NOT so very long ago the subject of parliamentary procedure in mediaeval England was still a dark and mysterious region. That great explorer of mediaeval constitutional history, Stubbs, for all his experience and learning, admitted how very little was known for certain of mediaeval parliamentary procedure, and had to eke out his description with a long extract from an Elizabethan account of the manner of holding parliament, that of Sir Thomas Smith. "Published speeches, the diaries of clerks and members, unauthorised and authorised reports of debate, enable us to realise, in the case of the later parliaments, almost all that is historically important. For the mediaeval period we have no such helps and for some particular parts of it we have no light at all. ..." When Redlich wrote, knowledge was still scanty; his pronouncement was that "In no department of parliamentary activity have we any description of the debates, or indeed of any technical details as to the order of business in the proper sense of the expression." In recent years a good deal of attention has been paid to this question, and we are now nearer to an understanding of it than Stubbs and Redlich were. The light thus shed has not, however, been by any means sufficient to render clearly visible all the workings of the parliamentary machine, many of which are still in varying degrees of obscurity. It is for this reason that the brief manuscript here printed, containing an account of a mid-fifteenth century parliamentary debate, is of considerable interest. The

1 The Constitutional History of England, iii. 390.
2 The Procedure of the House of Commons, (London, 1908), i. 20.
HARLEIAN MS. 6849, f. 77a: Reduced Facsimile.
Dimensions of original MS.: 12½" long x 8½" wide.
HARLEIAN MS. 6849, f. 77b: Reduced Facsimile.
Dimensions of original MS.: 12½" long x 8½" wide
whole document consists of only a single folio of paper (folio 77) in one of the volumes of the Harleian manuscripts (No. 6849) in the British Museum; but in view of the rarity of extant records of mediæval parliamentary debates, it possesses a scarcity value.

As will be seen from the facsimile, the document is written, partly in Latin, partly in English, in a secretary hand of the late sixteenth or early seventeenth century. This is in keeping with the statement, recorded on the verso, that it was sent by Sir William Dethick, Garter King-at-Arms (1543-1612), to his friend, the celebrated antiquary, Sir Robert Cotton (1571-1631), and the note on the recto 'Collected and noted per Garter.' If Dethick was describing himself correctly when he wrote on the verso 'yor frend Sr Wm Dethik Garter,' the document in its present form can be dated to within less than two years. Dethick was knighted on 13th May, 1603, and deprived of his office by the court marshal held on 26th January, 1604-05. It should, however, be added that Dethick seems to have been a man of overweening pride, and he may have continued on informal occasions, such

1 It seems incredible that this should refer to John Smert (1449-1479), the second Garter King-at-Arms, and that Dethick should have copied out the document verbatim. The coincidence is too great to believe.

Presumably this document was actually sent to Cotton. In that case it is difficult to see how it got into the Harleian collection. Volume 6849 is described in the Catalogue of the Harleian MSS in the British Museum, iii. 435, as "A Folio, containing Papers relating to Parliamentary and other Affairs of State. Similarly bought." The previous volume, No. 6848, to which this refers, is described (ibid.) as "A Folio containing Papers chiefly relating to Ecclesiastical Affairs. A great part of them bought of Mr. Baker by Mr. H. Wanley." 'Mr Baker' is, presumably, Thomas Baker, the celebrated antiquary, (1656-1740), who was a friend of Humphrey Wanley, (1672-1726), librarian to the first and second Earls of Oxford. It has proved impossible to discover for certain how Thomas Baker might have acquired the document which is here printed. If it was not bought from him, (and not all, but only 'a great part' of Vols. 6848 and 6849 are said to have been), Robert Harley, first Earl of Oxford, may have acquired it in the collections, which he bought, of the antiquaries John Stow or Sir Simonds D'Ewes. Sir Robert Cotton may have lent or given the document to either Stow or D'Ewes, for both were friends of his. He is particularly likely to have passed on the document to D'Ewes, in view of the latter's interest in parliamentary history.


