

## THE HONOURABLE SOCIETY OF LINCOLN'S INN.

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BY EDWARD W. BRABROOK, F.S.A., M.R.S.L.,  
BARRISTER-AT-LAW.

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As distinguished from the Inns of Chancery, such as Barnard's Inn and Staple Inn, Lincoln's Inn is an Inn of Court; that is, as Edward Waterhouse, esq. the learned commentator on Fortescue, defines it, "one of the *Hospitia majora*, such as received, not the gudgeons and smelts, but the polypuses and leviathans, the behemoths and the giants of the law."\*

Fortescue (himself a member of Lincoln's Inn) speaks in glowing terms of the state of the Inns of Court in his time; and, though the quotation may be familiar to most here, as it is our earliest and best authority on the question, I give it at length. He says, "Of the Inns of Court there are four in number. In that which is the least frequented there are about two hundred students. In these greater inns a student cannot well be maintained under £28 a year † [equivalent to at least 500*l.* now]; and if he have a servant to wait on him (as for the most part they have) the expense is proportionally more; for this reason, the students are sons to persons of quality, those of an inferior rank not being able to bear the expenses of maintaining and educating their children in this way. As to the merchants, they seldom care to lessen their stock in trade by being at such large yearly expenses. So that there is scarce to be found, throughout the kingdom, an eminent lawyer who is not a gentleman by birth and fortune; consequently, they have a greater regard for their character and honour than those who are bred in another way. There is both in the Inns of Court and in the Inns of Chancery a sort of an Academy or Gymnasium fit for persons of their station, where they learn singing

\* Waterhouse, Commentaries on Fortescue (p. 526).

† "Octoq'inta scutorum," mistranslated in Selden's edition, 1616, "twenty marks."

and all kinds of music, dancing, and such other accomplishments and diversions (which are called revels) as are suitable to their quality, and such as are usually practised at Court. At other times, out of term, the greater part apply themselves to the study of the law. Upon festival days, and after the offices of the church are over, they employ themselves in the study of sacred and profane history; here everything which is good and virtuous is to be learned, all vice is discouraged and banished. So that knights, barons, and the greatest nobility of the kingdom, often place their children in the inns of Court, not so much to make the laws their study, much less to live by the profession (having large patrimonies of their own), but to form their manners, and to preserve them from the contagion of vice. The discipline is so excellent, that there is scarce ever known to be any piques or differences, any bickerings or disturbances, amongst them. The only way they have of punishing delinquents is by expelling them the Society, which punishment they dread more than criminals do imprisonment and irons; for he who is expelled out of one Society is never taken in by any of the other. Whence it happens that there is a constant harmony amongst them, the greatest friendship, and a general freedom of conversation. The manner and method how the laws are studied is pleasant, and excellently well adapted for proficiency. Neither at Orleans, where both the canon and civil laws are professed and studied, and whither students resort from all parts, nor at Angiers, Caen, nor any other university in France (Paris excepted), are there so many students who have passed their minority as in our Inns of Court, where the natives only are admitted."

I fear that old Fortescue, in his Treatise, so aptly called *De Laudibus Legum Angliæ*, has dipped his pencil into the rose-colour a little too freely. No subsequent writer has felt warranted in being quite so enthusiastic.

Waterhouse, writing in 1663 of the Inns of Court,\* says, "Though most men now repair thither for fashion, and to spend money, yet of old they thither went, and there resided, to acquire parts of virtue and action, and to compleat themselves as good Christians and stout gentlemen; and this to do, nothing contributes more, next God's blessing, than frugality of living and keeping close to study."

One subject, touched upon in the extract from Fortescue, is very captivating to every writer on the Inns of Court, viz.: The "Revels"

\* Op. cit.

which were formerly practised in their halls. There is something which appears so delightfully incongruous in the grave students of the law disporting themselves, with a gaiety that must have been somewhat elephantine, in the presence of their still graver seniors. It is to be feared we get our common notion of them from the mendacious lines of the poet Gray, where he libels Sir Christopher Hatton by saying,

The grave Lord Keeper led the brawls,  
And seals and maces danced before him.

