

Extracts from the Coroners' Rolls,  
AND OTHER DOCUMENTS,  
IN THE  
RECORD-ROOM OF THE CORPORATION OF NORWICH.

COMMUNICATED BY  
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FROM among the many curious documents to which the liberality of the Corporation of Norwich has enabled me to have access, for the purposes of the Society, I select, on this occasion, three early Rolls, illustrative of the state of the City in the reigns of Henry III. and Edward I.

Two of these are the returns of the City Coroners, of Inquisitions made by them, and of "Placita Coronæ," extending from the 48th Henry III. to the 13th Edward I. "They are accounts of the robberies and street-frays which occurred here in the period named. Their perusal introduces us at once, as it were, into the presence of the citizens who were living more than five hundred years ago; and they further show the state of the police, the direction of the streets, and the nature of the functions of the local officers at that period."\*

The first statute "touching the Office of Coroners," is in the 4th Edward I.; and, although of later date than many

\* Coroners' Rolls of Leicester, Winchester volume, Archæological Association, p. 71.



of the entries in these Rolls, appears to be merely a declaratory act, passed because Coroners were exceeding their authority; enunciating what were the proper duties of the Coroner, but placing no *new* duties upon him. It opens with stating,

“A Coroner ought to enquire these things, if he be certified by the King’s Bailiffs, or other honest men of the countrei. First, he shal go to the places where any be slaine, or sodenly dead, or wounded, or where treasour is said to be founde; and shal forthwith comaunde four of the next townes, or five, or six, to appear before him in such a place; and, when they are comen thither, the Coroner, upon the oath of them, shall enquire in this manner, That is to witte, if thei knowe where the person was fyrst slayne, whether it were in any house, feld, bed, &c. &c. . . . Upon appeals of woundes, specially if the woūdes be mortal, the parties appealed shalbe taken imediately and kept until it be knowen perfityly whether he that is hurte shal recover or not. And, if he die, the defendant shalbe kept. And, if he recover helthe, thei shalbe attached by four or six pledges after, as the wounde is greate or smal. If it be for a maime, he shal find no less thē four pledges: if it be a smal woūd or a maime, two pledges shal suffice. . . . Also al wounds ought to be viewed the length, bredth, and depenes, and with what wepones, and in what part of the body the wound or hurt is, and how many be culpable, and how many wounds there be, and who gave the wounds: *al which things must be enrolled in the Roll of the Coroners.*”

The other document I propose to notice, consists of four pieces of parchment of various sizes, stitched together at the top; the first piece headed, “Hec sunt secreta, Norwic.” Various articles of inquiry follow, or rather, the first few words of them:—“De hiis qui fečnt distcōes in civitatibꝫ buřg, &c.” “De Vic. et aliis ministꝫ Rꝫ, &c.” “De Cličis Justič Eschaetoř et Inquisitoř, &c. Et de illis, &c.”—much



in the same manner as in the "Hundred Rolls." And answers to every article are given, I presume, by a jury: to many, "Nichil sciunt" is the only reply.

It bears no date; but, from internal evidence, it must have been made between the 6th and the 14th of Edw. I., as Henry Sampson is named as the then Dean of Norwich, to which office he succeeded in 1278; and the Roll names several returned fugitives who had fled in consequence of having been concerned in the attack on the Cathedral, who are stated in a return made in the 14th year of the same king to be then dead.

One subject which cannot fail to arrest attention in going over these Rolls, is the extraordinary confusion and uncertainty in the designations of persons. In a very few instances I have found them described by their Christian name, surname, and trade: Henry Scot, le Cordwaner; William Hacun, Pellipař;\* Wm. Neville, Allictař; Robert Faber, Locsmit; Richard Child le Wymplere; Simon le Mun, Tailleur; Geoffry de Karleton, Faber, &c.; but even with these there is some uncertainty. I find, for instance, "Roger le Leyner, Clerk," figuring immediately after as "Roger Clerk le Leyner." Some are described by their own and their father's or mother's Christian name—Richard, the son of Godesman; Thomas, the son of Ralph; Robert, the son of Anabilia; John, the son of Magote, &c. A large number are named from some town or village—William de London; Thomas de Catton, &c. Others are distinguished by surnames, among which the Saxon Thurkild and Edric may be detected; but by far the greater number are indicated by the trades or occupations they followed, or by some personal description or nick-name. Of the former class, Peter le Porter, Thomas le Corveyser, Robert le Cupper, Agnes la Bredmongere, Ralph le Chaluner, John le Somenour, Emma la Peyntresse, Thomas le Prechur, Philip le Chanter, Reginald

\* Qui pelles parant.—DUCANGE.



Sutor, Moyses Tanator, Gervase Tinctor, Henry Tixtor, Ray Lister, Peter Pictor, may serve as specimens. To the latter, Wm. Goscip, Simon le Longe, Stephen le Blund, Richard le Poure, William Sot, Black Beatrice, Simon Blaber, John Cripel, &c., appear to belong.

Sir Francis Palgrave, in his observations on this subject, in the Introduction to the first volume of the *Parliamentary Writs*, has so ably stated the difficulties involved in the investigation of the nomenclature of this period, that I shall do myself the pleasure to extract them.