as this, to use the title of ‘Garter,’ even after that office had been taken away from him. If such was the case, the document, in its present form, may have been written at any time between 1603 and 1612.1

Whatever the exact date when Dethick wrote out the manuscript,2 it is clear that in its present form it belongs to the early seventeenth century. Yet it claims to deal with a debate on the best way of obtaining supplies to enable armies to be dispatched to Normandy and Guienne, a discussion which took place, so the document states, ‘in parlimento apud Wintoniam Henrici sexti.’ Fortunately, there is no difficulty about dating this, for only one parliament ever met at Winchester during the reign of Henry VI. This was the parliament which was opened at Westminster on 12th February, 1448-49. On 30th May, 1449, it was prorogued for the Whitsuntide festival until 16th June, and was ordered to meet then at Winchester, since the king had been credibly informed ‘de aeris corrupcione ac pestilencia, adtunc in diuersis locis infra Civitatem suam Londoniensem ac eciam in Villa Westmonasteriensis, Palacio suo adjuncte, regnante, vbi presens parlamentiunum vsque tunc tentum fuit.’ At Winchester the parliament continued to sit from 16th June until it was dissolved a month later, on 16th July.3

There may seem, therefore, too great an interval of time between the preparation of the document as we have it now, and the events which it purports to record. Nevertheless, there appears to be no adequate reason to doubt the trustworthiness of the manuscript. Dethick had many faults, but intellectual dishonesty, or a weakness for fabricating historical documents,

1 There are on the dorse of the manuscript two sentences, written in a hand different from that of the rest of the document, which might perhaps throw some light on the date of its compilation and Dethick’s connection with it, if they could be deciphered. They have, however, defied all attempts to make them yield their secret. The assistance of several skilled paleographers has been obtained, but with no success.

2 Mr. A. R. Wagner, Portcullis Pursuivant, the authority on Dethick’s handwriting, has very kindly examined photographs of the manuscript for me. He states that these photographs resemble very closely the examples of Dethick’s hand with which he has compared them, and has very little doubt that these examples are his also.

3 Public Record Office, C 65/99; Rotuli Parliamentorum, v. 143.
were not amongst them. Besides, no useful purpose could have been served by inventing a document such as this. Nothing in its contents can possibly have been of any material assistance to Dethick in his career; while as a historical 'find' it lacks the sensationalism for which a forger would have sought. Furthermore, if one is going to commit a forgery, why not produce a fair copy, free from redundancies, such as that in the first line of Lord Stourton's expression of opinion, and apparently careless mistakes, like the omission of the words 'names of' before 'knightes' in the same speech, or the misspelling of 'amongst' in the remarks of Lords Sudley and Cromwell? Why not issue a coherent version without any difficult passages, such as "Ane is that all they that have lyvelodes bond them selfe for to gevve that valew of that lyveled to defend that land," where it is hard to see to what the words 'that valew' refer? And it must be remembered that Dethick was an antiquary of some repute, the friend of men like Stow, Cotton, Doderidge, Carew, and Bowyer, and, like them, a member of the Society of Antiquaries, which sometimes met at his house. Indeed, it may be that Dethick copied out this document for Cotton in connection with the Society's activities. The linguistic evidence of the English section of the manuscript also supports the view that it is directly or indirectly derived from a fifteenth-century original. Moreover, there is already in print a very good instance of a fifteenth-century parliamentary document which is extant only in a late


2. Dr. C. T. Onions, who has very kindly examined a transcript of this document for me, states that "it may well be a copy of a fifteenth-century original. There have no doubt been alterations in spelling by the transcriber, but they do not disguise the general linguistic features of the original." Of individual words, 'good' or 'goodes', used to mean money, is, perhaps, the strongest evidence that the document is not a concoction of the late sixteenth or early seventeenth century, since the use of the word 'good' in this sense was obsolete by the end of the sixteenth century. It is true that if the original dates from the mid-fifteenth century, the use of the word 'enpennell' is earlier than any given in the New English Dictionary; but since the Latin 'impanalare' was being employed before 1449, there would, Dr. Onions thinks, be no difficulty in anglicizing it at any date after its appearance. (Ducange cites a use of the word 'impanalare' in 1447; see Glossarium Medici et Infimae Latinitatis, tomus iv, p. 302.)
sixteenth or early seventeenth-century transcript; the Fane fragment of the 1461 Lords' Journal.\(^1\)

