitioners did not quote the royal charter in the petition. Nevertheless, they referred to the judgement of 1276. It was claimed that Bootham had been adjudged to them in the parliament under Edward I. In addition, they showed a copy of the record and the judgement with the seal of the current king. This was probably the copy they asked for in 1334. Given that the judgement of 1276 clearly stated that the jurisdictional privileges of the abbey were confirmed by a series of royal charters, it is true that the abbey argued its jurisdiction according to the charters it had been granted.

To conclude this section, the city was active in the making and use of records. However, the record was contemporaneous. The past continued to be explained by custom rather than records. The litigation between the city and the abbey demonstrates that up to the 1350s, there were signs that the civic government used records. An indenture in French was composed and requested to be copied into the royal records. This record was one of the earliest records where we are certain about the impulse behind its writing. Nevertheless, different from the

²⁵⁸ See page 67.

²⁵⁹ See page 74.

²⁶⁰ TNA, SC 8/26/1286.

abbey, who had a record half a century ago transcribed, the record used by the city was much more recent. When it comes to the arguing stage, a comparison between the two petitions suggests a difference that the civic officials relied on customary practices to support their jurisdiction, while the abbey focused on written records. It is possible that the abbey preferred to use records, because the judgement of 1276 was in favour of the abbey. Nevertheless, as already proved, royal charters were cited to demonstrate both specific points and the jurisdiction in general. The last royal charter granted to York before 1350 was the 1327 charter.²⁶¹ The absence of charter in the civic petition places doubt on whether this charter was preserved or thought to be important in recalling the past.

Conclusion

The research for this chapter demonstrated that from 1275 to 1354, civic officials used royal charters in jurisdictional disputes. However, the charter presented was the most recent one. Furthermore, when the city argued about the past, the evidence tended to be custom rather than records. This suggested that records were preserved for short-term reasons. In court rolls and petitions, we found how authorities argued their jurisdiction by referring to written records, especially royal charters. In terms of the civic officials, some changes were noticed at the turn of the fourteenth century. In the late thirteenth century, officials mentioned but did not bring forward any charter to the court. The only charter shown was not admitted by the royal government. On the contrary, in the early fourteenth century, ‘trustworthy’ charters were presented and the clauses were appropriately cited to prove their claims. Nevertheless, urban officials tended to use the most recent charter. In comparison, the religious institutions presented royal charters in a series. Furthermore, up to the 1350s, the role of the custom was not supplanted. When the city sought evidence to prove the past, custom was quoted. All this evidence leads to a conclusion that civic records were not preserved for the long term. This is not to deny the short-term preservation, as it was shown in the beginning of this chapter that some records were probably kept by civic officials. However, there is no evidence to prove that the civic archive was stable.

²⁶¹ *CChR*, IV, 47-8.

Chapter Three. Lay clerks in the city

Introduction

The previous two chapters revealed two aspects of York's civic administrative literacy: the extensive making of documents and the short-term preservation of records. Why did this happen? Was it due to the absence of the common clerk, an office responsible for the writing and preservation of the city's records? These questions initiated this chapter, which plans to examine the lay clerks active in the city. As mentioned above, civic records offered few clues about York's clerks before the 1370s.²⁶² However, chapters One and Two have already demonstrated the usefulness of royal and ecclesiastical records. As will be outlined, this chapter argues that there were different kinds of clerks active in the City of York. Many clerks witnessed the land transactions confirmed in the city court, but they were not employed by the civic government. Meanwhile, the statute clerks were established in York from the 1280s. These clerks were closely linked to the civic administration.

The term 'clerk' (*clericus*) was associated with both the church and literacy. The latter referred to the ability to read and write Latin. This overlap may be persuasive, because it was believed that the ordained clergymen tended to be more skilled in literacy.²⁶³ Nevertheless, it is easy to discover examples against this presumption.²⁶⁴ In the later Middle Ages, more clerks who were capable of literacy but disqualified from performing the sacraments appeared. The term 'lay clerk' was adopted by historians to define these clerks.²⁶⁵ These clerks performed crucial social functions, especially in the making of documents and preservation and use of records. Recently, historians have started to consider town clerks as the agency of developing civic literacy, rather than only as scribes of documents. For the civic government, these clerks actively influenced the compilation of civic records, including

²⁶² See pages 34-5.

²⁶³ Clanchy, *From memory to written record*, 2013, 228-232.

²⁶⁴ Clanchy, *From memory to written record*, 2013, 230.

²⁶⁵ T. F. Tout, 'Literature and learning in the English civil service in the fourteenth century.' *Speculum* 4.4 (1929): 365-389; George Shuffelton, 'John Carpenter, lay clerk.' *the Chaucer review* 48.4 (2014), 434-456.

customals.²⁶⁶ For the consumers of legal documents, the clerks acted as the intermediary in the local society.²⁶⁷

However, ‘town clerk’ was more like a term used by later historians rather than a medieval one. For instance, Esther Cuenca defined a thirteenth-century clerk, John son of Eustace, to be a ‘common clerk’ of Northampton.²⁶⁸ By checking the texts of the Northampton customal argued to be compiled by Eustace, he was described as ‘clerk of Northampton’ (*clericus Norht*).²⁶⁹ Was ‘clerk’ here an office or a status? This is a tricky question, because thirteenth- and fourteenth-century clerks were the ‘men behind the masque’.²⁷⁰ The records they made left very little information about themselves. For example, Roger de Burton, the common clerk of York from 1415-36, was accustomed to adding his signature and his title to civic records.²⁷¹ Yet, his predecessors, William de Chester and William del Bothe, were just noted as ‘clerk’ in the charters witnessed by them.²⁷² Therefore, this chapter plans to critically review evidence available to clarify the ambiguity of the term ‘clerk’.

This chapter includes two sections, due to the two types of sources. The first section refers to deeds of title. As mentioned in Chapter One, some deeds were authenticated by the city court. In 1966, Graham Pollard undertook a painstaking project to identify Oxford’s town clerks of the thirteenth century based on the local deeds.²⁷³ A more recent example was the study of Norwich’s clerks in the late thirteenth century.²⁷⁴ This research will follow this method. Moreover, the new publication and digitisation of records in the last half century makes us in a more advantaged position. In the second section, the certificates of Statutes of Merchants and Staple and will be recalled, because these documents were issued in the name of mayors and statute clerks. In addition, the royal patent letters will be used, as they disclosed grants and appointments of statute clerks.

²⁶⁶ Esther Liberman Cuenca, ‘Town clerks and the authorship of customals in medieval England.’ *Urban History* (2018), 1-22.

²⁶⁷ K. Bevan, ‘Clerks and scribes: legal literacy and access to justice in late medieval England’. Diss. University of Exeter, 2013.

²⁶⁸ Cuenca, ‘Town clerks and the authorship of customals in medieval England’, 7.

²⁶⁹ John H. Williams, *Town and Crown: The Governance of Later Thirteenth-Century Northampton*. (Northamptonshire Record Society, 2014), 230.

²⁷⁰ I borrow this metaphor from Stephen Alford. See Stephen Alford, *The Men Behind the Masque: Office-holding in East Anglian boroughs, 1272-1460*, <http://users.trytel.com/~tristan/towns/mcontent.html#menu>.

²⁷¹ Cannon, ‘The veray registre of all trouthe’, 145-7, 262-3.

²⁷² See *YMB/B*, 12, 44. William de Chester served the office in 1379-1405, and William del Bothe 1405-15.

²⁷³ Graham Pollard, ‘The Medieval Town Clerks of Oxford’, *Oxoniensia*, 1966, 43-76.

²⁷⁴ Elizabeth Rutledge, ‘Lawyers and Administrators: The Clerks of Late-Thirteenth-Century Norwich’, Christopher Harper-Bill, ed. *Medieval East Anglia*. (Boydell Press, 2005), 83-98.

1. Clerks confirming deeds of title

The city court provided a place to have legal documents confirmed, as suggested by the formulary of the witness clause.²⁷⁵ In addition to the head consisting of the mayor and bailiffs, the end of the clause tended to be occupied by a person titled 'clerk'. In the deeds, it was not explicitly stated that they were issued 'by the hand' (*per manum*) of these clerks.²⁷⁶ Nevertheless, it is probable that these clerks were interwoven with the city court in confirming legal documents. The clerks found in deeds are presented below (see table 6).

Table 6 Clerks in the city court of York, 1272-1379²⁷⁷

Date	Clerk	No. of charters
1272-1277	Ralph de Buhtton	2
1272-1275	John the clerk	2
1272	Richard the clerk	1
1272-1302	Robert the clerk I	20
1274	William de Cokerum	1
1274	James of the churchyard	1
1275-1379	Henry the clerk I	2
1277	William the clerk	1
1278-1302	Robert de Darlington	12
1280	William de Preston	1
1284/5	John de Clifton	1
1284	Benedict de Wyntringham	1
1299	Nicholas le Couper	2
1300	John de Sexdecim Vallibus	1
1300/1	Edward de Ebor	1
1301	Thomas de Givendale	1
1302-1322	John called Scot	9
1309-1322	Roger de Pickering	25
1310-1316	Henry of Monkgate	3
1310-1317	John de Ireland	8
1315-1349	William de Appleby	52

²⁷⁵ See pages 53-4.

²⁷⁶ This phrase appeared in the court rolls of Norwich, where deeds were enrolled. See *The Records of the City of Norwich: Documents relating to the government and administration of the city, with an introductory sketch of its municipal development*. eds. Rev William Hudson, and John Cottingham Tingey, I (Jarrod & sons, Limited, 1906), 224-58.

²⁷⁷ Source: Rees Jones, *Medieval Title Deeds for the City of York, 1080-1530*; VC; YD; YMAA, 3/1.

1316	Richard de Nassington	2
1316	William son of Robert Tinctoris	1
1317	John de Buttrecremb	2
1322	Henry the clerk II	1
1322	John de Quitwell	1
1323	John de Monkgate	1
1324	John de Clyderson	1
1325-1348	Thomas Deyvile/Dayvile/de Eyvill	43
1323-1340	John de Clotherholme/Cliderhowe	15
1332	William de Pontefract	1
1337-1348	Richard de Heslington	19
1345	William de Whixley	1
1346	Gilbert de Pocklington	1
1349	William of Sutton on Trent	1
1349	John de Easingwold	2
1350-1353	William de Otryngton	2
1350-1351	Thomas de Anderby	2
1351	William de Dalton	1
1351	Robert de Dalston	1
1352	John de Rawcliffe	1
1353-1362	John de Staunton	25
1354	John de Caue	1
1355-1379	William de Chester/Cestria ²⁷⁸	46
1356-1372	Robert de Cleburn	18
1359-1368	Robert the clerk II	4

In sum, 46 clerks were active from 1272 to 1379. The number of charters witnessed by each clerk ranged from 1 to 53. Based on this table, the most important observation is that ‘clerk’ attached to these individuals in deeds of title did not indicate an office. Firstly, this table arranges the clerks in a generally chronological sequence, but it is not possible to discern a fixed office passed on from person to person. Instead, several clerks appeared contemporaneously. Is it possible that the city government consisted of a head clerk with several sub-clerks? This can be declined if the clerks witnessing more than 10 charters are selected (see table 7). It is clear that more than one clerk worked contemporaneously. In the last quarter of the thirteenth century, Robert de Darlington and Robert the clerk were both involved with confirming charters. In the second quarter of the fourteenth century, we find William de Appleby, Thomas Deyvile, John de Clotherholme, and Richard de Heslington. For the years between 1350 and 1379, John de Staunton, William de Chester, and Robert de Cleburn were the three most active clerks.

²⁷⁸ This clerk was probably different from the namesake acting as the common clerk of York from 1379-1405.

Table 7 Clerks witnessing over 10 charters in the city court of York, 1272-1379

Date	Clerk	No. of charters
1272-1302	Robert the clerk I	20
1278-1302	Robert de Darlington	12
1309-1322	Roger de Pickering	25
1315-1349	William de Appleby	52
1325-1348	Thomas Deyvile/Dayvile/de Eyvill	43
1323-1340	John de Clotherholme/Cliderhowe	15
1337-1348	Richard de Heslington	19
1353-1362	John de Staunton	25
1355-1379	William de Chester/Cestria	46
1356-1372	Robert de Cleburn	18

Secondly, by studying the careers of these clerks, it is proved further that ‘clerk’ in deeds did not suggest an office but a status. There were many clerks who had connections to the diocese of York and worked for the church. William de Appleby witnessed charters from 1315 to 1349. Meanwhile, a namesake was recognised in the archbishops’ registers from 1314 to 1350.²⁷⁹ This coincidence of chronological scope suggested the possibility that the same person was referred to. William de Appleby served the church between the 1310s and the 1340s. In 1316 he acted as the proctor of the dean of York. Six years later, he was appointed to be the vicar of Carnaby, which he kept until his death around 1350.²⁸⁰ John called Scot, who confirmed charters from 1302-22, was possibly the reeve of Skidby on behalf of the archbishop from 1312 to 1314.²⁸¹ Thomas Deyvile witnessed charters from 1327 to 1348. In 1316, he served as the proctor of the dean of York, and the archbishop’s bailiff of Ripon in the later 1310s.²⁸² John de Clotherholme, who took part in the confirmation of charters from 1327 to 1340, was possibly the bailiff of Ripon in about 1340.²⁸³ John de Staunton, appeared in the witness clause of charters dated between 1353 and 1362. In 1358, Staunton, called as ‘clerk of York diocese’, was one of the two attorneys selected to govern the parish church of Aughton annexed to St Mary’s monastery in Ellerton on Spalding Moor.²⁸⁴

²⁷⁹ YAR, Register 8 f.91 (verso) entry 7; Register 5A f.138 (recto) entry 3, 4; Register 9A f.348 (verso) entry 5; Register 10 f.341 (verso) entry 3; Register 10 f.341 (verso) entry 4.

²⁸⁰ YAR, Register 9A f.348 (verso) entry 5; Register 10 f.341 (verso) entry 3; Register 10 f.341 (verso) entry 4.

²⁸¹ YAR, Register 8 f.237 (recto) entry 3; Register 8 f.249 (verso) entry 10; Register 8 f.251 (verso) entry 6.

²⁸² YAR, Register 8 f.256 (recto) entry 9; Register 5A f.121 (verso) entry 3, 4.

²⁸³ YAR, Register 9A f.80 (verso) entry 6; Register 9A f.82 (recto) entry 2.

²⁸⁴ YAR, Register 11 f.199 (recto) entry 6.

This participation of churchmen in the city court offers new evidence to demonstrate that the boundary between secular and ecclesiastical jurisdictions was permeable. As argued by Elizabeth Rutledge, some clerks of Norwich worked for both the city and the cathedral priory.²⁸⁵ Furthermore, the presence of churchmen in York's city court was more frequent than the situation in Norwich. Of the first five clerks witnessing the most charters, three were related to the church, especially the archbishop of York. Therefore, perhaps the role of York as a religious centre facilitated urban residents to seek assistance from churchmen.

However, deeds of title were not helpful in casting light on whether an office of clerk was established in the civic government. The title of 'clerk' in deeds indicates a status rather an office. Even these clerks were related to the civic administration, they probably worked temporarily rather than dedicated to an office like the common clerks. We must look for other evidence to explore the office of clerk.

2. Statute clerks

In table 7, we noted that some clerks active served the system of debt recognition initiated by the royal government. For example, James of the Churchyard acted as a keeper to preserve records related to the acknowledgement of debts under the *archa*. This system was argued to be the predecessor of Statutes of Acton Burnell and Merchants, even though it only covered the debts loaned from Jews to Christians.²⁸⁶ The recognisances of debts were written down in the form of a chirograph, and one part was deposited in a chest (*archa*). In York, two Christian keepers were regularly selected to supervise the chest with two Jewish counterparts.²⁸⁷ Edward de Ebor was appointed as the statute clerk three times in the 1300s and 1310s.²⁸⁸

This discovery directs us to pay attention to clerks in charge of the execution of the statutes of Merchants and Staple.²⁸⁹ In name, the statute clerks were appointed by the king. Yet, this research will prove that the clerk acting in practice tended to be a local. To start with, the

²⁸⁵ Rutledge, 'The Clerks of Late-Thirteenth-Century Norwich', 88.

²⁸⁶ Nightingale, *Enterprise, Money and Credit in England*, 27.

²⁸⁷ R. B. Dobson, 'The decline and expulsion of the medieval Jews of York.' *Transactions & Miscellanies (Jewish Historical Society of England)* 26 (1974-78), 34-52, 38.

²⁸⁸ Rees Jones, *Medieval Title Deeds for the City of York, 1080-1530*, (BL, Cotton Nero D3/127/1).

²⁸⁹ For an early discussion of these statutes in this thesis, see pages 55-9.

individuals who acted as the statutes clerks will be identified. This forms the basis for subsequent research of their careers.

Because the appointment was issued from the royal chancery, it is possible to depict a chronological list of clerks based on the royal patent letters.²⁹⁰ In addition, as already shown, a database of certificates issued in the name of the mayor and the clerk becomes accessible online. Based on the two kinds of sources, two lists of clerks and their term of office could be illustrated (see table 8).

Table 8 Clerks of Statutes of Merchants and Staple in York, 1285-1382

Term of office	<i>CPR</i>	C 241
1285-88	James de Lissington	James de Lissington
1288	John le Spicer	John le Spicer
1288-92	Robert de Sexdecim Vallibus (Sezevaux)	Robert de Sexdecim Vallibus (Sezevaux)
1292	Henry Bartholomew	Henry Bartholomew
1292-1305	Robert de Sexdecim Vallibus	Robert de Sexdecim Vallibus
1305-07	Edward de Ebor	Edward de Ebor
1307-08	Thomas de Alverthorpe	Thomas de Alverthorpe
1308	Edward de Ebor	Edward de Ebor
1308-17	Roger Clotherholme	Roger Clotherholme
1317	Edward de Ebor	Edward de Ebor
1317-23	Nicholas Sauvage	
1323-34	Hugh de Kirkham	Hugh de Kirkham
1334	Thomas Deyvile	William Gra
1334-37	William Gra	
1337-40	Adam de Walton	Adam de Walton
1340-45	John de Arnold/Arnale	John de Arnold/Arnale
1345-48	Robert de Selby	
1348-53	Walter Whithors	
1353-61	Richard de Rouclif	Richard de Rouclif
1362-82	Henry de Axholme	Henry de Axholme

This table shows some minor divergence caused by the two different sources, but the chronological sequence is clear. The office was held by a certain individual. The length of office varied from less than a year to almost two decades. Robert de Sezevaux had the longest duration of office in the period in question. From 1288 to 1306, his office continued without

²⁹⁰ This is an approach undertaken by Clay, who depicted the clerks of York from 1285 to 1399. See C. T. Clay, 'Yorkshire appointments held by Walter Whitehorse, the first black rod', *YAJ*, 1943, 345-61, 350-4.

interruption except a short break in 1292. For most clerks, they continuously served for several years. Apparently, there was no regulation of the duration of office. The end of Sezevaux's office was due to his age. In 1305, the grant of the office was explained by a condition that Sezevaux 'is broken down with old age'.²⁹¹ During the transition of office, the previous clerk was required to deliver the smaller seal to his successor.²⁹² From 1308, the rolls and memoranda relating to the office were mentioned in the royal mandate as well.²⁹³

Then, it is time to explain the difference in two lists of clerks. For instance, why did certificates issued from 1317 to 1323 continue to be in the name of Edward de Ebor rather than Nicholas Sauvage? This must be explained by introducing how statute clerks were selected. In some cases, the clerks were appointed by the crown. For example, the appointment of William Gra of York in 1333 was declared to be at the request of some Italian merchants associated with the Bardi of Florence.²⁹⁴ In other cases, the office was claimed to be granted to a person by the king. This was probably a way to show royal patronage. In 1305, it was granted at pleasure to Edward de Ebor, the godson of the king (Edward I).²⁹⁵ In May 1308, Edward de Ebor was granted again, considering 'the wish of the late king (Edward I)'.²⁹⁶ However, one month afterwards, Roger de Clotherholme was granted this office, 'at the request of Peter (Piers) de Gaveston'.²⁹⁷ Gaveston was an intimate friend of Edward II, and their relationship provoked a series of political turbulences during the reign of Edward II.²⁹⁸ In 1348, Walter Whithors, king's yeoman, was granted 'for life', and he held it in name until 1386.²⁹⁹

Yet, the grantees, especially those for life, tended to assign the office to a deputy to execute. For example, Roger de Clotherholme was granted life in 1308. However, on 23 June 1308, no more than a month after the grant, Clotherholme was licensed to select a deputy between Nicholas de Segewans (Sezevaux) and John de Diddeneshale, because he was engaged with serving the king.³⁰⁰ This suggests that the workload of this office required it to be held by a dedicated individual. The grantees had to be 'responsible' for the deputy.³⁰¹

²⁹¹ *CPR*, 1301-07, 411.

²⁹² *CPR*, 1281-1340, *passim*.

²⁹³ *CPR*, 1307-13, 79.

²⁹⁴ *CPR*, 1330-34, 392.

²⁹⁵ *CPR*, 1301-07, 411.

²⁹⁶ *CPR*, 1307-13, 68.

²⁹⁷ *CPR*, 1307-13, 79.

²⁹⁸ Seymour Phillips, *Edward II*. (Yale University Press, 2010), 125-91.

²⁹⁹ *CPR*, 1348-50, 143; *CPR*, 1385-89, 154.

³⁰⁰ *CPR*, 1307-13, 80.

³⁰¹ *CPR*, 1338-40, 21.

In 1317, Edward de Ebor was granted the office a third time on 14 April 1317.³⁰² He probably named Nicholas Sauvage to be his deputy. On 25 August 1317, Nicholas Sauvage was appointed.³⁰³ In 1337, Adam de Walton, king's serjeant-at-arms, was granted the office for life.³⁰⁴ Walton probably undertook the office for three years in person, but in 1340, John de Arnold became his deputy.³⁰⁵ In 1348, Walter Whithors, king's yeoman, was granted for life, but Arnold continued to the deputy clerk.³⁰⁶

As for Thomas Deyvile and Robert de Selby, perhaps the royal appointments were not obeyed by the city. There is evidence that the city disagreed with the royal command. For instance, on 29 March 1292, Henry Bartholomew was ordered to take charge of the office, and the first certificate sent by him is dated 12 April.³⁰⁷ On 11 June, a royal letter reappointed Robert de Sezevaux, who held the office before Bartholomew. More remarkably, this letter also explained this re-appointment: 'as it appears by the testimony of the community of the said city that he [Sezevaux] has lands there and in the parts adjacent, whereby he may be brought to justice if need be, whereas Henry Bertelmeu [Bartholomew], clerk, to whom the said custody was lately committed has none.'³⁰⁸ There is no evidence related to land-holding to demonstrate whether this difference between the two clerks was true or not. Nevertheless, this discourse indicated that the statute merchant clerk was not an office totally decided by connections with the royal court, but should have some local approval as well.

A similar dispute possibly took place in 1337-8. In November 1337, Adam de Walton was granted the office.³⁰⁹ However, the transition of power did not quickly finish. In February 1338, another royal letter was issued to require William Gra to hand the seal and records related to this office.³¹⁰ According to the certificates, William Gra stayed in the office until July 1338.³¹¹ William Gra refers to an individual called William son of John Gra in local records, rather than the other namesake who acted as the bailiff and then the mayor of York

³⁰² *CPR*, 1313-17, 638.

³⁰³ *CPR*, 1317-21, 15.

³⁰⁴ *CPR*, 1334-8, 551.

³⁰⁵ *CPR*, 1338-40, 541.

³⁰⁶ *CPR*, 1348-50, 143.

³⁰⁷ *CPR*, 1281-92, 481; TNA, C 241/16/14.

³⁰⁸ *CPR*, 1281-92, 493.

³⁰⁹ *CPR*, 1334-38, 551.

³¹⁰ *CPR*, 1338-40, 21.

³¹¹ TNA, C 241/107/9.

during the years from 1340s-1360s.³¹² However, in royal records, he was called ‘William Gra of York’.³¹³ Thus, he had more links to the city than Walton.

After these cases are clarified, it is time to make a new list of statute clerks (see table 9).

Table 9 Statute clerks of York, 1285-1382 (adjusted version)

Term of office	Clerk
1285-88	James de Lissington
1288	John le Spicer
1288-92	Robert de Sexdecim Vallibus (Sezevaux)
1292	Henry Bartholomew
1292-1305	Robert de Sexdecim Vallibus
1305-07	Edward de Ebor
1307-08	Thomas de Alverthorpe
1308	Edward de Ebor
1308-17	Nicholas de Segewans (Sezevaux)/John de Diddeneshale
1317-23	Nicholas Sauvage
1323-34	Hugh de Kirkham
1334-37	William Gra
1337-40	Adam de Walton
1340-53	John de Arnold/Arnale
1353-61	Richard de Rouclif
1362-82	Henry de Axholme

By studying the career of these clerks, it is found that most were actually based in the city. Robert de Sexdecim Vallibus and William Gra have been discussed. In addition, both James de Lissington and John le Spicer had served in York’s office of bailiff before they were appointed as the clerk. The latter was probably a member of the civic elite called ‘John le Spicer junior’ in civic records. His father, John le Spicer the senior held the mayoralty of York in the early 1270s. Like his father, le Spicer junior became the mayor in late 1300 and stayed in the position until 1305.³¹⁴ Thomas de Alverthorpe possessed lands in the city.³¹⁵ Between 1290 and 1320, his political career covered both the city and the county administration.³¹⁶ Nicholas Sauvage had not undertaken any civic office, but he probably

³¹² *VC*, nos. 182-3, 556-7.

³¹³ *CPR*, 1330-34, 392; *CPR*, 1330-34, 548.

³¹⁴ For the list of York’s mayors, see pages 139-141.

³¹⁵ *VC*, no. 232; *FF*, 1272-1307, 123.

³¹⁶ M. L. Holford, ‘Under-Sheriffs, The State and Local Society c.1300-1340: A Preliminary Survey’, in Chris Given-Wilson, Ann Kettle, Len Scales, eds. *War, Government and Aristocracy in the British Isles, c.1150-1500, Essays in Honour of Michael Prestwich*, (Boydell Press, 2008), 55-68, 61.

belonged to civic elites. In 1316, he was one of the sureties for a York's citizen and merchant who bought victuals for the king's retinue in York and the North.³¹⁷ John de Arnold was active in the local society before he became the statute merchant clerk. Between 1323 and 1325, he represented three citizens or their relatives to have land transactions confirmed in the royal court.³¹⁸ In 1333, Arnold acted as one of the attorneys for a churchman in St Peter's Church of York.³¹⁹ It is possible that Richard de Roucliff had links to the city. In a licence of 1358 for the alienation in mortmain by three people to the parson of the church of St Peter the Little, York, the subjects, including Roucliff, were described as citizens of York.³²⁰

The close relationship between the statute clerk and the city could be demonstrated further. Some historians traced the origin of York's common clerk to the early fourteenth century.³²¹ Nicholas de Sexdecim Vallibus was considered to be an early example of York, because he was claimed to be 'clerk of the city' in chancery rolls.³²² The research above showed that Sexdecim Vallibus was possibly a deputy statute clerk in 1308-1317. Thus, it seems like that a piece of new evidence supports that statute clerks undertook the duties of common clerks before 1377.

Nevertheless, there are three clues which go against this suspicion. First, the use of official titles in royal records could be confusing. The two entries where Nicholas de Sexdecim Vallibus appeared both described a jurisdictional dispute between the city and the abbey of St Mary, York. In 1317, the abbot accused the civic officials and citizens, in which the officials included:

*'Nicholas le Flemmyng, mayor of the city of York, Nicholas de Sexdecim Vallibus, clerk of the city, John Fishe, John le Sauser, Thomas de Kelkefeld, John de Eseby, Alan Sleght and Richard de Duffeld, late bailiffs of the city, John de Shoreby, Jordan Sauvage, William do Freres, peleter, late chamberlains of the city'.*³²³

³¹⁷ CPR, 1313-17, 540.

³¹⁸ FF, 1314-27, nos. 488, 627, 644.

³¹⁹ CPR, 1334-8, 473.

³²⁰ TNA, C 241/133/155, C 241/143/151.

³²¹ R. B. Dobson, 'John Shirwood of York: a common clerk's will of 1473', in Margaret Aston, and Colin Richmond, eds. *Much Heaving and Shoving: Late-Medieval Gentry and their Concerns: Essays for Colin Richmond* (2005), 109-20, 111, note 11; Cannon, 'The veray registre of all trouthe', 242, note 6.

³²² CPR, 1313-17, 681, 692.

³²³ CPR, 1313-17, 681.

By cross-referencing the civic records, the names of the mayor and chamberlains are correct. In the six previous bailiffs, John le Sauser and Thomas de Kelkefeld were not found.³²⁴ It is possible that in the royal court, the plaintiff intentionally utilised the word ‘bailiff’ to include those citizens with legal responsibility. Thus, this case raises a question if the clerk here actually referred to an office of clerk or a clerk with some links to the city.

In royal records, there was another individual described to be a clerk of the city. In 1302, John de Sexdecim Vallibus was accused in the court of the royal Exchequer. In the start of the entry, he was defined as a ‘clerk of the City of York’ (*clericus civitatis Ebor*).³²⁵ Based on the list of statute clerks, John de Sexdecim Vallibus never served this office. This indicates further the ambiguity of a term like ‘clerk of the city’.

The first common clerk stated in Y/COU/3/1 is John de Rufford, who held the office from 1377-79.³²⁶ In addition, there is a petition dated c. 1380 declaring complaints against John de Rufford. The community of York stated that Rufford had been common clerk in the mayoralty of John de Langton (1352-1363) and Thomas de Holme (1374).³²⁷ Rufford did not ever appear in the list of statute clerks. To take all the evidence together, it is certain that the common clerk was a distinct office from the statute clerk.

The last point to clarify is the date of creation of the common clerk. Obviously, the petition above challenges the date presented in Y/COU/3/1. However, as argued by Christian Liddy, this petition represented the political division in the city that commons were unsatisfied with the civic elites.³²⁸ The commons request that Rufford should be removed from the office of common clerk ‘forever’, because he had served the office three times in the mayoralty of John de Langton (1353-62), Thomas de Holme (1374/5) and John de Acaster (1379/80), and he had been removed three times because of frauds and trespasses.³²⁹ It is possible that this description of Rufford’s shameful experience was intentional. Moreover, according to Y/COU/3/1, John de Rufford already became a clerk of the city before 1377. In the entries of 1374 and 1375, Rufford was stated to be elected to be in the office of clerk.³³⁰ Therefore, it is possible that Rufford acted as the clerk of the city for a long time from the 1350s or the

³²⁴ For the lists of mayors and bailiffs, see pages 139-144.

³²⁵ TNA, E 13/25, m. 64r.

³²⁶ YCA, Y/COU/3/1, fol. 7v.

³²⁷ TNA, SC 8/213/10637.

³²⁸ Liddy, ‘Urban Conflict in Late Fourteenth-Century England’, 14.

³²⁹ TNA, SC 8/213/10637.

³³⁰ YCA, Y/COU/3/1, fol. 7r.

1360s, but became the common clerk in 1377. The petition misused the title to emphasise the defaults of Rufford.

To sum up, an office of clerk was established in the city due to the royal statutes of endorsing and enforcing debts. Most clerks of York's registry were connected to the city. This connection did not only include serving the civic office, but also a career more locally oriented. Although the crown assigned this office to some 'less local' grantees, the administrative records revealed that these individuals tended to transfer the business into the hands of a 'local' deputy. Perhaps this trend was due to the load of this office, as shown in the large number of certificates composed in the name of the statute merchant clerk. Moreover, the involvement of these locals in the office of clerk suggests that York did not lack the ability to provide clerks to meet the requirement of a professional clerk. It is possible that an office of clerk was already in shape in the civic government before the establishment of the common clerk in 1377.

Conclusion

York was not a town lacking clerks. On the contrary, there were probably no fewer clerks than intermediate or small towns. York's institutional density meant there was an abundance of clerks, who served as the agents between institutions and individuals. Within the city court, many clerks were at hand to cooperate with the mayor and bailiffs in making legal documents. Moreover, the career of these clerks was not limited to the civic jurisdiction at all. It was discovered that some clerks had relations to the crown, and more noticeably, some most busy clerks were related to the religious institutions located in the city. Therefore, the boundaries between different institutions were more permeable than we thought. This interaction of institutions explains why the civic administration learnt the making of documents so quickly from other institutions.

Meanwhile, the office of statute clerk was established in the city. Even though this office was frequently assigned at royal pleasure, the grantees tended to name a deputy to take the office in person. The background of most clerks 'in person' was connected to the city. These clerks could be termed 'clerk of the city', but there is no strong evidence to demonstrate that this office should be mixed with the 'common clerk'. The office of clerk possibly appeared in civic administration from the mid-fourteenth century, and the common clerk was founded in

1377. According to an oath of York's common clerk, one of his duties was to safely preserve all books, muniments and other things related to the community.³³¹ In addition, the 1370s witnessed both an important compilation of civic records and the institution of the common clerk. This raises an argument that the poor preservation of civic records was caused by the absence of an office of clerk.

³³¹ YCA, Y/COU/3/1, fol. 1r.

Conclusion of Part I

The civic government of York started to make administrative documents not much later than royal and ecclesiastical institutions. From 1272 to 1370, many civic financial and legal documents were written down and these documents now survive in royal and religious archives. Perhaps the institutional density of the city contributed to the spread of literacy. Other institutions offered models for the civic government to learn the making of documents, and the gathering of religious houses provided a large pool of clerks to temporarily serve the civic administration.

Yet, the large-scale production of documents did not result in the long-term preservation of records. After examining the use of records by civic officials from 1272 to 1354, no strong evidence was found to demonstrate that those officials used records older than their generation. Royal charters were important records for a royal borough to prove its privilege. G. H. Martin believed that the original copies of charters were preserved safely by the city.³³² However, this research shows that when civic jurisdiction was challenged, urban officials tended to use the most recent charter rather than previous charters. Moreover, they frequently referred to custom when they discussed the more ancient stories. In comparison, the contemporaneous officials of religious houses quoted a series of charters. This may be explained by their preservation of original copies, or their transcription of charters into cartularies. Therefore, though some civic records may be preserved temporarily, their preservation was not for the long term. The development of the civic archive was not stable. This situation may be caused by various factors. However, this research offers a more persuasive answer: the lack of an office of clerk in the civic government. This office was set up in the second half of the fourteenth century, and its principal duty was preservation and compilation of civic records.

³³² See note 184.

Part II. A study of the first Freeman's

Register of York (Y/COU/3/1)

This Part is a study of a manuscript now preserved in the York City Archives. It was known as the 'Freemen's Register of York' by historians. Approximately 300 folios of this manuscript are filled with the personal names of freemen. All the names are arranged in chronological sequence, starting from 1273 and becoming consecutive from 1290 to 1671. This makes the manuscript an important source for historians studying the demography and economy of medieval York.³³³ However, the 'Freemen's Register' is not a completely appropriate name to cover all the contents of this manuscript, because they are actually miscellaneous. As will be outlined in the next three chapters, the manuscript includes annual lists of civic officials, and excerpts from royal records as well.

Generally, historians have tended to extract information selectively from this custumal. Yet, there has been less critical research regarding the compilation of this custumal itself, as noted in the introductory chapter.³³⁴ Therefore, the usefulness of this custumal in shedding light on civic administrative literacy was not fulfilled. In order to redress this problem, this Part is intended to combine the methodologies of manuscript study and historical study to critically examine this custumal. First of all, the manuscript will be studied as an object. Because the

³³³ J. N. Bartlett, 'Some Aspects of the Economy of York in the Later Middle Ages, 1300-1550', Diss., University of London, 1958; Bartlett, 'The expansion and decline of York in the later Middle Ages', 17-33; Miller, 'Medieval York', 41-7, 114-6.

³³⁴ See pages 29-30.

contents are not illuminating in the process of compilation, the codicological features of this manuscript provide valuable clues for us to reconstruct this process.

Next, this Part attempts to explain the source of Y/COU/3/1, especially if the source was written records. This seems to be impossible, because Y/COU/3/1 is an assemblage of many separate quires. Furthermore, no contemporaneous civic administrative document was directly related to Y/COU/3/1. Nevertheless, Part One has already demonstrated how archives beyond the City Archives contributed to this research. This Part will follow this approach to explore two parts of Y/COU/3/1: lists of freemen, mayors and bailiffs, and a quire, which was a fragment of a custumal now lost.

As will be outlined, both parts include contents dated from 1272 to 1377, but they were both created in the second half of the fourteenth century. The 1360s and 1370s witnessed some record-making activities by the civic government. Historians, such as Christian Liddy, Caroline Barron, Peter Fleming and Richard Britnell, already noted the close relationship between constitutional changes and the making or destruction of records in the late medieval towns.³³⁵ This research will borrow their perspectives to explain the compilation of lists and a quire about a civic office.

Therefore, this Part includes three chapters. Chapter Four argues that the date of creation of Y/COU/3/1 was approximately the 1360s or 1370s. The contents before the 1360s in Y/COU/3/1 were probably compiled retrospectively. At that time, several separate quires existed, which were later bound together to form the current shape of Y/COU/3/1. Chapter Five examines the lists of freemen, mayors and bailiffs, and argues that the freemen's lists were probably based on civic court rolls. The aim of the compilation was to make a new kind of civic record about freemen. Chapter Six discusses Quire 49, which is a fragment of a civic custumal now lost. The royal financial records were copied to support the financial authority of the civic administration. The duties and accountability of bailiffs were discussed as a result of regulating bailiffs' role in civic finance from the 1290s.

