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READINGS AND MOOTS AT THE INNS OF COURT IN THE FIFTEENTH CENTURY

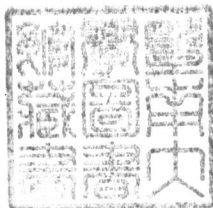
VOLUME I

EDITED
WITH AN INTRODUCTION

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PREFACE.

THIS volume and its successor are by-products of a study of the common law in the fifteenth century, itself only preliminary to an intended assessment of the legal innovations and modifications of the troubled century that followed. In the course of that study a number of readings at the Inns of Court, largely unexplored repositories of fifteenth-century legal thought, were examined and transcribed. Five of these and portions of eleven others appear here. Another, Robert Constable's lectures at Lincoln's Inn on *Prerogativa Regis*, with extracts from six other readings on the same subject, including Thomas Frowyk's, was published by the Yale University Press in 1949. Edmund Dudley's two Gray's Inn readings, on Westminster II, ca. 25, and Quo Warranto, edited by Miss D. M. Brodie and almost ready for the press, will appear under the same auspices in 1955. When Miss B. H. Putnam's well-known transcript of Thomas Marowe's reading at the Inner Temple on Westminster I, ca. 1, is added, the list of modern editions of readings prior to Henry VIII is complete.

If the reader's meaning is sometimes obscure and the matter discussed perplexing, the collateral difficulties raised by the many readings bearing no date, no reader's name or no note of the Inn at which they were given, are severe. Indeed, when the reader's name is known it is by no means a simple matter to give his reading an approximate date or identify him as the fellow of a particular Inn. Nothing remains of the fifteenth-century records of Gray's Inn or the two Temples and unneeded confirmation of the maxim *ex nihilo nihil* frequently is the only result of the most prolonged and determined attempt to divine the names on a page or two, or half a page, of their lost admission registers. Nevertheless, from scribbled notes of readings and moots, something has been learned not only of the course of study and its content but of the forgotten benchers and barristers who sustained the burden of learning at the fifteenth-century Inns.

Since the readings here printed are long, only so much of this matter as is necessary to introduce them, establish the identity of their authors and assign each a reasonable date, appears in Volume I. A general account of late medieval legal education has been deferred to Volume II,

which will contain, in addition to its text of moots argued at Gray's Inn and the Inner Temple, lists of readers, known and probable, and a catalogue of the readings so far found.

Prolonged examination of the legal manuscripts in the University Library, Cambridge, was only made possible by an appointment in 1951 as visiting lecturer in the University under the Fulbright Plan. For the opportunity so afforded I am indebted to the Department of State of the United States, the United States Educational Commission in the United Kingdom, the Faculty of Law of Cambridge University, the Master and Fellows of Trinity College and the Master and Fellows of Downing College. It is also a pleasure to acknowledge again the assistance this and other studies in the history of English law have had from the John Simon Guggenheim Memorial Foundation.

S. E. T.

INTRODUCTION.

I.

THE SEQUENCE OF READERS AND STATUTES

EXTRAORDINARY circumstances apart, in the latter half of the fifteenth century an Autumn or first reader at Lincoln's Inn looked forward to reading for a second and last time a little more than five years later, in the Lent vacation of the sixth year after his first reading. That must, at least, have been the expectation of the fifteen first readers from Autumn 1478 to Autumn 1492, though in Lent of the next year the interval for Robert Drury and the Lent readers following him was shortened because of John Thornborough's defection. It is perhaps more accurate to say that one who filled the office of first reader was expected to read again in due course, without reference to a fixed interval, in the Lent vacation next after that filled by his immediate predecessor in that office, but, since the two ways of approaching the matter often led to the same result, they were often confused. This orderly progression of readers 'in their ancienties' sometimes was interrupted. Death, illness and other unforeseen events occasionally modified the scheme as abstractly conceived. Nevertheless it is obvious, from the list of readers at Lincoln's Inn below, that practice approximated it very closely and would, barring accidents, have been identical with it.