It is evident that this account of a mid-fifteenth century debate is an authentic one; but that is not to say that the document was copied directly from a fifteenth-century original. It is not merely a question of Dethick's inclination or capacity to transcribe with accuracy, or whether the latter part of the document—the report of the debate—was in English or Latin in the original. It is a bigger problem than that, due to the puzzling nature of the phrase "Collected and noted per Garter," which is written immediately below the list of names. The question is whether the document in its present form is based, not on a single original, but on different sources, and, if so, what was the date at which the list of names was first written. Was it compiled at, or soon after, the time at which the debate took place, as the report of the debates must have been, or was it composed by Dethick?

There are one or two features of the list which at first sight seem to weigh heavily in favour of ascribing the authorship to Dethick. For one thing, to suppose that Dethick himself drew up the list of names provides the easiest way of explaining the statement "Collected and noted per Garter." Moreover, one item in the list does seem quite clearly to be later than the mid-sixteenth century in origin, and therefore to be attributed to Dethick. This is the gloss 'episcopus Chester,' squeezed into the list of names above 'episcopus Coventrensis.' In the fifteenth century it was very common to refer to the bishop of Coventry and Lichfield as the bishop of Chester,\(^a\) and con-

\(^{1}\) For facsimiles of the folios of this document, see W. H. Dunham, The Fane Fragment of the 1461 Lords' Journal, (New Haven, 1935). It is interesting to note that, just as in Harleian Ms. 6849, f. 77, the list of names is in Latin and the report of the debate is in English, so in the Fane document the names of the Lords are in Latin whereas the records of the proceedings each day are in English.

\(^{a}\) One of the clearest instances of this is in 1420. There is an entry in the Patent Roll for 15 April in that year, the gist of which, according to the Calendar of Patent Rolls, was "Grant to the elect of Chester, late abbot of St. Albans, that he may have the temporalities of the bishopric of Chester . . ." (C.P.R., 1416-22, p. 276). For 23 October of the same year there is record of a "Mandate to the escheator in the county of Cambridge for the restitution of the temporalities of the abbey of St. Albans to John Whathamstede, doctor of theology, late prior
sequently there was no need for a writer at that period to provide the information that 'episcopus Coventrensis' was 'episcopus Chester.' After 1541, however, such an explanation would be of service to readers, who would now be familiar with a bishopric of Chester distinct from that of Coventry and Lichfield. The mention of the bishopric of Chester in the report of the debate, and the absence from it of any reference to the bishop of Coventry and Lichfield, may well have prompted Dethick to insert this gloss on 'episcopus Coventrensis.'

In reality, these arguments are not, however, by any means conclusive in favour of attributing the compilation of the list to Dethick. He may have intended the statement "Collected and noted per Garter" to refer to the whole document, and to indicate that it was he who had collected the list of names and the report of the debate together, and had noted or transcribed these interesting records which he had discovered. To the objection that the statement seems to refer to the list and not to the whole document, the reply could be given that, owing to the lay-out of the document on the particular sheet of paper which he had chosen, Dethick probably wrote this remark of his own immediately below the list of names simply because it was the most convenient and most prominent blank space left on the sheet. Nor is the reference to 'episcopus Chester' incontrovertible evidence that it was he who compiled the list of names. It is possible that he added the gloss to a list which he had compiled, by his own researches, of individual names found in fifteenth-century sources, but he may, alternatively, have inserted the gloss in a fifteenth-century record which he was merely transcribing.