³³⁵ Liddy, *War, politics and finance in late medieval English towns*, 85; Barron, 'The Political Culture of Medieval London', 127-8; Fleming, 'Time, space and power in later medieval Bristol', 40; Richard H. Britnell, *Growth and decline in Colchester, 1300-1525*. (Cambridge University Press, 2008), 122-4.

Chapter Four. The manuscript

Introduction

Early interest in the composition of Y/COU/3/1 was expressed by some antiquarians and archivists. In editing the folios with freemen's lists, Francis Collins claimed that it might have been a transcript from other documents, as 'for long periods have been written by the same person'.³³⁶ Later, R. B. Dobson critically commented on the codicological features of folios with freemen's list, but his argument that the freemen were contemporaneously composed from the reign of Edward II was speculative.³³⁷ In more recent research, Debbie Cannon disagreed with Dobson's argument, because she found that in the lists of freemen, mayors and bailiffs, there is a common hand covering a long period from 1273 up to the mid-fourteenth century. Cannon noticed further that according to the texts of entries in the list of mayors, the first sequential years of office being recorded separately appears in the entry of 1352. These clues directed Cannon to believe that the lists of freemen, mayors and bailiffs started to be compiled no earlier than the 1340s or 1350s.³³⁸ However, Cannon did not consider the change of hands and hand-writing styles, which influence our judgement of the process of the compilation. Therefore, this chapter will review the manuscript in a more comprehensive way to argue that the date of creation should not be earlier than the 1360s.

This chapter borrows methods from manuscript study. Distinct from a traditional focus on literary manuscripts, recent studies raised the possibility of crossing the boundary between literature and historical records. For instance, Linne Mooney and Estelle Stubbs detected the involvement of London Guildhall clerks in copying Middle English literature, through identifying their hands.³³⁹ By comparing the hands appearing in the manuscript of the *Anglo-Norman Custumal of Exeter* and deeds in Exeter, Ketrina Bevan argued that most of the custumal was 'written all in one setting'.³⁴⁰ Justin Croft reconstructed the sequence of production of a custumal of Faversham by considering the successive hands and the physical

³³⁶ For the published lists of freemen from 1272 to 1759, see *FR*. For a list of corrections to the first volume, see Palliser, 'The York Freemen's Register 1273-1540'.

³³⁷ Dobson, 'Admissions to the Freedom of the City of York in the Later Middle Ages', 1-22, 6.

³³⁸ Cannon, 'The veray registre of all trouthe', 143-4.

³³⁹ Linne R. Mooney and Estelle Stubbs. *Scribes and the City: London Guildhall Clerks and the Dissemination of Middle English Literature, 1375-1425*. (Boydell & Brewer Ltd, 2013).

³⁴⁰ Bevan, *Clerks and scribes*, 151-3.

construction of the manuscript.³⁴¹ Generally, a custumal contains codicological clues, especially the handwriting, that throw light on its history of compilation.

This chapter starts by investigating the codicological characteristics of Y/COU/3/1, including collation, foliation, markings on the text, and most importantly, the handwriting. The evidence suggests the argument that the manuscript originated from several detached quires and the quires with lists of freemen and civic officials started to be composed from around the 1360s and 1370s. Then, Y/COU/3/1 is compared with the other civic manuscript, Y/COU/1/4/1, whose date of creation had been confirmed. The common hands shared by these two manuscripts support further that the earliest quires of Y/COU/3/1 were created in the late fourteenth century. Lastly, this chapter intends to discuss how the making of Y/COU/3/1 contributed to our understanding of the compilation of civic custumals in the fourteenth century. A broader view is undertaken to suggest both similarity and difference between York and other English towns.

1. Handwriting and date: internal evidence

The manuscript Y/COU/3/1 is a codex made up of 377 folios, distributed in 59 quires (see table 10).

Table 10 Collation of Y/COU/3/1

Quire	Folios	No. of folios ³⁴²	Hands	Language	Contents
1	1-3	4		Latin, English	Oaths of civic officials, undated
2	4-10	10		Latin	List of the mayors (1273-1407) ³⁴³
3	11-14	4		Latin; Anglo-Norman	List of the mayors (1408-1436)

³⁴¹ Justin P. Croft, 'The custumals of the Cinque ports c. 1290-c. 1500: studies in the cultural production of the urban record'. Diss. University of Kent, 1997, 195-206.

³⁴² The number is speculative, because there were folios missing or inserted.

³⁴³ The mayors' list contained the name of the common clerk from 1377 (up until 1516) and mayors' servants from around 1365 (up until 1516).

4	15-26	12		Latin	List of the mayors (1437-1515)
5	27-31	6		Latin, English	List of the mayors (1516)
6	32-43	12		Latin	List of freemen (1273-78, 1290-1322) ³⁴⁴
7	44-55	12		Latin	List of freemen (1323-1349)
8	56-66	12		Latin	List of freemen (1350-1368)
9	67-73	7		Latin	List of freemen (1369-1379)
10	74-77	4		Latin	List of freemen (1380-1386)
11	78-85	8		Latin	List of freemen (1387-1396)
12	86-89	4		Latin	List of freemen (1397-1400)
13	90-97	8		Latin	List of freemen (1401-1412)
14	98-105	8		Latin	List of freemen (1413-1421)
15	106-113	8		Latin	List of freemen (1422-1433)
16	114-123	12		Latin	List of freemen (1433-1444)
17	124-131	8		Latin	List of freemen (1444-1455)
18	132-139	8		Latin	List of freemen (1455-1651)
19	140-147	8			
20	148-155	8			
21	156-163	8			
22	164-171	8			
23	172-179	8			
24	180-187	8			
25	188-194	8			
26	195-202	8			
27	203-206	6			
28	207-209	6			
29	210-213	8			
30	214-220	8			
31	221-228	8			
32	229-236	8			
33	237-240	4			
34	241-242	2			
35	243-244	2			
36	245-252	8			
37	253-256	4			
38	257-261	6			
39	262-270	10			
40	271-276	6			
41	277-282	8			
42	283-284	2			

³⁴⁴ An entry was titled during the 13th, 14th, 15th, 16th, and 17th years of Edward [I], but the title was later added. For a discussion in detail, see pages 165-6.

43	284-285	2			
44	286-287	2		Latin; English	
	288 ³⁴⁵			Latin	List of several offices (1338-1356); List of bailiffs (1273-1286)
45	289-298	14		Latin	List of bailiffs (1287-1395); ³⁴⁶ List of sheriffs (1396-1462)
46	299-306	8		Latin	List of sheriffs (1463-1526)
47	307-308	4		Latin	List of sheriffs (1527-1543)
48	309-310	4		Latin	List of sheriffs (1544-1556)
49	311-320	13		Latin and Anglo- Norman	Excerpts from royal Exchequer rolls and some civic records (Edward III); List of bridgemasters (1357- 1411) ³⁴⁷
	321 ³⁴⁸			Latin	List of chamberlains (1290- 1335)
50	322-330	10		Latin	List of bridgemasters (1412- 1517); List of chamberlains (1336-1384)
51	331-335	6		Latin	List of chamberlains (1385- 1419); List of sheriffs (1557- 1587)
52	336-343	11		Latin, English	List of sheriffs (1588-1611); List of freemen (17th century)
53	344-345	2		Latin, English	List of freemen (17th century)
54	346-349	4		Latin, English	List of freemen (17th century)
55	350-352, a344	5		Latin, English	List of freemen (17th century); oath of freemen; List of freemen by patrimony (15th century)
56	a345- a348	4		Latin, English, Anglo- Norman	List of freemen by patrimony (15th century); three petitions (undated)
57	a349- a354	6		Latin, English	List of freemen (17th century)

³⁴⁵ This folio was inserted.

³⁴⁶ The bailiffs' list included the names of their pledges from 1322/3 and the lists of pledges become continuous from 1333/4.

³⁴⁷ For more details, see table 29.

³⁴⁸ This folio was inserted.

58	a355- a358, b349	5		Latin, English	List of freemen (17th century); memorandum of a litigation (1399/1400)
59	b350- b356	7		Latin, English, Anglo- Norman	List of freemen by patrimony (1309/10, 1378/9, 1380/1, 1396/7, 1397/8, 1398/9, 1399/1400, 1400/1, 1402/3, 1403/4, 1404/5, 1405/6, 1406/7, 1407/8); some civic records (Edward II-Henry VI, some undated)

It is probable that this manuscript went through a long period of revision and rebinding from the later Middle Ages until perhaps the late nineteenth century.³⁴⁹ In addition to the binding, there are other clues. Most folio numbers are Arabic, written down in pencil and appearing in the middle top of the recto folios. This foliation system runs through most of the manuscript. Some mistakes were made, but the main confusion occurred in the last thirty folios. This marking stopped after fol. 351, leaving fol. 352 un-numbered. However, the next folio was numbered 344, and this numeration continued to 349 (a344-a349).³⁵⁰ The next ten folios are un-marked (a350-a358). When the folio number reappeared, it started from 349 again and this sequence reached the end of this volume (b349-b356). Apart from this modern style of foliation, there are remains of another system. For instance, roman numerals from ‘lxxix’ to ‘lxxxvij’ were found on fols. 311-318. Thus, it is possible that these folios were cropped from another civic register. Nevertheless, the absence of roman numerals suggests that most folios with medieval contents were not collected into this manuscript until later periods.

The most obvious reason why this manuscript was linked to the Middle Ages is that most of its contents were dated and the timeline dated back to 1273. In addition, the co-existence of Latin, Anglo-Norman French and Middle English indicates that the writing took place no later than the fifteenth century, because French appeared in civic records of the fourteenth and fifteenth centuries.³⁵¹ Furthermore, as will be explained, the hand-writing style highlights the possibility that some texts were composed during the Middle Ages. However, entries with reference to years did not definitely prove that these entries were written down contemporaneously. Indeed, there are signs to demonstrate that the earliest date of creation of

³⁴⁹ I am grateful to Laura Yeoman, the archivist of York City Archives, who shared with me her ideas on the binding of the manuscript.

³⁵⁰ To distinguish the reappearance of the numbers, this thesis follows Debbie Cannon’s way to use the combination of letter and number, such as a344 and b349.

³⁵¹ Britnell, ‘Uses of French Language in medieval English towns’, 81-89.

folios forming Y/COU/3/1 was much later than 1273. Because medieval contents were principally discovered in quires 2-17, 45, 49-51, 55-56 and 58-59, the following discussion focuses on these quires.

The first point is about the collation of folios. Except the quires 6-17, where the early lists of freemen were recorded, the other quires were a collection of entries covering a long chronological scope. The timeline of Quire 2, where the list of the mayor started, ranged from 1273 to 1407. In Quire 45, the list of bailiffs and sheriffs appeared, and its scope was between 1273 and 1462.³⁵² When it comes to Quire 49, the first part included the excerpts of royal rolls and civic records under Edward III (1327-1377), but the list of bridgemasters extended the period up to 1411. Similarly, in Quire 59, on the one hand, there were lists of freemen dated the early fourteenth century; on the other hand, some records dated in the years of Henry VI (1422-1461) were found. The gathering of entries connected to a period over a century raises the possibility that part of the compilation was a retrospective project.

In terms of the quires 6-17, where freemen's lists started to appear, the chronological span was shorter than that of the previous examples. Quire 6 included entries for four decades, while the entries of the following quires never spanned more than 30 years. Yet, there are reasons to believe that these folios were not composed contemporaneously, either. In quires 6-17, catchwords and folio marks appeared regularly. From Quire 6 to 16, catchwords were discovered on the right bottom of the verso of the last folio. These words matched those at the beginning of the next quire. In quires 6 to 17, there are folio marks with a combination of letters and roman numerals in the right bottom of the recto. For example, on fols. 32-37 (in Quire 6), composite numbers from 'aj' to 'avj' are found. On fol. 124, the first folio of Quire 17, we find 'mj'. These marks were not continuous in these quires, but this interruption could be caused by abrasion, because the bottom outside corner tended to be touched when a folio was flipped. Therefore, lists of freemen from 1273 to 1455 also show the possibility that these folios were compiled in several separate stages.

The second point is about handwriting. As will be proved, there are many hands involved in the writing of this manuscript. The style of writing was able to cast light on some undated entries. For example, the oaths of civic officials in Quire 1 were all undated, but according to the style of handwriting and the language, Middle English, they were probably written down

³⁵² After the city was granted the status of a county, sheriffs replaced bailiffs. See Rees Jones, 'York's Civic Administration, 1354-1464', 140.

in the late fifteenth century or even later.³⁵³ Furthermore, differences in handwriting may suggest that some folios were subject to revision. From fols. 32-99, where the freemen admitted from 1273 to 1400 were registered, the title of each year originally referred to the regnal year. However, another hand attempted to translate the regnal year into the civil year (see fig. 6). This hand was definitely later than some hands involved with the writing of the freemen's lists.

More significantly, examination of the handwriting is a way of explaining the early history of Y/COU/3/1. To start with the quires 6-8, where freemen from 1273 to 1368 were recorded, at least three hands were detected. They are labelled from A to C according to the sequence of their appearance (see figs. 6-8). The handwriting of the three scribes all shared the features of the *Cursiva Anglicana*. This style developed from the middle of the thirteenth century, and became popular in the fourteenth and fifteenth centuries. Cursive scripts made writing speedier.³⁵⁴ The ascenders of **b**, **l**, **h**, **k** are elaborately forked, in which the forks are 'looped back'. The strokes forming the abbreviation are broader, indicating the oblique angle of pen hold or nib cut.³⁵⁵

At first glance, the different hands suggest some chronological gaps. Scribe A was in charge of lists from 1273 to the 1330s. Scribe B from the 1340s to the 1350s. Scribe C was later than scribes A and B, because it appeared in the list of 1361-2 (35 Edward III). Nevertheless, there is evidence to show that scribes A and B contemporaneously participated in the compilation of these folios. The list of entrants of 1339-40 (13 Edward III) ranges from the recto to the verso of fol. 51 (see figs. 6-7). The title and names on the recto were written by Scribe A, while the remaining names on the verso by Scribe B.

³⁵³ The handwriting style has characteristics in common with the late fifteenth-century handwriting illuminated in Malcolm Beckwith Parkes, *English cursive book hands, 1250-1500*. (Routledge, 2016), plate 3.2.

³⁵⁴ 'Reading and Understanding Medieval Documents', <https://www.nottingham.ac.uk/manuscriptsandspecialcollections/researchguidance/medievaldocuments/handwritingstyles.aspx>

³⁵⁵ Parkes, *English cursive book hands*, xv.

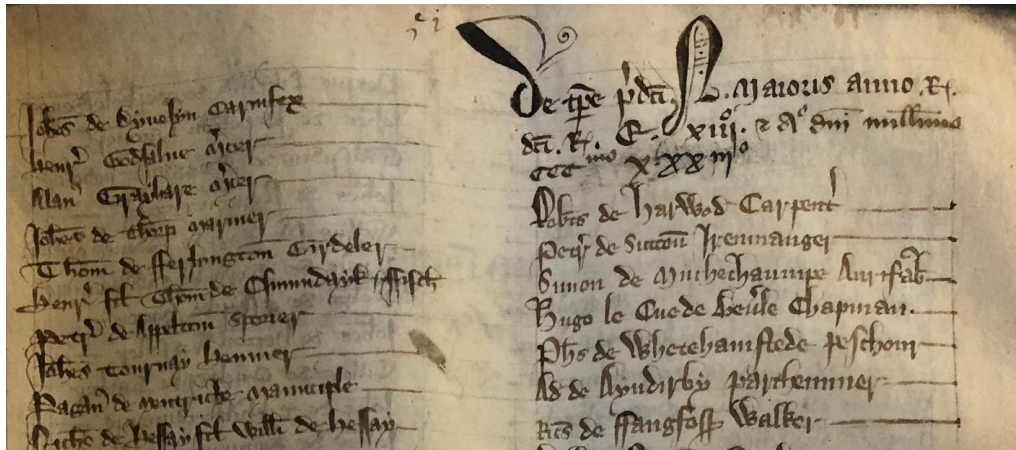


Figure 6 YCA, Y/COU/3/1, fol. 51r. (extract): illustrating the hands of Scribe A. Note the forked ascenders of **h** (col. b, line 6, Muchethaumpe) and **b** (col. b, line 6, 'Aurifaber'). Note also the title of column b, where a later hand added the civil year after the regnal year.³⁵⁶

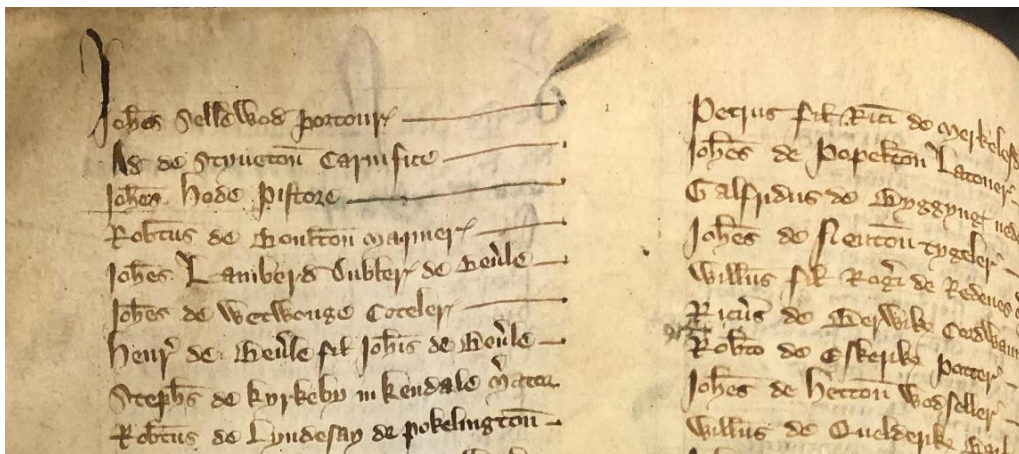
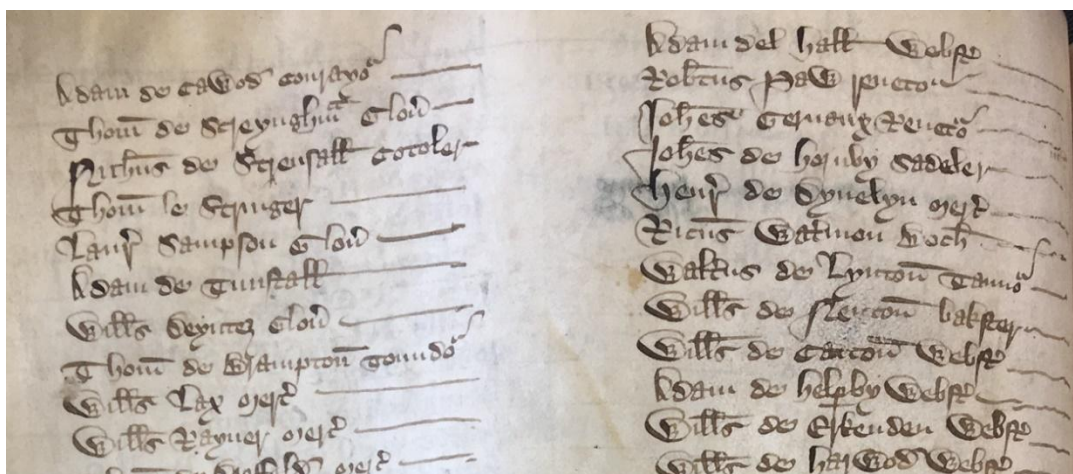


Figure 7 YCA, Y/COU/3/1, fol. 51v. (extract): illustrating the hands of Scribe B.



³⁵⁶ This hand revised the list of freemen on fols 32r.-99v., but it should be noticed that he made many mistakes in the revision. For example, as shown above, the thirteenth year of Edward III is 1339/1340 rather than 1333.

Figure 8 YCA, Y/COU/3/1, fol. 62v. (extract): illustrating the hands of Scribe C.

From the third quarter of the fourteenth century, English cursive handwriting became influenced by the ‘Secretary’ script.³⁵⁷ Broken strokes were used in the formation of **g**, **o**, **c**, **e** and in the lobes of **d** and **q**. The large loop and hook of ascenders were replaced by smaller ones. Generally, the letters became more tightly formed and more angular. In the freemen’s lists, the influence of this new style of calligraphy could be found. From the list of 1393-4 (17 Richard), the ‘Secretary’ script started to dominate the way the lists were written (Scribe D, see fig. 9)³⁵⁸. This observation matches with the evidence discovered from Archbishops’ registers of York, because the ‘Secretary’ script firstly appeared in a notarial attestation dated 1379.³⁵⁹

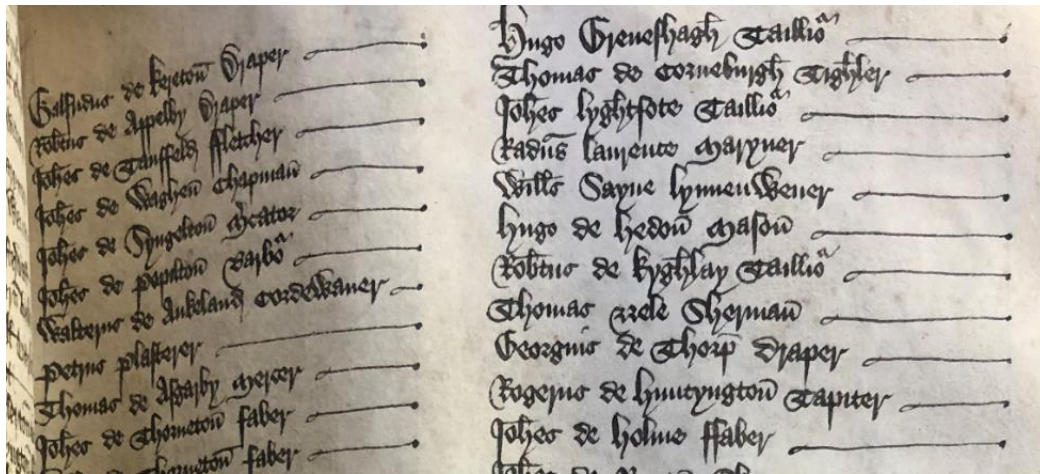


Figure 9 YCA, Y/COU/3/1, fol. 84r. (extract): illustrating the hand of Scribe D.

Note the influence of the Secretary script, particularly in the diamond-shape lobes of **d** (column a, line 3, ‘Tanffeld’), and **a** (column a, line 5, mercator) and broken strokes of **g**, **o**, **e** (column b, line 2, ‘Corneburgh’)

As observed by Debbie Cannon, some hands re-appeared in different parts of Y/COU/3/1.³⁶⁰ By comparison, the four hands mentioned above were detected in quires without freemen. On the one hand, we discovered the work of the four scribes in the list of the mayors in Quire 2 (see figs. 10-13). Scribe A was interwoven with the entries from 1273 up to the early 1340s, Scribe B the late 1340s, Scribe C the 1360s and the 1370s, and Scribe D from 1392. On the other hand, in Quire 45, where the names of bailiffs were recorded, a similar arrangement was found (see figs. 14-17). Therefore, it seems that there were at least two chronological stages

³⁵⁷ Parkes, *English cursive book hands*, xix.

³⁵⁸ YCA, Y/COU/3/1, fol. 84r.

³⁵⁹ Parkes, *English cursive book hands*, xx.

³⁶⁰ Cannon, ‘The veray registre of all trouthe’, 144.

in the writing of the lists of freemen and urban officials. The first stage witnessed the activity of an old generation of clerks, who used the *Cursiva Anglicana*, while in the second stage, there were clerks influenced by the new calligraphy, the ‘Secretary’ script.

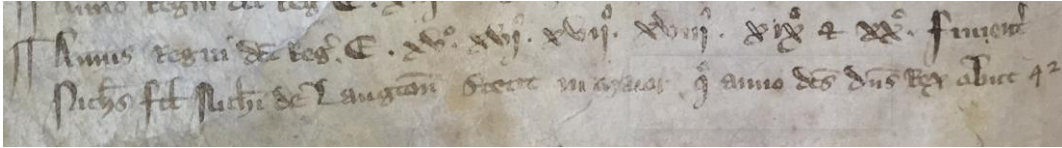


Figure 10 YCA, Y/COU/3/1, fol. 4v. (extract): illustrating the hand of Scribe A. Note the bifurcation of **b** (line 2, ‘obiit’).

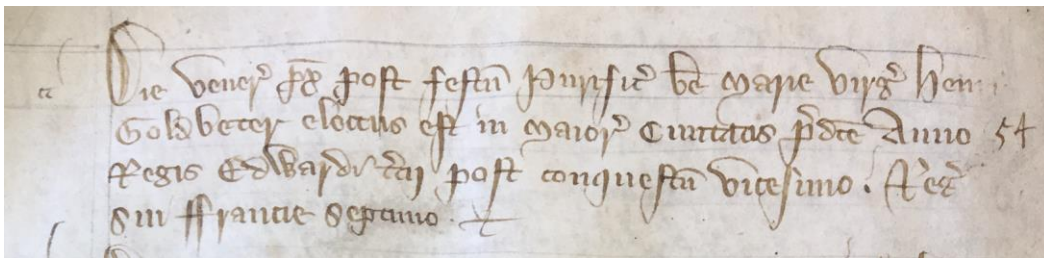


Figure 11 YCA, Y/COU/3/1, fol. 5v. (extract): illustrating the hand of Scribe B. Note the large hook of **l** (line 2, ‘electus’), **b** (line 2, ‘Goldbeter’).

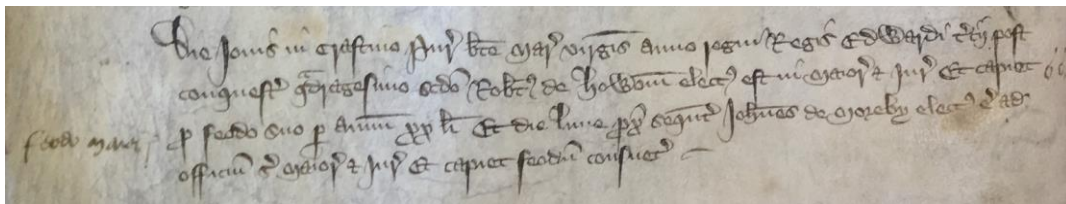


Figure 12 YCA, Y/COU/3/1, fol. 6v. (extract): illustrating the hand of Scribe C. Note the disappearance of bifurcation, even though it remains in upper-case letters, such as **H** (line 2, ‘Howom’), and **L** (line 3, ‘Lune’).

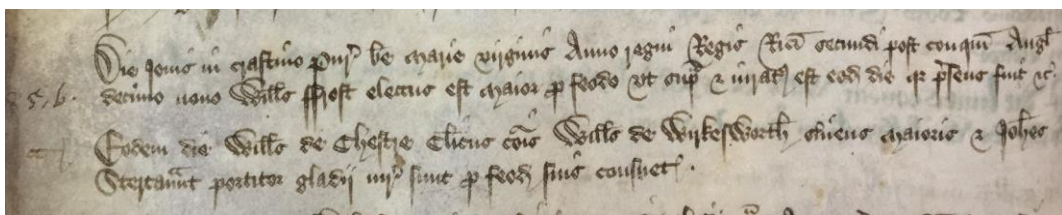


Figure 13 YCA, Y/COU/3/1, fol. 9v. (extract): illustrating the hand of Scribe D

Omnia Balluoz Curatus *Quintus Rex. h. pmo. r. e. t.*
 Anno regni regis & filii regis. h. pmo. *Johes fit Johes le specer*
Elemens de pomeyruca.
 Anno regni eius & regis & ead. *Johes de buntom*
Gilles de Luda.
Henr de hotchis
Johes de Compton
 Anno. r. eius. r. r. & ead. *Johes de buntom*
Johes de Compton
Henr de hotchis.

Figure 14 YCA, Y/COU/3/1, fol. 288v. (extract): illustrating the hand of Scribe A.

Anno r. r. & r. r. r. r. r. *Wills gra ples Johes de Com*
Wills de poyen ples Johes Namajap
Thomas de Eloxaco ples Johes de Compton
 Anno r. r. & r. r. r. r. r. *Johes de Langeron ples Wills de buntom*
Thom de gytton ples Johes de buntom
Johes de Lysquatre ples Johes de buntom
 Anno r. r. & r. r. r. r. r. *Wills de stelton ples Johes de buntom*
Thom de Duffels ples Johes de buntom
Wills de hachpugton ples Johes de buntom

Figure 15 YCA, Y/COU/3/1, fol. 291v. (extract): illustrating the hand of Scribe B.

Anno regni dei regis & ead. *Wills de buntom ples Johes de buntom*
Robt de poyen ples Johes de buntom
 Anno regni dei regis & ead. *Henr de Kalfald opicy ples Johes de buntom*
Johes fit pich de storb ples Henr de storb
Wills de buntom ples Wills de buntom
 Anno regni dei regis & ead. *Johes de buntom ples Wills de buntom*
Johes de buntom ples Wills de buntom

Figure 16 YCA, Y/COU/3/1, fol. 292r. (extract): illustrating the hand of Scribe C.

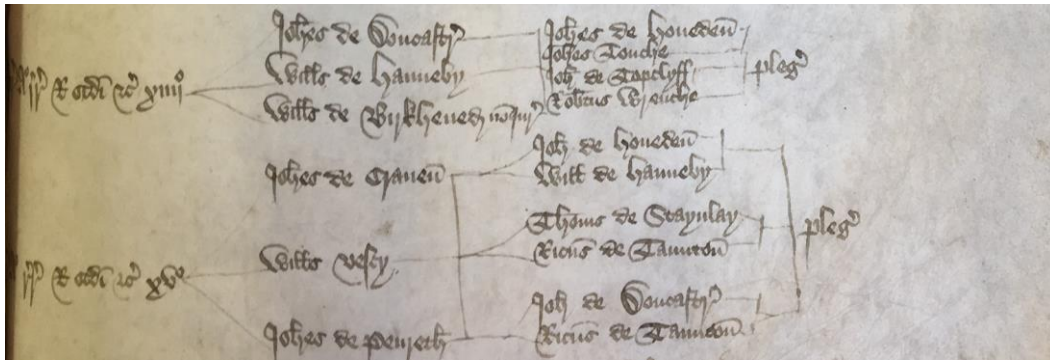
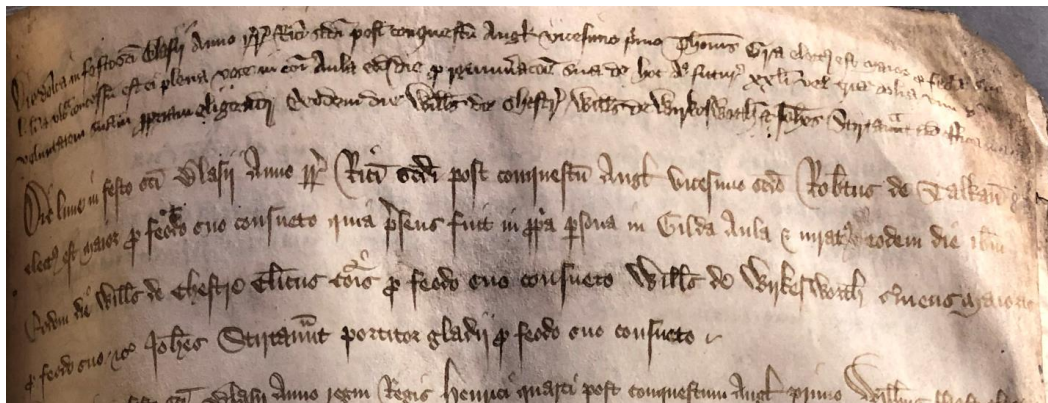


Figure 17 YCA, Y/COU/3/1, fol. 294r. (extract): illustrating the hand of Scribe D.

Until now, the discussion has not reached an argument different from previous historians, who believed that the date of creation of Y/COU/3/1 should be the early- or mid-fourteenth century.³⁶¹ Next, more evidence will be sought to give a new idea about the date of creation. At first, there is no evidence to prove that the compilation of records dated up to 1400 became more contemporaneous. In Quire 2, the insertion of an entry was noted. The first entry on the recto of fol. 10, dated 1397/8, is distinct from the remaining entries on this page (see fig. 18). The handwriting style of this page is coherent and in accordance with the last two entries on the verso of fol. 9, except the first entry, which looks less formal and compressed. This suggests that the scribe may have omitted this entry when he wrote it down, and it undermines the possibility that the writing was contemporaneous. Similarly, in Quire 11, when the list of freemen admitted in 1393/4 (17 Richard II) stretched over the verso of fol. 83 and the recto of fol. 84, a change of hands appeared (see fig. 10). The title on the former folio was written by an unidentified scribe, whereas the names on the latter folio probably reflected the hand of Scribe D. Therefore, both the coincidence between the change of hands and the transition of pages and the revision of texts direct us to speculate that there were several clerks cooperating in the compilation of these folios.



³⁶¹ See page 102.

Figure 18 YCA, Y/COU/3/1, fol. 10r. (extract): illustrating the insertion of an entry. Compare the space between the words and that between the lines in two entries.

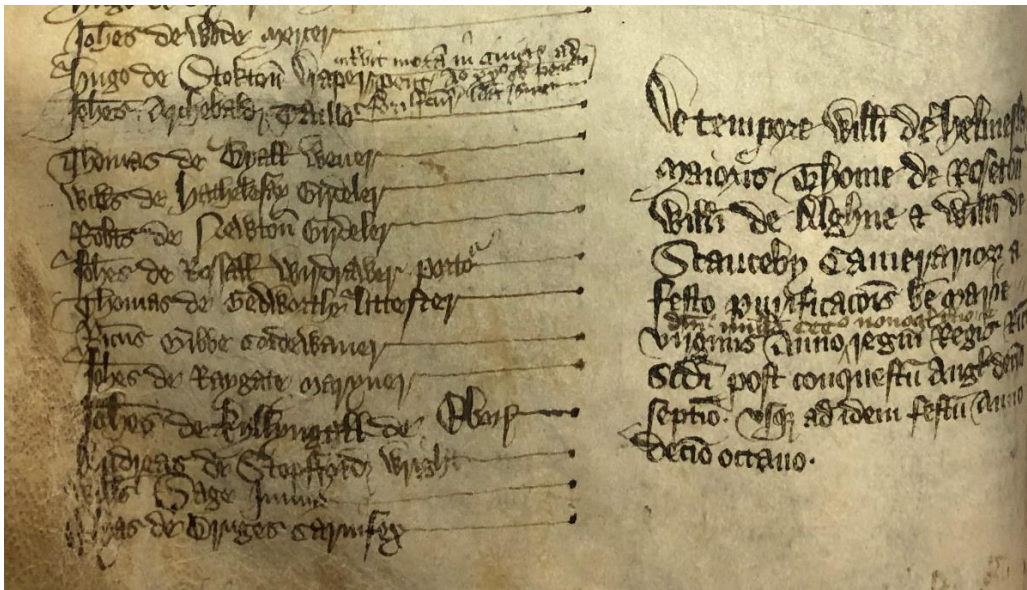


Figure 19 YCA, Y/COU/3/1, fol. 83v. (extract): illustrating an unidentified hand.

More importantly, we find that Scribe A, B, C, and D worked in a relatively close period. This phenomenon formed an important aspect of arguing the date of creation of these folios.QUIRES 49 and 59 are taken as the sample because they showed the co-existence of the aforementioned hands. In the former, we find the hands of Scribe A, B, C and D (see table 11). This quire is pronounced not merely due to the fact that some contents were copied from the royal rolls. The handwriting looks more formal and tidier than any other sections of the manuscript.³⁶² In addition to the foliation in Roman numerals on fols. 311-318, that is 'lxxix' to 'lxxxvij', the coherent palaeographical style also revealed that this quire once possibly belonged to another civic register.

With regard to the four hands discovered, the hands of Scribe A and Scribe B were linked to records dated from the 1330s to the 1350s (see figs. 20-1). For the next entries, we find that Scribe C and D appeared by turns (see fig. 22). The last section of this quire, fols. 318r-320, includes a list of those selected to be bridgemasters from 1357 to 1410. Similar to lists of urban officials already noted, the coexistence of hands is obvious, and the hands of Scribe C and D are found. This observation does not challenge the idea that Scribe C and D belonged to two different generations of clerks, one featured by the *Cursiva Anglicana*, the other the 'Secretary' script. However, their period of action overlapped. Scribe D should not be earlier

³⁶² Lists of freemen and civic officials were believed to be written in a formal and tidy style, but this is not continuous. For example, the handwriting on fol. 6r is scratchy.

than the 1370s, because he showed the influence of the ‘Secretary’ script. Furthermore, even if the list-writing became contemporaneous in the fifteenth century, Scribe D was active up to the early 1410s, as his handwriting was found in the lists of bridgemasters. Therefore, the period when Scribe D participated in the writing of Y/COU/3/1 was probably from the 1390s to the 1410s. Scribe C was probably active between the 1370s and the 1390s. This is reasonable, because the *Cursiva Anglicana* continued to influence the handwriting after the appearance of the ‘Secretary’ script.