I shall resist however the temptation to enlarge upon them, for that has been so well and so often done by other and abler hands, that on this occasion a passing allusion is all that is necessary. Those who wish to go further into the matter will find all they want in the great work of Sir William Dugdale, whose "*Origines Juridicales*" are a fountain of knowledge with regard to the Inns of Court, and all our judicial antiquities; in Brand's *Popular Customs*, edited by Sir W. Ellis; and in "*The Lives of the Judges*," by the lamented Mr. Foss, who spared no pains to illuminate every obscure point of our legal history.

The records of these revels however are interesting, as being confirmatory to a great extent of the statements of Fortescue as to the aristocratic, or at least the extravagant, character of the occupants of the Inns. It will be seen that the revels were in vogue in Fortescue's time, and they continued so until that of Charles II., 200 years later. They may be said to have passed out of use, with much else that was characteristic of our ancient manners, at the time of the Commonwealth; for in many respects the revivals of old customs under Charles II. were spasmodic and temporary. While they lasted they were sources of reckless profusion and extravagant expenditure. A sham king or lord of misrule was appointed, usually a young and high-born member of the Society, and around him were grouped a large retinue of youths as officers of his sham court.

It will not be overlooked however that these revels were merely incidents in the ordinary life of persons of rank; for (as Stow tells us) such entertainments took place not only at the King's Court, but in the dwelling of every nobleman of honour or good worship, were he spiritual or temporal.\*

\* Strype's Stow, i. 246.

On the masques performed by this Society vast sums were spent; one presented to James I. cost the Society 1,016*l.*; and one performed before Charles I. 2,400*l.*; besides the amount which the members individually had to expend.

With the same object, hinted at by Fortescue and Waterhouse, of preserving the high character of the Inns as schools of manners, careful provision was made by the Council of the Inn with regard to the apparel of its members. Thus in 23 Hen. VIII. it was "ordered for a continual rule that no fellow of the House should wear any cut or 'pansid' hose or briches, or any pansid doblet, upon pain of "putting out of the House." In 30 Eliz. that if any Fellow of the House should wear long hair or great ruffs he should be put out of commons. So in 38 Eliz. if within the precinct of the House he should wear any cloak, boot, or spur.

On the matter of beards they were equally strict. In 33 Hen. VII. he who wore a beard had to pay twice as much as usual for his dinner. In 1 Mary they would be put out of commons if they did not shave. In 1 Eliz. heavy penalties were to be inflicted upon him who should wear a beard of above a fortnight's growth. Fashion was too strong, however, for these enactments, and in 2 Eliz. they were all repealed.

Up to 32 Eliz. the members were in the habit of resorting once a year to Kentish Town, dining there and indulging in sports, late watchings, and exercises.

The principal social custom now observed in this Inn is that of the members dining together, which takes place every day of term in this hall. The masters of the Bench occupy seats on the raised dais behind a screen of waggons; the barristers sit at tables parallel to that of the Benchers; and the students' tables are placed at right angles with them. Each table is divided into messes of four; at the bench the strictest order of precedence is observed; at the bar tables it is supposed to be followed, and, until the signal to sit down has been given, may be actually enforced; at the students' table, of course, no precedence exists.

The Commissioners for Inquiry into the Inns of Court in 1855 found that the number of persons dining in Lincoln's Inn Hall largely exceeded in the year 1854 that in the three other Inns put together. Nor did they fail to acknowledge the great advantage which is to be derived in a profession such as that of the law from its members

habitually dining together. In this respect, therefore, Lincoln's Inn does its duty more efficiently than any other of the honourable societies of the Inns of Court. For myself, I must acknowledge that to this practice of dining I owe many most agreeable personal associations with my brother barristers, and that many pleasant hours have been spent by me in this Hall.

This custom of dining arose, no doubt, when the collegiate system more fully prevailed in the Inns of Court, when men resided in their chambers, and spent their whole lives in their Inn. It was also part of the educational system of the Society, for at each mess there was a "moot;" the junior member of the mess propounded to the rest some knotty question of law, and profited by their discussion of it over dinner. I need hardly say that this is a custom which has quite fallen into disuse, and that, though we sometimes talk a good deal of "shop," we do it with no educational purpose. The same object was served by the formal introduction to the Bar which each student had to pass through during his noviciate, and which was called his "exercises;" originally a practical test of knowledge, this also gradually degenerated into a mere formality, and is now commuted into a signature and a bow.