The case against attributing the authorship of the list to Dethick does not, however, rest solely on these reasons, which, though forceful, lack conclusive factual evidence to support them; there is a stronger argument in favour of ascribing to the whole of the monastery, elected abbot in the place of William Hayworth, consecrated bishop of Coventry and Lichfield . . ." (ibid., p. 302). Other examples could be cited, but this one alone shows how, even in official documents, the bishop of Coventry and Lichfield was referred to with complete familiarity and lack of hesitation as the bishop of Chester.
document a fifteenth-century origin. This is based on the brevity of the reference to ‘Cardinalis’ in the list of names. It would be quite natural for a clerk writing in 1449, or thereabouts, to write ‘Cardinalis’ without any further particulars. There was only one English cardinal at that time, John Kemp, Archbishop of York, and so there was no possibility of confusion. If, however, Dethick had been compiling the list ab initio, he would surely have felt it necessary to give some indications, for the benefit of Sir Robert Cotton, or other readers, as to which cardinal he meant. There is a chance that Dethick found a terse reference to ‘Cardinalis,’ and, owing either to disinclination or inability to say which cardinal this was, decided to leave it as it stood in transcribing it; but this does not seem likely.

Although the evidence is not strong enough to warrant an emphatic assertion that the author of the list was not Dethick but someone writing in the mid-fifteenth century, there is, at any rate, a presumption in favour of this view. But even if this presumption were to be turned, by the discovery of further evidence, into a certainty, that would not solve all the difficulties presented by the list. What are we to make, for example, of the mention in it of the Prior of the Order of St. John of Jerusalem in England, and of ‘Dominus Southwek’? There is no mention in the Lords’ Reports touching the Dignity of a Peer of a writ of summons to the Prior. As for ‘Dominus Southwek,’ the only peer to whom this can refer is Lord Stafford of Southwyk or Southwick. The sole person to bear that title, so far as is at present known, was Sir Humphrey Stafford (of Southwick), who was merely nine years old at this time, and was not summoned to parliament as Lord Stafford (of Southwick) until 26th July, 1461, by a writ directed ‘Humfrido Stafford de Suthwyk militi.’ It may be that his father, William Stafford, who apparently held the manor of Southwick, in the parish of North Bradley,

1 The list of persons who received a personal writ of summons to this parliament is given on pp. 918-19 of the Lords’ Reports touching the Dignity of a Peer, App. I, Part II.

Wiltshire, at this time, was summoned to this spring parliament of 1449. If so, the fact is not recorded in the usual sources. The omission of a name from an authority like the *Lords’ Reports touching the Dignity of a Peer* is not always a safe test of whether a man did actually receive a summons to the parliament in question; but even if the Prior of St. John of Jerusalem in England and ‘Dominus Southwek’ were actually summoned to this parliament, other features of the list still remain to be explained. There is the fact that it does not comprise the names of all those who are recorded as speaking in the debate. The Bishops of Salisbury and Ely expressed an opinion during this discussion, but there is no mention of them in the list of names. Then, again, it refers to the Earls of Warwick, Wiltshire, and Worcester, although none of these three earls bore the title at the beginning of the parliament. Lord Tiptoft was made Earl of Worcester only on the last day, while Sir Richard Nevill was not confirmed as Earl of Warwick until a week after the parliament had been dissolved.

The references to the Earls *eo nomine* suggest that the list was not compiled until after the parliament had been dissolved, whereas the report of the debate must have been written as the debate took place, or within two or three days afterwards. Otherwise, the man who recorded it would have forgotten what each speaker had said in the debate. Although, therefore, it is likely that the list of names was compiled by a fifteenth-century writer rather than by Dethick, it seems probable that it was drawn up, not at the same time as the report of the debate, but subsequently to it. It is reasonable to suppose that the list would be written down shortly after the parliament had ended, rather than years afterwards.

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1 The manor of Southwick came into the Stafford family with William Stafford’s grandmother. In 1449 most of the Stafford estates seem to have been held by another Humphrey Stafford, the son of William Stafford’s elder brother John; but the manor of Southwick had descended to William Stafford. (Cf. Inquisitio post Mortem on Katherine, William Stafford’s widow, 19 Ed. IV, No. 47. Public Record Office, C 140/71/47.)