Table 11 Hands of Scribe A, B, C and D in Y/COU/3/1

Hands	Folios	Date	Language	Contents
Scribe A	311r.	1333/4-1336/7	Latin	Extracts copied from royal Exchequer rolls
Scribe B	311r.- 312v.	1337/8-1340/1	Latin	
Scribe A	312v.	Undated	Latin	
Scribe B	312v.	1344/5	Latin	
Scribe A	313r.	1353	Latin	A note about York’s bailiffs
Scribe C	314r.- 315v.	1368-1374	Anglo-Norman, Latin	Legal records
Scribe D	315v.- 317v.	1330-1377	Latin	Legal records
Scribe D	318r.	1357/8-1363/4	Latin	List of bridgemasters of the Ouse and Foss
Scribe C	318v.- 319r.	1364/5- 1379/80	Latin	
Scribe D	320r.- 320v.	1399/1400- 1410/1	Latin	

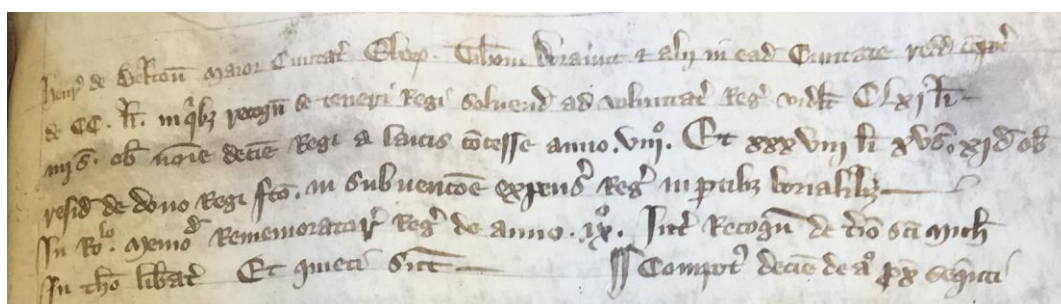


Figure 20 YCA, Y/COU/3/1, fol. 311r. (extract): illustrating the hand of Scribe A. Note the bifurcation of **l** (line 1, ‘Belton’), and **b** (line 4, ‘borialibus’).

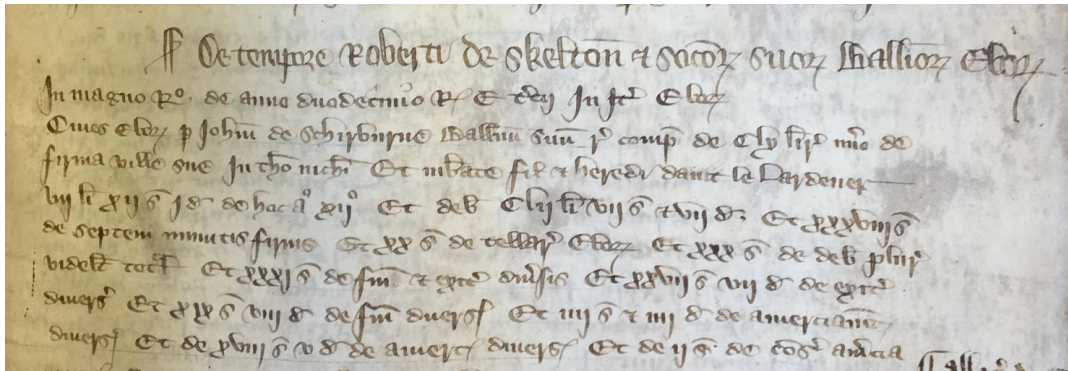


Figure 21 YCA, Y/COU/3/1, fol. 311r. (extract): illustrating the hand of Scribe B.

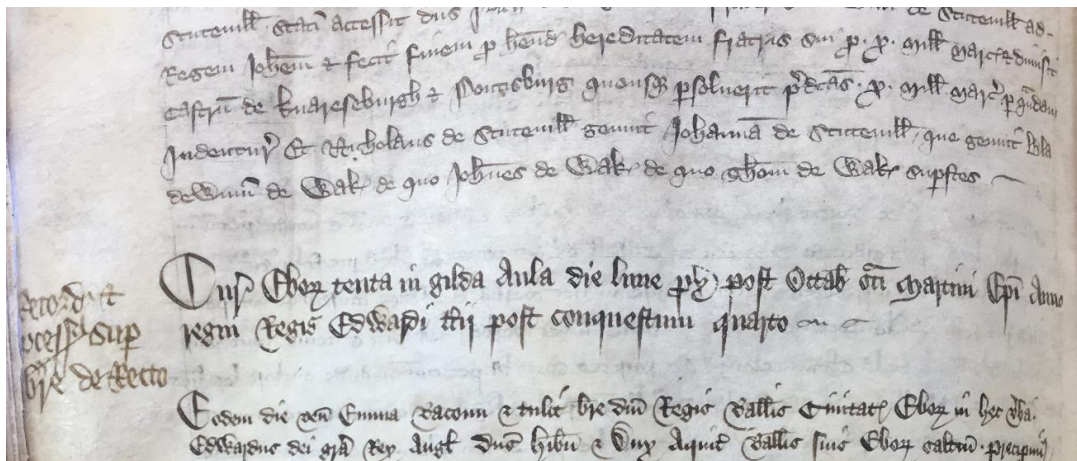


Figure 22 YCA, Y/COU/3/1, fol. 315v. (extract): illustrating the hands of Scribe C and D. Compare the two hands and note how the Secretary script made the letters more angular and closely formed.

With regard to the date of Scribe A and B, more evidence can be found in Quire 59, which reveals the co-existence of hands of Scribe A, B and D (see table 12, and figs. 23-5). On the recto of fol. b350, Scribe B wrote down the list of freemen by patrimony under the years 1309/10 and 1378/9 (see fig. 23). Different from what we have found in lists of freemen, mayors and bailiffs, this shows that Scribe B was active as late as the 1370s. Thus, Scribe B probably wrote Y/COU/3/1 during the 1360s and 1370s. As it has already been argued that Scribe A and B worked in the same time, Scribe A probably did not write before the 1360s.³⁶³

Table 12 Hands of Scribe A, B, and D in Y/COU/3/1

Hands	Folios	Date	Language	Contents
Scribe B	b350r.	1309/10-1378/9	Latin	Lists of freemen by patrimony

³⁶³ See page 108.

Scribe D	b350v. -b351r.	1400/1- 1406/7	Latin	Lists of freemen by patrimony
Scribe A	b351v. -b352r.	1345	Anglo- Norman	A contract made between the mayor and commonalty of York and Thomas de Staunton, mason, concerning the construction of walls around Walmgate, and payment for this work
Scribe B	b352r.	1347	Latin	A legal document in which John de Lincoln and Nicholas de Grantham, furbishers recognise their obligation to fulfil a payment to Mathew de Knybe, merchant
Scribe D	b352r.	1401	Latin	The names of Scots sworn as liegemen of the king of England
Scribe A	b352v.	undated	Latin	Verses
Scribe D	b353r.- b353v.	1315/6	Latin	A list of church wards in the city of York
Scribe D	b355r	1403- 1405	Latin	The names of Scots swearing allegiance to the king of England

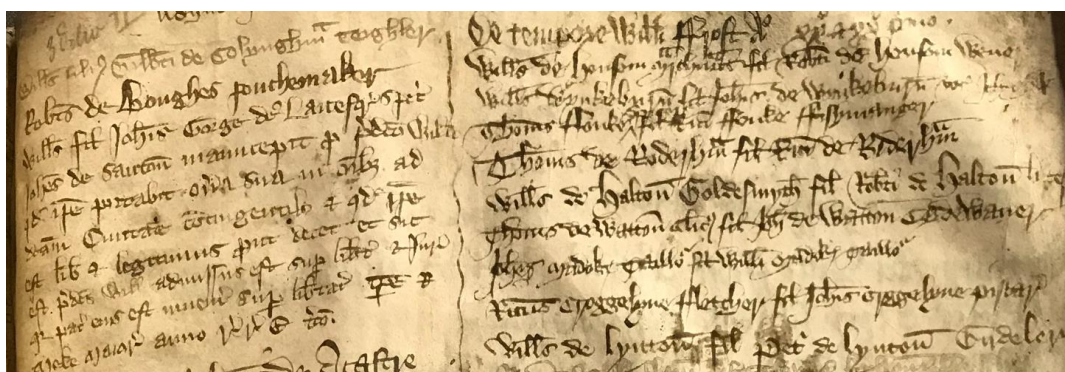


Figure 23 YCA, Y/COU/3/1, fol. b350r. (extract): illustrating the hands of Scribe B (left-hand column)

Note: Above the main text there is a note of the regnal year by a later hand in pencil.

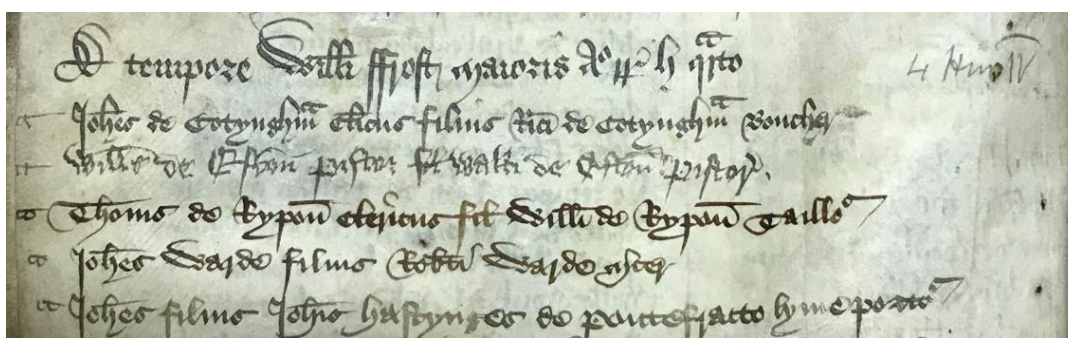


Figure 24 YCA, Y/COU/3/1, fol. b350v. (extract): illustrating the hands of Scribe D

Note: The note in pencil appeared again.

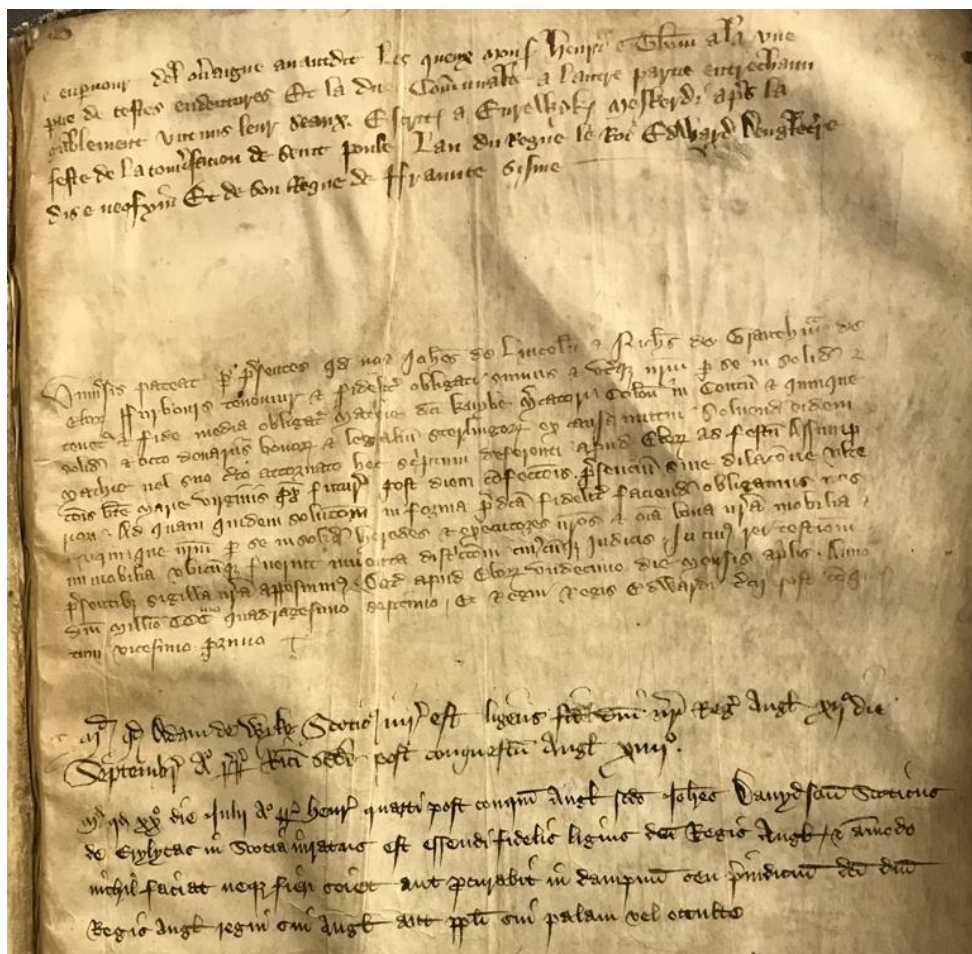


Figure 25 YCA, Y/COU/3/1, fol. b352r. (extract): illustrating the hands of Scribe A, B and D.

To take all the evidence into consideration, the date of creation of the folios with medieval contents in Y/COU/3/1 was possibly the years around the 1360s or the 1370s, later than previous historians had argued. Obviously, an argument based on palaeographical research could be tentative, so this argument will be examined further in the next section. Yet, the research above has already indicated how a manuscript formed by a collection of fragments could be explored to make it tell about its early history of compilation.

To sum up, a codicological review of Y/COU/3/1 indicated that this manuscript experienced a long period of revision and compilation from the Middle Ages to more recent centuries. In terms of the ‘medieval’ folios, the creation dated back to the 1360s and the 1370s. It is true that many folios were written down by the same hand. Yet, the change of hands did not prove that the writing became more contemporaneous. As demonstrated in this part, several hands of the same style or even different styles could work synchronically rather than consecutively. The folios in question were the result of a retrospective project. Even though some working (but not surviving) documents may have been the foundation for this summary compilation,

the surviving manuscript does not show a contemporaneous making of administrative records. In addition, the years from the 1360s to the 1370s were probably the date of creation. This argument rendered this manuscript contemporaneous with Y/COU/1/4/1 (starting from 1377) and Y/COU/1/4/2 (from 1371). Is it possible that the hands mentioned above were involved with the compilation of Y/COU/1/4/1 and Y/COU/1/4/2 as well? To answer this question, we might well verify our argument about the date of creation of Y/COU/3/1.

2. Handwriting and date: external evidence

According to the scholarship, the compilation of Y/COU/1/4/1 and Y/COU/1/4/2 both started from the 1370s, so it is possible to find a link between them and Y/COU/3/1. However, given the inaccessibility of Y/COU/1/4/2 during this research, Y/COU/1/4/1 will be taken as the sample.³⁶⁴ This section plans to compare the codicological features of Y/COU/3/1 and Y/COU/1/4/1. The discovery can make the argument about the date of creation of Y/COU/3/1 more exact.

To begin with the foliation, two styles were discovered in Y/COU/1/4/1. One is Roman numerals appearing at the top of folios, and the other is Arabic numerals at the bottom of folios. Some obviously inserted folios were marked in Arabic but without Roman numbers, such as fols. 22-25 (see fig. 28). Therefore, it is probable that the top numerals represented a previous situation of this manuscript. In general, the handwriting showed similarity to that of Y/COU/3/1, because both the *Cursiva Anglicana* and the 'Secretary' Script were found. However, it is clear that the latter style occupied most of the manuscript. This matches the argument that the manuscript was started from the last quarter of the fourteenth century.

With regard to the contents, at first sight, there was no chronological order (see table 13). Nevertheless, this sequence was caused by the fact that this manuscript experienced periodical revision.

Table 13 Collation of Y/COU/1/4/1 (fols. 2r. -46r.)

³⁶⁴ Y/COU/1/4/2 was being repaired in the Borthwick Archives when the thesis was written up.

Folios ³⁶⁵	Hands ³⁶⁶	Language	Contents ³⁶⁷
2r.-5r.	A, S	Latin	Rent for the farm (1376)
5r.-7v.	A, S	Anglo-Norman	Ordinances and statue made in the time of John de Gisburn as mayor (1370-1)
7v.	A, S	Latin, Anglo-Norman	Common servants elected (1380/1; 1377/8; 1379/80; 1399/1400)
8r.	S	Latin	Boundary of the city (1374/5); Common servants elected (1398/9)
8v.	A	Latin	Coroners' inquest (1376/7); receipt of payment of debt (1377)
9r.	A	Latin	Presentation to a chantry (1379)
9v.	A	Latin	Selection of custodians of grain trade (1377); Farm and rent to Maison Dieu on Ouse Bridge; Selection of custodians of Fish on Foss Bridge (1379)
10r.-10v.	A	Latin	Dispute with St Mary's abbey about the right of way (1378-9)
10v.	S	Anglo-Norman, Latin	Ordinances of buckler makers and sheath-makers (mayoralty of John de Gisburn); Ordinances of bakers (mayoralty of John de Gisburn); Ordinances of sheath-makers (1420)
11r.	A	Latin	List of the twelve and the twenty-four (1378); resistance to mayor's official (1378); election of searchers (1378)
11v.	A	Latin	participants of a council [1379/80]; participants of a council (mayoralty of John de Acaster); Ship for the king's service (1376)
12r.	A, S	Latin	A list of names (undated); Bond of some bowers (1382); An ordinance related to Ouse Bridge (1391/2)
12v.	A	Latin	Ordinance on chamberlains (1379); Sergeants and their districts (mayoralty of Simon de Quixlay)
13r.	A	Latin	A list of names (undated); an agreement between the city and Master John de Clifford and Sir John de Midelton about tenements in York (1379)
13v.	A, S	Latin	Receipt of payment of debt (1379); chantry foundations (1379, 1384, 1379, 1380, 1381)
14r.-14v.	S	Anglo-Norman	Boroughbridge right of way (undated)
15r.	S	Anglo-Norman	Ordinances (1380)

³⁶⁵ This table follows the Arabic numerals.

³⁶⁶ 'A': Cursiva Anglicana. 'S': Secretary script.

³⁶⁷ '()' indicates the date noted in the original text. '[']' indicates the date speculated in this research.

15v.	S	Anglo-Norman	Ordinances (1381, 1385); Boycotting of Hugh Tankard (1389)
16r.	S	Latin	Ordinances of Quay (1388, 1389)
16v.	S	Latin, Anglo-Norman	Stipends and liveries of city servants (1390); bread for horse (1390); measurers of woad (1390); watercourse in Goodramgate (1390); an ordinance touching citizens free from being better people (1399)
17r.	S	Latin	A lost deodand (1382); measuring woad (1390); ordinance about timber piles and kiddles in Ouse River (1399)
17v.	S	Latin, Anglo-Norman	Ordinance on food imported (1389); admission of freemen (1394); Corpus Christi play (1394); Ordinances on the prices of victuals (1392/3)
18r.	S	Anglo-Norman	Ordinances on the prices of victuals (1392/3)
18v.	S	Latin	Lands and tenements given by John de Eshton (1384)
19r.	S	Anglo-Norman	Ordinances of glovers (undated)
19v.	S	Anglo-Norman	Ordinances of glaziers (undated); stations of Corpus Christi plays (undated)
20r.-v.	S	Anglo-Norman	Ordinances of bowers (1395)
20v.	S	Anglo-Norman	Ordinances of chandlers (undated)
21r.	S	Anglo-Norman, Latin	Ordinances of scribes (undated); Ordinances of butchers (1425)
21v.	S	Anglo-Norman, Latin	Ordinances of butchers (1425, 1431); Ordinances of Plasterers (1413)
22r.	S	Anglo-Norman	Ordinances of skippers (undated)
22v.	S	Anglo-Norman	Continuation of Ordinances of bowers
23r. ³⁶⁸	S	English	Ordinances of skippers (undated)
24r. ³⁶⁹	S	English	Ordinances of skippers (1430/1)
25r. ³⁷⁰	S	English	Ordinances of messengers (undated)
26r.	S	Anglo-Norman	Ordinances of messengers (undated); Ordinances of parchment makers (undated)
26v.	S	Anglo-Norman	Ordinances of coopers (undated)
27r. ³⁷¹	S	English	Ordinances of coopers (1471)
28r.	S	Anglo-Norman	Ordinances of fullers [c. 1390]
28v.	S	Anglo-Norman	Ordinances of cordwainers (undated)
29r.-29v.	S	Anglo-Norman	Ordinances of goldsmiths (1410/1)
30r.	S	Anglo-Norman	Ordinances of capmakers (undated)
30v.	S	Anglo-Norman	Ordinances of card-makers (undated)

³⁶⁸ Its verso is blank.

³⁶⁹ Its verso is blank.

³⁷⁰ Its verso is blank.

³⁷¹ Its verso is blank.

31r. ³⁷²	S	English	Ordinances of card-makers (undated)
32r.	S	Anglo-Norman	Ordinances of tanners, glovers, parchment-makers (undated); Ordinances of butchers (undated);
32v.	S	Anglo-Norman	Ordinances of butchers (undated)
33r.-33v.	S	Latin	Ordinances of tapestry-makers (undated)
33v.	S	Anglo-Norman	Ordinances of pinners (undated)
34r.	S	Anglo-Norman	Ordinances of saddlers (undated)
34v.	S	Anglo-Norman	Ordinances of saddlers (1398)
35r. ³⁷³	S	English	Ordinances of saddlers (1470)
37r. ³⁷⁴	S	Anglo-Norman	Ordinances of founders [c. 1398]
37v.-38v.	S	Anglo-Norman	Ordinances of tailors (1386/7)
39r.	S	Latin	Ordinances of tailors (1423)
40r.	S	Anglo-Norman	Ordinances of tailors (1386/7)
40v.	S	Anglo-Norman	Ordinances of spurriers and lorimers (1387, 1424, 1427)
41r.	S	English	Ordinances of saddlers (1538)
42r.	S	Anglo-Norman	Ordinances of spurriers and lorimers (1401)
42v.	S	Anglo-Norman	Ordinances of founders [c.1390]; Ordinances of shearmen (1405)
43r.	S	Anglo-Norman	Ordinances of shearmen (1405)
43v.	S	Anglo-Norman, Latin	Ordinances of iron smith (undated); Continuation of ordinances of tapestry-makers (1419)
44r.	S	Latin, Anglo-Norman	Ordinances of iron smith (1390/1); Ordinances of fletchers (undated)
44v.	S	Anglo-Norman	Ordinances of fletchers (undated)
45r.-45v.	S	Anglo-Norman	Ordinances of listers [c. 1390s]
46r.	S	Anglo-Norman, Latin	Ordinances of plasterers (1390)

Through examining fols. 2-46, two stages of compilation can be detected. First is from 1377 to 1381. On fol. 2, the heading claimed that this was a book of diverse memoranda about the City of York (*Liber diversorum memorandorum civitatem Ebor' tangencium*) and this volume was composed 'during the mayoralty of John de Sancton, which is 1377-8.³⁷⁵ Afterwards, entries included the rent of city properties in 1376 and ordinances issued in 1370/1. On fol. 7, there are common servants selected in 1380/1, 1377/8, 1379/80, and 1399/1400. The hand of the last group was apparently different from that of the first three (see fig. 26).³⁷⁶ Similarly, on fol. 10, we found two sets of ordinances of sheath-makers, first dated in the mayoralty of John

³⁷² Its verso is blank.

³⁷³ Its verso is blank.

³⁷⁴ Fol. 36 shows a sketch of a scale of inches. This folio was interleaved, and its verso is blank.

³⁷⁵ YCA, Y/COU/1/4/1, f. 2r.

³⁷⁶ YCA, Y/COU/1/4/1, f. 7v.

de Gisburn, second 1420. There is an entry in the middle of the two ordinances of sheath-makers, which describes an ordinance of bakers. A comparison indicated that the latter ordinance of sheath-makers was added by a different hand (see fig. 27).³⁷⁷ In this method, the entries dated after 1381 from fols. 2-15 can be proved to be latter additions. Therefore, it is probable that these 14 folios were compiled contemporaneously between 1377 and 1381.

The second stage ranges from 1385 to 1400. On fols. 16-46, there are suggestions that entries dated after 1400 were added. For instance, the recto of fol. 21 included ordinances of scribes and those of butchers. The latter was dated 1425, but its handwriting showed a difference from that above. From fols. 22-24 there are three sets of ordinances of skippers. The texts indicated that the first two were not dated, while the last dated 1430/1. By examining the binding, it is clear that fols. 23-25 were all inserted in the middle of the previous fols. xx-xxj (see fig. 28). Regarding the language, the first ordinances were written in Anglo-Norman, whereas the two inserted were in English. Thus, the evidence suggests that the ordinances on fols. 23-24 were additions.

³⁷⁷ YCA, Y/COU/1/4/1, f. 10v.

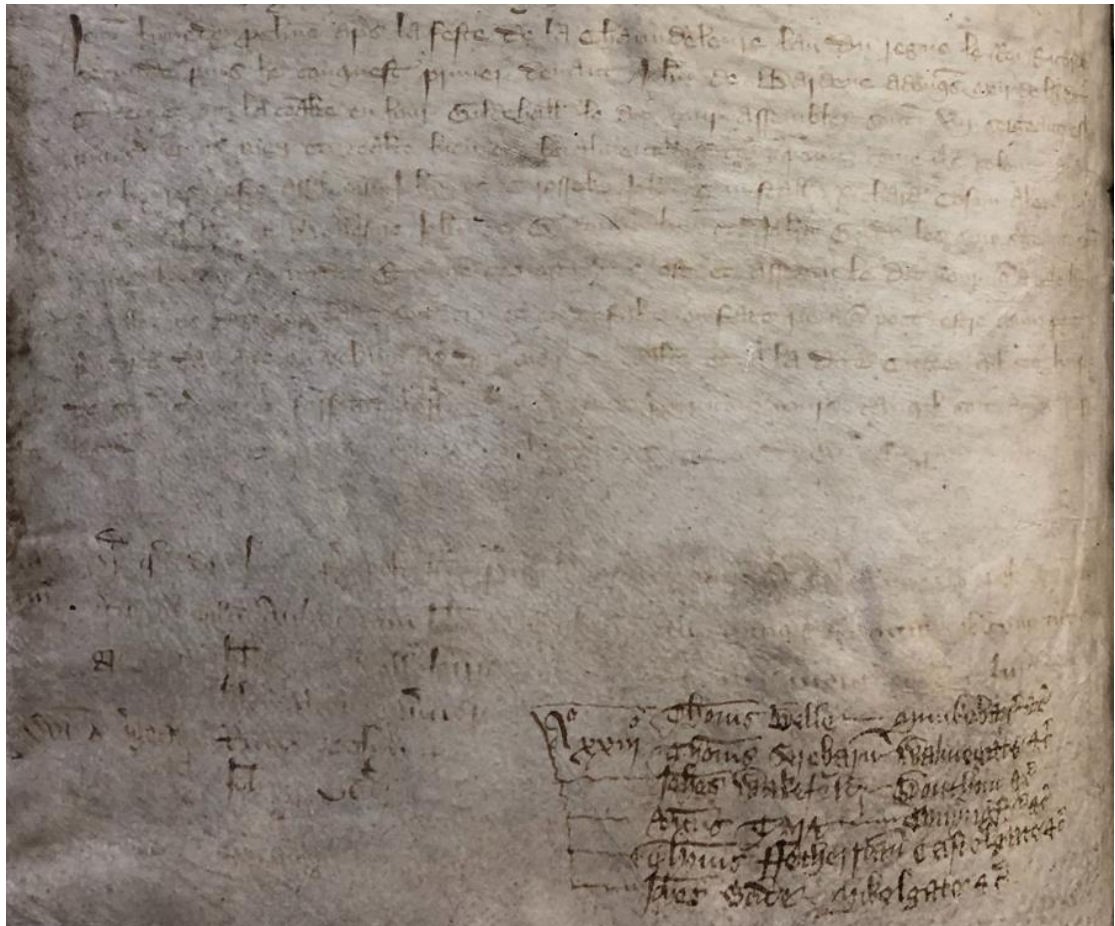


Figure 26 YCA, Y/COU/1/4/1, fol. 7v. (extract): illustrating a different hand (bottom right). Note that the entry on top was written by Scribe C. Compare this with figs. 8, 12, 16, 22.

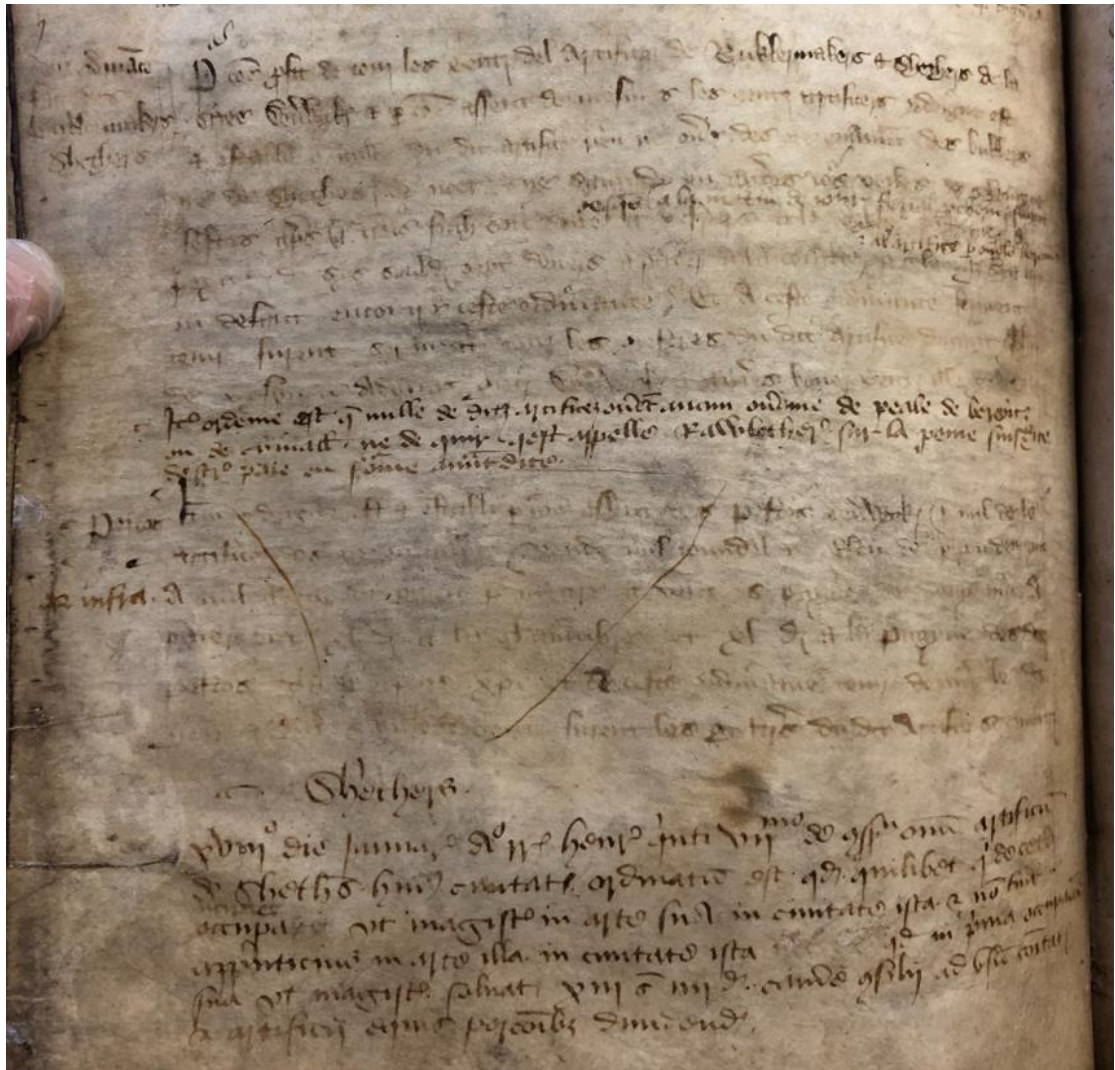


Figure 27 YCA, Y/COU/1/4/1, fol. 10v. (extract): illustrating a different hand revising the manuscript.

Note that this hand appeared at least twice in this picture. First is in the middle (*Item ordeine est...*). Second is at the bottom (*Shethers. xvij die...*).

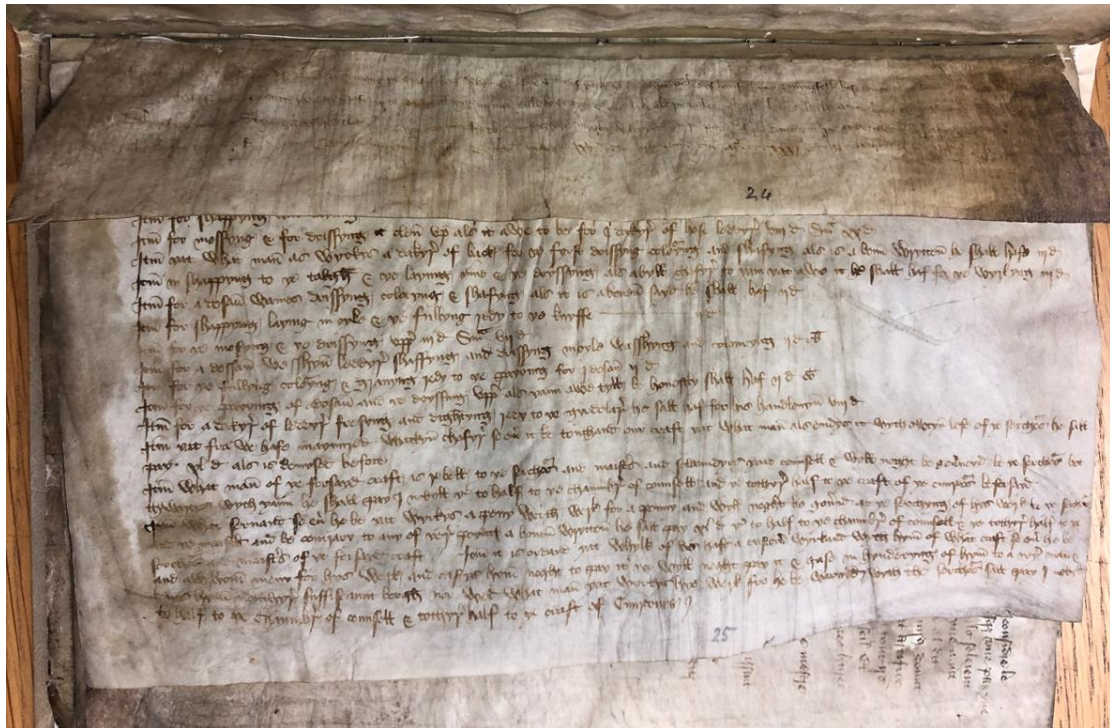


Figure 28 YCA, Y/COU/1/4/1, fols. 24-25: illustrating the insertion of two folios.
 Note the size of parchments and the language of texts.

A codicological study again proves to be fruitful in revealing the process of compilation. On the one hand, Y/COU/1/4/1 experienced several compiling stages. By taking the fols. 2-46 as a sample, one can see that folios of the manuscript were compiled in a chronological order. On the other hand, the manuscript may have been a working draft to be revised. In some cases, new texts were added in the blank spaces of original folios. Alternatively, new folios were inserted. As a result, the manuscript was principally compiled in a contemporaneous way. Some retrospective writing existed, but compared with the large gaps shown in Y/COU/3/1, Y/COU/1/4/1 was more like a real-time representation. This argument makes it possible to date the hands emerging in the manuscript. As already noted, Y/COU/1/4/1 includes a diverse range of hands. If the manuscript was argued to be contemporaneous, the relationship between these hands became consecutive rather than concurrent.

By comparing the hands in Y/COU/1/4/1 and Y/COU/3/1, it was discovered that Scribe C was involved with the writing of some entries in fols. 2-13 of Y/COU/1/4/1 (see fig. 26). Based on the research above, these folios were probably compiled in the years from 1377 to 1381. Thus, it is true that Scribe C was active in the writing of civic records in the late 1370s. This evidence further demonstrates that Y/COU/3/1 was a contemporaneous manuscript to Y/COU/1/4/1.

3. Civic customals: a comparison

Now that the question relating to the creation of Y/COU/3/1 has been solved, it is time to think about what we can learn from this discovery. Y/COU/3/1 is a manuscript containing various quires which were probably in a scattered situation. Some folios or quires were compiled from the 1360s onwards, but they were not yet bound. How should we define this type of activity? Compared with Y/COU/1/4/1 and the *Liber Horn*, which showed explicit evidence that a codex was already in shape, should the writing of folios or quires be defined as the making of civic customals?³⁷⁸ In order to answer this question, this section plans to use a comparative method. The second half of the fourteenth century was a period that witnessed an increase of civic records, not only in York but also in some other English towns.³⁷⁹

Two manuscripts are taken as examples, one of which is from Bristol, a city of a similar size to York. The other is from Colchester, not a very big town ‘even by English standards’.³⁸⁰ Compared with Bristol and York, which may have had around 10,000 inhabitants, it was estimated that Colchester had about 3,000 residents in 1301.³⁸¹ Despite the fact that their sizes vary, the writing of civic customals was one of the common activities during the late fourteenth century.³⁸² Similar to York’s records, many customals were already edited and published at the turn of the nineteenth and twentieth centuries. However, the manuscripts were not easily accessible, and initial reference to published and microfilm formats was advised. Meanwhile, most of these manuscripts have not been digitised yet. Thus, this research intends to use the published texts as an alternative.