In 6 Edw. VI. it was ordered that every puisne at every mess at dinner should put a short case of one point, argumentable, and to be argued thoroughly, by all that should sit at the same mess, and no man to depart from the same under the penalty of 12*d*. In Roger North's Life of Lord Keeper Guilford, where he describes the studious early life of that distinguished man, he says, "he used constantly the commons in the Hall at noons and nights, and fell into the way of putting cases, as they call it, which much improved him; and he used to say that no man could be a good lawyer that was not a put-case."

On this branch of my subject, I will only add, that, aristocratic as may have been the Inns in early ages, there has never been a time, as we shall presently see, when the student who had nothing but his own industry and intellect to rely upon has not had a chance of success there. While I hope I may not be thought presumptuous in claiming for the members of my profession that every idea instilled into their minds as such tends to imbue them with the highest sense of personal honour and integrity, I think I may also be permitted to point with pride to the number of illustrious names connected with it who have owed their distinction to nothing but personal exertion, and

that gift of which genius has been said to consist, an unlimited capacity for taking pains.

The title deeds of the Inn commence with one dated 6 December, 1535, an Indenture between Robert Bishop of Chichester and William Sulyard, granting Lincoln's Inn, with a way through the gate called Field gate, opposite the Rolls, as far as the field called Fykett's Field, on a lease for 99 years. On the 1 July, 1536, a deed-poll was executed by the Bishop and Dean and Chapter, granting Lincoln's Inn and the garden called Conygarth, formerly called Cotterell Garden, &c. to William and Eustace Sulyard in fee. Eustace survived William, and left a son Edward. On the 8-12 November, 1580, Edward Sulyard granted it to the then Benchers in consideration of £520. In Hilary Term, 1581, a fine was levied. And on 10 May, 1584, the Inn bought for 20 marks a piece of ground in Fykett's Field extending, from the turnpike gate of Lincoln's Inn to the yard wall next the garden, 112 feet.

It will be seen, therefore, that in the case of Lincoln's Inn (as was reported by Her Majesty's Commissioners on the Inns of Court in 1855) there is no trace of any grant from the Crown; but the property of the Inn has been acquired by purchase from private individuals, and is maintained by the voluntary contributions of the members. The Commissioners found the gross income of the Inn to be 18,242*l.* a year, of which 8,279*l.* was derived from the members, and the remainder from rent of Chambers. This income they found however to be subject to very large deductions, and to be burdened with a debt for the building of Lincoln's Inn Hall and Library. The Courts for the Lord Chancellor and Vice-Chancellors are gratuitously provided by the Inn.

This leads to the remark, that, in one respect, Lincoln's Inn has an advantage over the Societies of the other Inns of Court. It is the home of the Courts of Chancery, and the Inn most conveniently situated for the Equity Draftsmen and Conveyancers whose practice lies in that branch of our jurisprudence; hence Chancery lawyers, as a rule, belong to it. Now the judges of the Common Law Courts\* are required, if not already serjeants, to take upon themselves that state

\* This paper was read before the passing of the Judicature Act, 1873, which enacts that from the date of its coming into force it shall not be necessary that the Common Law Judges should be of the degree of the *coif*. The Act has not yet come into force.

and degree before they can occupy their seats on the bench; but not so the judges of the Courts of Equity. He who is made a serjeant ceases to be a member of his Inn of Court; but an Equity judge does not discontinue his membership of his Inn; hence Lincoln's Inn is found to number among the masters of its bench several who fill or have filled the highest places open to an English barrister.

It may be proper to explain, however, that this connection of the Honourable Society of Lincoln's Inn with the Courts of Chancery is merely accidental and local; there is no rule which requires an Equity barrister to be a member of this Inn, and the Courts are here merely as tenants of the Benchers. Those of the Chancery Courts actually within the precincts of the Inn are the Court of the Lord Chancellor and Lords Justices, which occupies the old hall, and the Courts of the three Vice-Chancellors, two of whom sit in a temporary building opposite the Gate House. Many Equity barristers belong to the other Inns, and many Common Law barristers to Lincoln's Inn; and no privilege in relation to practising in either of the Courts is enjoyed by members of any particular Inn. It is very possible that, when the new Law Courts are finished, and occupy the space between Lincoln's Inn and the Temples, the ascendancy of Lincoln's Inn in the Courts of Chancery may cease: \* in the meantime we cannot fail to be proud of the circumstance which enables us to retain Lord St. Leonard's, Lord Hatherley, Lord Selborne, and Lord Cairns, as well as Vice-Chancellors Kindersley, Stuart, Bacon, and Malins, and Lord Justice James, on our Bench.