2 See the case of the Earls of Huntingdon and Stafford in 1432, cited by the present writer in an article on ‘Parliamentary Petitions in the Fifteenth Century,’ in *E.H.R.*, lli. 396.

later when men would have forgotten which lords had attended any particular debate. The clerk of the parliament may have been the person responsible for this list; but of that one cannot be certain.

From the list of names it is time to turn to the report of the debate. One of the first impressions on reading through it is of its fullness, considering that it is a fifteenth-century record. This alone seems sufficient to dispel any possible notions that it is a fragment of an early form of Lords' Journal. The Lords' Journals developed, naturally enough, from a meagre record of what bills were introduced day by day before the Lords, and of what happened to them, to a detailed account of the debates which took place. It would be unnatural to find the detailed reports of a 1449 Lords' Journal followed by the brevity of that of 1461, the first Journal of which any portion is at present known to exist. It may, however, be the case that the clerk of the parliament had already begun to keep a Journal and to make notes of the debates in preparation for compiling it. In Bowyer's day, in the early years of the seventeenth century, "The Clerke of the Parliament doth every day (sitting in the House or Court) write into his rough or scribled Booke, not onely the reading of Bills and other proceedings, of the House, But as farre forth, as he canv, whatsoever is spoken worthy observation; Howbeit into the Journalle booke which is the Record, he doth in discretion forbear to enter many things spoken, though memorable, yet not necessarie nor fitt to be registered and left to Posterity of Record." 

It must, nevertheless, be recognised that there is no evidence

1 The clerk of the parliament in 1449 was John Fawkes. He held the office from 1447 to 1471 (A. F. Pollard, 'Fifteenth Century Clerks of Parliament,' in Bulletin of the Institute of Historical Research, Feb. 1938, xv. 150-2), and was therefore the clerk who compiled the 1461 Lords' Journal. As Professor Pollard observes, "he was obviously keeping some sort of 'diurnal' of parliament" in 1455 and 1460; and this fact makes it appear the more likely that he was making notes of the debates in 1449.

2 Petyt MS. 537, vol. I, quoted by Miss E. Jeffries Davis in E.H.R., xxviii. 533. Robert Bowyer was qualified to speak on the subject, as he was clerk of the parliament from 1610 until his death in 1622. For details of his life see pp. viii-xiii of D. H. Willson's The Parliamentary Diary of Robert Bowyer, (Minneapolis, 1931).
that this practice was in existence in 1449, and the report of the debate may have been drawn up for some other reason. The clerk of the parliament may have noted the opinions of the various speakers on the question of reinforcements for Normandy and Guienne in order to present a report to the king. Alternatively, he may have taken down this record of the debate to serve as an aide-mémoire, in case he should be required to insert a reference to it in the parliament roll. Yet another possible explanation is that the report may have been needed to let the Commons know what the Lords thought about the business; for it will be noted that in the debate the Lord Treasurer (Bishop Lumley of Carlisle) proposed that the views of the Lords on the best means of sending forth men and arms to France should be laid before the Commons. We cannot be dogmatic about the reason for the compilation of the report.

The discussion on the authorship and purpose of the document have not yielded any very definite conclusions; but a consideration of the debate itself produces more positive results. This discussion may have taken place for one of two reasons, or, more probably, because of both. One was the English reverses in Normandy during this session of parliament at Winchester, and of this more will be said presently. The other is the appeal for help made in this parliament "by the Kynges comandement, bothe to the Lorde and the Commynes," by Reginald Boulers, Abbot of St. Peter's Abbey, Gloucester (1437-1450), on behalf of the Duke of Somerset, Lieutenant of France. This appeal directed attention to three pressing reasons why assistance must be given. The first was the menacing attitude and warlike preparations of the enemy. "The secunde parte ys, to shewe that if the werre shuld falle, as God defende, the Contrey of Normandie is in no wyse of hitself sufficeant to make resistence ayeinst the grete puysance of the said Aduersaries. . . . The thrid part is, to remembre that the finalle terme of the last trewe approchith fast, for as youre wysdomes have well in mynde, hit shall laste nowe not XIII monethes, and therfore it is thought right high tyme to bygynne your purveance for the