The first manuscript was often cited as the *Little Red Book of Bristol*. Francis Bickley, the editor of this manuscript believed that ‘the inception of the book is due to William de Colford’, who compiled Bristol’s ordinances, customs and liberties in 1344.³⁸³ However, there

³⁷⁸ For a description of the manuscript of the *Liber Horn*, see Neil Ripley Ker, *Medieval manuscripts in British libraries*. I. (Oxford University Press, 1969), 27-35.

³⁷⁹ For some recent urban studies using a comparative approach, see Chris Wickham, ‘The Sense of the Past in Italian Communal Narratives’, in Paul Magdalino, ed. *The Perception of the Past in 12th Century Europe*. (Bloomsbury Publishing, 2010), 173-89. Eliza Hartrich, *Politics and the Urban Sector in Fifteenth-Century England, 1413-1471*. (Oxford University Press, 2019).

³⁸⁰ Richard H. Britnell, *Growth and decline in Colchester, 1300-1525*. (Cambridge University Press, 2008), 15.

³⁸¹ Britnell, *Growth and decline in Colchester*, 16.

³⁸² Bateson, *Borough Customs*; Martin, ‘The diplomatic of English borough customals’; Cuenca, ‘Town clerks and the authorship of customals in medieval England.’

³⁸³ *The little red book of Bristol*, ed. Francis Bridges Bickley, I, (W. Crofton Hemmons, 1900), ix.

are signs to suggest that this manuscript was subject to some compilation before it became a codex. As described by Bickley, the entries of this volume are of miscellaneous character and dated in a long period from 1344 to 1574.³⁸⁴ The manuscript contains over 200 leaves. To save space, the first 50 folios were taken as a sample (see table 14). At first, there is no chronological order of the texts. The ‘first entry’, dated 1344, appeared on fol. 13, and the continuation of this entry was found on fols. 100-101. Moreover, the handwriting did not show a regular sequence, either. If several hands appeared on the same folio, it is possible to deduce that the folio experienced revision. In contrast, if only one hand was shown on a folio, it is probable that some independent folios were gathered together in the compilation of this manuscript. Without examining the manuscript, this research accepted the observation of the editor (see table 14). Therefore, the compilation of the *Little Red Book* included a process of assimilating previously written folios or quires. The manuscript can be explained as deriving from several folios or quires written down in 1344, but the argument that William de Colford intended to make a book in 1344 is not persuasive.

Table 14 Collation of the *Little Red Book of Bristol* (flyleaf-fol. 50v)

Folios ³⁸⁵	Hands ³⁸⁶	Language	Contents ³⁸⁷
flyleaf		English	Oath of the town council (1422); Note of death of Emma Chilcombe (1423)
1r.-2r.	14c. ³⁸⁸	Latin	Rental of the town of Bristol [c.1350]
2r.-3r.		Latin	Rental of the fee of Arthur, and Stakepeny [14c.]
3r.		Latin	Payments to civic officers [15c.]
3v.		Latin	Sheriffs’ expenses at the Exchequer
4r.-4v.		Latin	Rolls of suitors of the Hundred of the Guildhall [14c]
5r.		English	Oath of the Recorder [Henry VI]
5v.		Latin	Inquisition on the maintenance of a latrine (1373)
6r.		English	Royal mandate to the town of Ludlow on its claim to trading in Bristol (1467)
6v.		English	Royal letter to Bristol (1467)
7r.	17c.		Inquisition on wrong-doers [14-15c.]
8r.-10r.		Latin	Names of mayors, sheriffs and bailiffs (1375-1464)
10v.		Latin	Names of Common Council (1349)
11r.		Latin	Names of Common Council [1350]

³⁸⁴ *The little red book of Bristol*, I, viii.

³⁸⁵ The foliation follows the edition.

³⁸⁶ This column is based on the information provided by the editor.

³⁸⁷ ‘()’ indicates the date noted in the original text. ‘[]’ indicates the date speculated by the editor.

³⁸⁸ C.: century.

11v.	15c.	Latin	Abstracts of liberties granted to Bristol (1188, 1164, 1252, 1256, 1300)
12r.-12v.	15c.	Latin	Copies of charters related to Redcliff (1170-1247)
12v.		Latin	Memorandum of Grant by Richard II of the custody to Simon Oliver (1396)
13r.-13v.	14c.	Latin	Ordinances, customs and liberties of Bristol (1344)
17r.		Latin	Memorandum of the renewal of Mayor's Seal (1359)
17v.-21v.		Anglo-Norman	Oaths of civic officials [Edward III]
22r.-30v.	14c.	Latin	Merchant Law (1280)
31r.-? ³⁸⁹		Latin	Ordinance that Irishmen not to be elected to the Council (1439)
? ³⁹⁰		Anglo-Norman	Copy of Sea-laws of Oleron [Richard I]
34r.		Latin; Anglo-Norman	Charter of Edward I (1285); Ordinance on the jurisdiction of the Admiralty (1391)
34v.		Latin	Inquisition on the Prisaige of Fish to Frairs (1280); No burgesses of Bristol to be cited to appear outside the Deanery of Bristol (1317)
35r.-35v.		Latin	Pleas of Assize (1361)
36r.		Latin	Appearance of Robert Brayles before the Mayor (1361); Writs of Richard II and Henry IV for taking up the order of Knighthood (1392, 1410)
37r.	15c.	Latin	The Prisaige of Fish for the lord
37v.		Latin	Notes of statutes against Admirals (1389, 1391, 1400)
38r.		Latin	Charter of Edward III to Bristol (1373)
47v.		Latin	Appointment of the Clerk of the Tundred (1442); Reception of two foreigners into the liberty (1442)
48r.		Anglo-Norman	Oath of the Mayor [Richard II]
48v.		Anglo-Norman	Oath of the Sheriff [Richard II]
49r.		Anglo-Norman	Ordinance regulating the staple of wool and wool-fells (1369)
50v.		Latin	Ordinance for those betraying the counsel of the town (1308); Ordinance against persons refusing to come when summoned (1326); Pleas of quo warranto, the Fair of St. James' Priory (1287)

³⁸⁹ The editor did not note the folio number.

³⁹⁰ The editor did not note the folio number.

The second manuscript was called the *Red Parchment Book of Colchester* or the *Oath Book of Colchester* by historians. This manuscript was edited by W. G. Benham in 1907. In a more recent article, Richard Britnell discussed the history of its compilation.³⁹¹ Britnell examined the hands in the manuscript by taking Colchester's court rolls as a comparison. As a result, he argued that the two sources both indicated the participation of town clerks. In addition, the earliest identified hand in the *Red Parchment Book* was that of Michael Aunger, a town clerk active in the 1380s and 1390s.³⁹² According to Britnell's observation, the traces of Aunger in the manuscript are illustrated (see table 15). Nevertheless, it is less certain whether the manuscript was already a codex during Aunger's period in office. First, the hand of Aunger appeared in four interrupted parts of the manuscript, that is, fols. 21-25, 29-34, 149-152, and 158-177. Even within these folios, there were entries inserted not by Aunger. For example, on the recto of fol. 24, we found an entry in English, distinct from the Anglo-Norman and Latin used by Aunger. Second, an index was discovered on fols. 3-4, whose contents matches the Latin letters from fols. 5-17 and Roman numerals from fols. 18-84 and 147-177. However, this index was not finished before 1430. Thus, the folios written by Aunger probably experienced a compilation around the 1430s when the codex came into being.

Table 15 Collation of the *Red Parchment Book of Colchester* (fols. 1-177)

Folios ³⁹³	Hands	Language	Contents ³⁹⁴
1r.		English	Oaths administered to juries [c.1450]; Oath of the Headmen, and the method of electing the 42
1v.		English	Oath for the juries at the Three Law Hundreds
2r.-2v.		English	The Charge of the Law Hundred
3r.		Latin	Ancient Record of the Limits of the liberty of Colchester (1277); Of the 15 th and 10 th paid by Colchester (Henry VI)
3v.-4r. ³⁹⁵		Latin	Index
5r. (A)-8v. (D)		English	Customs payable on various goods admitted to Colchester [Richard II]
9v. (E) ³⁹⁶		Latin	Legal mnemonics [Richard II]; Persons admissible and not to bail
10r. (F)-10v.		Latin	Explanations of law terms [1375]

³⁹¹ R. H. Britnell, 'The Oath Book of Colchester and the borough constitution 1372-1404', *Transactions of the Essex Archaeological Society*, 3rd series, volume 14 (1982), 94-101.

³⁹² Britnell, 'The Oath Book of Colchester and the borough constitution 1372-1404', 96.

³⁹³ The Arabic numbers indicate the modern numeration; while the medieval numeration is shown in the brackets.

³⁹⁴ '()' indicates the date noted in the original text. '[]' indicates the date speculated by the editor.

³⁹⁵ Fol. 4v. is blank.

³⁹⁶ Fol. 9r. is blank.

11r. (G)-18r. (i)		Latin, Anglo- Norman	Records related to the fee farm, including royal writs, excerpts from Pipe Rolls, petitions of Colchester's bailiffs and memoranda (1270-1424/5)
18v.		Latin	Charter for the reestablishment of the Gild of St. Helen (1407)
19r. (ii)		Latin	A list of Christian Kings of England
19v.		Latin	Names of Kings of England after the Conquest
20r. (iii)	14c. ³⁹⁷	Latin	The legend of King, Coel, Helena and Constantine, with other events in the Early History of Colchester
21r. (iiii)-21v.	Aunger	Anglo- Norman	Proclamation made in the Colne (1382)
21v.			A Sheriff's writ about the jurisdiction of the Admiral's court (1419)
22r. (v)			A king's writ to the Admiral (1411); Letters patent or mandate directed against encroachments by the Admiral
22v.-23v. (vi)	Aunger	Anglo- Norman	Ordinances for the better rule of the town's finances and other matters
23v.	Aunger	Latin	The Commonalty sworn to observe the foregoing constitutions (1372)
24r. (vii)	Aunger	Latin	The election of Sergeants (1395)
24v.		English	Regulations about the elections [Richard II]
25r. (viii)-25v.	Aunger	Latin, Anglo- Norman	Oath of civic officials
26r. (ix)		Latin	Inspection of a roll of 1357/8, about non-resident burgesses to lose their freedom; oath of the councillors
26v.-27v. (x)		Anglo- Norman	Ordinances
28r. (xi)		Latin	Oath of the aldermen or auditors; oath of the chamberlains
28v.		English, Latin	Oath of a burgess
29r. (xii)		English	Oath of the JP; oath of the constables
29v.-84v. (lxxii)-142v.	Aunger	Latin	Burgesses made, and of wills and leases (1327/8-1429/30-1563/4)
143r.-144r.		Latin	Extracts from ancient legal records bearing on the borough rights of jurisdiction (1585-6)
144v. ³⁹⁸		Latin	The right of the borough to deodands and goods of suicides (1583)

³⁹⁷ C: century.

³⁹⁸ Fol. 145 is blank.

145v. (lxxij)- 146v.		Latin, English	Ordinances (1447)
147r.-v. (lxxv)		Latin	Protection of the Burgesses from undue exactions (1405)
148r.-v. (lxxvi)		Latin	Agreement with the abbot of St. John (1338)
149r. (lxxvii)		Latin	Copy of the charter of Henry III, disafforesting part of Essex Forest
149v.-152r. (lxxx)	Aunger	Anglo- Norman	Statutes of 1388
152v.-153v. (lxxxix)		Anglo- Norman	Statutes of 1393
154v. (lxxxix) ³⁹⁹		Latin	Royal writ (Richard II)
155r. (lxxxix)- 156r. (lxxxix)		Latin	The endowment of the chantry in St. Helen's Chapel (1322)
156r.-v.		Latin	Presentation of Geoffrey Cuttyng to be chaplain of St. Helen's chantry, 1406
156v.		Latin	Copy of a deed (1334/5)
158r. ⁴⁰⁰ (lxxxix)- 170r. (xcviii)	Aunger	Latin	Rental of Colchester (1387-8)
171r. (xcix) ⁴⁰¹ - 175r. (ciii)	Aunger	Latin	Allowances of the liberty of Colchester
175r.	Aunger	Latin	Record of litigation (1387); the fee farm of Colchester and the allowances therefrom; action between the town and abbey as to jurisdiction of coroners (1290)
175v.-176r. (cv)	Aunger	Latin	Matters within the cognizance of the lawhundred court
176r.	Aunger	Latin	The toll of a miller; a further entry regarding the fee farm
176v.	Aunger	Latin	Allowances of the liberty of Colchester; Further entry as to the fee farm payments and allowances; Note of enrolment of confirmation of the charter of Colchester
177r.-v. (xcix)	Aunger	Latin	Enrolment of Colchester liberties (1389)

By taking both manuscripts of civic customals without York as parallels, this study shows that the compilation of these customals originated from the writing of individual folios or quires as well. Some folios or quires were compiled in the fourteenth century, and waited for a later compilation to collect them into a codex. Unlike Y/COU/3/1, the manuscripts of Bristol and

³⁹⁹ Fol. 154r. is blank.

⁴⁰⁰ Fol. 157 is blank.

⁴⁰¹ Fol. 170v. is blank.

Colchester were attributed to certain individuals. However, this study suggests that these officials did not intend to make a codex as found today. Therefore, a civic customal derived not only from an intention to bind a book, but also from the practice of writing down folios or quires.

Conclusion

By examining Y/COU/3/1, it was found that this manuscript derived from some separate quires. These quires were composed individually before they were bound into a single codex. Although it is not certain how and when these quires became part of Y/COU/3/1, the handwriting indicates that some quires probably started to be compiled in the Middle Ages. These medieval quires included those with the lists of freemen, mayors and bailiffs and with ‘administrative’ documents.⁴⁰² These records were dated as early as 1273, but the hands suggest that they were created no earlier than the 1360s. On the one hand, an analysis of successive hands found in this manuscript shows that the 1360s and 1370s was the date. On the other hand, by referring to the manuscript Y/COU/1/4/1, whose date of creation was explicit, it was further demonstrated that Y/COU/3/1 was contemporaneous to Y/COU/1/4/1. Therefore, the chronological continuity of texts did not prove that their writing was uninterrupted. Texts before the 1360s, such as the early lists of freemen and civic officials, represented a retrospective project rather than the daily recording by the civic administration. What was the source behind this compilation? This question is to be answered in the next chapter.

Moreover, Y/COU/3/1 was not in its current shape in the fourteenth century, but the practice of recording historical information in individual folios and quires was a stage of compiling civic customals. By taking the manuscripts of customals of other English towns, it was presented that the codex tended to be based on some previously made folios and quires. In general, this chapter argues that it continues to be promising to study the manuscripts in which civic customals were contained, especially by borrowing methods from manuscript study.

⁴⁰² ‘Administrative’ is used provisionally, because these documents will be defined further in Chapter 6.

Chapter Five. Lists of freemen and officials: a compilation of civic records

Introduction

Chapter Four has already demonstrated that the date of creation of Y/COU/3/1 was approximately the 1360s and 1370s. Meanwhile, there are lists of freemen and urban officials dated from 1273. The freemen's lists became uninterrupted from 1290, the mayors and bailiffs from 1273, and the chamberlains from 1290.⁴⁰³ Was there any document or record from the late thirteenth century preserved and used when the compilation started almost a century later? This is the main research question initiating this chapter.

The answer to this question is not straightforward, because the texts in Y/COU/3/1 did not clearly state their sources. In order to solve this problem, Y/COU/3/1 may be viewed as history-writing. Some historians have discussed the relationship between list-writing and history-writing.⁴⁰⁴ In civic registers or customals, it was not unusual that their compilers paid attention to old affairs. Thus, when compiling civic registers, compilers were not so distinct from history-writers. With regard to history-writing, it was supposed that information came from personal experience, oral transmission or documents and records.⁴⁰⁵

Personal experience cannot explain the acquisition of information covering a long period, but for the next two methods, it is tricky to distinguish. However, the accuracy and stability of information could be an indicator. This chapter plans to check the trustworthiness of lists of names in Y/COU/3/1 by taking other sources kept in royal and religious archives as a comparison. As will be outlined in the first two sections of this chapter, the accuracy of lists of freemen is confirmed from 1273, while that of lists of mayors and bailiffs from 1297.

⁴⁰³ See table 10.

⁴⁰⁴ Antonia Gransden, *Historical Writing in England: c. 500 to c. 1307*. I (Routledge, 1996), 511-2; Alan Dyer, 'English town chronicles.' *Local (The) Historian London* 12.6 (1977), 285-292; Robert Tittler, *The Reformation and the towns in England: politics and political culture, c. 1540-1640*. (Oxford University Press, 1998), 279-94; Peter Clark, 'Visions of the urban community: antiquarians and the English city before 1800.' in Derek Fraser and Anthony Sutcliffe, eds. *The Pursuit of Urban History* (London: Edward Arnold, 1983), 105-24.

⁴⁰⁵ John Hudson, 'Local Histories', in Sarah Foot and Chase F. Robinson, eds. *The Oxford History of Historical Writing: Volume 2: 400-1400*. (OUP Oxford, 2012), 457-75, 466-8; Elisabeth Van Houts, *Local and regional chronicles*. (Brepols, 1995), 32-3.

Therefore, it would be difficult to believe that memory was the source, because so much information could not have been passed on so accurately based only on memory. Documents and records had probably been utilised for the compilation of these lists. Yet, this is only the first step. The next is to explain what kinds of documents and records were used. The third section continues to adopt the method of cross-referencing. Through comparing the lists of mayors, bailiffs and freemen, this research suggests that the freemen's lists were probably based on court rolls, while officials' lists on civic administrative documents. The compilation of freemen's lists was to make a new kind of civic record.

1. Lists of mayors and bailiffs

With regard to the lists of York's civic officials, it is obvious that they have yet not received sufficient critical study. In the transcription of local deeds, some editors referred to the lists of mayors and bailiffs in Y/COU/3/1 as the source for dating undated documents.⁴⁰⁶ In discussing civic politics, the lists of civic officials were not critically discussed, either.⁴⁰⁷ By contrast, historiography of other cities offered examples whose methodology is adopted here. In C. L. Kingsford's two-volume edition of John Stow's *A Survey of London*, he revised Stow's list of London's mayor and sheriffs from 1189 to 1602.⁴⁰⁸ The sources which formed the basis for his revision included royal records, civic registers and deeds conserved in religious houses.⁴⁰⁹ According to his research, Kingsford concluded that the list in the *Liber Antiquis Legibus* was trustworthy 'for the names of the mayors', while a list of civic officials in the *Liber Custumarum* was 'not free from error'.⁴¹⁰ The second example comes from the research on Bristol. In reviewing the lists of mayors and prepositors in the *Maire of Bristowe Is Kalendar*, John Latimer referred to a collection of local deeds, city customals and even royal rolls. By comparison, Latimer argued that a vast majority of Ricart's work was accurate.⁴¹¹ Finally, when editing the list of provosts of Dublin, which is based on the Guild

⁴⁰⁶ YD, VI, 181, note 2; VC, nos. 16, 143, 171, 290.

⁴⁰⁷ Edward Miller, 'Rulers of thirteenth-century towns: the cases of York and Newcastle upon Tyne.' Peter R. Coss and Simon D. Lloyd, eds. *Thirteenth Century England V: Proceedings of the Newcastle Upon Tyne Conference 1993*. (Boydell & Brewer Ltd, 1995), 128-41, 130; Palliser, 'The Birth of York's Civic Liberties, c. 1200-1354', 93-4.

⁴⁰⁸ *A Survey of London by John Stow*, ed. C. L. Kingsford, 2 vols. (Oxford, 1908), II, 150-86.

⁴⁰⁹ *A Survey of London*, II, 383-4.

⁴¹⁰ *A Survey of London*, II, 383.

⁴¹¹ John Latimer, 'The Maire of Bristowe Is Kalendar: Its List of Civic Officers Collated with Contemporary Legal Manuscripts.' *Transactions of the Bristol and Gloucestershire Archaeological Society* 20 (1903), 108-37, 109-110.

Merchant Roll, Philomena Connolly noticed the difference between this list and the other one edited by H. F. Berry, who relied on deeds.⁴¹²

Following these studies, this section intends to create new lists of civic officials by relying on royal and religious records. These new lists set up a standard to evaluate the accuracy of the names recorded in Y/COU/3/1.

1.1 New lists of mayors and bailiffs: some methodological notes

Before the new lists are shown, it is important to explain how these lists have been constructed. The chronological scope is between 1273 and 1377. Within the sources, deeds are the most important. Only deeds with a date, no matter whether the regnal year or the civil year, in the original text will be taken as evidence to suggest when a mayor and bailiffs served. Yet, unlike the lists in Y/COU/3/1, charters did not indicate the start and the end of office. For example, if it is known that John Sampson was the mayor on 12 October, twenty-eighth year of Edward I (1300), this definitely suggests that he was elected in the twenty-eighth year of Edward I? Probably not, if the term of the mayor started from a day between 12 October and 20 November, the start of each regnal year of Edward I, it becomes possible that he was selected in the twenty-seventh year. Thus, in order to conduct this translation of the date, the starting date of an annual term must be defined.

The starting dates of the official terms of both the mayor and bailiffs were determined by local custom and practice. For York, the list of mayors in Y/COU/3/1 indicated that from 1343, the mayor of York was selected on St. Blaise's Day (3 February).⁴¹³ However, the previous entries did not show the start of a mayoral year. In order to clarify this mystery, the deeds were examined by marking the last deed witnessed by the preceding mayor and the first deed by the succeeding mayor (see table 16). Thus, it is possible to discover the scope when the transition of power took place. This research indicates that the tenure generally started from late January or early February, although there are exceptions, such as a November transfer happening in 1282. Therefore, it seems like a custom that the selection of the mayor was finished around early February in York, and from 1343 the date became more fixed.

⁴¹² *The Dublin Guild Merchant Roll, c.1190-1265*, eds. P. Connolly and G.H. Martin (Dublin, 1992), 111.

⁴¹³ For the start date of mayors in other English cities, see Christian D. Liddy, *Contesting the City: The Politics of Citizenship in English Towns, 1250-1530*. (Oxford University Press, 2017), 91-2. For the date of York, see YCA, Y/COU/3/1, fol. 4r.; Miller, 'Medieval York', 70.

Table 16 The date of transition of mayoralty, 1272-1342

Date of transition	Mayors in transition
29 Jan. 1272-18 Feb. 1272 ⁴¹⁴	John le Spicer, senior →Walter de Stokes
19 Aug. 1272-10 Dec. 1272 ⁴¹⁵	Walter de Stokes →John le Spicer, senior
11 Apr. 1277-20 July 1278 ⁴¹⁶	Robert de Bromholm →Walter de Stokes
16 Sep. 1278-3 Sep. 1279 ⁴¹⁷	Walter de Stokes →John Sampson
6 Nov. 1282-29 Nov. 1282 ⁴¹⁸	John Sampson →Gilbert de Louth
30 Nov. 1283-5 Feb. 1284 ⁴¹⁹	Gilbert de Louth →John Sampson
5 Feb. 1284-17 Jun 1284 ⁴²⁰	John Sampson →Gilbert de Louth
8 Oct. 1284-13 May 1285 ⁴²¹	Gilbert de Louth →John Sampson
9 Nov. 1285-14 Sep. 1286 ⁴²²	John Sampson →Nicholas de Selby
13 Jan. 1292-3 May 1292 ⁴²³	John le Spicer →Roger Basy
8 Sep. 1298-28 Feb. 1299 ⁴²⁴	James le Fleming →John Sampson
23 Sep. 1300-8 Jan. 1301 ⁴²⁵	John Sampson →John le Spicer junior
20 May 1304-10 Mar. 1305 ⁴²⁶	John le Spicer junior →Andrew de Bolingbroke
6 Oct. 1305-22 Dec. 1306 ⁴²⁷	Andrew de Bolingbroke →Nicholas de Langton senior
22 Dec. 1306-25 Apr. 1307 ⁴²⁸	Nicholas de Langton senior →John de Askham
20 Nov. 1308-23 Feb. 1309 ⁴²⁹	John de Askham →Andrew de Bolingbroke
17 May 1309-16 Mar. 1310 ⁴³⁰	Andrew de Bolingbroke →Robert le Meek
18 July 1310-15 Sep. 1310 ⁴³¹	Robert le Meek →Andrew de Bolingbroke
15 Sep. 1310-5 May 1311 ⁴³²	Andrew de Bolingbroke →Nicholas le Fleming
1 Aug. 1317-8 May 1318 ⁴³³	Robert le Meek →Thomas de Reedness

⁴¹⁴ Rees Jones, *Medieval Title Deeds* (Borthwick Institute, Y/MCS/5.22); Rees Jones, *Medieval Title Deeds* (BL, Cotton Nero D3/83/5).

⁴¹⁵ Rees Jones, *Medieval Title Deeds* (YCA, B7/7); *VC*, no. 514.

⁴¹⁶ *VC*, no. 494; *VC*, no. 377.

⁴¹⁷ *VC*, no. 173; Rees Jones, *Medieval Title Deeds* (*Chartulary of Fountains Abbey*, 280, no. 46).

⁴¹⁸ *YMAA*, 3/1, fol. 31v., no. 53; Rees Jones, *Medieval Title Deeds* (BL Add. Ms. Egerton 2147, fol. 15).

⁴¹⁹ Rees Jones, *Medieval Title Deeds* (BL Add. Ms. Egerton 2147, fol. 11); *YMAA*, 3/1, fol. 32r., no. 54.

⁴²⁰ *YMAA*, 3/1, fols. 30v-31r., no. 50.

⁴²¹ *YMAA*, 3/1, fol. 124v., no. 253; *YMAA*, 3/1, fol. 32v., no. 55.

⁴²² *YMAA*, 3/1, fol. 125r., no. 254; *YMAA*, 3/1, fol. 111v., no. 222.

⁴²³ *Yorkshire Inquisitions*, ed. William Brown, Yorkshire Archaeological Society, record series, 12, 23, 31, 37, 4 vols (Leeds, 1892-1906), II, XCIII, 119; *YD*, VI, 183.

⁴²⁴ *VC*, no. 503; *YMAA*, 3/1, fol. 99v., no. 194.

⁴²⁵ *VC*, no. 426; *VC*, no. 245.

⁴²⁶ *VC*, no. 505; Rees Jones, *Medieval Title Deeds* (John Ryland's library, Mss. 220-1, *Cartulary of St. Mary's Abbey*, 3/35/2).

⁴²⁷ *VC*, no. 581; *YMAA*, 3/1, fol. 118r., no. 237.

⁴²⁸ *VC*, no. 86.

⁴²⁹ Rees Jones, *Medieval Title Deeds* (Borthwick Institute, D/SA/D 1548); *VC*, no. 17.

⁴³⁰ Rees Jones, *Medieval Title Deeds* (BL Cotton Nero D3/173/4); *VC*, no. 427.

⁴³¹ *YD*, VII, 188; *YMAA*, 3/1, fols. 20v.-21r., no. 17.

⁴³² *YD*, I, 216.

⁴³³ *VC*, no. 83; *VC*, no. 84.

10 Oct. 1318-14 June 1319 ⁴³⁴	Thomas de Reedness → Nicholas le Fleming
14 June 1319-2 Feb. 1320 ⁴³⁵	Nicholas le Fleming → Robert le Meek
4 Oct. 1321-30 Apr. 1322 ⁴³⁶	Robert le Meek → Nicholas de Langton junior
13 Jan. 1334-25 July 1334 ⁴³⁷	Nicholas de Langton junior → Henry de Belton
21 Dec. 1337-13 June 1338 ⁴³⁸	Henry de Belton → Nicholas de Langton junior
11 Jan. 1342-29 Apr. 1342 ⁴³⁹	Nicholas de Langton junior → Nicholas Fouk

With regard to bailiffs, both Edward Miller and R. B. Dobson argued that the selection took place on 21 September and office began at Michaelmas (29 September), from which the Exchequer year is normally calculated.⁴⁴⁰ The list of bailiffs in Y/COU/3/1 is simplified with names attached merely to each regnal year. A similar method was used to define the scope, but the result is shown in a briefer way, otherwise there would be a very large table. Table 17 only includes two transitions from 1300-1302, but it represents the general rule that the term of the bailiff began from the second half of September. Therefore, it is clear that the term of the mayor and that of bailiffs did not start from the same date.

Table 17 The date of transition of the bailiff's office, 1300-02

Date of transition	Bailiffs in transition
23 Sep. 1300-8 Jan. 1301 ⁴⁴¹	George le Fleming, William de Langley, Robert Meek → Ralph de Yarom, Thomas de Appleby, Gaceus Flur
24 June 1302-20 Sep. 1302 ⁴⁴²	William de Osney, Michael de Pocklington, William Sperry → Thomas de Selby, Gilbert de Arnold, Ralph Lincoln

In order to avoid the confusion of timeline, a figure illustrating the co-existence of different dating systems and how the annual terms of mayor and bailiffs overlapped with these systems is shown below (see fig. 29). The historical years 1300 and 1301 are taken as an example. First, it is the medieval rule that a civil year started from 25 March rather than 1 January.⁴⁴³ Second, the start of a regnal year depends on the reigning King's accession day. In this figure,

⁴³⁴ VC, no. 85; VC, no. 65.

⁴³⁵ VC, no. 469.

⁴³⁶ VC, no. 356; YD, VII, 189.

⁴³⁷ VC, no. 572; YD, VI, 181.

⁴³⁸ VC, no. 183; YD, IX, 182

⁴³⁹ VC, no. 511; VC, no. 431.

⁴⁴⁰ Miller, 'Medieval York', 72; *York City Chamberlains' Account Rolls 1396-1500*, ed. R. B. Dobson, (Surtees Society, 192, 1980), xxiii; Richard Cassidy, Pipe rolls for beginners, http://cmjk.com/Reading_Records/Home_files/Pipe%20rolls%20for%20beginners.pdf/2018/10/26, 4.

⁴⁴¹ VC, no. 426, VC, no. 245.

⁴⁴² Rees Jones, Medieval Title Deeds (Borthwick Institute, D/SA/D 1525); VC, no. 496.

⁴⁴³ In England, from about the late 12th century until 1751 the civil year began on 25 March. For example, 11 January 1300 appearing in a charter actually indicated 11 January 1301.

the king was Edward I, whose regnal year ranged from 20 November to the next.⁴⁴⁴ Third, it is obvious that during a regnal year, there were successively two mayors and two groups of bailiffs in position. For example, it is learnt from a charter dated 25 February 1276 that Robert de Muro, Robert le Blund, Adam de Bolingbroke probably acted as bailiffs from Michaelmas 1275 to 1276, but given that the mayoral year started from early February, it becomes less certain whether Robert de Bromholm, attesting the aforesaid charter as the mayor, served as the mayor from February to Michaelmas 1275. This divergence has implications for the compilation of the new lists. As outlined in the next subsection, the list of the mayor and that of the bailiffs are presented separately.⁴⁴⁵ In conclusion, having this chronological framework in mind forms the basis for the next step, that is, to reconstruct a list of mayors and bailiffs by referring to sources mentioned above.

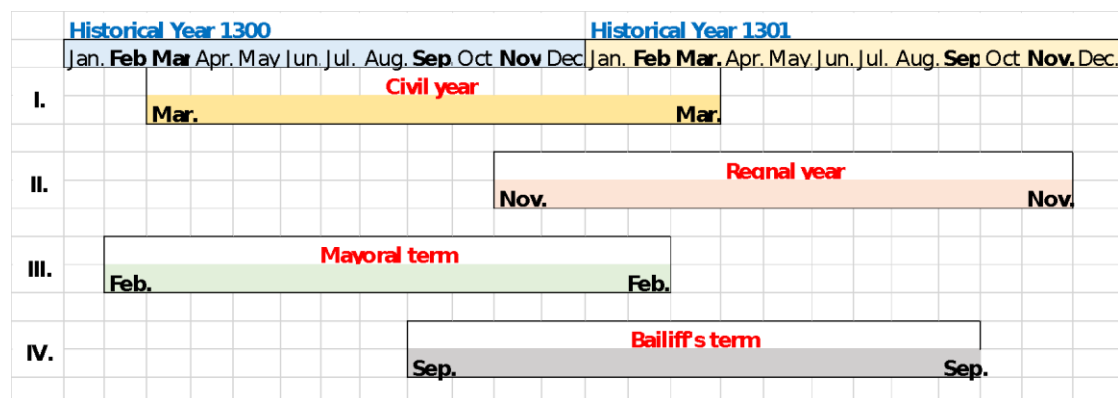


Figure 29 The co-existence of four dating systems, 1300-1301

1.2 New lists of the mayor and bailiffs: the result

After explaining the sources and the methods, it is time to show the chronological sequence of York's mayors and bailiffs from 1273 to 1377 (see tables 16-17). There are some years when no evidence was discovered, and these gaps are labelled 'unknown'. Not all references were indicated, except for those entries with irregularity.

Table 18 Mayors of York, 1273-1377

Regnal Year	Historical Year	The mayor
1-3 Edward I	1273-75	John le Spicer the senior

⁴⁴⁴ The regnal year of Edward II started from 8 July, and Edward III from 25 January.

⁴⁴⁵ See pages 139-144.

3-4 I	1275-76	Unknown
4-6 I	1276-78	Robert de Bromholm
6-7 I	1278-79	Walter de Stokes
7-8 I	1279-80	John Sampson
8-10 I	1280-82	King's hands
10-11 I	1282-83	John Sampson; Gilbert de Louth ⁴⁴⁶
11-12 I	1283-84	Gilbert de Louth
12-13 I	1284-85	John Sampson; Gilbert de Louth ⁴⁴⁷
13-14 I	1285-86	John Sampson
14-15 I	1286-87	Nicholas de Selby
15-16 I	1287-88	Unknown
16-17 I	1288-89	Nicholas de Selby
17-18 I	1289-90	Unknown
18-19 I	1290-91	Roger Basy
19-20 I	1291-92	John le Spicer
20-21 I	1292-93	Roger Basy; King's hands
21-25 I	1293-97	King's hands
25-26 I	1297-98	Unknown
26-27 I	1298-99	James le Fleming
27-29 I	1299-1301	John Sampson
29-33 I	1301-05	John le Spicer junior
33-34 I	1305-06	Andrew de Bolingbroke
34-35 I	1306-07	Nicholas de Langton the senior
35 -1 Edward II	1307-08	John de Askham
1-2 II	1308-09	John de Askham
2-3 II	1309-10	Andrew de Bolingbroke
3-4 II	1310-11	Robert le Meek; Andrew de Bolingbroke ⁴⁴⁸
4-5 II	1311-12	Nicholas le Fleming
5-6 II	1312-13	Unknown
6-7 II	1313-14	Nicholas le Fleming
7-8 II	1314-15	Unknown
8-9 II	1315-16	Nicholas le Fleming
9-10 II	1316-17	Unknown
10-11 II	1317-18	Robert le Meek
11-12 II	1318-19	Thomas de Reedness
12-13 II	1319-20	Nicholas le Fleming
13-15 II	1320-22	Robert le Meek
15-20 II	1322-27	Nicholas de Langton junior

⁴⁴⁶ It was found in a charter witnessed by John Sampson on 6 November 1282 (YMAA, 3/1, fol. 31v., no. 53), while the other by Gilbert de Louth on 29 November 1282 (Rees Jones, *Medieval Title Deeds* [BL Add. Ms. Egerton 2147, fol. 15]).

⁴⁴⁷ A charter was witnessed by John Sampson on 5 February 1284, while the other by Gilbert de Louth on 17 June 1284.

⁴⁴⁸ Five charters dated between March and July 1310 verify that Robert le Meke acted as the mayor, but a charter dated 15 September 1310 indicates that Andrew de Bolingbroke was the mayor.

1-4 Edward III	1327-30	Nicholas de Langton junior
4-5 III	1330-31	Unknown
5-8 III	1331-34	Nicholas de Langton junior
8-12 III	1334-38	Henry de Belton
12-13 III	1338-39	Nicholas de Langton junior
13-14 III	1339-40	Unknown
14-16 III	1340-42	Nicholas de Langton junior
16-17 III	1342-43	Nicholas Fouk
17-20 III	1343-46	John de Sherburn
20-21 III	1346-47	Henry Goldbeter
21-24 III	1347-50	Henry de Scoreby
24-25 III	1350-51	Unknown
25-27 III	1351-53	Henry de Scoreby
27-38 III	1353-64	John de Langton
38-39 III	1364-65	John de Acaster
39-40 III	1365-66	Unknown
40-41 III	1366-67	Roger de Hovingham
41-42 III	1367-68	William Gra
42-43 III	1368-69	Robert de Holme
43-44 III	1369-70	Unknown
44-45 III	1370-71	Roger de Selby
45-46 III	1371-72	John de Gisburn
46-47 III	1372-73	Unknown
47-48 III	1373-74	Roger de Moreton
48-49 III	1374-75	Thomas de Holme
49-51 III	1375-77	Unknown

Table 19 Bailiffs of York, 1273-1377

Regnal Year	Historical Year	Bailiffs
1-2 Edward I	1273-74	John de Sutton, John le Spicer junior, Clement de Pontefract
2-4 I	1274-76	Unknown
4-5 I	1276-77	Robert Blund, Robert de Muro, Adam de Bolingbroke
5-6 I	1277-78	John le Spicer junior, John de Sutton, John de Coniston
6-7 I	1278-79	Stephen le Tugler, Roger de Bonville, John de Coniston
7-8 I	1279-80	Nicholas de Selby, Peter de Sancton, William Sleth
8-10 I	1280-82	King's hands
10-11 I	1282-83	Nicholas de Selby, John le Spicer junior, Roger Basy; James de Lissington, William Sleth, Roger Bonville ⁴⁴⁹

⁴⁴⁹ YMAA, 3/1, fol. 31v., no. 53; Rees Jones, Medieval Title Deeds (BL Add. Ms. Egerton 2147, fol. 15).

