A LETTER TO LOUIS DE MALE, COUNT OF FLANDERS.¹

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AMONG the Phillipps Charters now in the John Rylands Library, No. 23 (R 33889), transcribed by Dr. Fawtier in the Bulletin for July, 1924 (Vol. 8, No. 2), is a splendid product of the fourteenth century English Chancery. It is the English part of a settlement for the marriage of Isabella, eldest daughter of Edward III. of England, with Louis, Count of Flanders, and is dated March 13th, 1347. Its subsequent history, until its purchase by the Rylands Library in 1913, is unknown. It soon passed out of English possession. On the dorse, it is described, in a XIVth century hand, as a Traiter du mariage de Loys Conte de Flandre et de ysabel fille d'Engleterre, and no English scribe would have alluded to his king's daughter in those terms. There is a second mention on the dorse, in a later hand, almost illegible; and since this also is in French, it is probable that the document remained either in Flanders or France, until it came into the possession of Sir Thomas Phillipps.

The form of the document is that of a letter patent. It is written on parchment, 487 mm. by 540 mm., with a fold 43 mm. wide. It is in the normal chancery hand of the period, and in French. Seven seals are attached to the fold, by green silk cords; and two cords are attached without any corresponding seals. The seals are, from the left:—of Robert de Ufford, Earl of Suffolk; of Thomas de Beauchamp,

¹ In preparing this article I am much indebted to Dr. Fawtier who has not only made many suggestions and corrections, but has placed at my disposal the transcript of the document with a description of the seals. I must also again thank Professor Tout for his help and advice.

² The other part is printed in Rymer's Foederæ (London, 1816-30), III. 111, 112. Cf. p. 179, n. 1.
Earl of Warwick; of William de Bohun, Earl of Northampton; of Edward the Black Prince; of Edward III. (the great seal); of Richard Talbot, Steward of the Household; and of John d'Arcy. The cords which are without seals are numbers seven and eight; and there are no signs that the seals were ever affixed. Along the fold of the letter are the names: Southfolk, Warewik, Northampton,1 Senescal, Darcy, written above the corresponding seals; but over the cords which have no seals, there are no names.

In the letter, Edward III. declares that the settlement had been arrived at by his deputies and by Louis de Male, ses gens de son linage, et conseil, et les bones gens de ses bones villes et pays de Flandres. The terms are, firstly that Edward grants to Isabella, and to the children of this marriage, the county of Ponthieu with the town and castle of Montreuil. Until Isabella and Louis have peaceful possession of these lands, he grants them 25,000 livres parisins a year. If Edward shall assign to Isabella lands with a rent equal to 25,000 l.p., this side of the sea and near to Flanders,2 then Ponthieu and Montreuil are to be returned to England, or the grant of 25,000 l.p. is to lapse.

Secondly Edward promises to grant to Louis and Isabella 300,000 deniers d'or à l'oscut, to be paid at stated intervals during the following three years. After the last payment of this sum, he is to pay a further 100,000 deniers d'or à l'oscut, within the ensuing five years, at the rate of 20,000 deniers each Easter.

Thirdly Edward promises that, if Louis, as a result of this marriage, is disturbed in the possession of Nevers or Rethel, or of any of his lands in Flanders, the king will not make any truce or agreement lasting more than a year, in his "present" war, until Louis has again obtained peaceful possession.

Besides his own solemn promise to fulfil these conditions, Edward adds that of his eldest son, Edward Prince of Wales. In addition he nominates three guarantors, the Earls of Northampton, Warwick and Suffolk, who, if Edward fails in his payments, are each to send two knights, with four attendants, as hostages, within a month after they are requested by the count. The knights are to remain in Flanders

1 It is Northampton in the body of the letter, but Northampton on the fold. Dr. Fawtier has, however, transcribed this also as Northampton.
2 Edward was, of course, writing in France.
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until payment is made. Finally Edward nominates Richard Talbot, Bartholomew Burghersh, Reginald Cobham and John d’Arcy, Junior, each to send one knight under similar conditions. All those named as guarantors are requested to affix their seals to the document, along with the great seal of the king.¹

The document represents the end of the first phase of Anglo-Flemish relations during Edward III.’s war with France. This had, in the main, consisted of an alliance between the burghers of Flanders and the King of England, on the one hand, and a strong friendship between the Count of Flanders and the King of France on the other.² The alliance had been finally cemented in the early months of 1340, and its Flemish champion was James van Artevelde. The friendship of the Count of Flanders for the French had led Louis de Nevers to sacrifice all accept his allegiance to France, and finally to die fighting for Philip of Valois at Crecy in 1346.