1 P.R.O., C 65/99; Rot. Parl., v. 147-8.
safeguard of that noble land. Wherfore my Lord of Somerset moost humblye besekith the Kynges Highnesse, tenderly prayeth all my Lordes his Conseilliers, and hertly willyth all youre wysdomes, to haue that noble land in youre good and special remembranunce, callyng to youre mynde the grete, inestimable, and well nygh infinite cost and effusion bothe of good and blood, that this land hath borne and suffered for that land sake, wherof the shamefull losse, the whiche God euer defende, shuld not oonly be to the irreparable hurt of the comyne profite, but also a everlasting spite and perpetuall denigration in the fame and renoune of this noble Reme.” The truce was due to expire on 1st April, 1450, so that, judging by the statement that the final term of the last truce would not last fourteen months, Somerset’s appeal must have been made some time in February, 1448-49. Before parliament had met at Winchester, however, the war had begun again, owing to that rash and wanton act of aggression, the seizure and sacking by François de Surienne, “l’Arragonais,” and his men, on 24th March, 1449, of the important town of Fougères in Brittany. Already by 16th June, when the parliament was re-opened at Winchester, the French had retaliated by capturing Pont-de-l’Arche, Gerberoy, and Conches, and taking prisoner Lord Fauconberge. The outlook for the English position in Normandy was black indeed.

Even in this crisis there was, however, no unanimity amongst the Lords in this debate that troops should be sent out to France immediately. The first speaker, Lord Stourton, gave an opinion which seems to imply that he favoured the appointment of commissioners of oyer and terminer to establish better order in England before anything else were done. The evils with which such commissions were to deal were closely interconnected.

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1 T. Rymer, _Foedera_, (Original edition, 1710), xi. 199.
The giving of liveries to bands of retainers was an outward and provocative manifestation of that spirit of factious rivalry among the nobility which was almost certain to lead to "murders, and Ryottes agaynst the peace." To empanel knights, squires, and 'other men of might,' in the shire concerned, on such commissions was not, however, likely to aid in securing better order. In a great many cases such a proceeding was likely to 'set a thief to catch a thief' and to facilitate the maintenance of evil-doers, which was helping to drag the country ever nearer to the verge of civil war.

Lord Stourton was not alone in his opinions. Sudley and Cromwell held a similar view, and added that a general accord amongst the magnates was a necessary preliminary to raising troops for the French war. It is interesting to find the Yorkist Cromwell in agreement with the ardently Royalist Sudley. Probably the partisans on either side recognised that, in view of the increasing disorder in England, the issue of commissions of array might be dangerous. The musters so raised might be used for fighting in England instead of abroad, unless better justice and a greater degree of order could first of all be secured. Such a line of argument is interesting from many points of view, not least from that of the fortunes of the war in France. It may be one of the reasons why Somerset was so inadequately supported by the home government during these years when the power of the English in Normandy was fast ebbing away. Later on in the same debate William of Waynflete, Bishop of Winchester, Cardinal John Kemp, Archbishop of York, and William de la Pole, Duke of Suffolk, all expressed the same opinion, that a measure of justice must be obtained before it would be safe to consider raising levies of shire-archers. Appropriately enough, several of the bishops present—those of Norwich, Chester, Bath, and Worcester,—took an optimistic view of the possibility of obtaining such justice by peaceful methods.

1 At this time the bishops of Norwich, Chester (i.e. of Coventry and Lichfield), Bath, and Worcester were, respectively, Walter le Hart, William Booth, Thomas Beckington, and John Carpenter.