1478	Lent	
	Autumn	Thomas Appilton (I)
1479	Lent	James Hobart (II)
	Autumn	No reading <i>causa pestilentiae</i> .
1480	Lent	Kenelm Digas (II)
	Autumn	John Turpin (I)
1481	Lent	John Bradshaw (II)
	Autumn	Robert Rede (I)
1482	Lent	Thomas Lovel (II)
	Autumn	John Butler (I)
1483	Lent	Thomas Jenney (II)
	Autumn	Richard Higham (I)

1484	Lent	Thomas Appilton (II)
	Autumn	Robert Morton (I)
1485	Lent	William Donington (III)
	Autumn	William Frost (I)
1486	Lent	John Turpin (II) but Robert Rede (II) serjeant.
	Autumn	Thomas Gigges (I)
1487	Lent	John Turpin (II)
	Autumn	John Thornborough (I)
1488	Lent	John Butler (II).
	Autumn	Robert Drury (I).
1489	Lent	Richard Higham (II)
	Autumn	Robert Constable (I).
1490	Lent	Robert Morton (II) but d. 1490. Edward Redmayne (I)
	Autumn	John More (I)
1491	Lent	William Frost (II)
	Autumn	John Allen (I)
1492	Lent	Thomas Gigges (II)
	Autumn	Francis Calybut (I)
1493	Lent	John Thornborough (II) but pardoned. Robert Drury (II)
	Autumn	William Cutler (I)
1494	Lent	Robert Constable (II)
	Autumn	John Newport (I).
1495	Lent	Edward Redmayne (II) but pardoned. John More (II)
	Autumn	John Wood (I) but Robert Constable (III) serjeant
1496	Lent	John Allen (II)
	Autumn	John Wood (I)
1497	Lent	Francis Calybut (II)
	Autumn	Humphrey Segiswyk (I)
1498	Lent	William Cutler (II)
	Autumn	Roger Martin (I)
1499	Lent	John Newport (II)
	Autumn	John Newdigate (I)
1500	Lent	John Wood (II)
	Autumn	William Wadham (I) but no reading <i>causa pestilentiae</i> .
1501	Lent	Humphrey Segiswyk (II) but d. 16 Feb. 1501. William Wadham (I)

The few departures from the norm, appearances out of interval, so to speak, once recognized, are readily explained. William Donington, Lent reader in 1485, unlike the others, had not read in the Autumn vacation six years earlier, that of 1479. Indeed, he had completed his two readings long before, the last in Lent 1473, and his third appearance, twelve years later and out of course, was an extraordinary one. It was due solely to the plague, because of which no vacation had been held in the Autumn of 1479.¹ Consequently it was the turn of no particular

¹ *Black Books of Lincoln's Inn*, i. 66.

reader to undertake the Lent reading of 1485. A vacancy in Lent vacation might be filled in any one of three ways: (1) by a first reader, as was done in Lent 1490, when Robert Morton died, and Lent 1501 when Humphrey Segiswyk died, or (2) by closing ranks and calling the next Lent reader a year before his time, as Robert Drury was called when John Thornborough was pardoned the Lent reading of 1493 and John More when Edward Redmayne was excused his second reading in Lent 1495.¹ Neither of these methods was adopted in 1485 but the place filled instead by (3) the appointment of one who had already completed his readings, William Donington, evidently a volunteer from the Inn bench.

Another departure appears in Lent 1486. The reader in that vacation normally should have been John Turpin, who had given his first reading in 1480, yet Robert Rede, who had followed Turpin and thus should not have again been reader before Lent 1487, was the reader in fact. He, however, had been ordered in November 1485 to take upon himself the degree of serjeant at law in July 1486.² If a vacation intervened between call and appointment, as the Lent vacation did here, it was given to the junior among the men called to be serjeants from the Inn. If he had read but once, he was called upon for a second reading, as was Rede;³ if he had read twice, for a third 'eo quod ad gradum servientis ad legem electus est,' as was Robert Constable in the Autumn of 1495.⁴ In the first case, Turpin was postponed to the Lent following; in the second, John Wood, a first reader, to the next Autumn. Wood might well have been deferred only to the succeeding vacation for, like Edward Redmayne in 1490 and William Wadham in 1501, first readers occasionally read in Lent. On the other hand, except for those called to be serjeants, who had to be put into whatever vacation intervened between call and appointment, second or third readers never read in Autumn.