“Although the use of surnames was established in the reign of Edward I., still the variations which they exhibit are sufficiently numerous to occasion considerable ambiguity. In some families, such as the family of *Fitzwalter of Daventry*, it is hardly possible to decide whether the individuals who belong to it, were distinguished by their patronymic or by their local designation. Either surname was equally good in law. Thus, at a later period, a defendant pleaded in abatement to a Formedon, ‘La chartre prove le remainder à *Adam le fitz Richard*, et le brief voet que les tenementz remainent à *Adam de Urmeston*, issint ne prove my la chartre le remainder estre comprise en le brief. Juggement du brief.’ But the plea was overruled by the court in the following manner: ‘Coment qu’il soit mesme la person à qui le remainder fuist taille, assez est le brief bon. Per quei, respondes.’ (*Pasch.* 8 Ed. III., 19 b.) Surnames, originally derived from places, and ascribed to the family of the parties, were occasionally dropped for others derived from residence; or, in other words, the surname was merged in the local description. With respect to the ‘by-names’ of persons belonging to the inferior classes, they are subjected to very perplexing changes. The clerks by whom the records were written, either translated them into Latin or French, or retained them in the vernacular dialect, at their pleasure, and without being guided by any fixed rule. Thus, the ‘*Thomas*



*de la Guttere*' of one year, appears as '*Thomas atte Shete*' in the next return. Personal descriptions, for they can scarcely be called surnames, derived from trades, offices, or occupations, were shifted or exchanged for local descriptions, with an equal disregard of any regular system.

"To these sources of confusion must be added the obscurities arising from the fluctuating and unsettled orthography; and, in very many instances, from the difficulty of discovering the true reading of the record. Some letters, such as *t* and *c*, *n* and *u*, are written precisely in the same manner: *f* and *s*, *h*, *l* and *b*, *A* and *D*, *E* and *R*, &c., are nearly alike; and the casual obliteration of a hair-stroke will destroy the distinguishing feature. The dot of the *i* is generally omitted; and in the combination of the letters formed by parallel strokes, such as *m*, *n*, *u*, *i*, the eye is unable to develop the elements of which the group is composed.

"In familiar and well-known names, the true reading is obtained by the previous knowledge of the word; but by far the most numerous names belong to families long since extinct, or to persons of obscure and unknown lineage. Thus a name which may be either *Hanvil* or *Hawil*, has also been read as *Hauvil*, *Hannil*, and *Hamul*; *Gouiz* as *Goniz*; *Haudlo* as *Handlo*; and it is probable that the name of the baronial family of Novant ought to be read *Nonant*; though the first orthography has been adopted (by Sir Francis), on the authority of Dugdale and his successors. Occasionally, the employment of a letter of equivalent sound affords a satisfactory solution. Thus the name *Gouiz* being sometimes, though rarely, spelled *Gowiz*, the true sound is ascertained."

To return to the Roll before me, I find,

"Katherina, the wife of Stephen Justice, accused Ralph, son of Robert Andrew the Gaoler, William Virly, Gaunter, William Crede, Walter de Dereham, John, servant of Nicholas de Ingham, Nicholas, sometime servant of Nicholas de Lopham, and Nicholas le Gayver, that,



when she was at peace with God and the King, in the house of Stephen Justice her husband, on the Thursday night after the Feast of King Edmund, in the 48th year of the reign of King Henry, the son of King John (1263), they came in the town of Norwich, in Fybriggate, in St Clement's, and broke the oaken gates, and the hooks and hinges of iron, with hatchets, bars, wedges, swords, knives, and maces, and flung them down into the court, and feloniously entered: that they then broke the pine-wood doors of the hall, and the hinges and iron-work of them, and the chains, bolts, and oaken boards of the windows. Afterwards, they entered the door of the hall chamber, towards the South, and robbed that chamber of two swords, value 3<sup>s</sup>. 6<sup>d</sup>.; one ivory-handled anlace, value 12<sup>d</sup>.; one iron head-piece, value 10<sup>d</sup>.; an iron staff, value 4<sup>d</sup>.; one cow-leather quirre (cuirass), with iron plates, value half a mark; and one Wambeis.\* and coming thence into the hall, they burnt the body of her husband, as it there lay upon a bier, together with a blanket of 'reyns,' value 3<sup>s</sup>.; and took away with them a linen cloth, value 18<sup>d</sup>. The said Katherine immediately raised hue and cry, from street to street, from parish to parish, and from house to house, until she came into the presence of the Bailiffs and Coroners.

"They also stole a linen cloth of the value of 5<sup>s</sup>., and one hood of pers (Persian?) with squirrels' fur, value 10<sup>d</sup>." †

\* A body garment, stuffed with wool, cotton, or tow."—(HALLIWELL'S *Dictionary*.) The garment called a Wambeis, is named in an Act of Parliament, 27th Henry II., (1181), which enacts that all burgesses and freemen shall keep a wambeis, a chaplet of iron, and a lance. Stephen Justice was, no doubt, a burghess of Norwich.

† Some time subsequent to the meeting at which I read the above extract, a friend brought me a translation, by Kirkpatrick, of this entry, with the following memorandum at foot: "This House was on the west side of the street, now called Magdalen Street, near the place where Capt. Black dwells."



The above curious description of a citizen's house in 1263, is worthy careful examination; the materials for a history of the domestic buildings, especially in towns, during the thirteenth century, being so small. A learned writer had recourse, in an article on the subject in the *Archæological Journal* for 1844, (p. 212), to the Fabliaux, or popular metrical tales of the thirteenth century, written in French and Anglo-Norman. I subjoin his description of a house, gathered from those sources, for the purpose of comparison. He says:

“At this period the houses of the people had, in general, no more than a ground floor, of which the principal apartment was the aire, aitre, or hall (atrium), into which the principal door opened, and which was the room for cooking, eating, receiving visitors, and the other ordinary uses of domestic life. Adjacent to this was the chamber (chambre), which was by day the private apartment and resort of the female portion of the household, and by night the bed-room. . . . Strangers and visitors generally slept in the hall; beds being apparently made for them on the floor. . . . A stable was also frequently adjacent to the hall, probably on the side opposite to the chamber or bed-room.”