Meanwhile Artevelde had also died, in 1345. The way was cleared for a new settlement of the complex relationship between England and Flanders; and in 1347 it appeared as if Edward would profit greatly both by the death of his friend and his enemy. English friendship with Flanders was no longer bound up with the dominant personality of Artevelde; and Edward still had the enthusiastic support of the strongest faction in Ghent, Bruges and Ypres. Louis de Nevers’ son and successor, Louis de Male, was young: all parties in Flanders were eager for the return of their Count; and were apparently prepared for a reconciliation, which would find expression in united support of the English cause. With both Louis de Nevers

¹ Forder, III. 111, 112.

and Artevelde removed from the scene, it appeared at length, as if Edward would obtain not only the alliance of the Flemish burghers, but also the friendship of their Count.

Unfortunately for Edward, the opposition of the new Count, Louis de Male, to an English alliance, was increased by a French education, French sympathies, and the recent memory of his father's death. It was overcome for the moment, in 1347, by the pressure of his subjects, and he was constrained to promise marriage with Isabella of England. But, almost immediately afterwards, he fled to France, and there repudiated the whole project. The treaty with England which he subsequently sealed, in December, 1348, was very different from that arranged in 1347. Although peace was declared between the two countries, and the cities of Flanders were guaranteed their old freedom, the treaty of 1348 meant that Edward III. renounced all possibility of active help from Flanders, and left his staunchest allies there at the mercy of their Count. He thus abandoned the policy he had so consistently followed since 1337, and which had so nearly succeeded in the marriage settlement at Bergues. Edward's failure in 1347 at Bergues materially affected the course of the war with France, in the next few years: that, and a subsequent failure in 1369, had a profound effect on the whole history of the Hundred Years' War.

The project of 1347 illustrates clearly the value which Edward III. placed on his alliance with Flanders. Before the battle of Crecy, a coalition was an essential condition of English success against France. Even with numerous allies, in the early years of the French war, it is unlikely that Edward III. contemplated the permanent subjection of any considerable part of France. His claim to the French crown was a diplomatic move, whose hollowness nobody realised more clearly than he himself. The twin exploits of Crecy and Calais undoubtedly affected this situation materially; but they left it fundamentally the same. With Calais in his grasp, Edward was still prepared to make a high bid for Flemish aid. If he could not pay for it cheaply in French land, he was prepared, once again, to pay for it in gold. In his diligent search for allies, and especially in his persistent attempts to secure a Flemish alliance, he was pursuing a traditional policy, and one that outlasted the Hundred Years' War.

1 Cf. Froissart, Chroniques (Société de l'Histoire de France), IV., 35.
2 Fadere, III., 178.
3 Pirenne, p. 177.
The letter itself is exceptional in having six seals attached, besides the great seal of the king. Although it is a letter patent it does not contain the clause which most of all distinguished letters patent in the thirteenth and fourteenth centuries.— *In cuius rei testimonium has litteras nostras fieri fecimus patentes.* Instead of the usual final clause, which in Latin would read *Teste meipso apud Berges* \(^2\) *XIII die Martiit*, it contains the clause *Donne a Berghes le XIII iour de Mars*. And the language in which it is written is French.

In this respect, the letter resembles a writ of privy seal. And since in 1347, the great seal was actually in the charge of the keeper of the privy seal,\(^3\) the methods of the privy seal office might possibly have influenced the clerks who were writing for the great seal. But a number of chancery letters were written in French, both before and after 1347;\(^4\) and they had appeared as early as Henry III.’s reign. They were especially numerous between 1337 and 1347, in the negotiations with the French speaking nobility of the Netherlands. It was perhaps for the convenience of these latter, rather than on account of any foreign influence in the chancery, that French was used instead of the usual Latin.\(^5\) Since the letter was in French, the only normal final clause was the one actually used. There was no French equivalent to the *Teste me ipso* of the ordinary letter patent. But it is worth noting that in many similar letters to foreign rulers, in Latin, the *Datum* clause of charters was deliberately used, instead of the normal *Teste me ipso*.\(^6\) It is quite possible that special customs regulated the form

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\(^1\) This was probably due to the fact that there were eight co-jurors besides the king. The phrase corresponding to *In cuius rei, etc.*, in the letter is, *En conissance et testimo$nnnre de tot~tes les choses dessus dites ... avons norrs, Edward, Rois de F~ranre et d'Engleterre dessus nomes fait sealler cestes kttres... want seal.*

\(^2\) The Latin rendering in *Fexdera*, III., 112, is *Berges*.