The same scheme seems to have been in operation at Lincoln's Inn earlier in the century, though the evidence for the tentative list below must be deferred to the next volume.

¹ *Black Books of Lincoln's Inn*, i. 96.

² Putnam, *Early treatises on the Justices of the Peace* (1924) 179, n. 3. Rede was called with Thomas Keble of the Inner Temple, whose call and appointment Miss Putnam describes.

³ John Haugh, appointed with Rede, had read (I) Autumn 1469, and (II) Lent 1474. For the general rule: *Calendar of Inner Temple Records*, i. 59.

⁴ John Butler, Richard Higham and Constable were called from Lincoln's Inn in 1495, probably in the Spring of that year, and appointed in Michaelmas term. Butler had read (I) Autumn 1482, and (II) Lent 1488; Higham (I) Autumn 1483, and (II) Lent 1489; Constable (I) Autumn 1489 (printed below) and (II) Lent 1494.

1427	Lent	
	Autumn	John Fitz (I)
1428	Lent	<i>W</i> (II) but Robert Danvers (I)
	Autumn	John Stafford (I)
1429	Lent	<i>X</i> (II)
	Autumn	Adam Somayster (I)
1430	Lent	John Fortescue (II)
	Autumn	Robert Hayworth (I)
1431	Lent	<i>Y</i> (II) but Henry Etwell (I)
	Autumn	Thomas Marshall (I)
1432	Lent	<i>Z</i> (II)
	Autumn	Richard Walsh (I)
1433	Lent	John Fitz (II) but Robert Danvers (II)
	Autumn	Richard Wood (I)
1434	Lent	John Stafford (II)
	Autumn	William Boef (I)
1435	Lent	Adam Somayster (II) but Bartholomew Bolney (I)
	Autumn	John Bunnye (I)
1436	Lent	Robert Hayworth (II)
	Autumn	Thomas Stoteville (I)
1437	Lent	Henry Etwell (II)
	Autumn	William Jenney (I)
1438	Lent	Thomas Marshall (II)
	Autumn	<i>A</i> (I) but John Fortescue (III) serjeant
1439	Lent	Richard Walsh (II)
	Autumn	<i>A</i> (I) or no reading
1440	Lent	Richard Wood (II)
	Autumn	<i>B</i> (I)
1441	Lent	William Boef (II)
	Autumn	Richard Illingworth (I)
1442	Lent	Bartholomew Bolney (II)
	Autumn	John Brenchesle (I)
1443	Lent	John Bunnye (II) but Thomas Stoteville (II)
	Autumn	William Gaynesford (I)
1444	Lent	William Jenney (II)
	Autumn	William Moyle (I)
1445	Lent	John Jenney jun. (I)
	Autumn	Nicholas Repinghale (I)
1446	Lent	<i>A</i> (II) but Bartholomew Bolney (III)

There are instances in 1428, 1431 and 1435 of a first reader called to fill a Lent vacancy and in 1433 and 1443 of a second reader called prematurely to his Lent reading for the same purpose. The reading in the Autumn of 1438 by John Fortescue, called to the degree of serjeant at law, left it the turn of no one to read in Lent 1445. That vacation might have been filled by one who had completed his two readings, as in Lent 1446, or by the next Lent reader called a year

before his time, but it was taken by John Jenney jun., a first reader. Despite the gaps and irregularities, the pattern of regular progression is clearly discernible.

From the no longer extant Gray's Inn Pension Book, copied by Dugdale, it is clear that the same scheme of regular progression in accordance with strict seniority was in operation there in the early sixteenth century.