11-12 I	1283-84	James de Lissington, William Sleth, Roger Bonville; Thomas de Selby, Roger Plaic, Stephen le Tughler ⁴⁵⁰
12-13 I	1284-85	James de Lissington, William Sleth, Roger de Bonville
13-14 I	1285-86	Roger de Carleton, Clement Pontefract, Hugh de Sutton
14-15 I	1286-87	Peter de Sancton, Adam Verdenel, William Sleth
15-17 I	1287-89	Unknown
17-18 I	1289-90	Peter de Appleby, Nicholas Blund, Rayner Sperry,
18-19 I	1290-91	Peter de Appleby, John de Warthill, Ralph Wiles
19-20 I	1291-92	William Lingetayl, Robert de Hessay, Stephen le Caldruener
20-25 I	1292-97	King's hands
25-26 I	1297-98	Thomas de Whitby, John de Bromholme, John de Ascham
26-27 I	1298-99	Simon le Sichman, John Bony, John de Shupton
27-28 I	1299- 1300	George le Fleming, William de Lingetayl, Robert Meek
28-29 I	1300-01	Ralph de Yarom, Thomas de Appleby, Gaceus Flur/Flower
29-30 I	1301-02	William de Osney, Michael de Pocklington, William Sperry
30-31 I	1302-03	Ralph Lincoln, Thomas de Selby, Gilbert Arnold
31-32 I	1303-04	Andrew de Bolingbroke, Robert de Walton ⁴⁵¹
32-33 I	1304-05	William de Ouseburn, Bartholomew de Newcastle, Vincent Verdenel
33-34 I	1305-06	Thomas Durant, Walter Whitene, Robert de Lyndsay
34-35 I	1306-07	John de Appleby, Walter Gower, Walter le Fleming
35 Edward I-1 Edward II	1307-08	Richard de Allerton, Roger de Roston, Alan de Scoyerschelf
1-2 Edward II	1308-09	Alan de Scoyerschelf, Giles de Brabant, Adam Pocklington
2-3 II	1309-10	Thomas de Reedness, Ralph de Catton, Alan de Scoyerschelf; Thomas de Rednesse, William de Quixlay, Ralph de Catton ⁴⁵²
3-4 II	1310-11	William de Reedness, William de Quixlay, Richard de Byleburgh
4-5 II	1311-12	Thomas le Agullier/Hayward, Robert de Wistow, William de Grantham
5-6 II	1312-13	William de Ouseburn, John de Leicester, Walter de Scoreby
6-7 II	1313-14	Alan de Appleby, John de Beverley, Nicholas de Catton
7-8 II	1314-15	John Fihe, Alan Sleth, John de Easby
8-9 II	1315-16	Richard de Duffeld, William de Abbay, Walter de Scotton
9-10 II	1316-17	Thomas de Alverthorpe, Nicholas de Colonia, Richard le Toller

⁴⁵⁰ Rees Jones, *Medieval Title Deeds* (BL Add. Ms. Egerton 2147, fol. 11); YMAA, 3/1, fol. 32r., no. 54.

⁴⁵¹ VC, no. 505.

⁴⁵² Thomas de Reedness, Ralph de Catton, Alan de Scoyerschelf served as the bailiffs from September 1309-10, which is verified by several charters (VC, no. 427; YD, VII, 188). However, a charter dated 15 September 1310 was attested by Thomas de Rednesse, William de Quixlay, Ralph de Catton as bailiffs (YMAA, 3/1, fols. 20v.-21r., no. 17).

10-11 II	1317-18	William Fox, William de Durham, Robert de Selby
11-12 II	1318-19	Adam Kingson, Jordan Sauvage, Thomas son of David
12-13 II	1319-20	John Payn, John de Hathelsay, Jon Lorbatour
13-14 II	1320-21	Henry Calverd, Richard Tunnock, John de Scoreby
14-15 II	1321-22	Nicholas le Sauser, William de Friston, and John de Selby
15-16 II	1322-23	Nicholas Fouk, Robert del Wald, Robert de Melseby
16-17 II	1323-24	Nigel de Menyngthorp, John de Colne, Richard de Balne
17-18 II	1324-25	John de Housum, Andrew de Bossall, Thomas de Bilham
18-19 II	1325-26	Simon Gower, William Ithon, Richard de Tickhill
19-20 II-1 Edward III	1326-27	Nicholas de Scoreby, John de Brugges, William de Hothom
1-2 Edward III	1327-28	William de Reedness, William de Selby, John Pickard
2-3 III	1328-29	Henry de Bolton, William le Batour, Thomas de Askeham
3-4 III	1329-30	Stephen de Setrington, Thomas le Mareschall, Richard de Briggenhale
4-5 III	1330-31	William de Ponteburg, John de Moreby, John de Catton
5-6 III	1331-32	Henry de Scoreby, Robert de Dalby, Robert de Raseby
6-7 III	1332-33	Henry Lorbatur, William Fisher, William de Estrington
7-8 III	1333-34	Richard de Laycestre, William de Grafton, William le Spuryer/William de Rigton
8-9 III	1334-35	John de Bristol, William de Sherburn, John Caperon
9-10 III	1335-36	John de Sherburn, Richard de Cessay, Walter de Kelsterne
10-11 III	1336-37	John de Moreby, John Durant, Abel de Hesill
11-12 III	1337-38	Hugh de Miton, Robert de Skelton, Robert de Askby
12-13 III	1338-39	William de Holme, John de Soureby, Ralph de Stayngres
13-14 III	1339-40	William de Grantham, John Haunsard, John Randeman
14-15 III	1340-41	John de Crayk, John de Ripon, John de Acom
15-16 III	1341-42	William de Sutton, Thomas de Estrington, John de Eshton
16-17 III	1342-43	Richard le Ferroure, Robert le Walsh, William Fox
17-18 III	1343-44	John Kingeson, John Tuke, John de Coupmanthorp
18-19 III	1344-45	William de Acaster, Robert de Selby, William de Hovingham
19-20 III	1345-46	William Gra, William de Percy, Thomas de York
20-21 III	1346-47	John de Langton, Thomas de Miton, Robert attelithyate/de Lydyatte
21-22 III	1347-48	Thomas de Duffeld, William de Skelton, William de Adyngton
22-23 III	1348-49	Robert de Lindesay, William Belle, Thomas Menyngthorpe
23-24 III	1349-50	Thomas Sigston, Robert de Lindesay, Henry de Manfeld/Scrop
24-25 III	1350-51	John Clerevaux, Nicholas de Sancton, William Swetemouth
25-26 III	1351-52	Hugh de Miton, Richard de Amcotes, Roger de Hovingham
26-27 III	1352-53	William de Swanland, Henry Godebarn, John Frebois
27-28 III	1353-54	John de Allerton, William Leuedychapman, Robert de Holme

28-29 III	1354-55	William de Burton, Robert de Feriby, Richard le candeler
29-30 III	1355-56	William Savage, Robert de Skelton, Henry de Kelfeld
30-31 III	1356-57	John de Scoreby, Richard de Wateby, John de Ripon
31-32 III	1357-58	William Ferrour, John de Acaster, Thomas de Strensale
32-33 III	1358-59	Roger Strikyll, Robert de Crayk, Roger de Selby
33-34 III	1359-60	Robert de Ampelford, William Frankys, Ralph de Hornby
34-35 III	1360-61	John de Thornton, John de Crome, William de Otryngton
35-36 III	1361-62	John de Sancton, John de Knapton, Richard de Barneby; Robert de Pathorn, Robert del Gare, Simon Gouk ⁴⁵³
36-37 III	1362-63	Robert de Pathorn, Robert del Gare, Simon Gouk
37-38 III	1363-64	John de Twyselton, Richard de Thoresby, Robert de Potthowe
38-39 III	1364-65	John Seynos, Robert de Lutton, George de Coupmanthorp
39-40 III	1365-66	Robert Barry, William de Leicester, Roger de Moreton
40-41 III	1366-67	Thomas de Holme, John Weland, John Yole
41-42 III	1367-68	Roger de Moreton the younger, John de Clayton, John de Esheton
42-43 III	1368-69	William de Burton, William Couper, Hugh de Haukesewell
43-44 III	1369-70	Henry de Rybstane, Richard de Waghen, William Giry
44-45 III	1370-71	Robert de Harom, Peter de Thorp, Richard de Acaster; William Tondu, Robert de Gar', John Swerd ⁴⁵⁴
45-46 III	1371-72	William Tendew, William de Hovingham, John Swerde
46-47 III	1372-73	John de Barden, John de Poynton, John de Beverley
47-48 III	1373-74	William de Selby, Richard de Taunton, John de Pathorn
48-49 III	1374-75	Robert Savage, John de Hoveden, John de Brathwayt
49-50 III	1375-76	Simon de Quixlay, William de Helmeley, Robert de Duffeld
50-51 III-1 Richard II	1376-77	Thomas de Staynlay, Thomas de Moreton, John de Derthington

1.3 A review of the lists in Y/COU/3/1

By taking the revised lists as a parallel, the lists of the mayor and bailiffs in Y/COU/3/1 can be examined. The research shows that there are more disagreements occurring for the entries under Edward I, especially during the years from 1278-1285 (see tables 18-9). For the years from 1282-4, Y/COU/3/1 stated that John Sampson was selected in the eleventh year (1283), and the next year Gilbert de Louth. In addition, it was suggested that the city was taken into the king's hands in the seventeenth year (1289), while no evidence has been found to

⁴⁵³ VC, no. 360 (20 Oct. 1361); Rees Jones, *Medieval Title Deeds* (BL Cotton Nero D3/205/8) (15 Apr. 1362); YMAA, 3/1, fol. 29v., no. 46 (28 July 1362).

⁴⁵⁴ VC, no. 367 (6 Dec. 1370); VC, no. 89 (20 Mar. 1371).

demonstrate this. There is another error related to the suspension of civic liberties. Robert de Bromholm was claimed to be chosen as the mayor in the twenty-third year (1295), when York had not yet actually got back its rights.⁴⁵⁵ In terms of the bailiffs, the annual sequence from 1282 to 1284 is questionable, and it is obvious that Thomas de Selby, Roger Plaic, Stephen le Tugler were omitted. For the fourteenth year (1286), Y/COU/3/1 had ‘Nicholas de Langton, John Hawis, Nicholas de Selby’.⁴⁵⁶ However, the bailiffs selected in 1286 were correctly Peter de Sancton, Adam Verdenel, and William Sleth.

Table 20 A comparison between two lists of mayors, 1273-1297

Regnal year	Historical Year	The revised list	Y/COU/3/1
1-2 Edward I	1273-74	John le Spicer, senior	John le Spicer, senior
2-3 I	1274-75	John le Spicer, senior	John le Spicer, senior
3-4 I	1275-76	Unknown	Robert de Bromholm
4-5 I	1276-77	Robert de Bromholm	Robert de Bromholm
5-6 I	1277-78	Robert de Bromholm	Robert de Bromholm
6-7 I	1278-79	Walter de Stokes	Walter de Stokes; Gilbert de Louth
7-8 I	1279-80	John Sampson	John Sampson
8-9 I	1280-81	King’s hands	King’s hands
9-10 I	1281-82	King’s hands	King’s hands
10-11 I	1282-83	John Sampson; Gilbert de Louth	King’s hands
11-12 I	1283-84	Gilbert de Louth	John Sampson
12-13 I	1284-85	John Sampson; Gilbert de Louth	Gilbert de Louth
13-14 I	1285-86	John Sampson	John Sampson
14-15 I	1286-87	Nicholas de Selby	Nicholas de Selby
15-16 I	1287-88	Unknown	Nicholas de Selby
16-17 I	1288-89	Nicholas de Selby	Nicholas de Selby
17-18 I	1289-90	Unknown	King’s hands
18-19 I	1290-91	Roger Basy	Roger Basy
19-20 I	1291-92	John le Spicer	John le Spicer
20-21 I	1292-93	Roger Basy; King’s hands	Roger Basy
21-22 I	1293-94	King’s hands	King’s hands
22-23 I	1294-95	King’s hands	King’s hands
23-24 I	1295-96	King’s hands	Robert de Bromholm
24-25 I	1296-97	King’s hands	King’s hands

⁴⁵⁵ YCA, Y/COU/3/1, fol. 4r.

⁴⁵⁶ YCA, Y/COU/3/1, fol. 288v.

Table 21 A comparison between two lists of bailiffs, 1273-1289

Regnal year	Historical Year	The revised list	Y/COU/3/1
1-2 Edward I	1273-74	John de Sutton, John le Spicer junior, Clement de Pontefract	John le Spicer junior, Clement de Pontefract, John de Sutton
2-3 I	1274-75	Unknown	Gilbert de Louth, Henry de Holtby, John de Coniston
3-4 I	1275-76	Unknown	John de Sutton, John de Coniston, Henry de Holtby
4-5 I	1276-77	Robert Blund, Robert de Muro, Adam de Bolingbroke	Robert Blund, Robert de Muro, Adam de Bolingbroke
5-6 I	1277-78	John le Spicer junior, John de Sutton, John de Coniston	John le Spicer, John de Coniston, John de Sutton
6-7 I	1278-79	Stephen le Tughler, Roger de Bonville, John de Coniston	Stephen le Tughler, Roger de Bonville, John de Coniston
7-8 I	1279-80	Nicholas de Selby, Peter de Sancton, William Sleth	Nicholas de Selby, Peter de Sancton, William Sleth
8-9 I	1280-81	King's hands	King's hands
9-10 I	1281-82	King's hands	King's hands
10-11 I	1282-83	Nicholas de Selby, John le Spicer junior, Roger Basy; James de Lissington, William Sleth, Roger Bonville	King's hands
11-12 I	1283-84	James de Lissington, William Slegh, Roger Bonville; Thomas de Selby, Roger Plaic, Stephen le Tughler	Nicholas de Selby, Nicholas le Spicer, Roger Basy
12-13 I	1284-85	James de Lissington, William Sleth, Roger de Bonville	James de Lissington, William Sleth, Roger de Bonville
13-14 I	1285-86	Roger de Carleton, Clement Pontefract, Hugh de Sutton	Roger de Carleton, Clement Pontefract, Hugh de Sutton
14-15 I	1286-87	Peter de Sancton, Adam Verdenel, William Sleth	Nicholas de Langton, John Hawis, Nicholas de Selby
15-16 I	1287-88	Unknown	Peter de Sancton, Adam Verdenel, Rayner Sperry
16-17 I	1288-89	Unknown	Laurence de Bootham, John de Grantham, Matheus Sampson

However, generally, the lists in Y/COU/3/1 do not deviate from the revised lists. The chronological sequence from 1297 to 1377 is almost accurate. This research confirms the role of Y/COU/3/1 as a trustworthy source of identifying mayors and bailiffs of fourteenth-century York. In the revised lists, there are some entries showing that no evidence could be found in

local charters (see tables 18-9). If we admit Y/COU/3/1 as reliable, it is reasonable to fill these gaps by taking Y/COU/3/1 into consideration. Thus, a complete annual sequence of the mayor and bailiffs from 1297 to 1377 can be produced.

Furthermore, is it possible to deduce that lists of other officials included in Y/COU/3/1 are trustworthy? As noted, there is no way to systematically review these lists. However, because it was the same group of scribes who were involved with the writing of all these lists, the above study increased the possibility further. In addition, it is practical to note some sporadic evidence. For instance, in the royal records, we find the information about some litigations in which the city was involved. In 1317, York's mayor and some other civic officials were accused by St Mary's abbey, York. In this case, three late chamberlains, John de Shoreby, Jordan Sauvage, William do Freres, 'pelter', were mentioned as well.⁴⁵⁷ By cross-referencing the list of chamberlains, it was discovered that these three served as the chamberlains in 1314-5.⁴⁵⁸ Thus, this case offers a little evidence to demonstrate that the chamberlains' list in Y/COU/3/1 was reliable.

In conclusion, this section proved the accuracy of lists of mayors and bailiffs from 1297 in Y/COU/3/1. Due to limitation of civic archives, this research referred to other sources, especially local deeds. Although these deeds did not indicate the starting date of an official term, the dates of deeds made it possible to speculate an annual sequence of officials. The revised lists of the mayor and bailiffs form the parallel to be compared with the lists in Y/COU/3/1. The result of this comparison shows that, firstly, the part before 1292 should be treated with care, because some obvious errors were detected. Secondly, the entries from 1297 to 1377 are mostly correct. Therefore, this research confirms that Y/COU/3/1 can be quoted as a trustworthy source to explore the civic officials of fourteenth-century York. As will be presented in the following texts of this thesis, these lists form the foundation for more historical studies relating to the lists of York's freemen and civic government of York.⁴⁵⁹ Moreover, this laid a solid foundation for the argument that these lists were based on documents and records. This argument will be developed further in the last section of this chapter.

⁴⁵⁷ *CPR*, 1313-7, 681.

⁴⁵⁸ Y/COU/3/1, fol. 321v.

⁴⁵⁹ See pages 159-162, 185-97.

2. Lists of freemen

This section intends to examine the lists of freemen in Y/COU/3/1. At first glance, this is far more challenging than the study related to civic officials. In Y/COU/3/1, the number of the freemen was much larger than that of civic officials. As calculated by Edward Miller, there were over 8,000 individuals admitted to the civic franchise from 1273 to 1399.⁴⁶⁰

Furthermore, no systematically preserved record other than Y/COU/3/1 can cast light on the identification of freemen. R. B. Dobson studied the political background of the admission of new freemen, and challenged the argument that lists of freemen could be taken as a source to analyse the demographic tendency and occupational structure of York.⁴⁶¹ Yet, Dobson did not consider the lists of freemen before the late fourteenth century in detail. He briefly commented that the lists under Edward I were ‘highly erratic’.⁴⁶² Therefore, in this section, some less straightforward methods are adopted to undertake the research.

Historiography has shown that, for example, it is possible to check Y/COU/3/1 with royal records. Based on the minority of freemen in the lists of ordinance-breakers of 1304, Heather Swanson argued that in the early fourteenth century, freedom was not a precondition of retail trade. Instead, it was ‘a privilege purchased by the more substantial craftsmen’.⁴⁶³ Some historians compared the lists of freemen with the returns of two poll taxes in 1377 and 1380.⁴⁶⁴ These studies suggested that Y/COU/3/1 was not a complete guide to both the craftsmen and taxpayers of York in the fourteenth century.

Unlike the previous perspective, this section plans to argue that the freemen’s lists in Y/COU/3/1 were compiled according to records registering the admission of freemen. In order to demonstrate this argument, two important aspects of freeman status are explored: paying the taxation and serving the civic office. These two aspects were selected because historians have argued that individuals who entered the civic franchise were expected to contribute to taxation and undertake civic office.⁴⁶⁵ Even though this idea was more explicitly

⁴⁶⁰ Miller, ‘Medieval York’, 86.

⁴⁶¹ Dobson, ‘Admissions to the Freedom of the City of York in the Later Middle Ages’.

⁴⁶² Dobson, ‘Admissions to the Freedom of the City of York in the Later Middle Ages’.

⁴⁶³ Heather Swanson, *Medieval artisans: an urban class in late medieval England*. (B. Blackwell, 1989), 108. For the lists of 1304, see *York civic ordinances, 1301*, 22-28.

⁴⁶⁴ ‘The 1381 Poll Tax Return for the City of York’, ed. J. N. Bartlett, *Transactions of the East Riding Antiquarian Society*, xxx; Jenny Leggett (Kermode), ‘The 1377 Poll Tax Return For the City of York’, *YAJ*, 1971, 128-46, 129-30.

⁴⁶⁵ Liddy, *Contesting the City*, 40.

stated in the late fourteenth century or afterwards, it is possible that some urban custom had already emerged.

Therefore, there are two parts to this research. First, the returns of two lay subsidies granted in 1327 and 1332 are examined.⁴⁶⁶ They are both preserved in a relatively good condition and cover most parishes of the city. Moreover, the small chronological gap between the two records makes it practical to conduct an internal comparison between them. Thus, the overlap between freemen and taxpayers will be studied. In addition, the second part of this section plans to discover the overlap between the lists of freemen and those of civic officials. Y/COU/3/1 included uninterrupted lists of the mayor, bailiffs, and chamberlains, and their historical value has already been verified in the previous section.

2.1 Freemen as taxpayers

Before the research is presented, it is necessary to explain some methodological points relating to the identification of personal names. Firstly, the variability of surnames renders identification tricky. In addition to the lack of standard spelling, it was possible for the same person to have different surnames. When lists of freemen were checked with those of taxpayers, the changeability of surnames was revealed. To take an example from taxpayers in the parish of St. Mary Castlegate, there was a man named ‘Elias le Irnemanger (ironmonger)’ in the return of 1327, and the other ‘Elias de Tanfeld’ in the return of 1332. In freemen’s lists, one of those admitted to the franchise in 1321/2 was ‘Elias de Tanfeld, irenmanger’. In addition, the value of wealth attributed to the two Eliases above was respectively 50s. 4d. and 50s. This enhances the possibility that the two names referred to the same individual. Therefore, this research attempts to detect links among different names by cross-referencing sources at hand.

Secondly, it should be admitted that some names may be related but no strong evidence is found. With regard to names with the occupation as the surname, such as William le Chaloner in the roll of 1327, it is possible to link it to William de Welleton, chaloner or William le chaloner, de Esingwold appearing in the freemen’s lists.⁴⁶⁷ This study prefers to view the second as the person referred to, because it is less certain whether William le Chaloner was actually a chaloner. For example, a freeman, Johannes le carpenter, de Thresk was labelled ‘a

⁴⁶⁶ TNA, E 179/217/3; E 179/217/5. For more details about lay subsidies, see page 47.

⁴⁶⁷ YCA, Y/COU/3/1, fols. 41v., 44v.

cordwainer’.⁴⁶⁸ However, for a combination of a popular given name and an occupation, it is impossible to solve the puzzle without the help of other evidence. For instance, a name like John le Tistour [weaver], was related to at least three names in the freemen’s lists, that is, ‘John, son of Roger Webster’, ‘John de Novo Castro, webster’, and ‘John de Lonesdale, tixtor’.⁴⁶⁹

Thirdly, the namesake causes no less trouble in identification. For instance, there were three men called William Wistow respectively admitted to the freedom as ironmonger, fishmonger and girdler in 1310/11, 1311/12, and 1325/6.⁴⁷⁰ Meanwhile, this name appeared three times in the 1327 roll and twice in the 1332 roll. A big confusion emerges because most of the taxpayers were not described with their occupation. In addition, there is no obvious regularity between occupation and personal wealth assessed. Thus, it seems impossible to exactly identify a bundle of namesake freemen and taxpayers in this situation, and this research will not take these individuals into consideration. Nevertheless, the exclusion of these possible cases suggests that some following estimates are not generous.

There are many uncertainties, but in order to gain greater certainty, this research starts by considering names with occupation. This helps us avoid the confusion caused by the namesake. Generally, far fewer taxpayers were labelled than freemen, so it is more efficient to detect those noted as taxpayers first. By going through the return of 1327, 59 names with occupation were discovered. Of them, 17 could be found in the lists of freemen as well (see table 22). The rest did not indicate the divergence of the occupation, but the absence of names.

Table 22 Common part of taxpayers (1327) and freemen

Taxpayer	Occupation	Parish	Year admitted to the franchise
Henry de Belton	baker	St. Peter-the-Little	1324-5
William de Essay	baker	St. Peter-the-Little	1292-4 ⁴⁷¹
Robert de Penreth	cordwainer	St. Peter-the-Little	1308-9
John Touton	skinner	St. Peter-the-Little	1324-5

⁴⁶⁸ YCA, Y/COU/3/1, fol. 39v.

⁴⁶⁹ YCA, Y/COU/3/1, fols. 33v., 42v., 47v.

⁴⁷⁰ YCA, Y/COU/3/1, fols. 39v., 40r., 45r.

⁴⁷¹ The freemen of the 21th and the 22th years of Edward I were shown in one entry. See YCA, Y/COU/3/1, fol. 34r.-v.

John Grenehode	cook ⁴⁷²	St. Martin, Coney Street	1325-6
John de Waltham	messenger	St. Helen, Stonegate	1323-4
Adam de Hamelton	potter	St. Helen, Stonegate	1321-2
John de Holgat	skinner	St. Helen, Stonegate	1321-2
William de Sutton	skinner	St. Michael-le-Belfrey	1327-8
Richard de Grymmesby	goldsmith	St. Michael-le-Belfrey	1324-5
Alan Segode	tailor	St. Michael-le-Belfrey	1312-3
Robert de Lincoln	carpenter	St. Michael-le-Belfrey	1324-5
Adam de Creyk	girdler	Holy Trinity, Goodramgate	1325-6
John de Baynton	smith	St. Helen-on-the-Walls, Aldwark and York St. Andrew, St. Andrewgate and York St. Maurice, Monkgate	1327-8
Henry de Bikerton	skinner ⁴⁷³	St. Helen-on-the-Walls, Aldwark and York St. Andrew, St. Andrewgate and York St. Maurice, Monkgate	1319-20
William de Pocklington	skinner ⁴⁷⁴	St. Helen-on-the-Walls, Aldwark and York St. Andrew, St. Andrewgate and York St. Maurice, Monkgate	1326-7
John de Donecastre	carpenter ⁴⁷⁵	St. Mary, Bishophill, Senior and St. Clement's Priory, Clementhorpe	1328-9

In terms of the taxpayers of 1332, only 11 people were found. Five of them were recognised in the lists of freemen (see table 23). Similar to the aforesaid cross-referencing, the other six names were not found in the lists of freemen at all.

Table 23 Common part of taxpayers (1332) and freemen

Taxpayer	Occupation	Parish	Year admitted to the franchise
Henry de Belton	baker	St. Michael, Spurriergate	1324-5
John de Sherburn	butcher	Holy Trinity, King's Court	1323-4
John Fox	mariner	St. Wilfrid, Blake Street	1336-7
William de Berwyck	cutler	St. Michael-le-Belfrey	1325-6

⁴⁷² John Grenehode was labelled 'taverner'. See YCA, Y/COU/3/1, fol. 45r.

⁴⁷³ Henry de Bikerton was labelled 'glover'. See YCA, Y/COU/3/1, fol. 42v.

⁴⁷⁴ William de Pocklington was labelled 'glover'. See YCA, Y/COU/3/1, fol. 45r.

⁴⁷⁵ John de Doncaster was labelled 'shipwright'. See YCA, Y/COU/3/1, fol. 46r.

Robert de Sutton	cordwainer	St. Michael-le-Belfrey	1328-9
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The individuals mentioned above only occupy a small proportion of the freemen registered, but those common to the lists of taxpayers and freemen demonstrate at least that Y/COU/3/1 was not a complete fiction. Rather, this confirmation strengthens the possibility that Y/COU/3/1 could serve as a trustworthy guide to York's citizens. In the following paragraphs, more clues are explored to find the extent of such trustworthiness.

After the above focus on some specific cases, a more general study is undertaken to examine how much the lists of taxpayers and freemen overlapped. In order to answer this question, the freemen admitted in 1328-9 were taken as a sample to explain how to cross-reference the two types of sources (see table 24). This year was chosen because it witnessed one of the largest numbers of new freemen from 1307 to 1337 and it was in between the two taxes (see graph 3).

Table 24 Freemen admitted in 1328-9⁴⁷⁶

Freemen	Location and personal wealth	
	1327	1332
William de Bisschopton, baker		
William de Tankereslay, butcher		Holy Trinity, King's Court (10s.)
John de Cawod, clerk, mariner		
Richard le blak, linen-draper ⁴⁷⁷	St. Mary, Castlegate (20s.)	St. Mary, Castlegate (10s.)
Humphrey de Barton, tailor	St. Mary, Castlegate (13s. 4d.)	St. Mary, Castlegate (25s.)
Thomas de Hautwesel, lorimer		
Adam Berilot, de Belton, fisherman	St. Michael, Spurriergate (10s.)	St. Michael, Spurriergate (30s.)
Richard de Gilling, fisherman		
Robert de Dorem, cordwainer	St. Crux, Pavement (26s. 8d.)	St. Martin, Coney Street (60s.)
Adam Biron, girdler		
Richard le parchminer		
William de Useflet, mariner		
Margaret de Scoreby	St. Crux, Pavement (41s. 8d.)	

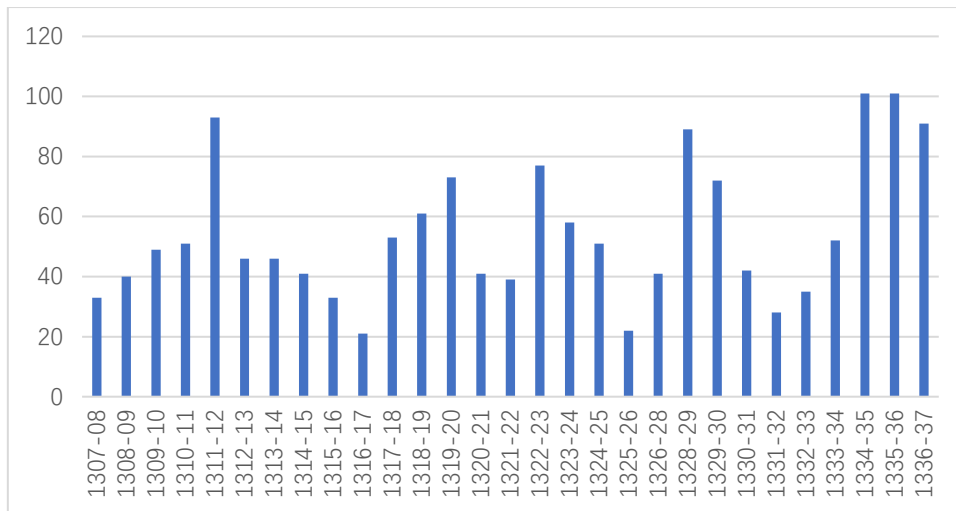
⁴⁷⁶ The arrangement and spelling of names follow those in the original manuscript. See YCA, Y/COU/3/1, fols. 45v.-46r.

⁴⁷⁷ Lyndraper.

Ralph de Aldeburgh, dyer		Bootham (Radulphus le Litester, 20s.)
Henry de Wistow, horner		
Simon Wade, poulaterer	All Saints, Pavement (20s.)	
William de Holme, armourer	All Saints, Pavement (60s.)	All Saints, Pavement (30s.)
Richard de Lincoln, lorimer		
Thomas de Wighale, armourer		St. John, Ouse Bridge End (10s.)
William de Mauneby, tailor	St. Martin, Coney Street (Willelmus de Maby cissor) 20s.	St. Martin, Coney Street (6.875s)
Adam Picard, armourer	St. Martin, Coney Street (13s. 4d.)	
William de Westmerland, cook		St. Martin, Coney Street (1.66s.)
Alex de Northampton, baker		
Walter de Laner, taverner		?
Roger de Munkton, goldsmith	St. Michael-le-Belfrey (13s. 4d.)	St. Michael-le-Belfrey (33.33s.)
Thomas de Scarburgh, cook		
John del Chaunge, goldsmith		St. Michael-le-Belfrey (33.33s.)
John de Hexselsam, tailor	St. Helen, Stonegate (40s.)	
Henry de Pontefract, cordwainer		
Ricardus de Hamelton, tailor		St. Michael-le-Belfrey (13.33s.)
John de Auldfeld, skinner		
Roger de Yaruwelle	St. Michael-le-Belfrey (60s.)	St. Michael-le-Belfrey (41.875s.)
Thomas le seler, son of John le couraur	St. Michael-le-Belfrey (13s. 4d.)	St. Michael-le-Belfrey (33.33s.)
Walter de Jarum, horner	Holy Trinity, Goodramgate (Walter le Horner), 13s. 4d.	
Roger Route, copper		
Richard de Jarum, copper	Holy Trinity, Micklegate (13s. 4d.)	
Thomas de Oxtton, saddler		
John Louvel, mariner		
William, son of Richard Piles, bower		

John de Walmegat, smith		Holy Trinity, King's Court (15s.)
Thomas de Barnby, mercer	St. John, Ouse Bridge End (40s.)	Holy Trinity, King's Court (20s.)
Thomas Estrington, mercer	St. Mary, Bishophill, Senior parish and St. Clement's Priory, Clementhorpe (Thomas de Estrington) (20s.)	
Robert, son of Roger de Selby, spicer		
John de Langeley, merchant	St. Michael, Spurriergate (10s.)	
John de Neuton, mariner		
Robert de Birkheued, de Kendale, hosier		St. Crux, Pavement (Robertus de Birkheued.4, 30s.)
John de Touthorp, butcher		
Gilbert de Carliolo, son of Andrew de Carliolo, butcher		
John de Ripon, cordwainer		
William le taillour, toller in Walmgate	St. Denys, Walmgate (Willelmus le Taillour, 10s.)	St. Denys, Walmgate (Willelmus le Toller, 10s.)
Simon de Wederhale, potager		St. Mary, Castlegate (Simon le Potager, 50s.)
Adam Bateson, copper		
Richard de London, <i>suour</i> de Walmegat		
John de Cawod, armourer		
Robert de Esdik, tanner		
John de Doncaster, shipwright	St. Mary, Bishophill, Senior parish and St. Clement's Priory, Clementhorpe (Johannes de Donecastre carpentarius, 15s.).	St. Mary, Bishophill, Senior parish and St. Clement's Priory, Clementhorpe (Johannes de Donecastre, 6.875s.).
Richard de Folkarthorp, skinner	Holy Trinity, Goodramgate (Ricardus pelter, 12s.)	Holy Trinity, Goodramgate (Ricardus le pelter, 10s.)
John de Ricale, skinner		
John de Brerton, fishmonger		
James Gafaire, mercer		Holy Trinity, King's Court (10s.)
William de Midelton, tanner		

John de Stirkland, tailor	St. Crux, Pavement (16s. 8d.)	
Richard le nouthird de Stanlay, porter	St. Michael, Spurriergate (Ricardus Nethirde, 10s.)	St. Mary, Castlegate (Ricardus le Nethird, 10s.)
Arnald de Almaygne, armourer	St. Martin, Coney Street (100s.)	St. Martin, Coney Street (Arnaldus de Tolon, 55.83s.)
Alan de Carliolo, cook		
Adam de Hathelsay, butcher		
Thomas de Levesham, de Thresk, skinner		St. John, Ouse Bridge End (Thomas de Leuesham, 30s.)
John de Harwod, fletcher		
Robert de Sutton, cordwainer		St. Michael-le-Belfrey (10s.)
Richard de Furnays, fisherman		
John Haunsard		St. Denys, Walmgate (50s.)
John de Hoperton, skinner		St. Michael, Spurriergate (20s.)
Phillip le seler		
Andrew de Cundale, clerk		
Thomas de Pytington		
Margaret Pakok		St. Andrew (7.5 s)
Martin, son of John le rider		
John Balkok, de Selby, fisherman		
John de Stayndrop, mariner	St. John, Ouse Bridge End (10s.)	St. John, Ouse Bridge End (10s.)
Hugh de Lillyng, saddler		St. Michael, Spurriergate (7.916s.)
Richard de Slengesby, dyer		
John de Drynghousses, dyer		All Saints, North Street (15s.)
Thomas de Brunston, horse-dealer		
Richard de Kirkby		St. Helen, St. Gregory, St. Stephen, Fishergate (6.66s.)
Alan de Doway, fisherman		
Walter de Esingwold, potter		Holy Trinity, King's Court (40s.)
John de Galmeton, mercer		St. Crux, Pavement (40s.)
Simon Andrew, butcher		
Robert de Thirnom, porter		St. Michael-le-Belfrey (13.33s.)