Nor is this association of Lincoln's Inn with the Courts of Chancery a matter of any antiquity. Anciently the Lord Chancellor sat in Westminster Hall, as he and all the Chancery Judges still do on the first day of term; or he might hold his Court and exercise jurisdiction in his own private house, or wherever it pleased him. With him would sit the Master of the Rolls and the other Masters in Chancery, who were usually either priests or doctors of the Civil Law, and serjeants and barristers pleaded before them. But it is only since 1592 that the Great Seal has been habitually committed to the custody of lawyers only, and the Vice-Chancellorships date only from the years 1813 and 1841 respectively. The Lords Justices of Appeal were

\* The Judicature Act, 1873, provides for the abolition of the distinction between law and equity, but retains the existing courts under slightly altered names.

created in 1851. Thus the enormous increase of the business in Equity has given rise during the present century to the creation of four new Courts in aid of the two ancient jurisdictions vested in the Lord Chancellor and the Master of the Rolls, and the reduction of its doctrines to precision can hardly be said to have commenced earlier than the time of Lord Bacon; if indeed (as my friend Mr. Griffith, of this Inn, suggests in his "Institutes of Equity") it ought not rather to date from the time of Finch, Earl of Nottingham, called by some "the father of Equity," A.D. 1673.

Our view of the history and antiquities of Lincoln's Inn and of the points of archaeological interest in connection with its present customs and practices would not be complete without some account of the great men who have been connected with it. This must be prefaced by the remark that the early history of the Inn is involved in very deep obscurity, for the tradition of its establishment in the reign of Edward III. though it presents great probability of truth, is not supported by any evidence of a documentary kind. The first mention of the four Inns of Court, one of which Lincoln's Inn undoubtedly was, is by Fortescue, who wrote after the year 1460; and the first deed relative to the property which has been preserved in the archives of the Inn is dated in the year 1535. During 150 years before Fortescue wrote, if the usual accounts be accepted, Lincoln's Inn was flourishing; but we meet with no record of the name of any distinguished member of it in those early times, though it must have furnished many of the judges from among the students, exceeding 200 at a time, whom, Fortescue tells us, it gathered.

We do find, however, from a record coeval with Fortescue, the "Black Book" of Lincoln's Inn, that, whether its claim to be the oldest of the four Inns of Court is well founded or not, it was the first to institute settled order and government and make provision for legal education. That book commences in 1423, and it gives the names of the governors for the year 1424. These are Rye, John Symonds (afterwards Recorder of London), Gilbard, Crakenthorp, Robert Scheffeld, and Fortescue himself,\* who continued to hold the office until 1429, when he became a serjeant-at-law. With his illustrious name we may be content to commence our notice of the Worthies of Lincoln's Inn, inheriting from him the pride he felt in the Society of which he was so distinguished an ornament. He

\* Dugdale, Orig. 257.



was also one of the Worthies of Devon, and belonged to the family of the knight who bore the shield "*forte scutum, salus ducum*," before William the Conqueror. He was made Chief Justice of the King's Bench in 1442; was banished the country on the accession of Edward IV. when he used his enforced leisure in writing the treatise "*De Laudibus*," returned in 1471; and (dying soon after) was buried at Ebrington in Gloucestershire.

In the year 1440 the governors began to be sworn, and the students on admission to the Inn were required to take an oath of obedience to them. The governors then sworn were Robert Danvers (afterwards Justice of the Common Pleas), John Stafford, Richard Wood, and William Boeff (afterwards a serjeant). Danvers, however, had been first appointed governor in 1428. He was successively common serjeant, recorder, and representative in Parliament of the city of London. He left this Inn to become a serjeant in 1443, and from 1450 till his death in 1467 was a Justice of the Common Pleas. He and his wife Agnes were buried in the church of St. Bartholomew in Smithfield.

From 1446 to 1461 William Jenney was one of the governors. His name occurs prominently in the Paston Correspondence, he having prosecuted Sir John Paston to outlawry. He became serjeant in 1463, Judge of the King's Bench in 1481, and died in 1483.