1514	Lent	X (II) but John Spelman (I)
	Autumn	John Hales (I)
1515	Lent	Richard Hesketh (II)
	Autumn	William Martin (I)
1516	Lent	Henry Tingelden (II)
	Autumn	Peter Dillon (I)
1517	Lent	Humphrey Wingfield (II)
	Autumn	John Petit (I) but no reading <i>causa pestilentiae</i>
1518	Lent	John Petit (I)
	Autumn	John Hind (I)
1519	Lent	John Spelman (II)
	Autumn	George Harbrowne (I)
1520	Lent	John Hales (II)
	Autumn	Francis Brown (I)
1521	Lent	William Martin (II) but John Spelman (III) serjeant
	Autumn	Robert Chaloner (I) but no reading <i>causa pestilentiae</i>
1522	Lent	Robert Chaloner (I)
	Autumn	Roger York (I) but pardoned.
1523	Lent	Roger York (I)
	Autumn	Edward Beresford (I)
1524	Lent	Peter Dillon (II) but Humphrey Coles (I)
	Autumn	Christopher Hales (I)
1525	Lent	Peter Dillon (II) but Thomas Herlakenden (I)
	Autumn	Edward White (I)
1526	Lent	John Petit (II)
	Autumn	George Whetenhall (I)
1527	Lent	John Hind (II)

Only the Inn's readers after 1506 can be ascertained from the Inner Temple records that remain. Several outbreaks of the plague postponed first readers from Autumn to the following Lent and pardons secured by a number of second readers left Lent vacations to those reading for the first time, but nevertheless the system is precisely that already described.

1506	Lent	Thomas Babington (II) but pardoned. ¹ Robert Fulwood (II)
	Autumn	John Skilling (I) but no reading <i>causa pestilentiae</i> . ²

¹ *Cal. Inner Temple Records*, i. 4.

² *Ibid.*, i. 6.

- 1507 Lent John Skilling (I)
Autumn John Port (I)
- 1508 Lent John Salter (II)
Autumn George Bromley (I) but no reading *causa pestilentie*.¹
- 1509 Lent George Bromley (I)
Autumn Nicholas Tichborne (I)
- 1510 Lent Thomas Pigott (II)
Autumn Richard Snede (I) but John Caryl (III) serjeant
- 1511 Lent Richard Snede (I)
Autumn Gilbert Stoughton (I)
- 1512 Lent Edward Hales (II)
Autumn Baldwin Malet (I)
- 1513 Lent John Scott (II) but pardoned.² Roland Morton (I)
Autumn Anthony Babington (I)
- 1514 Lent John Skilling (II)
Autumn Ralph Swillington (I)
- 1515 Lent John Port (II)
Autumn Edward Farman (I)
- 1516 Lent George Bromley (II) but pardoned.³ Nicholas Tich-
borne (II)
Autumn John Baldwin (I)
- 1517 Lent Richard Snede (II) but pardoned.⁴ Thomas
Brokesby (I)
Autumn William Shelley (I) but no reading *causa pestilentie*.⁵
- 1518 Lent William Shelley (I)
Autumn William Coningsby (I)
- 1519 Lent Gilbert Stoughton (II) but dead. Baldwin Malet (II)
Autumn Francis Mountford (I)
- 1520 Lent Roland Morton (II) but John Pakington (I)
Autumn Ralph Massey (I)
- 1521 Lent Roland Morton (II) but Baldwin Malet (III) serjeant.⁶
He was discharged from accepting the appointment.
The reader therefore was the next junior of those
called : John Port (III) serjeant. Morton also read.
Autumn John Baker (I) but no reading *causa pestilentie*.⁷
- 1522 Lent John Baker (I)
Autumn Henry White (I)
- 1523 Lent Anthony Babington (II) but pardoned.⁸ Ralph
Swillington (II)
Autumn Richard Hassall (I)
- 1524 Lent Edward Farman (II) but John Baldwin (II) ⁹
Autumn John Morris (I) but discharged. John Latton (I) but
discharged. Richard Ward (I) ¹⁰
- 1525 Lent Edward Farman (II) but fined and pardoned.¹¹ Thomas
Brokesby (II)

¹ *Cal. Inner Temple Records*, i. 11, 12.² *Ibid.*, i. 26.³ *Ibid.*, i. 36.⁴ *Ibid.*, i. 38.⁵ *Ibid.*, i. 41.⁶ *Ibid.*, i. 59, 60.⁷ *Ibid.*, i. 66.⁸ *Ibid.*, i. 71.⁹ *Ibid.*, i. 74.¹⁰ *Ibid.*, i. 77, 78.¹¹ *Ibid.*, i. 79.