“M<sup>d</sup>. That Henry Turnecurt & Stephen de Walsham, were killed in Norwich, in the parish of S<sup>t</sup> George, before the Gates of The Holy Trinity, S<sup>t</sup> Philip and James's day, in the year aforesaid. The Coroners and Bailiffs went and made inquisition. Inquisition then made was set forth in a certain schedule. Afterwards came Master Marc de Bunhale, clerk, and Ralph Knict, with many others, threatening the Coroners to cut them to pieces, unless the Schedule was given up; and then they took Roger the Coroner, and by force led him to his own house, with swords and axes, until the said Roger took the Schedule from his chest; and they then took him with the Schedule to S<sup>t</sup>



Peter of Mannecroft church, and there the aforesaid Ralph tore away the Schedule from the hands of Roger, and bore it away, and before his companions, in the manner of fools, cut it into small pieces; and with much ado, Roger the Coroner escaped from their hands in great fear and tremor. The Coroners say, they cannot make inquisition by reason of the imminence of the war."

The disturbances thus referred to, were the consequence of the deplorable dissensions between the King and the Barons, which plunged the country in civil war, and deluged it with blood. Here, as elsewhere, there were various factions, some siding with the King, others with the Barons.

"Parishes of St Peter de Parmenterigate,\* St Vedast, St Martin de Ballia, St Michael de Cunesford, sworn, say upon their oaths, That William le Alblaster of the Castle threatened John le Lindrap to burn him, and John de Bendlesham, and Thomas le Despenser of the Castle also, before these, viz., Henry Punel, Simon le Longe, and William Bouchay; and that William le Alblaster set fire to the gate, between the said John le Lindrap and John de Belaya, whence the house of the said John de Belaya was burnt, in the night of Tuesday after Pentecost, in the 48th

\* The parish now called St. Peter per Mountergate, Norwich. The frequent recurrence of the name in these Rolls *invariably* as it appears above, induced me to investigate the matter. It may be remembered, that Blomefield states the singular name by which it has for some centuries been known, was derived from a gate near the churchyard, at the foot of a *mount* or *hill*. It is true, there is a hill, but no gate; nor can I discover that there ever was one. Narrow lanes leading from King street up the hill on the west side, are called *Skeygate*, *Hollgate* or *Hollwent*. I feel no doubt, therefore, in the conclusion, that "Per Mountergate" is a corruption of Parmenter-gate, the *Parmenters'*, or *Clothiers'* way.—"*Parmentarius*, ex *paramentarius*, qui vestes parat, id est ornat, nostris olim *paramentier*, qui hodie *tailleur d'habits*. In *Regesto Ambianensis urbis*, anno 1265, *parmentier & tailleur de draps*."—DUCANGE.



year of King Henry. And that the said William went from the house of Robert Faber, loesmit, and returned to it after the above felony. They say also, that the aforesaid stole the keys (baterreff?) of the bells of the church of St Peter de Parmenterigate, and cut the ropes of the bells of the churches of St Vedast and St Cuthbert, lest any should come to extinguish the fire. And they say, that William le Neve, who had frequent access to the house of Richard Childe le Wymplere,\* in the parish of St Julian's, was at the same deed. Precept issued to apprehend the malefactors."

I have seen an inventory, made about a hundred years after this date (1368), of the goods of nearly all the parish-churches in Norwich. The entries are made in the order given in the constitutions of Archbishop Winchelsea, as quoted in Lindwood, with very slight variation; and in a letter of the then Archbishop Simon, appended to the book, bells are expressly required to be included in the returns; but, strange to say, only ten of the city churches are recorded as possessing anything but hand-bells (used for ringing before the sacrament when carried to the sick): these are,

*St. Peter Mancroft*, which had two great, two smaller bells, and a little bell.

*St. Saviour* (with All Saints and St. Mary annexed) had three.

*St. George Colegate*, *St. Michael at Plea*, and *St. Giles*, had two each.

*St. Augustine*, *St. Mary Coslany*, *St. Edmund*, *St. George at the Gates*, *St. Michael Coslany*, had but one each.

The three churches mentioned in the above extract, do not appear to have had any bells at the time this inventory was made.

\* "A wimple was a kind of cap or tippet."—HALLIWELL.



“Inquisition made of the fire raised in the Jewry.\* They say that Simon Quitloc placed the fire; Robert Scoth broke open a chest in the house; Scot, servant of Herbert Sutor, carried off part of the goods there found; Reginald Winbakin, Pistor, broke into the aforesaid house. They say also that Stephen Chiken was the companion of Simon Quitloc at the fire raising. They also say the William Hodis and Ralph Muddok broke into the house of a Jew where fire had not been placed. Precept to apprehend the aforesaid felons.”

In elucidation of the above extract, so expressly referring to the Jewry, it may be well to quote what we read in the *Pictorial History of England*, I., p. 685., that, “In various parts of the kingdom, the royalists robbed and murdered the Jews under pretext of their being friends to the Barons; and the Barons’ party did the like, alleging that they were allied with the King, and kept Greek fire in their houses, in order to destroy the friends of liberty.”

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“In the time of John Scoth, Roger de Swerdeston, and William Picot, Bailiffs.

“Memorandum. That Richard Fichet, of Fornesete, and Roger de Ling were taken in the bakehouse of Henry de Heylesdon, in the night of St Martin, in the year aforesaid, (48 H. III.) by whom *a certain chest*, with the contents, *in a pit* to the same bakehouse belonging, was pulled out and robbed.

“William Wyse, then servant of the Bailiffs, had custody of them. How they escaped from him we know not.”