In 1464 the Society of Lincoln's Inn made another step of progress in their organisation for legal education—the important one of appointing Readers to give readings in law to the members during the vacation of the Courts; one was appointed in each Michaelmas Term for the ensuing Lent Vacation, and another in each Easter Term for the Summer.

The first reader recorded is William Huddesfeld, who had the honour of being twice re-appointed, or becoming triplex reader, as it was called, viz. in 1464, in 1469, and 1475.

That the persons chosen as readers were the most eminent lawyers of their day under the degree of serjeant is shown by the distinction many of them afterwards gained in the profession. Thus the next reader after Huddesfeld was John Sulyard, whose family name I have mentioned in connection with the purchase of the estates of the Inn from his descendants. He became serjeant in 1477, Judge of the King's Bench in 1484, and died in 1488. He was also triplex reader, for he served the office of reader again in 1470 and 1477. One of the readers

for 1468 was Roger Townshend, who again served in 1474. He also became serjeant in 1477, a Judge of the Common Pleas in 1484, and died in 1500. One of the readers for 1469 was John Haugh, who again served in 1473. He became Justice of the Common Pleas in 1487, and is displayed in his judicial robes in the beautiful window of Long Melford church, which has been so admirably illustrated by our member, Mr. Charles Baily.

Another Judge of the Common Pleas who was raised to the Bench in 1488, Sir William Danvers (half-brother of the Robert Danvers already mentioned), was a member of this Inn, which he left for Serjeant's Inn in 1485, but without having served as a reader or as a governor here.

A reader in 1471 was Nicholas Statham, to whom is attributed the earliest abridgment of the cases in the Year Books.

A reader in 1475 and again in 1481 was Sir Thomas Lovel, who built our Gate House. He was Chamberlain to Henry VII and a Knight of the Garter, and the discovery of his coffin with that of his wife on the site of Halliwell Priory, Shoreditch, is the subject of an excellent paper in the "Proceedings of the Evening Meetings of the London and Middlesex Archaeological Society," 4th Feb. 1863, by my esteemed colleague, Mr. J. E. Price, F.S.A.

One of the readers in 1480 was Robert Read, who was again reader in 1486, when he became serjeant; he was made King's Serjeant in 1494, a Judge of the King's Bench in 1495, and Chief Justice of the Common Pleas in 1506. He was founder of a chantry at the Charterhouse, and a benefactor to the University of Cambridge and to Jesus' College therein.

The career of one of the readers for 1482 is particularly interesting. He was admitted a member of the Society in 1468 because he had behaved himself well and faithfully in the office of its butler, and as John Boteler alone is he known. He showed himself worthy of the honour the Society had done him, left it to become a serjeant in 1494, and was made a Judge of the Common Pleas in 1508. On his leaving Lincoln's Inn, with Richard Higham and Robert Constable, made serjeants at the same time, 130 members of the Inn subscribed 3s. 4d. each as a parting gift, amounting to 21*l.* 13s. 4d. which was divided into three parts, put into gloves, and presented to them.\*

The name of the autumn reader for 1489 introduces to us another

\* Dugdale, 137, 250, 281. Foss, sub nom.

similar episode in the history of Lincoln's Inn, one which is deeply interesting as connected with the name of one of its brightest ornaments and one of the purest and noblest characters in English annals. We owe to Mr. Foss (as indeed I and all future chroniclers must owe everything relating to the career of English judges) the patient and acute investigation of the facts I am about to narrate.\* In 1464 John More was raised from the office of butler to that of steward; in 1470 his long and faithful services in these two capacities were rewarded by his admission to membership of the Society; and in 1489, and again in 1495, he held the high and honourable office of reader. His son John More, junior, succeeded the father in the office of butler, and enjoyed the like promotion, till in 1503 he left this Inn to be made serjeant, and became one of the Judges of the Common Pleas in 1518; was thence transferred to the King's Bench in 1520; and died in 1530.