\(^3\) *Ibid., II., 1100, 1101, 1102, 1105, 1108, 1111, 1121, 1122, 1132, 1134, 1137; ibid., III., 45, 68, 80, 84, 92, 112, 136, 142, 153, etc.*

\(^4\) *H. Hall, Studies in English Historical Documents*, p. 253.

\(^5\) Of course the English baronage in the fourteenth century was French-speaking; but compare similar letters in French, to Anglo-Scottish nobles; *Fexdera*, II., 740, 1132; and important letters to sheriffs in England; *ibid., 787, 799, 800, 814, 1134, 1137.*

\(^6\) There are two letters in *Fexdera* issued as early as 1220 and 1236, with the final clause *Actum apud Londonium*, and *Actum apud Wintoniam*, *Ibid., I., 158-9, 221-2.* Both proclaimed a truce with France. A writ
of all letters addressed to foreign courts; at any rate it is certain that what appear to be exceptional features in the letter to Louis de Male, were common to many of the same class. It is not to external or temporary influences that we must look, in explaining those features, but to the established customs of the English chancery.

In the address of the letter, in the dating clause, and on the seal, Edward is described as King of France and England. He had, of course, publicly proclaimed himself King of France as well as of England, on January 26th, 1340. In numerous letters published in Rymer's Faëdæra after that date, he was described as Rex Francie et Anglie; but in a few he was Rex Anglie et Francie. These two titles seem to have been kept carefully distinct, and used systematically, the one in letters that were being sent abroad, the other in letters used in England. In this document Edward is described as King of

with clause Datum apud, etc., is printed on p. 316, dated 1255, and addressed, omnibus baliuibus et fidelibus suis Vasconiae. After 1255 the clause appears frequently in Faëdæra, chiefly in letters relating to foreign countries. Faëdæra, I., 332, 354, 370, 380, 384, 398, 409, 410, 412, 414, 417, 419, 426, 435, 440, 446, 470, 471, 472, etc.; and ibid., II., passim.

It is interesting to notice in these letters occasional solemn phrases, seldom employed in ordinary letters patent and close, such as, In cuius rei testimonium præsentem paginam fessimus nostri munimine roborarit, and (in 1327 and 1328). Et hoc omnibus (quorum interest vel interesse poterit) significamus per has literas nostras patentes sigilli nostri munimine roboratas. Ibid. I., 332; II., 693, 730.

1 The final clause of this letter was used very frequently in both the Papal and French chanceries; Poole, Papal Chancery in the Twelfth Century; Octave Morel, La Grande Chancellerie Royale (Paris, 1900).


3 Faëdæra, II., 1127, 1170, 1187; III., 14, 19, 21, 32, 38, 58, 119, 168, 171, etc.

4 Ibid., 1220, 1243 (this was to the King of Portugal); III., 105.

5 This was the general rule in a number of original letters and copies which I have examined. For the original letters see p. 184, n. 2. With regard to the copies, I examined a number in H. E. Salter's Archives of the University of Oxford, pp. 139-189, and his Munimenta Civitatis Oxoniae, pp. 105, 122, 125, 138, 145, and in W. de G. Birch's Charters of the City of Lincoln. In the first collection, for instance, all the fifteen letters dated between February, 1340, and the Treaty of Bretigny, began with the clause Rex Anglie et Francie; and all were concerned with English affairs. After Bretigny, of course, Edward described himself simply as King of England, etc. The chancery rolls which might have offered conclusive evidence on the subject,
France and England, not only in the address and dating clause, but throughout the whole letter.

In the case of the seal, however, the situation is different. The natural inference to be drawn from the two titles of Edward III., is that he had two corresponding seals. Professor Willis thought this, as early as 1845. He suggested that Edward brought from Flanders in 1340, a seal with the inscription Rex Francie et Anglie, which he used in England after 1340, and took with him abroad on subsequent campaigns. Another seal, used in England whilst Edward was abroad, bore the inscription Rex Anglie et Francie. Both these seals, Willis suggested, were stored away when peace was made with France, but were given to Wykeham the Chancellor, on the renewal of the war in 1369. It is certain that Wykeham received two seals in 1369, one with each inscription; and Geoffrey le Baker, writing probably between 1347 and 1357, has repeated a story that as early as 1340, Edward III. had described himself, on his seal as well as his letters, King of England and France,—in suis sigillo et literis prius nominavit se regem Anglie quam Francie.