\* The present Gentlemen’s Walk, from the Savings Bank to White Lion Street, was the “Vicus de Judaismo,” or Jewry.



“In the time of William de Dunewic, Adam de Toftes, Nicholas de Ely, and Roger de Swathing, Bailiffs.

“Parishes of St. Augustine, All Saints, St. Botolph, St. Margaret in Fybridge, present and say on oath, That a certain woman, name unknown, was killed the Sunday before Ash Wednesday, in the year 50, in the house of Agatha Ded, in the parish of St. Augustine, and had a wound in the right flank, which a man named Reginald, a friend of the deceased, gave her with his dagger, of the value of one halfpenny, as it is said. They say that all who were present fled when she died; namely, Agatha Ded, Thomas Kydelom, her brother, Johanna, his mistress, Julia a Kech, Black Beatrice, Wulmina Belleward, Massa Trant<sup>r</sup>, John le Ouverur and his wife, Sara Deythef.

“Ralf de Hemenhal found her first, for whom Warin de Houton, Thomas de Hemenhale, are pledges, (or sureties.)

“Neighbours attached:

“William le Fulere, &c.

“The house in which she was killed was appraised at 2<sup>s</sup>. 6<sup>d</sup>. \* John Herman to answer. Chattels of the fugitives, 2<sup>s</sup>.; Roger the Coroner to answer. Thomas Kydelom fled to the Church of the Holy Trinity: Ordered to be watched.”

“Parishes of St. Peter de Mannecroft, St. Stephen's, St. Cross, St. John of Maddermarket, present and say on

\* The 4th Edward I. says, “If any be found culpable of the murther, the Coroner shall go unto his house, and shall enquire what goods he hath. . . . . And when they shall have enquired upon every thing, they shall cause all the land and goods to be valued in like manner as if they should be sold incontinently; and thereupon they shall be delivered to the whole township, who shall be answerable before the justices for the same; and likewise of his freehold, how much it is worth yearly, over and above the service due to the lord of the fee.”



oath, That Robert le Paumer came, on Monday in the feast of St. Mark the Evangelist, in the year aforesaid, into Cordwainer Row,\* Norwich, and to a certain shop, within which Richard, the son of Goodesman was ; and the said Robert struck the said Richard on the back with his sword. Whereupon he raised hue and cry ; and immediately William de Kymbule and Miles de Lopham took him, held him, and sorely abused him ; whilst Thomas, the son of Ralph, Chaplain of Ameringhall, came and gave him a heavy blow on the head with a certain great staff, from whence he died, as they say. Emma la Peyntresse found him first : William Wiseman, Robert de Foxle, pledges.

“ Neighbours attached :

“ Walter Hamelyn ; pledges, John Raven, Richard de Wurlingward.

“ Geoffry de Kirkeby ; Roger de Tasburgh, William de Bradefend.

“ Richard Papenjay ; Simon Brid, and John Raven.

“ William de Ballia, who had the custody of the sword and shoes of the said Richard, deceased, found pledges : Geoffry de Kirkeby, Ernald de Weston, Umfrey de Beuton, and Roger de Meuton.”

The above gives a most gloomy picture of the state of the city at the time : one man attacked in his shop by four others, (one a priest) and killed in the most public place in the city.

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“ Parishes of Saint Stephen, St. Peter de Manecroft, St. John de Maddermarket, All Saints of Swinemarket, sworn, present, and say on their oaths, That Eva, wife of

\* *Cordwaineria*, the South portion of the Eastern side of the Market-place, now called the “ Gentlemen’s Walk.”



Richard Meymund, died of gutta caduca,\* Thursday next before Pentecost, in the aforesaid year, in her own house. No one accused of her death. Richard Meymund, her husband, found her first, for whom William Nevile, Allectaſ, and Roger de Hederset, textor, are pledges.

“ Neighbours attached :

“ Robert, son of Anabilia, &c.”

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“ Parishes of St. Clement, St. Saviour, Blessed Mary Combusta, and St. Botolph, present and say on oath, That on Thursday next before the Feast of the Translation of the Blessed Thomas the Martyr, in the year 50, Nicholas Spigurnel, then Sheriff of Norfolk, came to his Inn in the parish of the Blessed Mary Combusta,† and a contention was going on between Thomas, brother of the aforesaid Nicholas, Constable,‡ and John, son of Simon le Lindrap; hearing which, the said Nicholas went forth without his gates, and there was then a dispute between the said Nicholas and the said John, and he attacked the said John, who flying, the said Nicholas with his right foot desired to strike him, and failing in his blow, fell upon his left leg.§

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\* “ *Gutta Cadiva, Caduca.* Epileptici dicuntur, qui Guttam habent Cadivam. . . . . [Rob<sup>tus</sup> de Tumbaleniâ in Epistola ad Monachos S. Mich. de Monte apud Mabill. to. 5 Annal. Benedict., p. 659, Col. I. : ‘Hugo vocatus frater quidam . . . . subito illâ molestiâ arripitur, quam Medici Epilepsiam vocabulo Græco dicunt, vel Sacrum Morbum, eo quòd sacras hominis partes, ut est caput, et mentem occupet; nos vero vulgaritè *Guttam caducam*, ex eo quòd cadere faciat, vocamus.’ ”]—DUCANGE.

† This church was in Magdalen Street, opposite St. Saviour’s church, or nearly so. The lane, now called “Golden Dog Lane,” ran through the churchyard.

‡ He was also Constable of the Castle in the succeeding reign.

§ *Gambam* pro ea parte, quæ est inter genu et pedem, occurrit in Stat. Cadubr. lib. 3, cap. 63.—DUCANGE.



the small bone of which was broken in two pieces, and his foot was put out of joint, from which he died the Monday following in the Castle of Norwich. And they say no one was to blame, but that it was misfortune.