The son of John More, the butler and the judge, and grandson of John More, the butler, the steward, and the reader, was the illustrious Sir Thomas More, the chancellor and the martyr. Well might he describe himself in his epitaph as "*familiâ non celebri, sed honestâ natus.*" I am not aware of any similar instance in any other Inn of Court, and I may therefore claim for this Inn that their generous appreciation of humble merit and freedom from unworthy aristocratic prejudice laid the foundation of this great man's eminence. The whole history is a curious commentary upon Fortescue's remarks as to the high birth of the members of the Inns of Court in his day. One may picture to oneself the eager attention with which the aspiring butler would listen to the reading of the law in the Inn, till, in the course of years, he had mastered all the law's intricacies and qualified himself to become reader in his turn.

Sir Thomas More, as he never became a serjeant, continued all his life a member of Lincoln's Inn, and his biography by his son-in-law Roper relates two or three incidents which show the attachment he felt to this Society. His great-grandson More says of him while at Lincoln's Inn that "his whole mind was set on his book. For his allowance his father kept him very short, suffering him scarcely to have so much money in his own custody as would pay for the mending

\* I am of course indebted to Mr. Foss's work for many of the dates and facts relating to readers given in this paper; indeed, the references to it at the foot of each page would be so numerous that I here make this general acknowledgement in lieu of a separate one for each case.

of his apparel; which course he would often speak of with praise in his riper years." He was appointed by the Society reader in Furnival's Inn, one of the Inns of Chancery belonging to Lincoln's Inn, and remained so for three years and more. In due time he married, but he never the more discontinued his study of the law at Lincoln's Inn, but applied himself still to the same till he was called to the Bench, and had read there twice. In his "Debellacyon of Salem and Byzance," written in 1533, after his removal from the chancellorship, is the following curious allusion to his readings here: "If I were again to read in Lincoln's Inn, and there were in hand with a statute that touched treason and all other felonies, I woulde not let to looke, seke out, and rehearse whether any heynous wordes spoken against the prince were for the onely speaking to be taken for treason or not."\*

Before the date of his readership he had been made a burgess of the Parliament, and was afterwards successively Under-Sheriff of London, Master of the Requests, Treasurer of the Exchequer, Speaker of the House of Commons, Chancellor of the Duchy of Lancaster, Ambassador to Flanders and to France, and Lord Chancellor. "Whensoever he passed through Westminster Hall to his place in the Chancery, by the Court of King's Bench, if his father (one of the judges thereof) had been seated or he came, he would go into the same Court, and there reverently kneeling down, in the sight of them all, duly ask his father's blessing. And if it fortun'd that his father and he at readings at Lincoln's Inn met together (as they sometimes did), notwithstanding his high office he would offer in argument the pre-eminence to his father, though he, for his office sake, would refuse to take it." So says Roper, but the incident requires explanation, for the father would have ceased to be a member of Lincoln's Inn in 1503 before he became a Judge, and Sir Thomas was not Chancellor till 1529.

Of his conduct as Chancellor it was said, in the punning style of the day:—

When *More* some years had Chancellor been,  
 No *more* suits did remain;  
 The same shall never *more* be seen,  
 Till *more* be there again.

When he delivered up the great seal he called his children to him, to consult them as to their future mode of life. "I have been brought up (quoth he) at Oxford, at an Inn of the Chancery, at Lincoln's Inn,

\* More, English Works, p. 963, col. 2.

and also in the King's Court, and so forth from the lowest degree to the highest; and yet have I in yearly revenues at this present left me little above a hundred pounds by the year. So that now we must hereafter, if we like to live together, be contented to become contributories together. But by my counsel it shall not be best for us to fall to the lowest fare first; we will not, therefore, descend to Oxford fare, nor to the fare of New Inn, but we will begin with Lincoln's Inn diet, where many right-worshipful and of good years do live full well. Which, if we find not ourselves the first year able to maintain, then will we the next year go one step down to New Inn fare, wherewith many an honest man is well contented. If that exceed our ability too, then will we, the next year after, descend to Oxford fare, where many grave, learned, and ancient fathers are continually conversant."\*

My excuse for saying so much about Sir Thomas More in this paper is, that we of the London and Middlesex Archæological Society must always feel deep interest in him, as one of the worthies of our county. He was born at his father's house in Milk Street; educated at St. Anthony's School in Threadneedle Street; belonged (as we have seen) to New Inn and to Lincoln's Inn; became a public lecturer at the church of St. Lawrence Jewry; then reader of Furnival's Inn; secluded himself in the Charterhouse (then, of course, a monastery) for four years; married and went to reside at Bucklersbury; became Under-Sheriff of London; then fixed his permanent home at Chelsea, till at last he was placed in the custody of the Abbot of Westminster, committed to the Tower, tried in Westminster Hall, thence returned to his prison, and there beheaded. The headless trunk was buried first at St. Peter's ad Vincula, and then at Chelsea; but the good wise head was rescued from exposure on London Bridge by his faithful daughter, and lies with her in her grave at Canterbury.