2 The most rational way of interpreting the words 'without difference,' in the opinion expressed by the bishops of Norwich and Chester seems to be to take them as meaning 'without dispute or quarrel,' and hence 'peaceably.'
The Bishop of Chichester—Adam Moleyns, at this time Keeper of the Privy Seal—was, however, concerned with ways and means of sending out an army to France. This was only natural, for he was an influential member of the government, and therefore (as later events were to prove) one of those who would be made to pay dearly if the war should end in disaster. He proposed, in the first place, that all those persons who had an income should promise to give up a certain proportion of it for the defence of the English possessions in France. Probably he hoped that the proportion would be a high one, to judge by his second proposal. This was a suggestion that all those who received grants and annuities from the king should forego a whole year’s grant, so that the money thus freed could be used to send out armies to France. Considering the liberality, not to say prodigality, with which the Council of Regency, and, later, King Henry himself, had poured out grants of one kind or another, such a method, if it had been applied, would have yielded a very considerable sum. Criticism against the unduly large number and value of Crown grants was becoming common; less than a year later an Act of Resumption was passed. But the policy proposed by Bishop Moleyns was too bold for the other lords who took part in this debate. The Bishops of Salisbury and Ely held that the precedents which had previously been established in such matters should be consulted, presumably with a view to following them.

These bishops were followed in the debate by the Lord Treasurer, Bishop Lumley of Carlisle, who was naturally anxious to turn to account the discussions of the Lords on this question. He suggested that their proposals as to the best ways of procuring arms and men for the relief of Normandy and Guienne should be

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1 In the fifteenth century, ‘livelihood’ or ‘livelihoods’ could, amongst other things, mean (a) income, revenue, stipend, emoluments, and also (b) property yielding an income, landed or inherited property, estate, inheritance, patrimony (N.E.D., Article on ‘livelihood’). It is hardly likely that Moleyns wished to propose anything so drastic as the sale of part of a man’s estates in order to provide money for relief to be sent to Normandy and Guienne.


3 William Aiscough and Thomas Bourchier, respectively.
laid before the Commons, who should be urged to contribute as generously as possible towards the expense. He must have felt disappointed by the size of the grant which was actually made. "The Conclusion of this Communication is to take the Usuall of graunt of Good for the defence of the Land"; and by 'the usual grant' was meant a half-subsidy, to judge from the fact that the Commons did actually make such a grant during this session, to add to the half-subsidy which they had already granted before Easter.

The discussion on ways and means of sending out relief to France was not the only business of the day. A letter from the famous François de Surienne, 'the Aragonese,' to the Duke of Suffolk was read out before the Lords, who strongly approved of it. It seems possible that this letter was the one which de Surienne is known to have sent to Suffolk shortly after the capture of Fougères. It informed the Duke how the town had been captured, and how de Surienne had refused to give back the place to the Duke of Brittany without the consent of King Henry or Suffolk, whose commands he professed to be willing to obey precisely. The Lords would be likely to approve of such a jingoistic letter, for even now most Englishmen did not realise how desperate the English position in Normandy had become, and were ready to applaud rash acts such as that of de Surienne without stopping to reflect on their consequences. If that triumphant letter is not the one which was read out in parliament on the occasion recorded in this manuscript, then the reference to the latter epistle is one more piece of evidence to add to the mass already known, that Suffolk and the English government were deeply implicated in the attack on Fougères.

1 It is unfortunate that we are not told how this conclusion was reached,—whether by acclamation, the taking of a vote, or a summing-up of the general feeling of the assembly by the person presiding, whether the Chancellor or some other person.

2 Rot. Parl., v. 144, 142.

3 J. Stevenson, Letters and Papers illustrative of the Wars of the English in France during the reign of Henry VI, (Rolls Series, 1861), i. 289-90.

4 According to de Surienne's account, both Henry and Suffolk replied, ordering him to keep Fougères diligently, and telling him to see that his troops were in good order for the safety and defence of the place (ibid., i. 290).