“ Neighbours attached :

“ John le Parchimr, &c.”

Nicholas Spigurnel, whose death is here mentioned, seems to have been of a Nottinghamshire family. The Hundred Rolls contain many complaints of his extortions, (in common apparently with all the men in authority in those times); for instance, the town of Elmham, Suffolk, presented in the 3rd Edward I., that, “ Nicholas Spigurnel, while he was Sheriff, had the custody of a certain prisoner, whom he made to accuse five men of Elmham, and took from them 50 shillings; and on his death, Roger de Colville, *Sheriff next after him*, again took them, and obtained from them five marks for the same cause.”

His brother Thomas is also named in the Hundred Rolls, in the presentment from the Hundreds of Humil-yard, Henstede, &c. “ Item, Thomas Spigurnel, Constable of the Castle in the time of Nicholas Espigurnel, Sheriff, made a prisoner accuse Richard le Moyne of Swerdeston, whereupon the said Richard gave the said Thomas a hundred shillings, that he should dismiss him in peace.”

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“ Parishes of St. Stephen, St. Peter de Mannecroft, St. John de Bergstrete, and All Saints Swynemarket, sworn, present and say on their oaths, That, Thomas de Karleton being Constable of the Peace, there came a clamor thro the midst of the City of Norwich, that the



disinherited Barons\* approached the City to seize and burn it, the Tuesday next before Pentecost in the year 51,† the said Thomas directed Walter de Sterston, a serjeant of the aforesaid town, that he should summon the Citizens; he resisting, the said Thomas reprimanded him on account of his ill conduct; and the said Walter answering him in a disgraceful manner, the said Thomas having his naked sword swinging in his hand, gave him a wound in the breast, whence he died. They say he had his death by the misfortune before-named, and not from felony.

“ Neighbours attached:

“ Geoffry de Wichingham, &c.

“ Chattels of the said Thomas appraised, and found of the value of two marks and a half, 3 shillings and 8 pence. Alexander de Weston, William le Rus, Walter de Weston, and Roger Bertelmen, to answer.”

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“ William Sot, of Hemstede near Hapesburg, placed himself in the church of St. Gregory, the Monday before St. Bartholemew’s day, in the year 51. The Coroners and Bailiffs went and interrogated him why he placed himself there; and he confessed before them that he did so because of certain robberies he had committed, namely, on account of certain cloths he had stolen at Hemstede; and he was taken at Yarmouth and there incarcerated, from whence he escaped, and therefore placed himself in

\* In the *Dictum de Kenilworth*, which bears date the day before the Kalends of November, 1266, the arbitrators refer to the insurgent Barons as “certain persons disherited.”

† They had attacked and burnt the city in the middle of December in the same year (1266.)



sanctuary. And he abjured the realm, and had protection to Sandwyz."

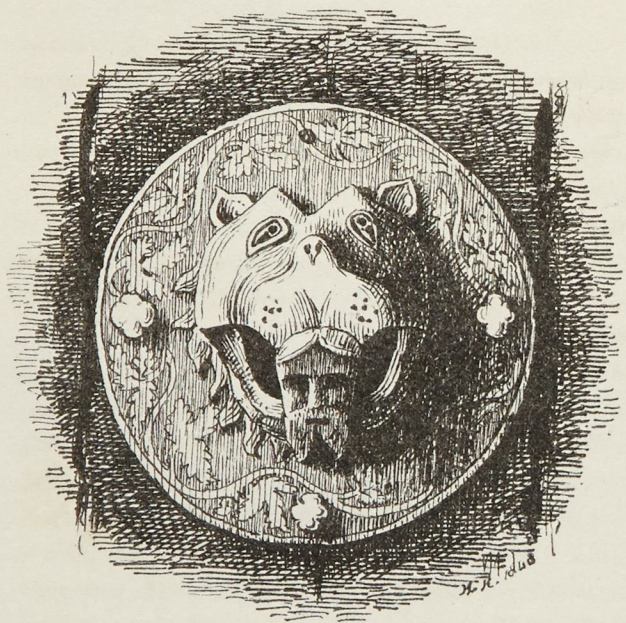
The privilege of sanctuary appears to have been introduced into England at a very early date. Ina, King of the West Saxons, in a code of laws promulgated in 693, expressly recognized it: by the laws of Alfred the Great, A. D. 887, the privilege is given for three nights to any flying to a church; and William the Conqueror, in his fourth year, made express laws protecting the privilege.

"Under a due administration of justice," says Mr. Hallam,\* "this privilege would have been simply and constantly mischievous; as we properly consider it to be in those countries where it still subsists. But in the rapine and tumult of the middle ages, the right of sanctuary might as often be a shield to innocence, as an impunity to crime. We can hardly regret, in reflecting on the desolating violence which prevailed, that there should have been some green spots in the wilderness, where the feeble and the persecuted could find refuge. How must this right have enhanced the veneration for religious institutions! How gladly must the victims of internal warfare have turned their eyes from the baronial castle, the dread and scourge of the neighbourhood, to those venerable walls, within which not even the clamour of arms could be heard, to disturb the chaunt of holy men and the sacred service of the altar!"

The church of St. Gregory, Norwich, appears to have been a more frequent place of refuge at this time, than any other in the city, with the exception of the Cathedral. And I incline to believe it continued to be so; for the present church, which is of a later (the Perpendicular) period, has large porches both to the north and south, with lofty chambers over them, probably for the accommodation of fugitives or of men placed there to admit them. On the belfry door is

\* *Middle Ages*, Chap. IX., Part 1, Vol. III., p. 351.