She bears in her last sleep her martyr'd father's head.

As it is not my intention on the present occasion to write the *Athene Lincolnenses*, a work well worthy of a much abler hand, I shall pass over the names of other distinguished members of the Inn with a very cursory notice. One of the readers of 1491, and again in 1496, was John Alleyn, afterwards Baron of the Exchequer, but, not being a Baron of the Coif, he continued a member of Lincoln's Inn. So also William Ellis, reader in 1502, became a Baron of the

\* Roper, 51.

same Court in 1523, but continued in this Inn. And again William Wotton, reader in 1508-9, was made Baron of the Exchequer in 1521, but is one of the Governors of Lincoln's Inn in 1527. One of the readers in 1517 was Thomas Willoughby, who became Serjeant in 1521, King's Serjeant in 1530, Knight in 1534 (being the first serjeant who had ever accepted knighthood), and Judge of the Court of Common Pleas in 1537. Robert Norwich was reader in 1518, again in 1521, Serjeant 1521, King's Serjeant 1523, Judge 1530, and Chief Justice 1531, of the same court. Christopher Jenney, grandson of the Sir William Jenney already named, was reader 1521 and 1522, Serjeant 1531, King's Serjeant 1535, Judge 1538.

One of the readers for 1524 enjoyed the rare distinction of being thrice reader, being re-elected in 1529 and 1531. He was Roger Cholmley, who became Chief Baron of the Exchequer in 1547, and Lord Chief Justice of England in 1552. This is the judge of whom Roger Ascham relates, that, when some students of Lincoln's Inn thought fit to remind him of early follies, in order to disarm him of the rebuke he was about to administer, said, "Indeed in youth I was as you are now, and I had twelve fellows like unto myself, but not one of them came to a good end. And therefore follow not my example in youth, but follow my counsel in age."\* The other reader for 1529 (who again served in 1537) was Robert Curzon; he, and likewise John Danaster (reader in 1530 and 1535) and John Pilborough (reader in 1533 and 1543), became Barons of the Exchequer without leaving this Inn. Baron Pilborough delivered an ornate oration here to Serjeants Meynell and Morgan on their creation (with five others) in 1547, when their feast was held here, and 5*l.* were presented to each of them as a parting gift.

Serjeant Morgan had been reader in 1542 and 1546, and was made Chief Justice of the Common Pleas in 1553, as a reward for his early allegiance to Queen Mary. His is the melancholy distinction of having been the judge who sentenced Queen Jane Grey to death.

One of the readers in 1538, and again in 1547, was Clement Heigham, who became Chief Baron of the Exchequer in 1558, without leaving this house.

One of the readers in 1547 was William Rastall, originally a printer, nephew of Sir Thomas More, and editor of his works. He became Justice of the Queen's Bench in 1558, and it is to him we owe

\* Seward's Anecdotes, iv. 275.

two great works, the value of which is still apparent, viz. the Collection of the Statutes and *Les Termes de la Ley*. He left this Inn to be serjeant in 1555 at the same call with William Bendlowes, also of this Inn, who enjoys the remarkable distinction of having been for four months, in 1558-9, the only serjeant-at-law not on the Bench. So said the window of Serjeant's Inn Chapel in Fleet Street, "annis Reginarum Mariæ ultimo et Elizabethæ primo superfruit et claruit solus."

The reader in Lent 1554, Sir William Cordell, was the very converse of John Boteler and John More, for, whereas they were made members of the Inn in consequence of their good conduct as its butlers, he was appointed butler, and fined for not exercising the office, at a time when he had been 16 years a member, and held the office of Solicitor-General to Queen Mary. He became Master of the Rolls and Speaker of the House of Commons, and is one of the worthies of Long Melford. Sir Christopher Wray was reader in 1562, and again in 1567, and became Justice, and ultimately Chief Justice, of the Queen's Bench. Sir Robert Monson was reader in 1565, and again in 1572, in which year he was made a Justice of the Common Pleas, being the first person upon whom was practised the legal fiction of being created a serjeant and made a judge at the same time. Sir William Ayloft, reader in 1571, and Sir Francis Wyndham, reader in 1572, were made serjeants in 1577, and gave rings with the motto "*Læ Regis Præsidium*;" both became judges.