Unfortunately, however, every impression we have of Edward III.'s unfortunately, do not reproduce Edward’s full title, as given in the original letters. The date is given in full only in the first entry in each roll, e.g. Charter Roll No. 128—15 Edward III., the first entry on which is Carte de Anno regni Regis Edwardi Anglie quintodecimo et Francie secundo. The letters in Fœdera in which the phrase Rex Francie et Anglie is very generally used, were, of course, Litteræ ... inter Reges Angliae et Alios Quosuis Imperatores, Reges, etc. All the letters in Fœdera, cited in note 3 p. 182 were to rulers or people outside England.

1 Archæological Journal, II., 14-36. He argued from the entries in the patent and close rolls of chancery. It is only fair to add, that he himself stressed the fact, that he had not seen an impression of the seal of absence.

2 Cf. Fœdera, II., 1141.

3 Ibid., III., 868. Cf. ibid., 911, 912.

4 Chronicon G. le Baker (Edited E. M. Thompson), p. 66. De titulo et armis prenominatis taliter alloquebatur quondam Anglicos sibi missos tirannus Francorum: “Quod,” inquit, “cognatus noster arma gerit quadrata de armis Francie et Anglie compaginatis non nobis displicet, pro eo quod pauperiori nostri parentele bachulario partem armorum nostrorum regalium libertur concederemus deferendam; set quod in suis sigillo et literis prius nominavit se regem Anglie quam Francie et primum quarterium suorum armorum cum leoparidis anteponit quarterio liliato nos angustiat, videntes quod parvam insulam Anglie magno regno Francie preudicet honorandum.”
seal, in these years, bears the inscription *Rex Francie et Anglie.* Moreover, it is clear from a number of examples, that letters were issued with the formula *Rex Anglie et Francie,* bearing the seal inscribed *Rex Francie et Anglie.* This did not only happen when Edward was abroad, and when he might have had only one of the seals with him. Thus in spite of the evidence for two seals, it is almost certain that two seals did not exist until 1369; and it is possible that they were not used until considerably after that date.

The only mentions, *extra sigillum,* on the document, are the names above the seals. Dr. Fawtier has described these as being written after the seals had been attached. It is perhaps more natural, however, to regard them as guides, written immediately before the sealing, and indicating the order in which the seals were to be affixed. There could have been little point in emphasising the ownership of the seals, when they themselves proclaimed it so clearly.

There is nothing exceptional with regard to the seals that are attached to the document. The splendid great seal of the king is in Wyon's *Great Seals of England* (Plate X.). Those of Suffolk and Warwick, are in Birch's *Catalogue of Seals in the British Museum.* The following do not appear in that catalogue:


2 Through the kindness of Mr. A. H. Thomas, clerk of the records of the Guild Hall, London, and of Mr. Hilary Jenkinson of the Public Record Office, I have been able to examine a number of seals and the letters to which they were attached. In the case of four documents in the Guild Hall, for example, where the seal and document were in good condition, dated, August 20th, 1340, May 26th, 1341, June 10th, 1354, and December 4th, 1376, the address ran, *Edwardus Dei Gratia Rex Anglie et Francie,* etc., whilst the inscription on the seal ran, *Edwardus Dei Gratia Rex Francie et Anglie,* etc., whilst the inscription on the seal ran, *Edwardus Dei Gratia Rex Francie et Anglie.* All four were addressed to the City of London. The four most perfect seals in the Record Office collection, all bearing the inscription *Edwardus Rex Francie et Anglie,* etc., were similarly attached to letters in which the two countries were mentioned in the reverse order. They were dated March 13th, 1345, November 28th, 1358, January 20th, 1342, and February 1st, 1347. Ancient Deeds A.S. 512, *ibid.* B.S. 471. Duchy of Lancaster, Royal Charters No. 297, *ibid.* 305.