*Brass Escutcheon,  
from the South Door  
of St Gregory's Church,  
Norwich.*



now fixed the relic figured in the annexed engraving; but from the traces upon the door of the south porch, it was there originally attached: the ring of the knocker is gone. This escutcheon is believed to be of the fourteenth century, and is exceedingly like one on the north door of All Saints, Pavement, York, figured in the Architectural Notes, in the York volume of the Archæological Institute, page 7. It also bears a great resemblance to one on the north door of Durham Cathedral,\* which is believed to have been used for the purpose of gaining admission to sanctuary. "There were two chambers over the north door, (at Durham,) in which men slept, for the purpose of admitting fugitives at any hour of the night. As soon as any one was so admitted, the Galilee bell was immediately tolled, to give notice that some one had taken sanctuary."

At page 30 of the same curious volume, † the ceremony of abjuration of the realm is described with unusual minuteness. "A man from Wolsingham is committed to prison for theft. He escapes, and seeks refuge in the Cathedral. He takes his stand before the shrine of St. Cuthbert, and begs for a coroner. John Raket, the coroner of Chester Ward, goes to him and hears his confession. The culprit, in the presence of the sacrist, sheriff, under-sheriff, and others, by a solemn oath, renounces the kingdom. He then strips himself to his shirt, and gives up his clothing to the sacrist, as his fee. The sacrist restores the clothing: a white cross of wood is put into his hand; and he is consigned to the under-sheriff, who commits him to the care of the nearest constable, who hands him over to the next; and he to the next, in the direction of the coast. The last constable puts him into a ship; and he bids an eternal farewell to his country." ‡

The privilege of sanctuary was materially altered and restricted by various Acts of Henry VIII.: it was still further

\* *Sanctuarium Dunelmense*, Preface, pp. xvi. and xxiv.

† *Sanc. Dun.*

‡ *Sanc. Dun.*, Notes, p. 218.



abridged by an Act, 1 James I., c. 25, and finally suppressed by the 21st James I., c. 28.\*

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“Parishes of St. Simon and Jude, St. Edmund, St. Martin before the Gates of the Bishop, and St. Peter de Hundegate, parishes of St. Michael at Plea, St. George before the Gates of St. Trinity, St. Clement, St. Mary Parva, St. Vedast, St. Peter de Parmenterigate, St. Mary in the Marsh,† and St. Cuthbert, sworn, present and say on their oaths, That a certain man named Henry, son of Alan le Mercer, was found dead in the river at Norwich, with his neck twisted, the day of St. Lucy the Virgin, [Dec. 13,] in the year 52. They also present and say on their oaths, that the said Henry came in the Vigil of St. Edmund,‡ in the year aforesaid, to the house of Master William de London,|| and there supped with the aforesaid Master William, Geoffry Listeserdhing, and William son of Ralph Gery, and after supper left them and went towards his own home, and, being a little intoxicated, fell from the bridge into the water, and was there exposed, as they say. And they say he was last at the house of Master William. Therefore order was given to attach Master William, Geoffrey Listeserdhing, attached by James Knot, William Ladde, John de Couteshall, and Ralph, his brother.

“William, son of Ralph de Gery, of Hockering, attached by William de Beauton, Rich<sup>d</sup> de Goutorp, William de Lopham, and Richard de Wymundham.

\* *Sanc. Dun.*, Preface, pp. xxii., xxiii.

† Here the City Coroner appears to have summoned men from the exempt jurisdiction of the Prior, and to have been obeyed without demur.

‡ November 19th. St. Edmund's day is on the 20th November.

|| This house was in Fishergate Street, near St. Edmund's church.



“And it was said at the same time, that he had in his hand two black woollen mittens at the time he left the house of Master William, and they were afterwards found in the hands of Geoffry de Karleton, Faber. Therefore same Geoffry is attached, by Robert de Ley, William de Atleburg, Robert de Dunwich, and Hugo Stute.

“And that \* \* \* le Virly, the man-servant of the said Henry, and having the care of his house during all this time, failed to give notice either to Coroners or Bailiffs of his master's death; and therefore he was ordered to be apprehended upon suspicion. Bailiffs to answer.

Simon, son of Simon Lindrap, found him first, for whom Herve le Mercer and John le Lindrap, brother of Simon, are pledges.

“Neighbours attached are,  
“Goscelin le Specer, &c.”

No less than *twelve* parishes are on this inquest. It is interesting to note the mode adopted to trace the perpetrators of the crime. Black woollen mittens seem to have been rarities at the time.

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“Parishes of St. Peter Hundegate, St. Mary Parva, St. Cuthbert, St. Peter de Parmenterigate, sworn, say, That a certain man named William de Bunham, Chaplain, placed himself in the Church of Saint Cuthbert, for a certain homicide perpetrated at Torp, as they say. The Bailiffs placed him in the custody of the aforesaid parishioners, and he escaped without view of Coroners; and this was in the Feast of Easter, in the year 52.”

The watching of felons in sanctuary must have been a great burden and expense to the city. Blomefield records,



(III., 176,) that "in 1491, the burgesses in Parliament acquainted the assembly that they had been at great expense in getting an ordinance of Parliament, to authorize them in a quiet manner to take John Estgate out of the sanctuary; the said John having entered the church and churchyard of St. Simon and Jude, and remained there for a long time past; during which time, the city, being forced to keep watch over him day and night lest he should escape, was at great charge and trouble; upon which the expense was allowed. And, the ordinance being passed, John Pynchamour, one of the burgesses, went to the sanctuary, and asked Estgate whether he would come out and submit to the law or no; and, upon his answering he would not, he in a quiet manner went to him, led him to the Guildhall, and committed him to prison."