5 E.g. Stevenson, op. cit., i. 278-98; Basin, op. cit., iv. 290-347.
The seizure of that town was a blundering act of provocation; but it must be recognised that if it had had fortunate results, Suffolk would have enjoyed great popularity. He had to deal with a very difficult situation, and on his shoulders rests only part of the responsibility for the loss of the English dominions in northern France; but when disaster came, popular fury looked for a scapegoat on whom could be laid the whole of the blame. There is no mention of any disapproval of de Surienne’s letter from those who were present at this debate, and no suggestion, on grounds of either morality or expediency, that the attack on Fougères had been wrong. On the contrary, the letter “was thought right notablely wrytten.” As M. Bossuat points out, a breach of the truce was nothing fresh; both sides had been responsible for various incidents, and “les hommes d’armes, de quelque parti qu’ils fussent, avaient tendance à considérer ces attaques comme des peccadilles. La prise de Fougères était pour eux un exploit qu’ils étaient bien près d’admirer.” That was probably how the Lords present in parliament on this occasion regarded the matter. They, in common with the English government overlooked two features of the capture of Fougères which, to the French, made the seizure of that town a far more serious matter than any previous infraction of the truce. One was the complicity of the English government in the affair; the other, its attempt to make use of the capture of Fougères to further a scheme for subjugating Brittany to the English Crown.

Transcript of HARLEIAN MS. 6849, f. 77a.

Cardinalis.  Dux Suffolciae.

Archiepiscopus Cantuariensis  Comes Warwici  Prior Sancti Johannis de Jerusalem in Anglia
Episcopus Wytoniensis  Comes Devoniae  apud Wintoniam
Episcopus Caerlyle  Comes Wiltesiae  Henrici sexti
Episcopus Landevensis  Comes Wigorniae
Episcopus Bathoniensis
Episcopus Wygorniensis
Episcopus Cestriensis  Vicecomes Beaumont
Episcopus Norwicensis  Vicecomes Burcher
Episcopus Chester [sic]  Vicarchebra
Episcopus Coventrensis  Vicarchebra
Episcopus Bangorensis
Abbas Westmonasteriensis
Abbas Glocestrensis  Collected and noted per Garter

Question is how good might be had for the setting forth of the Armys into Normandie and Guyon.

The Lord Sturton thincketh there there [sic] would be certeyne Comissioners of Oyer and Terminer to enquire of murders and Ryottes agaynst the peace. Also of lyveries and that every Sheriff should certefie to the Comissioners all the Knights [sic] names of Knights Esqui[r]es and all other men of might within his shiere that they maye knowe whom they maye enpannell suche as be sufficient.

The Lord Sudley thincke that dew Justice might be had and a good accord amongest the Lordes first.

The Bishop of Chichester thincketh ij wayes to have goodes. Ane is that all they that have lyvelodes bond them selfe for to geve that valew of that lyveled to defend that land. Also that they that have grauntes and Annuytes of the kings geve a yers valew of the grant and annuyte before hand to helpe forthe the Armys for the defence of that Contreye.

The Bishop of Norwich houlden that without difference Justice maye be had. And that halfe the shere archers should be sent forthe with the grauntes that ben granted for the defence of those partes.

The Bishop of Bathe houlden after the same.

The Bishop of Sarum houlden that the presedentes that hathe ben in suche matters should be seen.

The Lord Treasurer thincketh that this dillegence that the Lordes don for this matter bothe for Ordinans and for men to be sett forth and for to se the ways how good might be had for them to be sent forth whiche should be layed before the Commons. And they to be entreated to consider the great dillegence would put their handes to theyr goode benevolence to see how good might be had to performe the purpose of sending forth the sayd Armys.

The Lord of Wynchester houldeth that dewe Justice maye be had and then to ordeyne of other of the shere Archers.

The Lord Cardinell houldeth to the same opinion.
The Conclusion of this Comunication is to take the Usuall of graunt of Good for the defeence of the Land. / 

Item this day was the Letter that Sir Francis Le Arragonois sent to the Duk of Suffolk red befor the Lordes in the parliament the whiche was though right notabley wrytten. /

f. 77b.

On the dorse of the folio is the address:—

To S[r] Robert Cotton
[from yor frend Sr. Wm.
Dethik Carter.