The seal on the letter dated August 20th, 1340, in the Guild Hall collection, is presumably the seal of absence; but it has the inscription *Rex Francie et Anglie,* etc. The one on the letter dated February 1st, 1347, is the same as that on the document printed below.
3. William de Bohun Earl of Northampton. The seal is red: 8.5 mm. A monkey (?) within a carved Gothic panel. . . . E.L.M. . . . It is very imperfect, with the right side broken.

4. Edward Prince of Wales. The seal is red: 38 mm. A shield of arms, quarterly, France (seme) and England, with a label of three points: at the sides two branches (or plumes ?); with a finely carved Gothic panel of eight cusps.

S. EDWARDI. PRIMO|GENITI. REGIS. ANGLIE] ET. [FRANCIE. PRINCIPIIS. WALLIE DU]CIS. CORNUBIE. ET. COMITIS. CESTRIE.
The seals of the Black Prince are discussed in Mrs. Margaret Sharp's A Jodrell Deed and the Seals of the Black Prince: JOHN RYLANDS LIBRARY BULLETIN, VII. 1; and in J. Moisant: Le Prince Noir en Aquitaine (Paris 1894), Appendix VII.

6. Richard Talbot, Steward of the Household. The seal is red: 38 mm.: a shield of arms couché; a lion rampant within a bordure engrailed; crest on helmet and chapeau; a talbot sejant. The background is replenished with lions (?) rampant.

SIGILLUM. RICARDI. TALEBOTT.

(9) John d'Arcy Junior. The seal is red: 30 mm.: a shield of arms, three roses between seven crosses crosslet, in a carved Gothic panel.

SIGILLUM. JOHANNIS DARCI.
The seal of his successor in the barony is described in Birch, II., 424.

All the seals are attached on green silk cords of varying thickness. The royal seal is in the green wax which was commonly used for charters and important letters patent. The other six seals are in red wax, the wax generally employed for small seals. Five of them are privy seals; the sixth is probably a signet. The greatest problem with regard to the seals is the complete absence of two of them, for which cords had been provided,—those of Bartholomew Burghersh and Reginald Cobham.

There is no direct evidence as to why the two knights did not affix their seals along with the rest; but there are one or two points, in the letters exchanged at Bergues, that throw some light on the matter. Firstly, the names above the cords, in Edward III.'s letter, were evidently written some time after the letter itself,—or all the
names would have been there, and by that time it was evident that Burghersh and Cobham would not be affixing their seals. Secondly, it appears likely that Edward III.'s letter was both drawn up and despatched on the 3rd of March. It is dated March 3rd, and so also is the letter of Louis de Male,¹ which was handed to Edward on March 4th, and contained Louis' part of the agreement. But Louis, on March 3rd definitely referred to Edward's letter which was in his possession—"certaines dons et promesses, contenues clerement es lettres que nous avons par devers nous, dut dit monsieur le Roy, sur le dit mariage." And again "la dite conte de Pontieu de Monstruel—ou les vint chinc mille livrees de terre, qui en lieu de ce nous seroient assises pres de Flandres, si comme es lettres don dit monsieur le Roy a nous baillies sur ce est plus planemen contenu." This seems to be more than common form. Thirdly, both Burghersh and Cobham were present, when Louis de Male's share of the agreement was handed to Edward III.² at Bergues, on March 4th. Finally, it must be remembered that both the knights were in the second—and less important, group of guarantors. This series of facts seems to point to one likely explanation. It is simply that the knights were expected at Bergues when the letter was drawn up; but they had not arrived, or were not available, when the rest of the guarantors affixed their seals. The matter was too urgent to wait; their seals were not indispensable; and the document was despatched without awaiting their arrival. It was well guaranteed for all practical purposes by the seals of the king, the prince and the first three securities, without holding it up further. There is little doubt that the whole matter was rushed through quickly at Bergues; and it was very natural that Edward at least would not delay to secure finally, the agreement for which he had worked so long.

It is not the least interesting aspect of the letter printed by Dr. Fawtier, that it was probably drawn up quickly and under unusual circumstances, that it was issued from the very small section of the

¹ Foedera, III., 111, 112.
chancery that accompanied Edward in his siege of Calais, and that it was yet so typical a product of the fourteenth century English chancery. It is in this that its value lies to the student of diplomatics. In the general history of the period it represents a traditional policy towards Flanders, and an attitude towards France, both of which subsequent events did much to modify. But they dominated the early years of the French war, and besides, influenced the general policy of Edward III. to an extent which critics of his statesmanship do not always sufficiently take into account.