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"Eliza, the daughter of Hamon Wotte, accused Ralph Muddock, pistor, Peter Cory, Geoffry, servant of Laurence de Fornsete, Ralph Crabbe, Umfrey Hodis, Ray, servant of Adam le Blund, That iniquitously, and against the peace of our Lord the King, and feloniously, they killed Ralph, her brother, servant of William Payn, on Thursday next after the feast of St. Lucie, in the year 51, and stole from him seventeen pounds sterling. This accusation was made in full court at Norwich, the Tuesday after the close of Easter, in the year 52; and she brought pledges to prosecute; Hamon Wotte, her father, and Geoffry de Horsted."

Endorsed on the roll, at the back of the above entry, is the following.

"John Popinel, John de Weston, Robert de Burghle, Robert Lax, David de Okle, John Sweting, William



Herse, John le Viner, Walter Woke, say on their oaths, that Ralph, servant of William Payn, was killed by the Barons, and that no one of the city could be accused of it."\*

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"In the year 56, it happened that John Casmus was found slain on the Tuesday † next after the feast of St. Laurence, by William de Brunham, Prior of Norwich, at the Gates of St. Trinity, on the *eastern* side. The said Prior having struck him with a certain 'fauchone' on the head, from which blow he instantly died. The Coroners are unable to make inquisition, from fear of a felonious assault." ‡

There is no doubt that this Prior, by his violent conduct, contributed materially to the unhappy disturbances which ended in the destruction of the Priory and very serious injury to the Cathedral. He was installed in 1260; and, being much blamed for the intemperance of his conduct during these disorders, resigned the Priory into the Bishop's hands, on the 28th September, 1272, the day after the King left the city. Blomefield says he was then infirm, and died February 13th, 1273; but the author of the *Liber de Antiquis Legibus* § attributes his death to another cause than

\* The above entries give the positive date of the attack on the city by the Barons; viz., Thursday, the 17th December, 1266. Ralph Wotte is the only name which has come down to us, of those who fell on that occasion.

† The 16th of August. The attack on the Cathedral commenced on Tuesday, the 9th of August.

‡ It seems very probable, from the temper of the Prior, that they would have been attacked if they had ventured to make inquisition. At the same time, they must have very well known, they were claiming jurisdiction where they had none—viz. on the *eastern* side of the gate.

§ The "Book of Ancient Laws," belonging to the Corporation of London, contains lists of the Mayors and Sheriffs of London, and a chronicle of



infirmity: "Postea, infra dimidium annum proximo sequentem, *divina ultione superveniente*, ut credo, ille nequissimus miserabiliter mortuus est."

He was succeeded by William de Kirkby.

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"In the same year, it happened that a certain Gunilda, daughter of Thomas Campsy, was found killed the Tuesday next before the Exaltation of the Holy Cross (this was on Wednesday, September 14th). Simon, the son of Thomas de Hoggston, of Hockeringe, struck her with a certain arrow, which pierced her heart, whence she instantly died. He fled immediately after the felony (and had no chattels), and was afterwards taken and imprisoned in Norwich. He afterwards, by writ *de odio et atia*, was liberated, but, having then committed a theft, was hung at Dereham."

The writ *de odio et atia*, after many attempts to prevent its abuse, was finally abolished by the 28th Edward III., c. 9. It appears to have been a writ issuing out of Chancery, to inquire whether a man killed another by misfortune or not.

The sheriffs and other influential men made large sums from the power this kind of writ placed in their hands. The above party probably made interest with the then sheriff, who obtained the writ, and summoned a favourable jury. I find in the *Abbreviatio Placitorum*\* one return from Sheriffs to this writ, and one only: it is Rot. 11 of Pleas at Westminster

remarkable occurrences from 1188 to 1274, apparently written at, or shortly after, the time of the events recorded. The Camden Society has printed it; and there is an admirable notice of it in the Journal of the Institute for September, 1847.

\* Vol I., p. 54.



in the reign of John, and is made by the Sheriffs of Essex :  
 "The sheriffs signify, &c., that the appeal that Matilda, the  
 daughter of Geoffry, made against William Bedell is *athia et*  
*per odium fem.* . . . . ."

"In the 13th year of the reign of King Edward, in the time of Roger de Wilby, Adam le Clerk, James Nade, and William de Burwood, Bailiffs, It happened that Walter Eye was condemned in the Court of Norwich, and hung, and appeared to be dead, but was afterwards discovered to be alive by William, the son of Thomas Stannard; and the said Walter was carried in a coffin to the Church of Saint George before the Gates of St. Trinity, where he recovered in fifteen days, and then fled from that Church to the Church of the Holy Trinity, and there was until the King, upon his suit, pardoned him."\*

\* It was formerly a prevalent idea, that felons could only be suspended for a certain time; and we have all heard of the various devices of criminals to save themselves: a silver pipe, put down the trachea, was a common expedient in schoolboy stories of highwaymen and murderers. It, however, never was so: the mode of authorising the Sheriff to do execution, was for the Judge to write opposite the name of the criminal, "Let him be hanged by the neck;" or, in the days of Latin and abbreviations, "sus. per coll." for *suspendatur per collum*; and in Hale's *Pleas of the Crown*, II., 412, we read: "In case a man condemned to die come to life after he is hanged, as the judgment is not executed *till he is dead*, he ought to be hung up again."