The Middle Temple books open in 1501, John Vavasour in Lent 1502 being the first reader named in them. The readers after that date fall readily into the pattern now seen to be characteristic of the four Inns in the early sixteenth century and of Lincoln's Inn, the only Inn whose records for that period are extant, in the early fifteenth. Though there may be some slight risk of error, it seems quite probable that the scheme described was in operation at all the Inns throughout the fifteenth century. That such was the case has been assumed in the pages following.

1502	Lent	John Vavasour (II)
	Autumn	Guy Palmes (I)
1503	Lent	Lewis Pollard (II or III)
	Autumn	John Fitzjames (I) but Richard Eliot (III) serjeant.
1504	Lent	Brian Palmes (II)
	Autumn	John Fitzjames (I)
1505	Lent	Robert Pinkney (II)
	Autumn	Thomas Jubbes (I)
1506	Lent	William Wilmer (II)
	Autumn	Thomas More (I) but no reading <i>causa pestilentiae</i> . ¹
1507	Lent	Thomas More (I)
	Autumn	John Bowring (I)
1508	Lent	Guy Palmes (II) but serj. 1503. John Fitzjames (II)
	Autumn	George Nichols (I) but no reading <i>causa pestilentiae</i> . ²
1509	Lent	George Nichols (I)
	Autumn	John Portman (I)
1510	Lent	Thomas Jubbes (II)
	Autumn	John Welles (I) but Richard Broke (III) serjeant. ³
1511	Lent	John Welles (I)
	Autumn	John Orenge (I)
1512	Lent	Thomas More (II)
	Autumn	John Watts (I)
1513	Lent	John Bowring (II)
	Autumn	Thomas Matston (I)
1514	Lent	George Nichols (II)
	Autumn	Walter Luke (I)
1515	Lent	John Portman (II)
	Autumn	Richard Lister (I) but pardoned. ⁴
1516	Lent	Richard Lister (I)
	Autumn	Humphrey Browne (I)
1517	Lent	John Welles (II) but pardoned. John Orenge (II)

The subject matter of the readings must be our next concern. It was said in 1540, probably accurately, that a reader was free to choose

¹ *Minutes of Parliament of the Middle Temple*, i. 16, 17.

² *Ibid.*, i. 23, 24.

³ *Ibid.*, i. 30, 32.

⁴ *Ibid.*, i. 47, 48.

any 'act or statute as shall please him to ground his whole reading on,'¹ but, unless his choice was of Hobson's variety, what evidence there is from the fifteenth century and earlier in the sixteenth points in precisely the opposite direction. The two lists below, the longest unbroken series yet found, are both from the Inner Temple.²

1491	Lent		
	Autumn	Robert Brudenell (I).	Westminster II, cc. 1-2
1492	Lent	X (II) but William Grevell (I)	cc. 3-5
	Autumn	Thomas Frowyk (I)	cc. 6-11
1493	Lent	Richard Littleton (II)	cc. 12-14
	Autumn	Robert Sheffield (I)	cc. 15-22
1494	Lent	Richard Sutton (II)	cc. 23-25
	Autumn	William Rudhale (I)	cc. 26-
1495	Lent		
	Autumn	Thomas Frowyk (II) serjeant.	Prerogativa Regis
.			
1508	Lent	John Salter (II).	Gloucester, cc. 1-8
	Autumn	George Bromley (I) but no reading <i>causa pestilentiae</i> .	
1509	Lent	George Bromley (I)	cc. 9-14 (end)
			Marlborough, cc. 1-7
	Autumn	Nicholas Tichborne (I)	cc. 9-13
1510	Lent	Thomas Pigott (II)	cc. 16-25
	Autumn	Richard Snede (I) but John Caryl (III) serjeant	cc. 27-29 (end)
1511	Lent	Richard Snede (I).	Magna Carta, ca. 1
	Autumn	Gilbert Stoughton (I)	cc. 2-10
1512	Lent	Edward Hales (II)	cc. 11-17
	Autumn	Baldwin Malet (I)	cc. 18-23