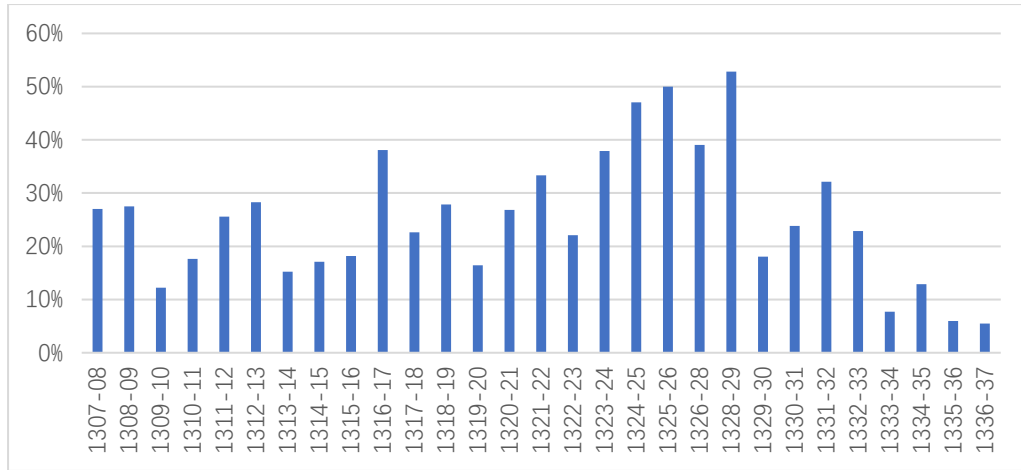


Graph 3 Number of freemen admitted, 1307-1337⁴⁷⁸

Table 24 shows that 47 of 89 (52.8%) freemen recorded in 1328-9 contributed to at least one lay subsidy. For those individuals who did not pay the tax of 1332, it is possible that death could be the reason. However, for those not involved with the tax of 1327, their wealth may not have attained the threshold for taxation. According to this table, it is also clear that personal wealth varied in a large range among these freemen, from 100s. to less than 10s. More freemen were based in old parishes of the city centre, such as St. Michael-le-Belfrey and Holy Trinity, King's Court. More significantly, this research supports further that the freemen's lists were a representation of York's taxpayers. Yet, 50% of overlap for a year so close to the two lay subsidies indicates the possibility that the aforesaid representation was not complete.

Following the same method applied to the list of 1328-9, a chronological change of the percentage of the freemen from 1307 to 1337 involved with the tax-paying is illustrated (see graph 4).

⁴⁷⁸ Source: YCA, Y/COU/3/1.



Graph 4 Percentage of taxpayers in freemen, 1307-1337⁴⁷⁹

Obviously, this figure confirms the phenomenon that not all so-called ‘freemen’ contributed to the lay subsidies. The freemen registered in Y/COU/3/1 were more inclusive than the returns of taxpayers. It represented a wider range of urban residents than taxpayers. From this perspective, the freemen’s lists were a limited guide to York’s taxpayers. However, it should be noted that there is a peak in this figure, covering the years from 1324 to 1329. Given that the two lay subsidies were levied in 1327 and 1332, it is reasonable that freemen admitted in the preceding or succeeding years should occupy a larger percentage in the taxpayers. Thus, this coincidence of timeline discloses the possibility that the lists of freemen in Y/COU/3/1 were based on contemporaneously written records.

In addition, the returns of the two lay subsidies are examined by referring to the lists of freemen, in order to find the percentage that so-called ‘freemen’ contributed to the two taxes (see table 25).

Table 25 Percentage of freemen in York’s taxpayers, 1327, 1332

Parish	Percentage of freemen	
	1327	1332
St. Mary, Castlegate	72%	61%
St. Michael, Spurriergate	65%	53%
All Saints, Pavement	60%	51%
St. Crux, Pavement	50%	49%
Holy Trinity, King’s Court	58%	61%
St. Sampson, Girdlergate	73%	59%
St. Peter-the-Little	53%	35%

⁴⁷⁹ Source: YCA, Y/COU/3/1; TNA, E 179/217/3, E 179/217/5.

St. Martin, Coney Street	55%	58%
St. Helen, Stonegate	45%	38%
St. Wilfrid, Blake Street	35%	30%
St. Michael-le-Belfrey	64%	63%
Holy Trinity, Goodramgate	43%	48%
St. Saviour, St. Saviourgate	50%	51%
St. Denys, Walmgate	44%	37%
St. John, Ouse Bridge End	55%	58%
Holy Trinity, Micklegate	24%	25%
All Saints, North Street	55%	64%
St. Clement's Priory, Clementhorpe, St. Mary, Bishophill, Senior and St. Mary, Bishophill, Junior	41%	28%
St. Martin and St. Gregory, Micklegate	35%	40%

Because the tax returns were written down into blocks according to the parish division in the city, this table followed this order. Based on this table, it is apparent that there were urban residents who paid taxes but were not included in the lists of freemen. This general description matches with some specific cases, which reminds us of the exclusion of some elite citizens from the lists of freemen. For example, in terms of the parish of St. Michael-le-Belfrey, Richard de Tunnock, the richest citizen according to the assessment of 1327, did not appear in the freemen's lists. Therefore, the relationship between the freemen and taxpayers was more like a partial overlap, as suggested by the figure below (see fig. 30).

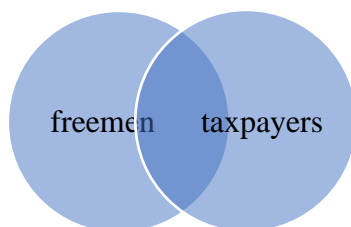


Figure 30 The relationship between the lists of freemen and taxpayers

To sum up this part, by taking the returns of lay subsidies as a parallel source, it was found that the lists of freemen in Y/COU/3/1 had strong connections to the lists of taxpayers. There were some names shared by the two sources. In addition, the years from 1324 to 1329 witnessed a high percentage of overlap between taxpayers and freemen. This chronological correlation highlights the possibility that the compilation of lists of freemen relied on records written contemporaneously when the freemen were confirmed. However, it is obvious that the overlap between the two sources was not complete. The freemen's lists in Y/COU/3/1 could

not serve as a complete guide to the craftsmen nor taxpayers of York, but they demonstrate the existence of now lost documents and records.

2.2 Freeman as civic officials

Based on R. B. Dobson's observation, some leading elites of fourteenth-century York did not appear in the lists of freemen.⁴⁸⁰ For elites, Dobson referred to some mayors and representatives in parliament. However, there has not yet been a systematic cross-referencing between the lists of urban officials and freemen. In this sub-section, these two kinds of lists are compared, which reveals the obvious overlap between freemen and some other officials, including bailiffs and chamberlains. This research proves that the lists of freemen in Y/COU/3/1 were a trustworthy compilation.

Because the lists of civic officials have been confirmed to indicate the annual sequence of York's officials, it becomes reasonable to conduct an internal cross-referencing in Y/COU/3/1. First is the mayor. By checking, it is found that very few mayors emerged in the lists of freemen. From 1273 to 1370, only three mayors were detected (see table 26). This observation confirms Dobson's argument.

Table 26 Mayors as freemen, 1273-1370

Freemen	Year of becoming a freeman	Term of office
John de Askham	1290-1	1307-9
Thomas de Reedness	1304-5	1318-9
Robert de Holme, mercer	1346-7	1368-9

However, when it comes to the bailiffs and chamberlains, there is much more overlap between the lists of freemen and lists of officials. First, officials from 1291 tended to be discovered in the lists of freemen. In contrast, no one holding any office between 1273 and 1290 was found. For the chamberlain, it is easy to explain because the list of chamberlains started from 1290. For the bailiff, this can be explained by the *cursus honorum*. By observing the gap between the institution of freedom and office, it is clear that 10-20 year was the

⁴⁸⁰ Dobson, 'Admissions to the Freedom of the City of York in the Later Middle Ages', 9.

general rule. Thus, it is possible that officials before 1291 were admitted to the civic franchise before 1273.

Only officials up to 1327 are shown here (see tables 25-6). On the one hand, this might be on account of saving space. On the other hand, it is important to use these two tables to cast light on the lists of freemen under Edward I, because these early lists were believed to be questionable. This study intends to prove that these lists were trustworthy as well.

Table 27 Bailiffs as freemen, 1291-1327

Bailiffs	Year of becoming a freeman	Term of office
Robert de Hessay, tailor	1273-4	1291-2
Thomas de Whiteby, mercer	1275-6	1297-8
John de Bromholm	1277-8	1297-8
John de Askham	1290-1	1297-8
Ralph de Jarum	1284-5	1300-1
Michael de Pocklington, clerk	1297-8	1301-2
William de Useburn	1283-4	1304-5
Robert de Lyndesay, mercer	1283-4	1305-6
John de Appleby	1277-8	1306-7
Walter Gull	1300-1	1306-7
Walter le Fleming	1291-2	1306-7
Roger de Roston, goldsmith	1304-5	1307-8
Richard de Alverton, mercer	1290-1	1307-8
Giles de Brabant	1296-7	1308-9
Adam de Pocklington, de Alverton	1296-7	1308-9
Thomas de Reedness	1304-5	1309-10
Ralph de Catton, tailor	1299-1300	1309-10
Walter de Scoreby	1291-2	1312-3
Nicholas de Catton	1302-3	1313-4
Nicholas de Colon, merchant	1311-2	1316-7
John Payne	1308-9	1319-20
John de Hathelsay	1300-1	1319-20
John de Scoreby, mercer	1305-6	1320-1
William de Friston	1315-6	1321-2
Nicholas Fouk, fishmonger	1310-1	1322-3
Robert de Molsby	1308-9	1322-3
John de Colne, merchant	1311-2	1323-4
John de Housom, merchant	1309-10	1324-5
Andrew de Bossall	1305-6	1324-5
Thomas de Bilham, mariner	1311-2	1324-5
Simon Gower, taverner	1313-4	1325-6

Richard de Tikhill, mercer	1321-2	1325-6
Nicholas de Scoreby	1314-5	1326-7
John de Brugges/Woume	1304-5	1326-7

Table 28 Chamberlains as freemen, 1291-1327

Chamberlains	Year of becoming a freeman	Term of office
Robert de Hessay, tailor	1273-4	1291-2
Thomas de Whitby, mercer	1275-6	1293-4
John de Bromholm	1277-8	1294-5
John de Askham	1290-1	1294-5
Ralph de Jarum	1284-9 ⁴⁸¹	1295-6
Adam de Pocklington, de Alverton	1296-7	1298-9
Thomas de Pikeryng	1277-8	1299-1300
John de Appleby, taverner	1277-8	1300-1
Robert de Lyndesay, mercer	1283-4	1303-4
Ralph de Catton, tailor	1299-1300	1304-5
Walter Gull	1300-1	1305-6
Thomas de Reedness	1304-5	1307-8
Richard de Duffeld	1291-2	1308-9
William de Useburn	1283-4	1308-9
Walter de Skotton, mason	1296-7	1310-1
Robert de Ponteburgi	1292-4	1310-1
Robert de Popiltun	1290-1	1310-1
Thomas de Strensall, potter	1295-6	1312-3
Adam de Catton	1305-6	1315-6
Adam de Denton, merchant	1291-2	1316-7
John de Selby	1290-1	1316-7
John de Hathelsay	1300-1	1317-8
John Payne	1308-9	1318-9
John de Housom, merchant	1309-10	1319-20
William de Friston	1315-6	1319-20
Nigel de Menthorp, potter	1309-10	1320-1
Robert de Molsby	1308-9	1320-1
John de Colne, merchant	1311-2	1321-2
Andrew de Bossall	1305-6	1321-2
Mathew de Rymyngton, shopkeeper ⁴⁸²	1305-6	1321-2
Adam de Pontefract	1300-1	1322-3
Robert de Thwenge, mercer	1312-3	1322-3

⁴⁸¹ The freemen admitted in the years 12-17 of Edward I were gathered as one entry. See YCA, Y/COU/3/1, fol. 33v.

⁴⁸² Tabernarius.

William de Neuton, cook	1311-2	1322-3
Simon Gower, taverner	1313-4	1323-4
Alan de Quixlay, baker	1300-1	1323-4
Robert de Dalby	1307-8	1324-5
Robert Raisebek, tanner	1305	1324-5
Nicholas de Scoreby	1314-5	1325-6
Thomas de Askham, fishmonger	1301-2	1325-6
Robert de Askby, tanner	1308-9	1325-6
Henry de Scoreby, mercer	1321-2	1326-7
John de Catton, brother of Ralph de Catton	1311-2	1326-7

In calculation, 38 of 96 (39.58%) bailiffs and 42 of 104 (40.38%) chamberlains appeared in the lists of freemen. Given that every year the number of freemen admitted was much larger than that of civic offices, this percentage of overlap was noticeable.

To conclude this section, the freemen's lists in Y/COU/3/1 were confirmed to have been a compilation based on written records. Unlike previous studies which undervalued or ignored the lists of the years under Edward I and Edward II, this research critically reviewed these lists from two aspects. On the one hand, freemen were compared with the taxpayers. Two lay subsidies levied in 1327 and 1332 contributed to the writing of taxpayers' lists. This source makes it possible to evaluate the lists of freemen. By cross-referencing, chronological correlation was discovered between these two sources. The lists of freemen were not a complete guide to York's citizens, but these lists probably derived from documents and records. On the other hand, the political role of freemen was discussed. The first section of this chapter has formed the foundation for an internal cross-referencing in Y/COU/3/1. By comparing the lists of freemen and those of urban officials, it was found that very few mayors were included in the lists of freemen. Nevertheless, the percentage reached around 40% for bailiffs and chamberlains between 1291 and 1327. This observation continues to advocate for the assertion that the lists of freemen in Y/COU/3/1 were not fictional.

3. List-writing: from court rolls to quires

The accuracy of the lists of freemen and civic officials in Y/COU/3/1 is noteworthy. What implications does this have for our understanding of Y/COU/3/1? First of all, these lists were based on documents and records, rather than memory. There were more than 5,000 names

arranged annually in a period of over a century. It is a challenging job to collect so much information and the instability of memory cannot result in the accuracy shown above. If documents and records must have been used for the compilation, there are two questions that follow. First, what was the source used for its writing? Second, why was there a compilation? The answer to these two questions is not straightforward, because most texts were not attached with any prologue and the scribes who wrote them were anonymous.

Some historians had already examined such list-writing in towns. Lists of civic officials were believed to be related to the writing of civic chronicles. As will be outlined, this research plans to prove that this argument cannot explain the mayor's list in Y/COU/3/1. Furthermore, this section will cross-reference lists of officials and those of freemen in Y/COU/3/1 to explain the close relationship between the list of mayors and lists of freemen. This throws light on the source and reason behind the compilation of lists.

To start with the lists of officials, historians have disputed the relationship between list-writing and history-writing. Municipal chronicles tended to have a list of civic officials as their chronological framework, and fill each year with records of events.⁴⁸³ In these chronicles, names of the annually selected civic officials, such as the mayor and bailiffs/sheriffs, were recorded.⁴⁸⁴ At first glance, this perspective applies to the list of York's mayors as well. It included basic notation of local and national events, making the list look like annals.⁴⁸⁵ Nevertheless, there is evidence to challenge this argument.

Firstly, compared with town chronicles, the narrative parts in the mayors' list of York were much fewer. In York's list, narratives of events appeared sporadically between the entry of 1317-8 and that of 1410-1. In contrast, the contents of town chronicles were more substantial. To start with London's chronicles, the *Liber de Antiquis Legibus*, mainly compiled and partly written by Arnold Fitz-Thedmar around 1274, contains a civic chronicle covering the years from 1188 to 1272. The entries are arranged in regnal years and headed by the sheriffs of each year. The early entries are like lists of officials without note, but from the 1240s, almost each entry was noted with national or local events.⁴⁸⁶ With regard to other towns, such as the

⁴⁸³ This is not an English phenomenon, as a similar phenomenon can be found in North Italian cities, who led the writing of civic chronicles in Medieval Western Europe. See Wickham, 'The Sense of the Past in Italian Communal Narratives'.

⁴⁸⁴ See note 405.

⁴⁸⁵ YCA, Y/COU/3/1/, fols. 4r.-27r.

⁴⁸⁶ *De Antiquis Legibus Liber: Cronica Maiorum et Vicecomitum Londoniarum ... cum Appendice*, ed. Thomas Stapleton (Camden Soc., 1846), 1-177.

chronicle in *The Maire of Bristowe is Kalendar*, it is also true that the entries became considerable from the late 1470s, when the chronicle started to be composed.⁴⁸⁷ However, in the mayors' list of York, entries remained brief even when the writing became more contemporaneous.

Second, compared with the freemen's lists, the mayors' list occupied a much smaller place in Y/COU/3/1. Is it possible that the latter was composed for the former? A case from London offers us enlightenment. In the *Liber de Antiquis Legibus*, in addition to the chronicle, there were two simplified lists with names only: a list of mayors from 1189 to 1264, and a list of sheriffs from 1188 to 1273.⁴⁸⁸ The chronicle starts from the verso of fol. 63, and the contents of the recto is a list of mayors from 1189 to 1264. On fols 58r.-60r., there is a list of sheriffs from 1188 to 1273. With the exception of later additions, the original parts of the manuscript reflect three hands, one of which is that of Arnold Fitz-Thedmar. The list of mayors from 1189 to 1264, the list of wardens and mayors from 1265 to 1273 and the chronicle after 1257 were written by Fitz-Thedmar, while the list of sheriffs and the chronicle before 1257 were possibly commissioned as a basis for Fitz-Thedmar's own work.⁴⁸⁹ This case shows the possibility that a list was written as preparation for writing a chronicle. Therefore, this research plans to examine the freemen's lists and the mayor's list together.

At first glimpse, these two lists were separately compiled. As described before, they were created at the same time, but were found in different quires.⁴⁹⁰ However, it is discovered that the freemen's lists had strong connections to the mayor's list. For entries up to 1341 in the freemen's lists, the title of most entries was in a formulary as follows: 'during the time of X, the mayor, the Yth year of King Z'.⁴⁹¹ In the entry of 1342, the heading was: 'during the time of Nicholas Fouk the mayor in the 16th year of King Edward by Thomas de Felton and his fellows, chamberlains'.⁴⁹² The next entry did not have any chamberlain, but from the entry of 1344, it became a rule that chamberlains followed the mayor.⁴⁹³

⁴⁸⁷ *The Maire of Bristowe is Kalendar* by Robert Ricart, ed. Lucy Toulmin Smith, Camden Society, new series, v, (London, 1872), i.

⁴⁸⁸ Note the interruption of civic liberties. The liberties of London were suspended between 1265 and 1269, so wardens were appointed to govern the city.

⁴⁸⁹ For a catalogue and codicological comment of *De Antiquis Legibus Liber*, see Ker, *Medieval manuscripts in British libraries*. I, 22-7.

⁴⁹⁰ See pages 103-119.

⁴⁹¹ YCA, Y/COU/3/1/, fols. 32r.-52r.

⁴⁹² YCA, Y/COU/3/1/, fol. 52v. It should be noted that in the printed version, Francis Collins revised the texts by adding names of chamberlains to entries of 1290-1341. See *FR*, I, 8-35.

⁴⁹³ YCA, Y/COU/3/1/, fols. 52v.-53r.

As explained, the regnal year and the mayoral year did not completely overlap, so could the title of freemen's lists be explained as: during the mayoralty of X, who was selected in the regnal year noted? The entry of 1327/8 offers us a suggestion. The years from 1327 to 1328 were considered because they witnessed the abdication of Edward II and the coronation of Edward III. As a result, the twentieth year of Edward II, starting from 8 July 1326, stopped at 25 January 1327, when the first year of Edward III began. Because the mayor took office in early February, there was no mayor's selection during the twentieth year of Edward II. Meanwhile, the entry following the nineteenth year of Edward II (1326/7) was titled '20 Edward II-1 Edward III'.⁴⁹⁴ The omission of the entry under the last regnal year of Edward II proves that the assumption is persuasive. Therefore, the title of each entry in the freemen's lists could be translated into civil years. For example, 'during the mayoralty Nicholas de Langton, the second year of Edward III' indicated the freemen admitted from February 1328 to February 1329.⁴⁹⁵

In addition to the title, there is more evidence to show that the compilation of the freemen's lists was connected to the mayoral year. The entries dated in the years under Edward I (1273-1307) are considered, because the mayor's list in this period contained some errors, as shown in the research above.⁴⁹⁶ This leads us to ask whether the same deviation could be found in freemen's lists. Through checking, it was found that there were common statements shared by the two lists. For example, both lists admitted that the city was taken into the king's hand in the seventeenth year of Edward I (1288/9).⁴⁹⁷ For the twenty-third year of Edward I (1294/5), two lists claimed that Robert de Bromeholm was selected to be the mayor.⁴⁹⁸ Therefore, it is obvious that the writing of the two lists was connected.

Was the list of the mayor copied from lists of freemen, or conversely? A codicological clue helps us to answer this question. It was discovered that in the compilation of freemen's lists dated in the reign of Edward I, names of freemen were written down into blocks with gaps before the title was filled into the blank. This presumption can be supported by two points. Firstly, we found some gaps without any filling on fols. 33 and 37. Secondly, some titles were written by a hand different from that of Scribe A, who composed all the names of freemen in these folios in question.⁴⁹⁹ For example, in the verso of fol. 33, the title of a list was 'during

⁴⁹⁴ YCA, Y/COU/3/1, fol. 45v.

⁴⁹⁵ YCA, Y/COU/3/1, fol. 45v.

⁴⁹⁶ See pages 144-5.

⁴⁹⁷ YCA, Y/COU/3/1, fols. 4r, 33v.

⁴⁹⁸ YCA, Y/COU/3/1, fols. 4r, 34v.

⁴⁹⁹ See note 356.

the time of Gilbert de Louth, the mayor'. Afterwards, a hand added 'the year of our lord 12[texts erased], the 12th year of Edward [I]'. However, this addition actually caused confusion. The title of the previous entry was 'the 6th year of Edward [I], during the time of Walter de Stokes, the mayor'.⁵⁰⁰ Without the revision, Gilbert de Louth should be explained to be the second mayor selected during the sixth year of Edward I (1277/8). Meanwhile, the freemen following Gilbert de Louth were admitted in 1277/8. In addition, in the same folio, another entry was headed as follow: 'in the time of John Sampson, the 13th year of Edward [I], the year of our lord 1289; the 14th, 15th, and 16th years, Nicholas Selby, the mayor; and the 17th year, in king's hand'.⁵⁰¹ This title was by the hand mentioned above as well. This hand was similar to the hand who translated the regnal year into civil year, so probably it should be dated to a later period.⁵⁰² Therefore, it is not certain whether the date added by this hand was trustworthy enough, and the original version of freemen's lists in Y/COU/3/1 had more blank space. More significantly, this observation proves that the titles of freemen's lists took the mayors' list as a reference.

To sum up the research above, the mayors' list was probably created as a reference of chronology to compile the freemen's lists. As already shown, there were several dating systems co-existing in York.⁵⁰³ The freemen's lists were compiled according to the mayoral year, so it was necessary to have a mayors' list at hand. This research not only provided a new idea on the cause behind the writing of the mayors' list, but also provoked a new question: why were the freemen's lists compiled?

A persuasive answer is that the freemen's names were previously not written down in mayoral years, but some other years. The compilation of freemen's lists was a practice to change the way these names were arranged. Therefore, this question above was linked to another question: what was the source of freemen's lists?

These lists existed without any reference to the source. However, this mystery has provoked the interest of historians. Francis Collins pointed to chamberlains' records. In chamberlains' accounts of York, there were entries called '*de diversis personis intrantibus libertatem*'.⁵⁰⁴ R. B. Dobson brought forth the argument that Y/COU/3/1 served the mayor, but admitted that some chamberlains' rolls, which registered the admission fee of every freeman, were the

⁵⁰⁰ YCA, Y/COU/3/1, fol. 33r.

⁵⁰¹ YCA, Y/COU/3/1, fol. 33v.

⁵⁰² See fig. 6.

⁵⁰³ See fig. 29.

⁵⁰⁴ *FR*, I, xii.

working documents to be transcribed at the end of every mayoral year.⁵⁰⁵ However, the evidence cited by Collins and Dobson were dated the fifteenth century or afterwards. For the thirteenth and the fourteenth centuries, it is impossible to find other civic administrative documents or records to support or challenge their arguments.

Firstly, is it possible that the civic government collected information from some sub-civic units, such as craft guilds or parishes? In this logic, the compilation of freemen's lists was the exertion of authority from the top down. At first glance, this speculation was plausible, because many names of freemen were attached with their occupation. However, this argument can be challenged. In terms of the arrangement of the names, we did not find any regularity related to occupation. How about the parish? No regularity was found, either, as suggested by the list in 1328-9 (see table 24). Therefore, it is more persuasive that the source came from the civic government.

The source was not related to the mayor's office. If a mayor's register existed, it is possible that folios or quires were cut off and inserted rather than copying the texts. The codicological research on Y/COU/3/1 and Y/COU/1/4/1 has demonstrated that York's scribes edited civic records in this way.⁵⁰⁶ If mayor's rolls were the source, the names of the mayor could be learnt as well. Even though no mayor's roll survives in York, it is reasonable to learn from the formulary of other mayor's rolls that the mayor should be named in the heading.⁵⁰⁷ However, as noted, the source where freemen's lists derived did not contain the information about the mayor. Otherwise, the compilers of freemen's lists would not feel hesitant to fill the mayor in the title of each list. Therefore, the source of freemen's lists was not related to the mayor's office.

Could it be chamberlains' rolls? As will be explained in the next chapter, the office of chamberlain was founded in York in 1290.⁵⁰⁸ Given that the lists of freemen started from 1273, it is not persuasive to attribute the source to chamberlains' records. How about the bailiffs' records? This idea is supported by one clue: in Y/COU/3/1, the bailiffs' list showed more accuracy than the mayors' list. The bailiffs' list started from 1273, so it is possible to check if this list shared the aforementioned questionable statements with lists of the mayor and freemen. For the entries from 1273 to 1289, the bailiffs' list was not totally

⁵⁰⁵ Dobson, 'Admissions to the Freedom of the City of York in the Later Middle Ages', 7.

⁵⁰⁶ See pages 106, 122-3.

⁵⁰⁷ *Calendar of Early Mayor's Court Rolls Preserved among the Archives of the Corporation of the City of London at the Guildhall A.D. 1298-1307*, ed. A. H. Thomas (Cambridge, 1924).

⁵⁰⁸ See pages 188-92.

trustworthy.⁵⁰⁹ Nonetheless, distinct from the freemen's lists, the bailiffs' list was accurate, if the item of the seventeenth and that of the twenty-third year of Edward I were taken as the case. For the former, there were bailiffs enlisted, and nothing related to the suspension of the city's rights was said.⁵¹⁰ The latter stated that the city was in the king's hand.⁵¹¹ This accuracy of the bailiffs' list suggests that the source of freemen's lists included the names of bailiffs, so it is plausible that bailiffs' records were there to be referred to.

Nevertheless, when the civic privileges were suspended, the freemen's list was not broken. This directs us to think about another record: the city court rolls. There are two reasons which support the argument that court rolls were the source for the compilation of freemen's lists. Firstly, in lists of freemen, we found entries dated 1292-4 (21-22 Edward I), when the city's privileges were suspended by Edward I.⁵¹² In these years, no mayor or bailiff was selected. The city was governed by the sheriff of Yorkshire, called 'the keeper of the city'.⁵¹³ Yet, the city court did not stop running in these years. Secondly, according to the historiography, there were three means of entry to citizenship in English towns: patrimony, apprenticeship and redemption.⁵¹⁴ This situation applied to York as well, because in Y/COU/3/1, there were entries listing the names of freemen by patrimony. For the fourteenth century, entries were found in a sporadic way, including the years of 1309/10, 1378/9, 1380/1, 1396/7, 1397/8 and 1398/9.⁵¹⁵ Even though there was fragmentary evidence, this entry at least suggested that the freemen by patrimony were enlisted separately from those by the other two methods. For redemption, an amount of payment and several pledges were required. Therefore, it is possible that when new freemen paid for their citizenship, their information was enrolled in the court rolls. When freemen's lists started to be compiled, there were court rolls dated as far back as the 1270s surviving.

In addition, the compilation of officials' lists can throw light on the survival of other administrative documents in the civic government. In London, lists of mayors and sheriffs appeared from custumals of the thirteenth century, so it is possible that the compilers of

⁵⁰⁹ See pages 146-7.

⁵¹⁰ YCA, Y/COU/3/1, fol. 289r.

⁵¹¹ YCA, Y/COU/3/1, fol. 289r.

⁵¹² YCA, Y/COU/3/1, fol. 34r-v.

⁵¹³ TNA, SC 6/1088/13.

⁵¹⁴ S. H. Rigby and Elizabeth Ewan, 'Government, power and authority, 1300-1540', in Palliser, ed. *The Cambridge urban history of Britain*. vol. 1, 291-312, 301.

⁵¹⁵ YCA, Y/COU/3/1, fols. b350r-b351r.

customals copied lists of mayors and sheriffs from previous customals.⁵¹⁶ However, York was distinct because lists of civic officials went beyond mayors and bailiffs to include chamberlains and bridgemasters.⁵¹⁷ Even if the fourteenth-century compilers referred to local deeds to write the lists of mayors and bailiffs, the appearance of lists of chamberlains and bridgemasters could not be explained in this way.⁵¹⁸ The formulary shared by administrative documents indicates that names of officials were recorded in the title. Therefore, the most plausible speculation was that civic administrative documents were referred to in the compilation of officials' lists.

To conclude, this research proves that the compilation of freemen's and officials' lists was based on civic administrative documents. The source of freemen's lists was the court rolls, while that of urban officials was some other administrative documents. These documents do not survive, but this research suggests that they survived in the civic government up to the 1360s, when the quires of lists started to be compiled. The compilation of the freemen's lists was a process of building the connection between individuals admitted to the civic franchise and the mayor's year. According to Christian Liddy, the annual election of the mayor 'denoted the start and finish of an urban calendar year'.⁵¹⁹ This research offers a new perspective on how the civic time related to the mayor was promoted during late fourteenth-century York. The mayors' list was compiled to support the compilation of freemen's lists. How about the lists of bailiffs, chamberlains and bridgemasters? It is possible that they were compiled following the freemen and mayors' lists.

Conclusion

This chapter explores how and why lists of freemen and urban officials were compiled in the late-fourteenth-century York. It throws light on both the making of civic records and the use of civic documents.

⁵¹⁶ *De Antiquis Legibus Liber*, 175-7; *Munimenta Gildhallae Londoniensis: Liber Albus, Liber Custumarum et Liber Horn*, ed. Henry Thomas Riley, (London: Longman, Brown, Green, Longmans, and Roberts, 1859-62), II, part 1, 239-246, 291-5; BL, MS Egerton 2885, fols. 1r.-7v.

⁵¹⁷ This feature will be discussed further in Chapter Six, see pages 188-92.

⁵¹⁸ See pages 52-5.

⁵¹⁹ Liddy, *Contesting the City*, 91.

In the first section of this chapter, sources different from and independent of Y/COU/3/1 were cross-referenced to verify the accuracy of lists of mayors and bailiffs. It was found that most of the entries relating to the fourteenth century were provable, although there is some tiny error for entries between 1273 and 1290. If we admit the trustworthiness of Y/COU/3/1, it can be utilised to fill some blanks which no other source covered. Thus, a complete sequence of the mayor and bailiffs in fourteenth-century York was depicted. The importance of this list has already been shown in the second section of this chapter and will be presented further in Chapter Six. The lists of other officials could not be reviewed, due to the lack of sources. However, given that the compilation of these folios of Y/COU/3/1 was teamwork by clerks, it is reasonable to use the lists of the mayor and bailiffs as a sample to deduce some general conclusions on the trustworthiness of lists within Y/COU/3/1.

Furthermore, the other cross-referencing was conducted in the second section, which demonstrates that the freemen's lists in Y/COU/3/1 are trustworthy as well. Both the economic and political roles of citizens were explored. The burden of the lay subsidy was shared among citizens in a city. By analysing the overlap between taxpayers and freemen, it was discovered that the peak of the percentage of overlap occurred in the period from 1324 to 1329, close to the years 1327 and 1332, when the two lay subsidies were levied. The chronological correlation proves that the timeline of the freemen's lists was true. On the other hand, the overlap between taxpayers and freemen was not complete. In terms of their political role, the lists of freemen were cross-referenced by the lists of the mayor, bailiffs and chamberlains. About 40% of bailiffs and chamberlains appeared in the freemen's lists, while very few mayors were detected. This result supports the argument that documents and records served the compilation of freemen's lists.

Finally, this chapter attempted to discover evidence to explain what kinds of documents and records were the source and why the compilation was made. Lists of freemen were argued to have been transcribed from chamberlains' records, but this research challenged that the argument relying on fifteenth-century evidence can be applied to the period before. Without civic administrative records at hand, the clue was traced by comparing the freemen's lists with the mayor's list. The similarity in contents was found in these lists. With the help of codicological study, it was proved that the mayor's list was quoted by the freemen's lists. This suggested that the source of the freemen's lists was not written according to the mayoral year. As the admission of freemen probably took place in the city court, the court rolls arranged in legal terms were argued as the source where freemen's lists referred to. With regard to the cause, the compilation of the freemen's lists was to make a new kind of civic

record about freemen. The temporal system was revised from legal terms to the mayoral year. In general, this chapter demonstrates the usefulness of Y/COU/3/1 in reconstructing a lost civic archive in late-fourteenth-century York.

Chapter Six. Quire 49: a register of bailiff's material?

Introduction

This chapter continues to discuss Y/COU/3/1. Different from the last chapter concentrating on the lists of names, the topic of this chapter is Quire 49. This quire only includes 10 folios, fols. 311-320, so it looks less obvious than the lists. However, historians studying medieval York have already paid attention to this quire, because some texts of this quire were related to York's civic administration.⁵²⁰ Due to the limited survival of civic administrative records, this quire became an indispensable source for studying civic government before the 1370s. Furthermore, the quire itself was examined by historians. For instance, Sarah Rees Jones defined this quire as a fragment of a 'register of bailiff's material'.⁵²¹ The emergence of this register indicated how royal record-keeping practices had effects on civic administrative literacy. York's bailiffs, who had close relations with the royal government, were among 'the first officials to keep working registers of useful records'.⁵²² Therefore, Quire 49 is an important source for us to understand the making of records by York's civic government.

However, according to the codicological study undertaken in Chapter Four, Quire 49 was compiled from the 1360s and 1370s. The texts of this quire were dated in the period between the 1330s and the 1410s (see table 29). As a result, the entries dated in the years between the 1330s and the 1350s were not written contemporaneously. In addition, the contents of Quire 49 were miscellaneous. It looks like a collection of accounts, memoranda, petitions and court cases. No comment was inserted to explain individual entries. Therefore, Quire 49 should not be understood in a straightforward way.

As will be outlined, royal finance and the accountability of bailiff formed the principal but not complete perspectives to understand Quire 49. Christian Liddy explained how the increasing royal financial demand from the 1360s to the 1370s exacerbated the conflict between civic officials and common citizens.⁵²³ This sets a context in which civic elites were interested in York's contribution to royal finance. However, it is more difficult to explain why the idea of

⁵²⁰ Miller, 'Medieval York', 71-2; Christian Liddy, 'Urban Conflict in Late Fourteenth-Century England', 6.

⁵²¹ Rees Jones, *York: the Making of a City 1068-1350*, 220.

⁵²² Rees Jones, *York: the Making of a City 1068-1350*, 220.

⁵²³ Liddy, *War, politics and finance in late medieval English towns*, 80-99.

accountability of the bailiff enjoyed a noteworthy position in Quire 49. Liddy argued that from the 1370s common citizens were more concerned with the accountability of civic officials with the intense levy of taxes.⁵²⁴ Yet, it remains unclear why the office of bailiff must be the topic. At least, why not the office of chamberlain, which was more related to civic finance? This chapter plans to undertake a study of York's bailiffs from the 1270s to the 1360s as a method to find the institutional background of a political idea.

As noted, Quire 49 included miscellaneous contents. This misled historians' observations of this quire. For instance, Debbie Cannon believed that all the texts in fols. 311-317 were excerpts from the Pipe Rolls.⁵²⁵ In fact, only some entries in fols. 311-312 are proved to be a copy from the Pipe Rolls. Thus, it is necessary to classify the entries first. Generally, the texts were in a chronological sequence from the 1330s to the 1410s. Because the creation of this quire was around the 1360s, the texts dated from the 1330s to the 1360s will be considered. According to their topics and formularies, these entries can be divided into three groups. First are financial records, dating from the 1330s to the 1340s. Second are four notes related to civic bailiffs, dating the 1350s. Third are selected cases of plea rolls, dating the 1330s and the 1360s. The third group is most difficult to explain, because they were separated. It is not clear if they had any relationship with their neighbouring items. In contrast, the first and the second group suggested a purpose behind the compilation. This expression was not explicit, because texts did not give us any clue. However, the items of these two groups were sequential. Therefore, two sections are set for the following discussion in this chapter.

First, the financial records were proved to be copied from royal records. The marginal notes suggest that these records were copied because they included information about national taxation. In Y/COU/1/4/1, there was a litigation in which bailiffs of York consulted the Pipe Rolls to demonstrate their legitimacy in levying the farm in 1380. This clue led us to link this interest in national taxation in the past to the financial problems in the 1370s. Due to the intense financial demands from above, civic officials were inclined to seek authority from royal records. In addition, the copy was not verbatim, so it is possible that Quire 49 served as a guide to royal records. Second, the notes of bailiffs described several events of bailiffs' election in the 1350s. What is important is that they explicitly expressed ideas about the duties, accountability and characteristics of bailiffs. This research intends to explain why the

⁵²⁴ Liddy, *War, politics and finance in late medieval English towns*, 80-99.

⁵²⁵ Cannon, 'The veray registre of all trouthe', 141, 300-2.

bailiff was the office to raise a discussion of these topics. The answer to this question lies in the fact that bailiffs' power in collecting the farm was regulated from the 1290s to the 1360s.