I can meet with but two well-authenticated instances of criminals coming to life after execution. They will be found in Caulfield's *Remarkable Persons*, Vol. III. Anne Green, executed at Oxford, in 1650, for child-murder, hung half an hour; and very violent means were resorted to by her friends to shorten her sufferings. After all, when the surgeons came to prepare for dissecting the body, they perceived some rattling in her throat, and used proper means for her recovery. In fourteen hours she began to speak, and the next day talked and prayed heartily. They then obtained a pardon for her, and secured the life their skill had restored.

William Dewell, executed at Tyburn in 1740, after hanging the customary time, was cut down and carried to Surgeons' Hall for dissection. When the



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THE other Roll, although containing miscellaneous returns, is chiefly occupied with a subject which bears a prominent place in the later entries of the Rolls I have just closed—the attack on the Cathedral. To the article, “De utlagatis et fugitivis, et si quis redierit post utlaḡ sine waranto,” “They say that of outlaws they know nothing, nor of fugitives returned. They say that John Buttesmuch, a fugitive, fled for the burning and robbery in the Church of the Holy Trinity; Bartholomew de Thaseburgh, Tanner, Walter, his brother, . . . Robert de Thaseburgh (who is dead), William le Blund, Clerk,”\* &c. [twenty-six are enumerated.] “All these were indicted before G. de Preston and his companions, and afterwards returned; when the said Gilbert made proclamation, that all who desired to come in peace were to be permitted to do so, finding surety.† And Robert de Akle, Clerk, Wariñ, Chaplain of the parish of St. Olave, William le Chaloner,” &c. [fifty-six are enumerated] “were indicted for the

attendants were washing the body, signs of life were observed, and, the breath coming quicker and quicker, several ounces of blood were taken from him; and in about two hours he was able to sit up, though speechless, and apparently in great agony. He was conveyed back to Newgate, and the next day was quite recovered. The extraordinary circumstances of the case operated so far in mitigation of his former sentence, that it was commuted to transportation for life.

\* As I before said, many of the above parties were dead in the 14th of Edw. I.; and the survivors appear *then* to have relied on the King's Charter, restoring the privileges to the city, in the thirteenth year of his reign. The justices, however, remanded them to prison, and directed the sheriff to account to the king for their chattels.

† I find no other record of this Proclamation.



same crime, and fled, and never returned." Although, however, at the time this presentment was made they had not returned, they seem shortly afterwards to have done so; for the fourth membrane contains a list of nearly all of them, together with the value of their chattels, and the names of the persons in whose custody they then were. Of the parties included in the list, no less than thirteen are described as "Chaplains" or "Clerks;" confirming Cotton's account, that many of the city and country clergy were on the citizens' side.

The chroniclers of this event are divided into two parties; one throwing all the blame on the citizens, the other on the negligence of the men placed by the Prior in the steeple to "vex" the citizens. The "*Liber de Antiquis Legibus*," before referred to, has a long circumstantial account of the latter character; and it adds to our previous knowledge the important fact, that the Prior conveyed a large body of men from *Yarmouth*\* by water, into the monastery, to assist him in his schemes. This curious account of the transaction was brought to the notice of the members of the Archæological Institute, at their Norwich meeting, by Mr. Hudson Turner, one of their secretaries. It was not, however, then known that two copies of this very account existed in the Norwich Record Room. The "*Liber Albus*" contains one; and the other is on a paper roll. Both give the name of the book from which the extract was made, and the folio at which it would be met with.

It will be observed, that the above presentment expressly states the parties to have been concerned in the *burning* and *robbery* of the Cathedral, and that this is a return made by

\* The disputes of the Norwich citizens with the men of Yarmouth about river jurisdiction, were second only in frequency and acrimony to those with the Priors. The Priors had a cell, too, at Yarmouth.



the citizens themselves. They would hardly have stated this, if it had not been a well-known fact; or, if they had been compelled to make a false presentment, they would have taken care to destroy it, as soon as the purpose it was intended to serve, was answered. Both parties, no doubt, were greatly to blame.

The further entries show, moreover, that, notwithstanding the dreadful events that had just taken place, after so much blood had been shed,\* so many public buildings and private dwellings demolished, and such a fearful waste of treasure had been occasioned by these paltry bickerings about jurisdiction, the parties could not, even for a time, abstain from advancing afresh their pretensions,—from again renewing the strife which had already cost them so dear.† It would scarcely be credited, were it not upon record, that these contentions, beginning nearly a century before the events above referred to, continued down to the dissolution of the monasteries,—that for a period of above three centuries these disgraceful quarrels were almost continually going on.‡

Yet so it was; and so, it is to be feared, that, “mutatis mutandis,” it will ever be. Generation after generation have

\* In addition to the many lives lost during the fight, upwards of thirty people were executed when the king was in the city; hundreds of others fled, some returning after fourteen years, only to be remanded to a prison.

† “They present that the Prior claims view of frankpledge in Newgate.”  
“The same Prior claims view of frankpledge in Holm Street.”

‡ From among many of similar character I take the following incident, A Sergeant at Mace arrested a felon on Palm Sunday, 1507, on Tomblond, on the “disputed territory,” and was taking him off to the Guildhall prison: the Prior, Bronde, (afterwards Wolsey’s successor at St. Alban’s) with many of the monks, attempted a rescue. The citizens, and subsequently the sheriff, joined in the fight. The sheriff had just succeeded in laying hold of the prisoner, when one of the monks drew the sheriff’s gown tight behind, pulled him down backward, and held him, whilst others got the prisoner from his clutch, and led him off to sanctuary in the Cathedral.



passed away, and the "view of frankpledge," and the other exciting causes of turmoil, have long been numbered with the things that were; but, despite these changes in laws and customs and individuals, human nature remains the same, and we of the nineteenth century are no less prone than were our forefathers in the thirteenth, to strain after some fancied privilege,—to "snap at the shadow and leave the substance."