In view of the eight hundred readings delivered at the four Inns during the fifteenth century, the evidence above is meagre and late, though a few additional crumbs, earlier in date, will be forthcoming in the pages following. On the strength of it alone it would be rash to say a reader never was permitted to read out of course but always required, though perhaps called on very short notice, to continue the chapters

¹ Report on the Inns of Court made to Henry VIII by Thomas Denton, Nicholas Bacon and Robert Cary of the Middle Temple; Waterhous, *Fortescutus Illustratus* (1663) 544; Holdsworth, *History of English Law*, ii. 506. Holdsworth's belief, there expressed, that 'the same person often read during both the summer and Lent vacations,' is without foundation. His remark that readings were not always on statutes certainly is incorrect for the fifteenth and sixteenth centuries and probably for the seventeenth as well.

² The Inner Temple moot cases in Hargrave MS. 87, from which the first list is taken, will be printed in vol. ii. The readings in the second list are in U.L.C. MS. Ee. 3.46, fols. 1-81.

of the statute begun by his predecessors. An extraordinary reader—one called to be serjeant or appearing for a third or fourth time—apparently was allowed, if he so chose, to expound any ‘old’ statute that pleased him and that, perhaps, was permitted others on occasion. But it is clear that personal predilections were not yet conceded the scope they were to have in Henry VIII’s reign, when it first became possible to read on ‘new’ as well as ‘old’ statutes,¹ or in Elizabeth’s, when the primary purpose of a reading no longer was to instruct students, who had begun to read for the bar rather than listen, but to impress professional colleagues with the lecturer’s learning and acumen.² In the fifteenth century readers taught simply and accurately, without elaborate preparation but with due attention to disputed points and later modifications, only the content and effect of the fundamental statutes on which so much of English law rested. These were the ‘old’ statutes, those prior to Edward III, and within that group especially the great statutes of Magna Carta, Merton, Marlborough, Westminster I, Gloucester and Westminster II, lectures on which comprise almost the whole of the substantial *corpus* of fifteenth-century readings that has come down to us. For the student, an introduction to their many complexities was essential, and if this basic course was to be completed within a man’s normal term at his Inn a freedom of choice that might result in a random selection of chapters, or several readings on Merton

¹ The earliest readings on ‘new’ statutes yet found are: Lent 1523: Edmund Knightley (Middle Temple) on 1 Rich. III, ca. 1; Autumn 1526: Thomas Audley (Inner Temple) on 4 Hen. VII, ca. 17; Lent 1530: Walter Henley (Gray’s Inn) on 21 Hen. VIII, ca. 3. In Lent 1503 Thomas Marowe of the Inner Temple, who would doubtless have preferred to read on 35 Edw. III, ca. 1 or 12 Rich. II, ca. 10, statutes that deal specifically with justices of the peace, gave his reading on that subject as an exposition of Westminster I, ca. 1, a statute enacted long before their institution. Its vague words were somehow made the point of departure for a series of lectures on a topic with which the statute had no concern. Had it been possible for Marowe to select a ‘new’ statute, the subterfuge would have been unnecessary. Putnam, *Early treatises on the Justices of the Peace*, 167.

² Co. Litt. 280v: ‘Here it is to be observed of what authoritie antient lectures or readings upon statutes were, for that they had five excellent qualities. First, they declared what the common law was before the making of the statute, as here it appeareth. Secondly, they opened the true sense and meaning of the statute. Thirdly, their cases were briefe, having at the most one poynt [debatable] at the common law and another upon the statute. Fourthly, plaine and perspicuous, for then the honour of the reader was to excell others in authorities, arguments, and reasons for prooffe of his opinion and for confutation of the objections against it. Fifthly, they read to suppress subtile inventions to creepe out of the statute. But now readings having lost the said former qualities have lost also their former authorities: for now the cases are long, obscure, and intricate, full of new conceits, liker rather to riddles than lectures, which when they are opened they vanish away like smoke, and the readers are like to lapwings, who seeme to bee nearest their nests when they are farther from them, and all their studie is to find nice evasions out of the statute.’