Table 29 A collation of Quire 49 in Y/COU/3/1

Folios	Language	Source ⁵²⁶	Contents
311r.	Latin	[Pipe Rolls]	An account of tenth, 1334
		Pipe Rolls	An account of tenth, 1336
		Pipe Rolls	An account of tenth, 1337
		Pipe Rolls	An account of York, 1337-8
311v.		[Pipe Rolls]	An account of York, 1338-9
312r.		[Exchequer memoranda rolls]	A royal writ on the wool tax, 1338
			An account of the ninth, 1340
312v.		Pipe Rolls	An account of the ninth, 1340
			An account of the wool tax, 1341-2
		Exchequer memoranda rolls	An account of the annuity unpaid, 1344-5
313r	Latin		A note of bailiffs selected and a statement of the duties and responsibilities of the bailiffs, 1353
	Latin		A note of bailiffs selected, 1354, 1355
313v	Latin		A note of bailiffs selected, a description of the process of the election, and of the replacement of an unsatisfactory bailiff, 1357
	Anglo-Norman		A response from Edward III to a petition from the bailiffs, 1362-3 (unfinished)
314r	Latin		A plea in the city court concerning possession of a property partly in York, 1368-9
314v	Anglo-Norman		A petition from the citizens of the city of York to John, Duke of Lancaster, undated
314v	Anglo-Norman		A response from Duke of Lancaster to this petition, summoning an inquisition into the issue, 1373-4
314v-315r	Latin		A note of the inquiry into the citizens' right not to be charged tolls in Boroughbridge, 1374
315r	Latin; Anglo-Norman		A note of the proceedings of the case, confirming its outcome, 1374
315r-v	Latin		A note describing the building and inheritance of the 'castrum' of Knaresborough and

⁵²⁶ '['] indicates that the source was not stated in the texts, but deduced in this research.

			Boroughbridge, undated
315v-317v	Latin		A plea in the city court, concerning the claimed inheritance of property in York by Emma Baconn, 1330-1
317v	Latin		A plea heard before the Justices of the King's Bench at Westminster, concerning the inheritance of property in the suburbs of York, 1377
318r-320v	Latin		List of bridgemasters of the Ouse and the Foss, 1357-1411

1. Financial records

This section examines the financial records copied from the royal Exchequer rolls. First, the contents of these records will be introduced. As mentioned in Chapter One, there were three kinds of financial demands from the royal government: feudal revenues, national taxation and loans.⁵²⁷ There is evidence to suggest that all the financial records copied into Quire 49 were designed to be related to national taxation. Second, this research plans to explain why there was an interest in national taxation in the 1370s. Our knowledge of the levy of national taxation in the late fourteenth century can be referred to.

1.1 Copying from royal to civic archives

Not all records claimed to be copied from royal records. To start with entries stating their sources, all five referred to rolls of the royal Exchequer. Four referred to the Pipe Rolls and one the Memoranda Rolls.⁵²⁸ For instance, the account of York for payment of a lay subsidy in 1337 started with the phrase: 'in the great roll of the eleventh year of King Edward III, under ad huc item Ebor'. Great Roll is a contemporary name of some Exchequer rolls, which are now termed Pipe Rolls by the Academy. 'Ad huc item Ebor' indicates the third folio of Yorkshire.⁵²⁹ The texts of Pipe Rolls were arranged geographically, that is, shire by shire. For a shire, the first folio was named as its name, second as 'item' added before the shire, and third with 'ad huc' appended further.

⁵²⁷ See page 38.

⁵²⁸ YCA, Y/COU/3/1, fols. 311r.-312v.

⁵²⁹ TNA, E 372/182, m. 31r.

Next, there were three items stating the source in an implicit way. For example, there was a royal writ concerning the payment of a wool tax from the City of York. It was dated 26 April, the thirteenth year of Edward III.⁵³⁰ The address was abbreviated, but the formulary of this document suggested that it may have been issued to the royal Exchequer. Thus, perhaps the Memoranda Rolls of the Exchequer was the source. After searching the Memoranda Rolls of the King's Remembrancer, this speculation was confirmed.⁵³¹ In total, eight of the ten financial records are proved to be linked to the royal Exchequer records.

In addition to the source, these eight entries had another common feature, because apart from the last one, they were related to national taxation granted by the parliament to Edward III. The first three were accounts of lay subsidies. The next two accounts were in the name of York's bailiffs, and they included both the payment of lay subsidies and the fee farm. However, marginal notes suggested the reason why they were copied. From 1337 to 1339, lay subsidies were continuously levied for three years. The first account was noted 'allocation of the tenth in the second year', while the second noted 'the third year of the three'.⁵³² The second account was at the end of the folio. It is obvious that the scribe intended to finish this entry on this folio, because he wrote in a smaller size and used more abbreviations. Moreover, he did not copy the sentence on the tenth in the body, but placed it in the margin to make it the 'catchword' of this account. The sixth entry and the eighth entry were both associated with levies in kind. Different from wool customs, they were taxes in wool or other agricultural produce.⁵³³

There are two accounts not discussed yet. It is not clear where they came from, but probably they were copied from royal records as well. These two accounts were similar to the accounts mentioned above. First, they were accounts of chief receivers. Second, the accounts were both levies in kind, a national taxation already noted. One was associated with the ninth collected in 1340, the other the wool tax of 1341/2.⁵³⁴

⁵³⁰ For the background of this wool tax, see W. M. Ormrod, *The Reign of Edward III: Crown and Political Society in England, 1327-1377*. (Yale University Press, 1990), 188; George Unwin, ed. *Finance and Trade Under Edward III*. (Manchester University Press, 1962), 147-8; G. L. Harris, *King, parliament, and public finance in medieval England to 1369*, (Oxford: Clarendon Press, 1975), 238.

⁵³¹ TNA, E 159/115, m. 157v.

⁵³² YCA, Y/COU/3/1, fol. 311r.-v.

⁵³³ Ormrod, 'The crown and the English economy, 1290-1348', 175-77.

⁵³⁴ Ormrod, 'The crown and the English economy, 1290-1348', 177-81.

To sum up, royal financial records were copied and became civic records, and the topic of most of these records was the national taxation levied in the 1330s and the 1340s. As noted, Quire 49 started to be compiled from the 1370s. Why was there an interest in the national taxation levied three to four decades ago in the 1370s? This is the question to answer in the next sub-section.

1.2 Explaining the compilation: financial crisis

In order to explain the copying activity mentioned above, it is useful to introduce a local dispute in York in the early 1380s. This case was involved with consulting the royal archives and copying royal records into a civic register.

On 22 May 1380, a butcher from York, John Westerby, made a complaint by his attorney to the royal Exchequer that Robert Talkan, Robert Warde, and Richard de Alne, recently the bailiffs of the city, came to his house and took from him one penny by extortion every Sunday from 2 October 1379. As a response, the bailiffs of York stated that this levy was part of the fee farm that was annually paid by the city to the royal government since the time of King John, and they presented further that when Edward I took the city into his hands, the fixed sum on the stallage (*stallagio*) of butchers was recorded. Thence, the pipe roll of the twentieth year of Edward I (1291/2) was searched, in which the entry on the payment of stallage was found in the account of John Meaux, sheriff of Yorkshire and custodian of York City.⁵³⁵ In Y/COU/1/4/1, there was not only a narrative description of this event, but also the verbatim transcript of Pipe Rolls. The pipe roll of 1291/2 was not copied except the clause related to stallage, whereas keepers' accounts in the Pipe Rolls of 9 Edward I (1280/1) and 10 Edward I (1281/2) were both transcribed. This dispute did not end in 1380, as a commission of *oyer* and *terminer* was allocated to York in 1382, which gave a judgement in favour of the bailiffs. Two copies of this litigation appear in royal rolls and Y/COU/1/4/1 respectively.⁵³⁶ Besides the narrative of the plea, Y/COU/1/4/1 contains the clauses related to the amount of stallage, which were extracted from keepers' accounts in the Pipe Rolls of 22 Edward I (1293/4) and 29 Edward I (1300/1).⁵³⁷

⁵³⁵ For the original texts, see *YMB/A*, I, 120-5. This incident was part of the background to the popular uprising in York in 1381.

⁵³⁶ TNA, JUST 1/1138, m.3r-3v; *YMB/A*, I, 125-31.

⁵³⁷ The accounts in the Pipe Rolls of 1300/1 were keepers' accounts of 1295-7. For the original texts, see TNA, E 372/146, m. 7v. For the transcripts in Y/COU/1/4/1, see *YMB/A*, I, 132-3.

Table 30 Collation of Y/COU/1/4/1 (fols. 48r.-51r.)

48r.	Royal writ to Exchequer, 1381
48r.-48v.	A description of the dispute, 1381
48v.-49r.	Copy of Pipe Rolls, 1280/1, 1281/2
49v.-50v.	Plea, 1382
51r.	Copy of Pipe Rolls, 1293/4, 1300/1

Therefore, similar to Quire 49, Y/COU/1/4/1 included the copy of accounts in royal records, and the source was explicitly stated in texts. Does this case throw light on the intention behind the copying of royal records into Quire 49? Because Quire 49 and Y/COU/1/4/1 were manuscripts created in a meantime, it is plausible to place them together. However, there remain some problems to be solved. What Quire 49 concerned was national taxation, while the stallage disputed in the case above was part of the fee farm. Faced with this difference, it is time to think about the logic of the bailiffs' response. When their right in levying the stallage was challenged, they referred to royal records written down almost a century before to prove their right. Even if bailiffs probably had accounts of the farm, they believed that the royal records had a higher legal authority than their accounts. This suggests that the royal records could serve as the evidence to support the civic jurisdiction. Thus, the interest in the royal archives could be explained.

In addition, it was surprising that butchers claimed that the stallage was a new imposition, because it was a customary part of the farm. Christian Liddy argued that the butchers' statement indicated their dissatisfaction with the increasing financial demand in the 1370s, including the two tenths and fifteenth in 1377, a quarter of the city's parliamentary tenth in 1378, and poll taxes. A series of taxes spurred the complaints of York's commons and distrust of York's civic elite.⁵³⁸ Therefore, it is possible that the context of intense taxation easily caused more unpredictable resistance from urban residents. As a result, the civic government felt the pressure to copy royal records to serve as evidence to demonstrate their right in future litigations.

Furthermore, as already noted in Chapter One, the particulars of the farm only appeared in the Pipe Rolls when the city lost its autonomous privileges.⁵³⁹ From 1272 to 1380, the rights of the City of York were suspended twice: once from 1280-2 and secondly from 1292-7. In the

⁵³⁸ Liddy, 'Urban Conflict in Late Fourteenth-Century England', 24-5.

⁵³⁹ See page 39.

stallage dispute, the bailiffs showed accuracy in quoting royal rolls. This indicates that their knowledge of royal rolls was probably not just based on memory, but civic records.

Therefore, perhaps these records were copied from the royal records, such as what we found in Quire 49, so they had a guide at hand.

There is more evidence to demonstrate that financial records in Quire 49 acted as a guide to royal records. Firstly, marginal notes appeared frequently to help readers understand the main issue of each entry. As mentioned above, notes highlighted the key point of a long entry. Secondly, some items of Quire 49 were not copied literally. A comparison between texts in the royal Exchequer rolls and Y/COU/3/1 clearly shows that there were paraphrases and abbreviations. For example, a clause related to the payment of a lay subsidy in the city's account of 1338-9 presented a difference between royal and civic records:

Pipe rolls: '*Et clxij li de tercio anno decime triennal ipsos contingis ratione mobilium suorum in eadem civitate anno xj concessa sicut continetur in rotulo compotum de tax. Summa cccxxxiiij li. xix s. v d. In Theasuro clxij li in iij talliis per maiozem baillvos et cives de dicta decima*'.⁵⁴⁰

Quire 49: '*de iii anno decime triennal ipsos contigento racione mobilium suorum in eadem civitate anno xj concessa summa cccxxxiiij li. xix s. v d. In theasuro clxij li. in tribus talliis per baillvos et*'.⁵⁴¹

Obviously, some clauses (underlined) were omitted. With regard to a royal writ on the collection of a wool tax issued in 1338, a cross-reference showed that the opening clause was paraphrased:

Exchequer memoranda rolls: '*Rex Theasuro et Baron' suis de saccio et salutem. Cum prelati magnates et communitas regni nostri nob' in parlamento nostro apud Westm' anno regis nostri duodecimo*'.⁵⁴²

⁵⁴⁰ TNA, E 372/184, m. 34r.

⁵⁴¹ YCA, Y/COU/3/1, fol. 311v.

⁵⁴² TNA, E 159/115, m. 157v.

Quire 49: '*Edwardus etc*'. *Omnibus ad quos presentes littere provenerint salutem. Sciatis quod cum prelati magnates et communitas regni nostri nobilis in parlamento nostro apud Westm anno regis nostri duodecimo*'.⁵⁴³

The difference presented above suggests that Quire 49 was not designed to be an accurate transcription of royal records. As a custumal, Quire 49 was less formal than Y/COU/1/4/1. When the texts of Pipe Rolls were copied into Y/COU/1/4/1, the copy was *verbatim*. Furthermore, Y/COU/1/4/1 explained why this copying took place (see table 30). Within the five entries, the first was a royal writ addressing the Exchequer ordered the officials to search the Exchequer rolls. The second and the fourth both described the litigations resulting in the checking of Pipe Rolls. Thus, all the entries formed a complete story. In contrast, by considering all the financial records in Quire 49, it was like a selection of records in a chronological sequence but without any context explaining the intention of copying (see table 29). Therefore, this research argued that Quire 49 probably reflected an intention to copy some royal financial records and use them as a guide to royal records for urban officials. The compilation was not directly related to any specific event.

To conclude, this section examines civic financial records copied from royal Exchequer rolls. These records were related to the national taxation levied in the 1330s and the 1340s, including accounts of local receivers and royal writs. The importance of these records was not recognised because they were not connected to the late fourteenth century. Perhaps this was a result of the lack of any note to explain the copying activity. Moreover, the accounts were dated in the mid-fourteenth century. With the help of codicological analysis, this research is able to find the link between these records and York's financial problems in the 1370s. The intense financial demands of the royal government exacerbated the tension between the civic elites and the commons. In 1380, York's butchers challenged the bailiffs' right in levying a customary payment. As a response, the bailiffs quoted the Pipe Rolls to demonstrate their legitimacy. Royal records were considered by urban officials as a significant source of civic authority. Therefore, it is probable that urban officials needed knowledge of royal records, which could help them when they encountered challenges. The financial records in Quire 49 were a result of this intention. They were not formal transcriptions of royal records, but they noted the source of records. These signposts were enough to give directions to civic officials.

⁵⁴³ YCA, Y/COU/3/1, fol. 312r.

2. Notes of bailiffs

This section focuses on the four notes about bailiffs. At first, the contents of these notes will be carefully described. Apparently, these notes describe several events relating to bailiffs' election in the 1350s. Furthermore, these notes disclose some fourteenth-century ideas about the office of bailiff, such as its duties, accountability, and characteristics.

These ideas are enlightening, because it reminds us of recent scholarship. Different from classical administrative history, which focused on the structure and practice of regulation, recent works have leaned towards studies of the accountability of officials.⁵⁴⁴ Writing about the twelfth century more generally, Thomas Bisson described a transition. The development of a public state power was associated with the transformation from an accountability of fidelity to an accountability of office. The former was not administrative, but moral, remedial, judicial and occasional. However, the latter was reflected by periodic audits with the trace of written verification.⁵⁴⁵ Following Bisson, John Sabapathy generalised a thirteenth-century accountability of offices, including manorial bailiffs, sheriffs, bishops and wardens of colleges.⁵⁴⁶ More recently, Ian Forrest has explained the accountability of officials to a symbolic role further. The concept 'trustworthy men' was utilised for the sake of bishop's authority by focussing public trust on him. Through formalising expectations as office-holding, then, the officials should act as guardians of the 'public good'.⁵⁴⁷

However, a review of the urban history of England reveals that there was a lack of any treatise on the accountability of civic offices. Even though excerpts of Brunetto Latini's books were transmitted to London, it is clear that no parallel works have been discovered in England.⁵⁴⁸ In contrast, manorial or royal offices both became topics to be discussed in the twelfth and the thirteenth centuries.⁵⁴⁹ Therefore, Quire 49 is noteworthy because it suggests that accountability was a topic in late-fourteenth-century York.

⁵⁴⁴ To name a work of classical administrative history, see Helen M. Jewell, *English Local Administration in the Middle Ages* (Newton Abbot, 1972).

⁵⁴⁵ Thomas N. Bisson, *The crisis of the twelfth century: Power, lordship, and the origins of European government*. (Princeton University Press, 2009), 324.

⁵⁴⁶ John Sabapathy, *Officers and Accountability in Medieval England 1170-1300*. (OUP Oxford, 2014).

⁵⁴⁷ Ian Forrest, *Trustworthy men: how inequality and faith made the medieval church*, (Princeton: Princeton University Press, 2018), 97, 113-27.

⁵⁴⁸ Sabapathy, *Officers and Accountability in Medieval England 1170-1300*, 1-5.

⁵⁴⁹ Sabapathy, *Officers and Accountability in Medieval England 1170-1300*, 25-82.

Moreover, the notes of bailiffs initiated this research, because it is worth asking why the bailiff was the office to be discussed. Historiography considered that the bailiff was not the most powerful office of the civic administration. Sarah Rees Jones offered a clear silhouette of York's civic government around 1400.⁵⁵⁰ The mayor was at the top, and bailiffs were under the mayor. Edward Miller also argued that the mayor was standing 'at the pinnacle' of the government, while bailiffs were 'coadjutors'.⁵⁵¹ Therefore, this research intends to undertake a study of York's bailiffs from 1272 to 1370. The second part of this section includes three individual studies: 1. Frequency of re-election of bailiffs; 2. Establishment of chamberlains; 3. Civic representatives at the Royal Exchequer. These are clues to demonstrate that the financial authority of bailiffs was a long-term issue of the civic administration before the 1370s.

2.1 Defining bailiffs' duties and accountability

The first note started with the names of bailiffs elected in 1353, and stated that they made oaths to faithfully serve the office for a year.⁵⁵² Afterwards, there was a long statement of bailiffs' duties and accountability. The duties included releasing the city from the fee farm, keeping liberties and custom of the city, executing the assizes of bread and ale and others related to trade. Bailiffs should also punish defaults with the counsel and assistance of the mayor and trustworthy men of the city. They should not empanel or return jurors without the counsel and assistance of the mayor. Finally, bailiffs should do justice to both rich and poor.⁵⁵³

This is the earliest civic record of York stating the duties of bailiffs. As mentioned in Chapter One, it is a writing down of customary practices.⁵⁵⁴ There is evidence to prove that bailiffs before 1353 were already responsible for collecting the farm, enforcing market regulations and hearing cases at the city court. Furthermore, as an executive office, tasks loaded on

⁵⁵⁰ Rees Jones, 'York's Civic Administration, 1354-1464', 140.

⁵⁵¹ Miller, 'Medieval York', 71.

⁵⁵² 'sunt iurati ad omnia que ad officum ballie pertinent fideliter pacienda a festo Sancti Michaelis anno supradicto usque ad idem factum proxima sequens per vnum annum completum.'

⁵⁵³ 'Et de firma domino regi pro dicta civitate debita debtos maioris et communitatis acquietabunt et eos indempnes conservabunt. Capita de summa saccij de quibus demandes levauerunt super computum suum acquietabunt libertates et consuetudinis civitatis manutenebunt assisam panis et ceruisie et omnia alia que ad officium mercati pertinent conseruabunt et per consilium et advisamentum maioris et proborum hominum civitatis defectiones punient. Et nullum panellum facient in placito terrarum tenementi aut redditu sine consilio et advisamento maioris. Et tam pauperibus quas divitibus commune justicia pro posse suo facient.'

⁵⁵⁴ See pages 42-3.

bailiffs were probably more diverse than the note suggested. In 1306, when the secret guild was accused, the members claimed that the association derived from an almshouse on the Ouse Bridge called the *Maison Dieu*. The house did not function in the last few years because of the bad governance of citizens and bailiffs of the City.⁵⁵⁵ In 1332, bailiffs of York with the mayor, for instance, were ordered by Edward III to cause all the streets and lanes of the city to be cleansed from filth and to be kept clean.⁵⁵⁶

Nevertheless, this statement was a clarification and regulation, because it clearly expressed a standard that bailiffs should obey. This intention was expressed more explicitly in the following texts which explained the accountability of bailiffs. There were three clauses as follows:

About all revenues, interests and profits during that year, both the account of the new staple in that city and the account of the bailiff about income and expense, they will present before the mayor of the city and others whom the community associated to the mayor, and will faithfully load and calculate whenever they are required by the mayor and his associates.

If there is debt owed to the king beyond the farm, bailiffs who are still alive should submit accounts of expenses and costs for advantage and common advantage of the community according to the arbitration of the aforementioned mayor and his other associates, while other bailiffs [late bailiffs] are obligated to return to the community by his heirs and executors.

*The aforementioned mayor and community allowed the bailiffs to have their own good and faithful account of their profits which they can allocate and conserve without loss.*⁵⁵⁷

⁵⁵⁵ TNA, JUST 1/1107, m. 19r.

⁵⁵⁶ CCR, 1330-33, 610.

⁵⁵⁷ ‘Et de omnibus et singulis exitibus lucris et proficuis durante predicto anno tam racione stapule de nono in dicta civitate existente quas racione dicte ballive qualitercuque emergentibus seu provementibus coram maiore dicte civitatis et hiis quos dicta communitas eidem maiori associaverint presentabunt et se fideliter onerabunt et computabunt quandocumque per ipsos maiore et sibi associatos requisiti fuerint. Et si quid ultra firma dicte civitatis domino regi debita superfuerit. Saluis eisdem ballivis expensis et custagiis suis rationabilibus cedat in usum et commune utilitate dicte communitatis secundum arbitramentum predictorum maioris et aliorum sibi associatorum quod quid residuum predicti ballivi pro se heredibus et exetutoribus suis dicte communitati reddere tenentur et obligantur. Et predicti maior et communitas concesserunt eisdem ballis’ bona fide racione ballive sue rite facte in comodis et proficuis predictis allocare et ipsos sine amissione conservare’. See YCA, Y/COU/3/1, fol. 313r.

Bailiffs' accounts were the principal issue. Bailiffs should be accountable to the mayor and the community. Every year, bailiffs should present their accounts of expenses and income to be audited. This made it possible to calculate the profits of the accounts. If there were debts unpaid, bailiffs' accounts of expenses and costs must be submitted. The last part of this note stated that the bailiffs made oaths and found pledges. Each bailiff had two pledges, so the names of the six pledges ended this note.

The next two notes shared a similar formulary. Both started with a narrative of bailiffs elected, one dated 1354, the other 1355. Then, there was a clause like: '*[they] concern all about that office and faithfully keep the faithful account of revenues and profits, which showed in that year what bailiffs did and handed in. They made oaths and found pledges*'.⁵⁵⁸ The accountability of bailiffs was emphasised again, because the accounts of bailiffs should be presented at the end of their term. These accounts were to be audited.

If the three notes above are reviewed together, they represent an attempt similar to the *sindacatio*. The *sindacatio* was established in some Italian cities in order to have the former *podestà* accounting for his governance. A *podestà* was an outside individual appointed by a city to govern as a mayor for an annual term. The elected officer should be accountable to its public roles, and the length of office was defined.

The fourth note was a memorandum of the election of bailiffs in 1357. At first, 24 electors who all had served as bailiff elected three bailiffs. They presented them to the mayor and the community. However, the mayor with the assent of the community refused to accept one of the three bailiffs, because it was learnt that he was against liberties, laws and custom of the city (*contra libertates leges et consuetudines dicte civitatis*). As a result, a second election was conducted. Only 10 of the 24 electors were involved with this election, and the 'problematic' candidate was replaced.⁵⁵⁹

This event was explained by Liddy as a reflection of a divergence within the civic elites. John de Gisburn, the nullified bailiff and John de Langton, the mayor who led this replacement, represented the new mercantile elites and the old landowning elites.⁵⁶⁰ As a political event, this argument was persuasive. Yet, because the note was written afterwards, and it appeared

⁵⁵⁸ 'qui ad omnia que ad dictum officum pertinent et ad fidele comptum de exitibus et proficiis racione dicte ballive contingentibus faciendes et reddendes prout in anno iam elapso continetur fideliter sunt iurati et inde plegios invenerunt'. See YCA, Y/COU/3/1, fol. 313r.

⁵⁵⁹ YCA, Y/COU/3/1, fol. 313v.

⁵⁶⁰ Liddy, 'Urban Conflict in Late Fourteenth-Century England', 6.

with the aforementioned three notes discussing accountability of bailiffs, it is more possible that this note was to express a general idea: the mayor and the community had the power to inspect the candidates for the bailiff.

Therefore, the four notes in Quire 49 demonstrate that on the one hand, the bailiff was a powerful office in the city, because it was responsible for both financial and legal issues. On the other hand, the bailiff was an office to be regulated. Before he took the office, he must be reviewed by the mayor and the community. After he finished his office, he must be accountable to the mayor and the community. Why were bailiffs' duties and accountability discussed in the 1370s? Based on our knowledge of the civic administration, bailiffs were subordinate to the mayor.⁵⁶¹ Is it plausible that this hierarchy explained the regulation? As will be outlined in the next sub-section, the regulation of bailiffs had a long history backdated to the late thirteenth century.

2.2 Accountability of an office: a study of bailiffs

This research intends to argue that York's bailiffs were regulated from the 1290s. In terms of studying the regulation, the limitation of civic administrative records again seems like an obstacle. However, this research seeks evidence from Y/COU/3/1. Lists of civic officials, fundamental to this research, are better supplied from York than many other English towns. First, the chronological completeness of lists makes it workable to study the frequency of re-election. It is clear that from the 1290s, fewer bailiffs could hold the office over a year. Second, by comparing the bailiffs' list with the chamberlains' list, this research argues that the establishment of chamberlains was a method to sharing the financial duties of bailiffs. Third, through checking the royal Exchequer records with lists of bailiffs, this research intends to argue that from 1272 to 1370, bailiffs were increasingly replaced by attorneys in rendering accounts of the farm at the Exchequer. This change facilitated accounts of the farm that were less privately controlled by bailiffs.

2.2.1 Duration and frequency of bailiffs' appointments

When it comes to royal boroughs, the annual term was connected to the annual election of some civic officials. This type of election should not be confused with the contemporary democratic elections, because it is not clear who the electors were and how representative

⁵⁶¹ See notes 550-1.

they could be. However, the annual election did not exclude the possibility that an individual could stay in office for a long time, because re-election continued to take place. The frequent re-election of York's mayors was noted by historians from the mid-twentieth century.⁵⁶² What about York's bailiffs? Miller mentioned bailiffs of the thirteenth century, and he argued that there was equally frequent re-election of bailiffs as of mayors.⁵⁶³ Here, the list of bailiffs in Y/COU/3/1 is examined to prove that the frequent re-election of bailiffs actually disappeared from the 1290s.

By checking the lists from 1272 to 1370, this research, at first, finds that re-election took place frequently between 1270 and 1290. There are 31 individuals involved with the bailiff's office, and 17 of them were re-elected at least once (see table 31). Of these, some names appeared much more frequently than others, such as John de Coniston, who was elected five times. If the chronological scope was extended to pre-1270, Coniston served as the bailiff ten times in total.⁵⁶⁴ Ivo Ousegate and John le Spicer junior were both elected four times. In addition to the high frequency, the other feature is that re-elections were concentrated in a very short period. For instance, the five terms of John de Coniston were between 1272 and 1278. He stayed in office uninterruptedly from 1274-6 and from 1277-9. The 1270s witnessed the election of John le Spicer junior, Henry de Holteby, and John de Sutton all 3 times; whereas in the 1280s, the bailiff became controlled by another group of citizens, including Peter de Saunton, William Sleth, Adam Verdenel and Rayner Sperry.

Table 31 Number of citizens acting as a bailiff, 1270-1309

Times of office	Number of citizens acting as a bailiff	
	1260-89	1290-1309
5 or more	1	0
4	2	0
3	4	1
2	10	4
1	13	35

⁵⁶² Charles Knight, *A history of the city of York: from the foundation of the Roman fortress of Eboracum AD 71 to the close of the reign of Queen Victoria AD 1901; with brief summaries of the contemporary English history of each successive period.* (Herald printing works, 1944), 218, 233.

⁵⁶³ Miller, 'Rulers of thirteenth-century towns', 128-41.

⁵⁶⁴ Miller, 'Rulers of thirteenth-century towns', 130.

	Total number 30	Total number 40
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Nevertheless, this situation changed during the next two decades. From 1290 to 1309, there were forty citizens serving as the bailiff, but only five undertook the office more than once (see table 31). The longest-serving bailiff was Alan de Scoyerschelf, who was elected three times continuously from 1307-9. Apart from him, no citizen ever held the office over two years, and only Peter de Appleby took two terms without interruption. Apparently, the bailiff became much more loosely controlled in the hands of a small circle of citizens. This trend continued in the following decades. From 1310 to 1330, only one re-elected bailiff was detected: William de Useburn was elected to be a bailiff in 1304 and 1312. The number of re-elected bailiffs stayed low up to 1370.

This statistical research disclosed a tendency that far fewer bailiffs were re-elected from the 1290s. Until 1290, the office had been dominated by a small number of citizens who tended to stay in the office for several years, even continuously. However, from the 1290s, fewer citizens held the office for a second time. The monopoly of some citizens disappeared, and more citizens had access to the office of bailiff.

After detecting this trend, it is time to explain the lower frequency of re-election. For example, if the office was avoided rather than desired, the monopoly of the office did not show that this office was controlled by the oligarchy. Moreover, the disappearance of this monopoly was caused by the ability to find more citizens to be burdened. Therefore, it is important to explain whether the office was lucrative or burdensome. Faced with this dilemma, the collection of the farm must be discussed. As mentioned, to release the city from the fee farm was the principal financial duty of bailiffs. The sum of the farm was fixed, but the particulars were more flexible. Chapter One demonstrated that wool customs and court fees and amercements contributed much to the farm. Even though no account survives to demonstrate if these particulars allowed bailiffs to gain profits, the flexibility of constituents of the farm suggested that bailiffs were able to find new sources in the name of the farm. Therefore, it is possible that the office of bailiff was lucrative, and the lower frequency of re-election was caused by an effort to regulate civic finance. Furthermore, a study of another civic office can support this argument as well.

2.2.2 Establishment of a financial office

York stands out from other English towns, because Y/COU/3/1 preserves a continuous list of chamberlains from 1290. This list shows that chamberlains were elected annually, similar to the mayor and bailiffs. In addition, it allows us to study the relationship between the chamberlain and the bailiff and the office of chamberlain itself.

At first, this research intends to confirm that the office of the chamberlain was founded in 1290, because this is a clue to link the chamberlain to the bailiff mentioned in the previous sub-section. As already noted, although lists of mayors and bailiffs in Y/COU/3/1 started from 1272, there is evidence to demonstrate that the two offices emerged in York much earlier than 1272.⁵⁶⁵ York's civic records in addition to Y/COU/3/1 were not helpful, because among the surviving chamberlains' accounts of York, the earliest one was dated 1396.⁵⁶⁶ After searching records beyond the City Archives, York's chamberlains appeared at the turn of the fourteenth century. In 1302, John de Sexdecim Vallibus was accused in the Exchequer court of a repeated collection of a tallage on a York citizen, in which he was described as a clerk of chamberlains of the city and one of the collectors of that tallage.⁵⁶⁷ In 1306, when a civic guild was claimed to be illegal in the royal court, the prosecutor enumerated the offices in whose appointment the guild members had intervened.⁵⁶⁸ He made a distinction between the bailiff and other new offices, including the chamberlain. This implies that the chamberlain was an office emerging after the bailiff. Finally, based on the chamberlains' list in Y/COU/3/1, in the 1290s, the number of chamberlains was not stable. In 1290, 1294 and 1295, four chamberlains were elected each year. From 1296, the number of three became the rule. This clue suggests that the office was very new in the 1290s, as the number of officials was not fixed yet. Considering the evidence above, it is probable that the chamberlain was established as a civic office in 1290.

In the early days of the urban administration, financial duties were in the hands of executive offices, such as the mayor or the bailiff. Afterwards, the financial offices appeared because of the increasing complexity of civic finance. A common fund was instituted to receive and make payments. The accumulation of this account required some responsible management to stop appropriation. As a result, new offices, such as the chamberlain or the receiver, were established to run the common fund or oversee the executive officials in receiving and

⁵⁶⁵ Palliser, 'The Birth of York's Civic Liberties', 93-4.

⁵⁶⁶ *York City Chamberlains' Account Rolls 1396-1500*, 1-8.

⁵⁶⁷ TNA, E 13/25, m. 64r.

⁵⁶⁸ This case is discussed in chapter 2. See pages 72-74.

spending money of this civic treasury.⁵⁶⁹ As argued by R. B. Dobson, the main duty of York's chamberlains was to govern the 'common fund'.⁵⁷⁰

Therefore, 1290 witnessed two changes in York's civic government, one of which was the disappearance of frequent re-election of the bailiff. The other was the start of a new financial office. Is this only a coincidence? My argument is that these both reflected a deliberate reform of civic finance.

There is more evidence to suggest that the office of chamberlain was initiated as part of a financial reform. By examining the list of chamberlains, it was found that from 1290 to 1369, there were 221 individuals serving the office, of which only 13 (0.06%) experienced at least one re-election. Among them, one was elected four times, one three times, and the other 11 twice.⁵⁷¹ Four of the re-elected chamberlains were elected back-to-back, including Thomas de Appilby (1293-5), Robert de Selby (1305-8), Walter de Scotton (1310-2), and Nicholas le Sauser (1315-7, 1318-20). Therefore, York's chamberlain was founded as an annually elected office and the frequency of re-election kept low from its founding.

If the evidence of York was set as a case to be compared with other English towns, it becomes more explicit that York's chamberlain was distinct. As already noted, it is uncommon for a town to have a list of chamberlains or other financial officials compiled in the Middle Ages. London was as unusual as York. However, in London, the names of chamberlains appeared within lists of mayors and sheriffs.⁵⁷² Apart from London and York, no medieval list of chamberlains is found. Therefore, later historians who wished to compile a list had to use civic administrative records as the source.⁵⁷³ Due to the sporadic survival of records, it was impossible to compile a list as continuous as that of York, which rendered the observation less accurate. For instance, the editors of receivers' accounts of Exeter argued that it was unusual for a receiver to be re-elected in the fourteenth century. However, it was admitted that the names were based on interrupted survival of mayor's court rolls and receivers' rolls.⁵⁷⁴

⁵⁶⁹ Alsford, *The Men Behind the Masque*, http://users.trytel.com/~tristan/towns/mc1_pt2.html.

⁵⁷⁰ *York City Chamberlains' Account Rolls 1396-1500*, xx-xxi.

⁵⁷¹ There were three names (William de Grantham, Thomas de Strensall, William Fish) reappearing, but the gap of years was all over 30 years, so they are not considered here.

⁵⁷² *Munimenta Gildhallae Londoniensis: Liber Albus, Liber Custumarum et Liber Horn*, II, part 1, 239-246, 291-5.

⁵⁷³ Alsford, *The Men Behind the Masque*, http://users.trytel.com/~tristan/towns/mapp1_2.html.

⁵⁷⁴ *The Receivers' Accounts of the City of Exeter, 1304-1353*. eds. Margery M. Rowe and John M. Draisey, Devon & Cornwall Record Society, new series, 32, (Exeter, 1989), ix-x.

An exceptional case is Lynn, where the fine survival of chamberlains' accounts allowed a compilation of a chamberlains' list from 1295. This list showed many gaps between 1306 and 1333, but from 1333 it became almost complete.⁵⁷⁵ Thus, the names from 1333 to 1369 were taken as the sample to analyse the frequency of re-election. In the following, London and Lynn are taken as the comparison.

First is the number of chamberlains. In London, the chamberlain dated back to the early thirteenth century, and it is not clear why this office was established. In terms of his work, he was defined as an amateur official. Unlike the recorder, he did not devote all his time to this office, and tended to have his own trade or craft to undertake. The payment for his labour was lower than that of the recorder.⁵⁷⁶ More importantly, the number of the chamberlain was only one. Because civic finance of London was probably not less complicated than that of York, it is possible that the rule of three chamberlains in York was an intentional attempt. This idea could draw upon the evidence of Lynn. The establishment of chamberlain in Lynn was probably due to reforming civic finance. The ordinances of 1342 stated that the chamberlains were the only officials to receive urban revenues, and immediately put them under lock and key in the treasury.⁵⁷⁷ However, in the structure of civic government, the chamberlain was inferior to the mayor. Chamberlains had to take an oath before the mayor and those regulated. After chamberlains left their office, they should provide their accounts to be reviewed by the mayor, new chamberlains, and auditors selected by the community.⁵⁷⁸ Similar to York, there were multiple chamberlains elected annually in Lynn.

Second, the divergence in the duration and frequency of office between York and other towns was remarkable. In London, between 1274 and 1374, we find only 19 citizens ever serving as the chamberlain.⁵⁷⁹ This office was uninterruptedly held by an individual over multiple years. For instance, Andrew Horn acted as the chamberlain from 1320 to 1328.⁵⁸⁰ When it comes to Lynn, there were 106 individuals elected to be the chamberlain, 39 (36.79%) of which were re-elected at least once. Among these, one was elected four times, 11 three times, and 27 twice. It was observed that there was no successive election, and the gap between a re-

⁵⁷⁵ Alsford, *The Men Behind the Masque*, http://users.trytel.com/~tristan/towns/mapp1_2c.html.

⁵⁷⁶ Caroline M. Barron, *London in the later Middle Ages: government and people*. (Oxford University Press, 2004), 176.

⁵⁷⁷ Alsford, *The Men Behind the Masque*, http://users.trytel.com/~tristan/towns/mc1_pt2.html.

⁵⁷⁸ For a transcript, see Alsford, *The Men Behind the Masque*, <http://users.trytel.com/~tristan/towns/ly1342a.html>. The original texts are in BL, Add. Ms. 37791, fol. 45.

⁵⁷⁹ Barron, *London in the later Middle Ages*, 361.

⁵⁸⁰ Barron, *London in the later Middle Ages*, 361.

election tended to be around five years. For example, Thomas Curson was elected in 1356, 1363, 1368 and 1376. This gap could influence the accuracy of the number of re-elected chamberlains. Without the names of the 1310s and 1320s, it is less certain whether some chamberlains of the 1330s and 1340s had held the office or not. In total, probably the rate of re-election surpassed 37%. Compared with Lynn, the low rate of re-election in York may be influenced by the range of the pool of officials. Perhaps York had more potential officials to draw upon than Lynn did. Nevertheless, compared with London and other towns with a long-serving financial official, York had an office of chamberlain with shorter duration and high frequency of change. The establishment of the chamberlain was directed by an intention to regulate civic finance.

Furthermore, cross-referencing between the chamberlains' list and the bailiffs' list indicates that there was a regular progression from the office of chamberlain to that of bailiff from 1290. For instance, Stephen Caldruner, one of the four chamberlains elected in 1290, acted as a bailiff in 1291-2. Some mayors had served as chamberlain as well. John de Askham, the mayor from 1307-9, was elected to be a chamberlain twice in 1294 and 1301. However, the fifteenth-century *cursus honorum* from chamberlain to bailiff and to mayor was not yet formalised in the fourteenth century.⁵⁸¹ Between 1290 and 1349, 5 of the 16 mayors (31%) had held the office of chamberlain. The percentage reached to around 50 in terms of a career from chamberlain to bailiff. Within the 60 years, there were only 9 years when none of the three bailiffs elected had ever acted as a chamberlain previously. The gap between their service in the two offices tended to be approximately five years.

Perhaps this *cursus honorum* suggests that the office of chamberlain was established as a formalisation of some financial offices under the bailiff's office. In 1293, when a case was heard by royal itinerant justices sitting in York, two accused were termed as the sub-bailiffs of the city and their task was to execute the order of the bailiff to release the detained.⁵⁸² One of the sub-bailiffs, John de Shupton was later elected to be a bailiff in 1298. It is also possible that the new office was set to look for trustworthy candidates for bailiffs. In the event of re-election of bailiffs in 1357, John de Gisburn was replaced by Thomas de Strensale, who served as the chamberlain in 1355-6.

⁵⁸¹ For the situation of the fifteenth century, see Kermode, *Medieval merchants*, 39-42.

⁵⁸² TNA, JUST 1/1085, m. 73v.

To conclude the two sub-sections above, the 1290s witnessed an obvious change of the frequency of bailiffs. Before 1290, re-election took place frequently. Some individuals held the office even continuously. In contrast, from the 1290s, most bailiffs only stayed in office for one year. Without direct evidence to explain this change, this research took account of another office related to the bailiff. The chamberlain was established in 1290 as well, and it is obvious that this establishment allowed more citizens to be formally involved in the regulation of civic finance. Therefore, the lower frequency of office-holding of bailiffs was probably a part of a financial reform. In addition, by comparing York with other cities, it was found that York's chamberlains were distinct because the frequency of re-election stayed low from 1290. The regular promotion from a chamberlain to a bailiff indicates the close relationship between the two offices. Chamberlains offered candidates for bailiffs. Therefore, the chamberlain was founded to regulate civic finance.

2.2.3 From bailiffs to attorneys

In Quire 49, there was an account which stated that John de Paternoster the bailiff of York should pay part of the fee farm of the city to some beneficiaries in 1344-5.⁵⁸³ By cross-referencing the list of bailiffs in Y/COU/3/1, it is found that this so-called 'bailiff' never acted as a bailiff. Was this just a mistake of copying? By checking the royal records, it is clear that this representative claimed to be a bailiff. This initiated our interest in thinking about why these individuals were termed 'bailiffs' at the Exchequer. By cross-referencing royal and civic records, we find that from the 1330s, many of York's bailiffs never appeared at the Exchequer by themselves. Moreover, this discovery leads us to think about how bailiffs' accounts of the farm were used.

An important reason why bailiffs were interwoven with the royal Exchequer was that bailiffs were responsible for the payment of the fee farm. However, it is disputable whether the bailiff should render the account of the farm at the royal Exchequer in person. In historiography, there have been two arguments about the civic representatives. On the one hand, some urban historians admitted the general rule was that the royal boroughs had the right to elect their officials dispatched to the Exchequer twice a year.⁵⁸⁴ On the other hand, some studies of an individual town showed that the bailiff was not the only option. For example, Alan Kissane

⁵⁸³ YCA, Y/COU/3/1, fol. 312v.

⁵⁸⁴ Susan Reynolds, *An introduction to the history of English medieval towns*. (Oxford University Press, 1977). 198; Attreed, *The king's towns*, 145.

noticed that from the mid fourteenth century Lincoln's bailiffs started to delegate their paying responsibility to local attorneys.⁵⁸⁵ In thirteenth-century Northampton, the mayor, or clerk or an individual who was not shown with any official capacity sometimes took on this duty.⁵⁸⁶ Therefore, it seems likely that in practice, there was no rule whether the bailiff had to undertake this duty by himself.

Civic records of York did not explain whether there was a rule. In Quire 49, a memorandum of 1353 stated that one duty of York's bailiffs was to release the city from its fee farm.⁵⁸⁷ Yet, it did not state whether the bailiff must go to the Exchequer in person. In order to solve this problem, this research firstly utilised the royal Exchequer records, because there were entries where names and titles of civic representatives were recorded. Afterwards, the bailiffs' list in Y/COU/3/1 are cross-referenced to show that in some cases, the bailiffs appearing at the Exchequer were fake.

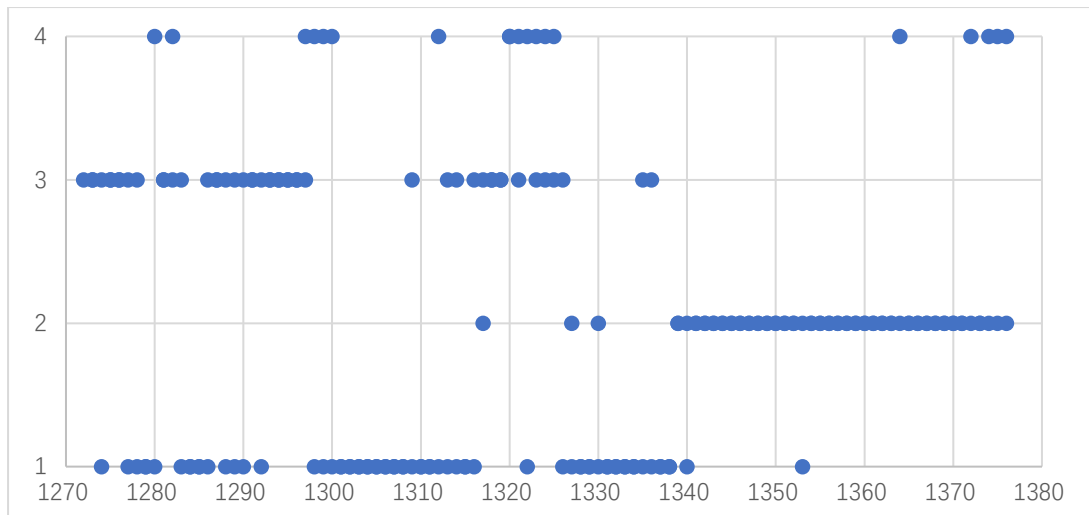
To start with, how can we know who undertook the accounting duty on behalf of the city? The most straightforward source comes from the Royal Exchequer of England. Within these documents, the two memorandum rolls both include the section called 'Advent of sheriffs' (*Adventus Vicecomites*), where not only the sheriffs arriving at the Exchequer were recorded, but also the citizens on behalf of royal boroughs, such as York, Lincoln and Norwich.⁵⁸⁸ For sheriffs and civic representatives, they came to the Exchequer twice a year, once at Michaelmas (abbreviated as 'M'), and once at Easter (abbreviated as 'P'). Thus, a graph showing the title of representatives is illustrated (see graph 5).

⁵⁸⁵ Alan Kissane, *Civic Community in Late Medieval Lincoln: Urban Society and Economy in the Age of the Black Death, 1289-1409*. (Boydell Press, 2017), 97.

⁵⁸⁶ Williams, *Town and Crown: The Governance of Later Thirteenth-Century Northampton*, 56.

⁵⁸⁷ YCA, Y/COU/3/1, fol. 313r.

⁵⁸⁸ TNA, E 368, E 159. In terms of the civic representatives, this research did not find difference between E 368 and E 159. In the following footnotes, E 368 is noted as a preference. However, if an entry in E 368 is illegible, E 159 is noted.



Graph 5 Civic representatives at the Exchequer, 1272-1376⁵⁸⁹

Note: 1 (bailiff), 2 (attorney), 3 (other titles or not given), 4 (missing or illegible)

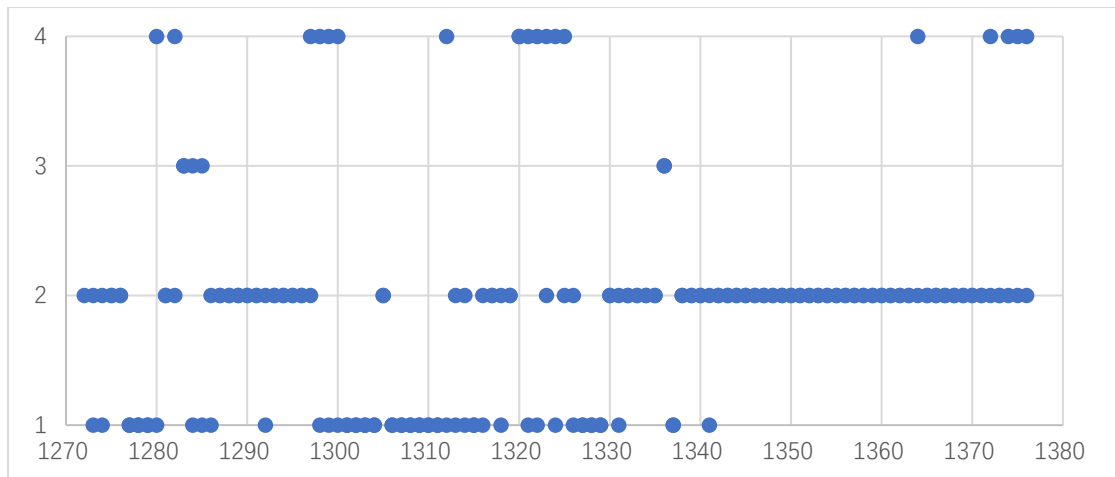
However, some clues challenge the trustworthiness of this observation merely based on royal records. For instance, between 1328 and 1340, John de Sherburn appeared in the Exchequer 17 times, in which he was described as a bailiff 14 times.⁵⁹⁰ This definitely goes against the list of bailiffs shown in Y/COU/3/1. Thus, civic records are used as a cross-reference to royal records. By comparing the two sources, more confusion was detected. First, some non-bailiff representatives were titled as bailiffs. John de Sherburn was not the only example of ‘fictional’ bailiffs. We also found Thomas le Graunt (P 1288), Roger de Lumbard (M 1289), John de Sexdecim Vallibus (P 1290, P 1305) and Henry de Newcastle (M 1305).⁵⁹¹ Second, there were some bailiffs noted to be attorneys, such as John de Wome (M 1327), Ralph de Stonegrave (P 1339) and John de Ripon (P 1341).⁵⁹² Third, for those names not noted, it seemed there was no rule, because some instances were actually the bailiffs, while others were not. After revision, a more accurate picture is illustrated (see graph 6).

⁵⁸⁹ Source: TNA, E 368, E 159.

⁵⁹⁰ TNA, E 368/100, m. 6r.; E 368/102, m. 5r.; E 159/107, m. 1r.; E 368/104, mm. 1r., 5r.; E 368/105, mm. 2r., 6r.; E 368/106, mm. 2r., 5r.; E 368/107, mm. 2r., 5r.; E 368/108, mm. 2r., 5r.; E 368/109, m. 2r.; E 368/110, m. 5r.; E 368/111, m. 1r.; E 368/112, m. 5r.

⁵⁹¹ TNA, E 159/61, m. 24r.; E 368/61, mm. 49r., 50r.; E 368/75, m. 2r.; E 368/76, m. 1r.

⁵⁹² TNA, E 368/100, m. 3r.; E 368/111, m. 3r.; E 368/113, m. 1r.



Graph 6 Civic representatives at the Exchequer, 1272-1376 (adjusted version)⁵⁹³
 Note: 1 (bailiff), 2 (not bailiff), 3 (possible), 4 (missing or illegible)

This graph indicates that York agreed with other English towns, because the bailiff was not the only office to render the account at the Exchequer. Even if the chronological scope was narrowed to the years between 1272 and 1340, the bailiff did not monopolise. The interruption was caused by several factors. First, the city lost its autonomous rights twice in the 1280s and the 1290s, when the custodian of the city or some clerks replaced the bailiff at the Exchequer. Second, there were years when the civic representative was absent, such as the late 1290s and the early 1320s. Apart from these, it remains obvious that individuals other than the bailiff could represent the city as well. For example, at Easter 1275, Robert de Colevill, termed as ‘a servant’, came to the Exchequer.⁵⁹⁴ At Michaelmas 1313 and Easter 1314, William de Walmegate, called ‘a clerk’, represented the city.⁵⁹⁵

More obviously, from the 1330s, the bailiff was almost completely replaced by attorneys. These non-bailiff representatives showed common features. First, they represented the city for several years continuously or almost continuously. During the 1330s, John de Sherburn monopolised the position. Between the 1340s and the 1370s, it is more obvious to find some long-serving representatives. For instance, Richard de Spayne uninterruptedly accounted on behalf of the city from 1347 to 1351, while John Bret 14 times from 1352 to 1365, and John Rouclif 15 times between 1367 and 1376.⁵⁹⁶ Second, these representatives were more likely to

⁵⁹³ Source: TNA, E 368, E 159; YCA, Y/COU/3/1.

⁵⁹⁴ TNA, E 368/48, m. 22r.

⁵⁹⁵ TNA, E 368/84, m. 1r., 2r.

⁵⁹⁶ Richard de Spayne: TNA, E 159/124, m. 1r.; E 368/120, m. 5r.; E 368/121, mm. 2r., 5r.; E 368/122, mm. 2r., 6r.; E 368/123, mm. 4r., 8r.; E 368/124, m. 1r. John Bret: TNA, E 159/129, m. 1r.; E 368/127, m. 6r.; E 159/132, m. 1r.; E 368/128, m. 5r.; E 368/129, mm. 1v., 5r.; E 368/130, mm. 3r., 7r.; E 159/135, m. 1r.; E 368/132, m. 1r.; E 368/136, m. 1r.; E 159/141, m. 1r.; E 368/137, m. 7r.; E 159/142,

serve the sheriff as well. For instance, Richard de Spayne rendered the account of the shire five times.⁵⁹⁷ Between 1349 and 1355, John de Stoke represented the city three times, while he was an attorney of the sheriff five times.⁵⁹⁸ Third, compared with bailiffs, attorneys were less connected to the civic administration. For example, Walter de Askham, who represented the city from Easter 1346 to Easter 1347, was probably a son of John de Askham, the late mayor of York.⁵⁹⁹ However, unlike his father, he never served in the civic government. His business was more like a lawyer, as he was involved with the confirmation of several land transactions on behalf of York's citizens in Westminster in the 1350s.⁶⁰⁰ Therefore, from the 1330s, the duty of presenting accounts at the Exchequer was transferred from bailiffs to 'professional' attorneys.

This change had implications on the way in which accounts of the fee farm were used. If bailiffs came to the Exchequer in person, their accounts were kept by themselves as private documents. In contrast, if attorneys acted as the intermediary, bailiffs should offer their accounts to these attorneys. Because these attorneys were professional and had no explicit relationship to the civic government, the accounts of the farm became more public.

The research was initiated by a question: who actually represented the city to render the account of the fee farm at the Exchequer? However, the discovery enlightened us in thinking about how bailiffs' accounts of the farm were used. By cross-referencing royal and local records, it was discerned that the scope of the representatives was wider than that of civic bailiffs from 1272 to 1376. Furthermore, from the 1330s, bailiffs were replaced by professional representatives in rendering accounts of the farm at the Exchequer. This change resulted in a different use of accounts because the accounts were less controlled in the hands of bailiffs. The intervention of attorneys made the accounts more public.

To conclude this section, the place of the bailiff between the royal and civic government was the key to explaining why this office had to be regulated. The financial authorities of bailiffs were based on its relationship to the royal bureaucracy. In the collection of the farm, bailiffs easily gained profits, because the particulars of the farm were not all fixed. The wool customs

m. 1r. John Rouclif: TNA, E 368/139, m. 9r.; E 368/140, mm. 1r., 6r.; E 368/141, m. 2r.; E 159/145, m. 6r.; E 368/142, mm. 2r., 6r.; E 368/143, mm. 1r., 6r.; E 368/144, m. 2r.; E 368/145, mm. 3r., 7r.; E 368/146, m. 1r.; E 368/148, m. 1r.; E 368/149, m. 2r.

⁵⁹⁷ TNA, E 368/118, m. 7r.; E 368/119, m. 7r.; E 368/120, m. 5r.; E 368/122, m. 6r.; E 368/123, m. 8r.

⁵⁹⁸ TNA, E 368/121, m. 5r.; E 368/124, m. 6r.; E 159/129, m. 1r.; E 368/125, m. 7r.; E 368/126, m. 6r.; E 368/127, mm. 2r., 6r.

⁵⁹⁹ VC, nos. 313-4.

⁶⁰⁰ FF, 1347-77, 57, 70.

and court revenues were exploited in the name of levying the farm. If the farm was not released in time, the city would suffer. From the 1290s, bailiffs were not allowed to be re-elected frequently. The chamberlains were established to regulate civic finance. From the 1330s, bailiffs no longer represented the city to render the account at the Exchequer. Their accounts were less private because of the intermediate role played by attorneys.

Conclusion

Quire 49 was probably a fragment of a civic custumal, but it provides an opportunity to study the making of civic records in late-fourteenth-century York. Distinct from its contemporaneous custumals, Y/COU/1/4/1 and Y/COU/1/4/2, this custumal included a collection of royal financial records and expressed a concept of a civic office. Copying royal financial records suggests a civic interest in the royal archives. By analysing the marginal notes, it was found that the compilers attempted to collect some information about the City's contribution to national taxation. Furthermore, a local litigation involved with the reference to the Pipe Rolls suggests the possibility that civic officials used royal records to support their authority in levying the farm. Therefore, because the 1370s witnessed a series of national taxes, it became reasonable that copying royal records arose from the intention to seek legitimacy from royal records.

Notes of bailiffs showed a concern with the office of bailiff, because they depicted a standard that bailiffs were expected to abide by. They had power over financial and legal issues of the city, but they had to be accountable to the mayor and the community. After they finished their term, their accounts should be audited. Before they held the office, they were inspected by the mayor and the community. Thus, these notes suggest a late-fourteenth-century concept about the office of bailiff. Based on our knowledge of the civic administration, the hierarchy between the mayor and the bailiff may explain this concept. However, this research argued that this concept about bailiffs had an institutional context. By using the lists of civic officials in Y/COU/3/1, at least three signs of regulating the role of bailiffs in civic finance were discerned. In the 1290s, bailiffs were not permitted to be re-elected multiple times. The office of chamberlain was established to regulate civic finance. From the 1330s, attorneys replaced bailiffs in rendering the account of the farm at the Royal Exchequer. The accounts of the farm were not held by bailiffs as private documents.

Conclusion of Part II

Part Two combined the methods of historical study and manuscript study to examine Y/COU/3/1. It proves how this abnormal manuscript could disclose information about the making of civic records and the use of civic documents and royal records.

First, it challenged the argument that Y/COU/3/1 was composed contemporaneously from the late thirteenth century or even from the 1340s. This research examined the codicological, especially the palaeographical features of Y/COU/3/1 and compared it with Y/COU/1/4/1. It was discovered that Y/COU/3/1 derived from several independent quires created at the same time. The date of creation cannot be earlier than the 1360s. Because the texts were dated as early as 1273, the writing was not contemporaneous. Second, this research demonstrated that lists of names in Y/COU/3/1 were a compilation of civic records. By cross-referencing local and royal records, the accuracy of lists of freemen and urban officials was confirmed. This suggested that documents and records were used during the writing of lists. Moreover, it is interesting to think about what kind of civic documents were the source and why there was a compilation. Through comparing freemen's lists, mayor's list and bailiffs' list, it argued that freemen's lists were probably copied from court rolls, and the mayor's list was composed for editing the freemen's lists in a new time framework, the mayoral year. Third, this research examined Quire 49, a fragment of a lost custumal. The compilers copied royal financial records and expressed a model that civic bailiffs should follow. A case of consultation of royal records was shown in Y/COU/1/4/1 as well. This offers us a clue to link the interest in financial records to the financial duty on the city in the 1370s. However, with regard to the ideas about the office of bailiff, Y/COU/1/4/1 was not enlightening. This research sought evidence from the lists of officials, and found that the regulation of bailiffs was a long-term issue in the institutional history of York.

Y/COU/3/1 is the representation of civic record-making activities from the 1360s. As we already know that the other two civic custumals were created in the 1370s, the 1360s and 1370s was an important period in which at least three civic custumals started to be compiled in York. Although we cannot exclude the possibility that some early custumals did not survive, it is true that the period in question witnessed the large-scale making of new civic records. This activity represented the institutional changes which took place in the civic government. As noted by Christian Liddy, York's civic reform interacted with the public

concern appealed in the parliament.⁶⁰¹ Furthermore, York did not stand alone. In 1372, the New Constitutions were issued in Colchester to reform civic finance and election of civic officials.⁶⁰² After the Good Parliament of 1376, a radical reform occurred to London's administration. The aldermen were re-elected each year, and re-election without a year's absence was not permitted.⁶⁰³

The civic reforms all influenced the making of civic records. The two registers of Colchester were already discussed in Chapter Four.⁶⁰⁴ In London, a customal called the 'Jubilee Book', was compiled from 1377.⁶⁰⁵ Systematic comparison is difficult, but the difference in records may suggest the different extent of the reforms. The 'Jubilee Book' was in English, while the customals of York and Colchester were both in Latin and French. The audience of Latin and French was more limited than that of English. Thus, perhaps the reforms of York and Colchester were less radical than that of London.

⁶⁰¹ Liddy, *War, politics and finance in late medieval English towns*, 90.

⁶⁰² Britnell, *Growth and decline in Colchester*, 115-20.

⁶⁰³ Barron, *London in the later Middle Ages*, 137.

⁶⁰⁴ See page 130.

⁶⁰⁵ Barron, 'The Political Culture of Medieval London', 127-8.

Conclusion

As stated in the introduction, this thesis set out to study the administrative literacy of York's civic government from 1272 to 1377. This case study allowed us to review whether pragmatic literacy was a useful model to help us understand the relationship between writing, records and archives. More specifically, this thesis studied a particular civic manuscript, the first Freeman's Register (Y/COU/3/1), to complement our understanding of York's civic administrative literacy and civic administration. In this conclusion, I will, at first, revisit the research questions that I have proposed and how they were answered. Afterwards, I will outline the contribution of this thesis to methodology and some directions for future research. Lastly, I will discuss the implications of this thesis for the history of York and urban history.

First, this thesis has demonstrated that the development of pragmatic literacy could be complex. As argued by Michael Clanchy, making documents for administrative use, keeping them as records and using them for reference were three stages that did not automatically and immediately progress from one to next.⁶⁰⁶ In terms of the progress from the first to the second step, Clanchy attributed it to the personal work of Hubert Walter.⁶⁰⁷ This research did not find parallels to Hubert Walter in York, but it is important to note the gap between use of documents and preservation of records. Moreover, what survives is not definitely to be what was intentionally preserved. It is possible that accidental survival explains as well. Therefore, the difference between documents and records must be kept in mind when we examine civic archives. The boundary between records and documents could be penetrable, because some records were preserved for a short time rather than a long time. This was not noted by G. H.

⁶⁰⁶ Clanchy, *From memory to written record*, 2013, 156.

⁶⁰⁷ Clanchy, *From memory to written record*, 2013, 70-5.

Martin when he studied civic archives.⁶⁰⁸ By taking York as a case study, this research found that, on the one hand, York's civic government made financial and legal documents on a large scale during 1272-1370. These documents do not survive in the York City Archives, but in the royal and some religious archives. Furthermore, a massive number of documents, such as the court rolls, probably survived in the civic government up to the second half of the fourteenth century. On the other hand, there is no evidence to prove that records were viewed as an archive with a historical purpose and worth keeping for a long time. By examining the use of royal charters by civic officials from 1272 to 1354, it was found that only the most recent charter was presented, and the history was explained by referring to the custom more than charters. In addition, Clanchy speculated that the accumulation of records to a considerable number was the condition for records to be conceptually perceived as an archive.⁶⁰⁹ Yet, this research cast light on the possibility that the accumulation of records in other archives, such as those of the crown, influenced the civic ideas of records. As shown in Y/COU/3/1, civic documents and royal records were both selected or edited during the compilation.

Second, this thesis has argued that the 1360s and 1370s witnessed a significant development of civic administrative literacy in York. R. B. Dobson and Debbie Cannon admitted Y/COU/3/1 to be the earliest civic register of York, and dated it to the early or the mid-fourteenth century.⁶¹⁰ However, this research has revised the date of creation to the 1360s and 1370s. Thus, Y/COU/3/1 becomes a contemporaneous customal rather than a precedent to Y/COU/1/4/1 and Y/COU/1/4/2. The survival of individual administrative documents might have been caused by accident rather than intentional conservation. Yet, customals were designed and preserved to be read. The scope of audience was probably not wider than civic elites and common citizens, because languages of writing are Latin and French. However, English was not yet a proper language to write a book of authority. Furthermore, the significance of a customal might lie not only in its texts but also its function as an object to be shown in civic ceremonies, such as the oath-taking of civic officials. This research proved that the compilation of customals involved the wide use of civic and royal records of a century. Therefore, we are confident to argue that a large record-making project took place in the 1360s and 1370s.

⁶⁰⁸ Martin, 'English Town Records, 1200-1350'; Martin, 'The English Borough in the Thirteenth Century'.

⁶⁰⁹ Clanchy, *From memory to written record*, 2013, 156.

⁶¹⁰ Dobson, 'Admissions to the Freedom of the City of York in the Later Middle Ages', 6; Cannon, 'The veray registre of all trouthe', 143-4.

Third, this thesis attributed the development of civic administrative literacy to civic reforms. On the one hand, an office of clerk was established in the civic government. In 1377, the common clerk became a formal office in York's civic government. It is probable that an office of clerk was already in shape in the 1360s. A significant duty of this office was to safely preserve records related to the city. The scribes detected in the civic registers and customals were anonymous, but based on the research of lay clerks in other English towns, it is probable that York's common clerks compiled records as well.⁶¹¹ Furthermore, they were active explorers of records. In addition to searching through the rolls of the city court, rolls of the Royal Exchequer were explored when they compiled the quires now included in Y/COU/3/1. On the other hand, the civic government experienced the expansion of its authority. Due to the reopening of the Hundred Years War, the royal government started to intensify the financial demand on the kingdom. National taxes were distributed among more citizens, so the civic government was interwoven with more citizens. The accountability of civic officials became a more popular topic which the citizens, especially the commons were concerned. The civic elites also sought methods to support its governance. As a result, the civic and royal archives were consulted and customals were compiled to meet this requirement.

The royal archives preserved records which demonstrated the financial tasks allocated to civic officials. It is certain that the bailiffs of York referred to the Pipe Rolls when their right in levying a customary revenue was challenged in 1380. Through examining Y/COU/3/1, this thesis has showed that there were more royal financial records related to national taxes copied. With these records at hand, it was convenient for urban officials to prove their authority in levying taxes. Documents and records also survived in the civic archive. Some memoranda about bailiffs were edited, which suggested political awareness about bailiffs' duties, accountability and characteristics. Because the bailiff was an important office in the city, these memoranda suggested that the discussion of accountability of civic officials had already been noted by the civic government. Admission of freemen had both financial and political implications for the civic government. For freemen, the freemen's lists may provide a new source to have their privilege confirmed. For the civic government, by making a new kind of civic record, the relationship between common citizens and elites was emphasised. Different from the court rolls composed by regnal years, the freemen's lists re-arranged the names of freemen by mayoral years.

⁶¹¹ Cuenca, 'Town clerks and the authorship of customals in medieval England.'

As mentioned in the introduction, the research done in this thesis borrowed methods from previous studies. In return, this thesis has indicated that some methods are promising in future research. To begin with, this thesis has examined Y/COU/3/1 by using the approaches from manuscript study. Most parts of this register were already in print, but this thesis has demonstrated that there is much information in the original manuscript that the printed edition could not reveal, such as hand-writing and binding of quires. Codicological features could influence how a civic register or customal should be explained, because this kind of record included miscellaneous content and was written by anonymous scribe(s). An effective way to complement the transcripts is to have manuscripts digitised. One direction for further research is to apply the research of Part Two to explore customals of other English or even European cities. As appealed by G. H. Martin, English borough's administrative records need an 'exhibition' to bring them together.⁶¹² This thesis touched on this direction, but only examining transcripts of civic customals of Bristol and Colchester. Mary Bateson's work has already showed the widespread existence of customals as a genre.⁶¹³ In addition, because most urban registers or customals had only transcripts published, their original manuscripts wait for further analysis.

Next, the thesis has proved the usefulness of combining cross-referencing and big data. With the help of computers and digitisation, we are now in an advantageous place to collect and compare a great many texts. This method looks technical or even repetitive, but it is useful in overcoming the problems caused by the limitation of sources. In medieval studies, it is a common problem that the surviving source was fragmentary or ambiguous. If data was selected in a small quantity, the result would be more likely to be distorted. For example, Y/COU/3/1 included a substantial number of personal names. J. N. Bartlett, Jenny Kermode and Heather Swanson noted the possibility to comparing freemen's names with names found in royal records.⁶¹⁴ Yet, the namesake was a problem unsolved. In order to reduce the influence of this problem, this research constructed one database of over 1,300 taxpayers, and the other of more than 600 freemen.

Then, this thesis has undermined the presupposition that surviving records were intentionally preserved. This challenge may explain a phenomenon noted by Maryanne Kowaleski: although many borough court rolls survive, only a few survive in good, relatively continuous

⁶¹² Martin, 'The origins of borough records', 152.

⁶¹³ Bateson, *Borough Customs*.

⁶¹⁴ Bartlett, 'The 1381 Poll Tax Return for the City of York'; Kermode, 'The 1377 Poll Tax Return For the City of York'; Swanson, *Medieval artisans*, 108.

runs of more than fifty years.⁶¹⁵ These rolls survive rather than were preserved. Faced with other civic records widely surviving in civic archives, how can we define those preserved? My answer is to make efforts to trace evidence indicating how records were used after they were made. In addition, the codicological features of the originals should be carefully examined to find if there were signs to suggest the intention of preservation.

Finally, this thesis has broken the boundary between civic and religious jurisdictions. As argued by Sarah Rees Jones, the relationship between the civic government and religious institutions in or neighbouring the city included both interaction and tension.⁶¹⁶ York's civic administrative literacy was probably influenced by administrative literacy of religious houses. Meanwhile, institutional density reminds us to compare different types of jurisdictions. In discussing preservation of records, this thesis has compared the use of royal charters by the civic administration and three ecclesiastical institutions. Moreover, it is a direction for future research that the civic archive should be compared with the religious archive. This thesis has noted the phenomenon that many lay clerks active in the city before the 1370s were also involved with St Peter's Church of York.

Our knowledge of urban history led us to ask whether the current holdings of York City Archives is an accurate reflection of documents made and records kept by York's civic government in the fourteenth century. Now the research is completed, it is time to think about what light the findings of this research could cast on the history of York. Different from what has been argued about civic administrative literacy and civic government before, what will be discussed here is more speculative. To start with, the City of York did not fall behind other English towns in the use of writing. Writing was a method to assist civic officials to fulfil various functions, such as meeting financial demands from the royal government and keeping order and justice in the city. Many thirteenth- and fourteenth-century civic documents and records, like those related to city courts, do not survive today, but they probably survived until the late fourteenth century, when they were used as the source for compiling urban customals. Perhaps this compilation of new civic records hastened the abandonment of old documents and records.

The loss of documents and records do not indicate that there was no record. However, records only existed in the short term. From a long-term perspective, documents surpassed records.

⁶¹⁵ Maryanne Kowaleski, 'Town Courts in Medieval England: An Introduction', 20.

⁶¹⁶ Rees Jones, *York: the Making of a City 1068-1350*, 21-2, 139-40, 214-21.

Most items in the civic archive were not preserved but survived. They were probably in a mess, left aside in the corner of a room for many years and could not be used in an effective way. Thus, a civic archive developed slowly and discontinuously, and the role of records was limited in the civic administration. Some records were used by the administration, but this use was principally related to recent issues. With regard to the past, civic officials referred to custom. As noted by Michael Clanchy, the underdeveloped archival system actually put consumers of records in an advantaged position.⁶¹⁷ Similarly, the underdevelopment of the civic archive decided the limitation that records could serve the civic government.

Before the conclusion ends, it is time to think about how this research could influence the urban history. Because this thesis selects York as a case, it is necessary to consider other towns as a comparison. On the activity of compiling customals, York is not unusual. The second half of the fourteenth century witnessed the compilation of customals in other English towns, such as Bristol, Colchester, and Sandwich. Perhaps the fluidity and instability of urban life became more obvious after the Black Death, which formed the big context in which civic government was faced with more jurisdictional disputes and internal conflicts. These challenges from outside or below were argued to be the direct cause of compiling customals.⁶¹⁸

Even if we classify civic customals according to their contents, a parallel to freemen's lists of York can be found in the *Old Free Book* of Norwich, a city with a similar population and wealth to York in the fourteenth century.⁶¹⁹ Originally compiled as a memorandum of the city from 1344, about 1384 this paper book served a different purpose, 'the enrolment of names of newly admitted citizens'.⁶²⁰ Moreover, the two books of freemen shared commons in the causes of compilation. Both York and Norwich experienced the increasing power of civic elites in the civic administration.⁶²¹ Perhaps Norwich's officials were faced with challenges similar to what took place in York. A new kind of civic record was written to strengthen the representative feature of the civic government.

⁶¹⁷ Clanchy, *From memory to written record*, 2013, 164-73.

⁶¹⁸ Liddy, *War, politics and finance in late medieval English towns*, 85; Barron, 'The Political Culture of Medieval London', 127-8; Fleming, 'Time, space and power in later medieval Bristol', 40; Croft, 'The customals of the Cinque ports c. 1290-c. 1500', 84-94, 107-22, 239-51.

⁶¹⁹ Dyer, *Decline and Growth in English Towns, 1400-1640*, 70, 64.

⁶²⁰ *The Records of the City of Norwich*, I, xliii.

⁶²¹ *The Records of the City of Norwich*, I, xxxviii-lviii.

However, for some aspects, a systematic comparison is not possible, because no parallel research has been undertaken yet. This thesis demonstrated that the long-term preservation of records was not usual in fourteenth-century York. It is not certain whether York was typical or not. Record-keeping activities in more towns, especially provincial towns, must be studied further to solve this problem.

To conclude, what I hope to have shown in this thesis is that the relationship between writing, records and archives in York from 1272 to 1377 was more complicated than the concept of pragmatic literacy can illustrate. This concept disclosed the close relationship between bureaucracy and literacy. Yet, this concept may mislead us to presuppose that records found in institutional archives were 'administrative records' and that their existence was due to intentional preservation for administrative use. There are many records now kept in various archives, which provided sources for research. These records are preserved with care by current archivists. However, the historical process of how these records survive was complex.

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E 359 Exchequer: Pipe Office: Accounts Rolls of Subsidies and Aids.

E 368 Exchequer: Lord Treasurer's Remembrancer: Memoranda Rolls.

E 372: Exchequer: Pipe Office: Pipe Rolls.

JUST 1: Justices in Eyre, of Assize, of Oyer and Terminer, and of the Peace, etc: Rolls and Files.

KB 27: Court of King's Bench: Plea and Crown Sides: Coram Rege Rolls.

SC 5: Special Collections: Hundred Rolls and Eyre Veredicta.

SC 6: Special Collections: Ministers' and Receivers' Accounts.

SC 8: Special Collections: Ancient Petitions.

York, York City Archives

ADM/1/1: Charters and Letters Patent.

COU/3/1: First Freemen's Register.

COU/1/4/1: Memoranda Book (A).

COU/1/4/2: Memoranda Book (B).

G: Original Deeds.

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