and none on Marlborough or Gloucester, was unlikely to be encouraged. It seems probable that a statute once begun was systematically pursued, chapter by chapter, to its conclusion, except for chapters such as Westminster I, cc. 7-8, 27-29, 31, 33-34, 38, 41, 50, 51 and Westminster II, cc. 28, 34, 37-39, 42-44, 47, 49-50 and others that did not need, or were thought not to need, exposition. Once expounded, it would not again be considered until the cycle had run its course, perhaps eight or ten years later. Only after long attendance and late in life, when, as we know, his book was being written, could Littleton have said 'jeo ay oye sovent le lecture de lestatut [ca. 3] de Westminster seconde que commence *In casu quando vir amiserit etc.*'¹

¹ Litt. §481.

II.

HENRY SPELMAN (GRAY'S INN), LENT, 1452

HENRY SPELMAN (Spilman, Spylman), whose Reading is printed below, pp. 1-37, was the grandson of Henry Spelman (d. 1432) of Stowe Bedon, Norfolk, and the eldest of the four children (Henry, Robert, Katherine and Agnes) of John Spelman (d. 1460) of the same place by his first wife Catherine.¹ Since she died in 1432, Wedgwood's date for Henry's birth (c. 1430) must be moved somewhat earlier, probably to c. 1425.² By 30 May 1449 he was 'Henry Spilman of Stowe, gentilman,' doubtless of full age, acting with another as surety for two grantees of Norfolk land in capite which had been seized into the king's hand.³ The addition 'gentleman,' of which more will be said below, I take to mean here that Spelman, at the age of twenty-four or so, had already been called to the bar.

There can be but few doubts as to Spelman's connexion with Gray's Inn. He was one of the feoffees, with Thomas Brian and Guy Fairfax, both undoubtedly of Gray's,⁴ and others of the same Inn, to whom Reginald Grey on 20 Nov. 1456 transferred 'the manor of Portpole, commonly called Greysynne.'⁵ Among his co-feoffees was Richard Heton (Eton, Heaton) who argues with him in the reading printed below. Independently of this, his membership may be substantiated through a chain of disputants in a series of four readings dating from the second quarter of the fifteenth century, all of which must have been

¹ Blomefield, *Norfolk*, ii. (1805) 279; vi. (1807) 151.

² *History of Parliament: Biographies 1439-1509*, 789.

³ *Cal. Fine Rolls 1445-52*, 111, 114.

⁴ M. 3 E. 4, 12, pl. 7: 'En mesme cel terme de Michaelmasse lan mesme le roy Edward le iiij avaunt dit fuerent faits viij sergeantes queux pursuant sicome ils fuerent dage en court etc. Young de Bristowe de Middle Inn. William Genny de Lincolnes Inne. Nele, Guy Fairfax et Brian de Grai Inne. Grenefeld and John Catesby del Inner Inne. Et Pigot de Middel Inne avaunt dit et ils teignent lour feast al meason del Evesque de Ely en Holborne le lundy prochein apres le feast de tous Saints.' That is, Monday, 7 Nov. 1463, not 1464 as Stowe and Dugdale: *Cal. [London] letter-books: Letter-book L*, 7; *Orig. Jurid., Chron. ser.* 69.

⁵ *Pension Book of Gray's Inn*, i. xx.; *Y.B. 4 Edw. II* (Selden Soc.) lix.; E. Williams, *Early Holborn and the legal quarter of London* (1927), i. 653. The feoffees were: Thomas Brian, Thomas Urswike, Richard Heton, Roger Byrkes (Birkes, Berkes), Richard Welby, Guy Fairfax, John Clerk, Henry Spylman, John Watnowe, Thomas Molyneaux, Thomas Myddylton, Thomas More, John Lamborne, John Crokker (? Stoker) and James Bradman.