A reader in 1574 became Queen Elizabeth's good judge, Sir John Clench; one of 1577, John Puckering, was afterwards Lord Keeper of the Great Seal; both those of 1578 became Judges of the Court of Common Pleas, Thomas Walmesly and George Kingsmill; Robert Clarke, reader in 1582, became Baron of the Exchequer; one of 1583, Thomas Owen, Judge of the Common Pleas, has found a resting-place in Westminster Abbey; and the names of other readers—Peter Warburton, promoted to be Judge of the Common Pleas; Edward Heron, Baron of the Exchequer; Thomas Fleming, Chief Justice, and Robert Houghton, Judge, of the King's Bench; Humfrey Winch, Judge of the Common Pleas—follow in quick succession.

I suspend this rather wearisome list of readers who developed into legal dignitaries, to allude to the Society of Antiquaries of Queen Elizabeth's day, which was forced to close a brilliant career of about thirty years through the strange jealousy of her successor James I., and

which as the precursor of the present venerable Society of Antiquaries, and of all such societies as our own, may fitly be called "the mother of us all." Four at least of its members, and those not the least distinguished, were members of this Inn. They were William Lambarde, the Kentish antiquary; Francis Thynne, Lancaster Herald, the continuator of Holinshed; William Hakewill, registrar of the Society, and one of the executors of Sir Thomas Bodley, also described as Solicitor to the Queen, which honour does not mean that he held the office of Solicitor-General; and lastly James Ley, Earl of Marlborough, Lord Chief Justice and Lord High Treasurer.

Of William Lambarde Lincoln's Inn was proud, and so may we be also, for his father was an Alderman and Sheriff of London.\* He was one of the Masters in Chancery, and had the rare distinction accorded to him of being made a Bencher and allotted chambers without payment, the proviso being made that this was not to be drawn into a precedent, as it was an acknowledgment of his having "deserved universally well of this commonwealth and country, and likewise of the Fellowship and Society of this House." The only one of his works I need mention here is the "Archeion," a most valuable and learned dissertation on the origin of the various courts of the realm. He concludes it with the following remarks:—

It had been fit to have added hereunto the beginning of the Houses of Law, commonly termed, for that they did flow out of the Courts, the Houses or Inns of Court, and to have annexed a Catalogue or Table of the names of all the Chancellors, Justices, and Judges. But because there is not (so far as I can yet learn) any certain monument of the one, and for that it requireth a great search of records, wherunto I have no access, to perform the other, I must leave them both to such as can and will better travail in that behalf.†

Thynne was a thorough antiquary—"an excellent antiquary," Camden calls him—a member of an antiquarian family. Several of his collections are among the Cottonian MSS. and others are preserved in Heralds' College.‡

Of Hakewill, Anthony à Wood says, that, "out of his grave and long conversation with antiquity, he extracted several curious observations concerning the liberty of the subject, and the manner of holding Parliaments."§

Sir James Ley, afterwards Earl of Marlborough, was reader in this

\* *Archæologia*, i. x.

† Ed. 1635, p. 280.

‡ *Archæologia*, i. xii.

§ *Ath. Oxon.* ii. 112; *Archæologia*, i. ix.



Inn in 1602, and left it to be serjeant in 1603, but abandoned that state and degree to rejoin us in 1609, and continued a Governor of Lincoln's Inn till 1621, when he once again left us to become Lord Chief Justice of England. He afterwards attained the high dignity of Lord Treasurer, and died in Lincoln's Inn in 1629, leaving a reputation so unblemished that some of his great contemporaries might well have envied it. Eight valuable papers, contributed by him to the old Society of Antiquaries, are preserved in Hearne's collection.\*

The other reader of the year 1602 also became Lord Chief Justice of England. This was Ranulph Crewe, son of a tanner at Nantwich, and ancestor of the Lords Crewe of Crewe; he furnished one of the many instances of noble integrity which have adorned the English Bench, for he was discharged from his office of Chief Justice for refusing to subscribe to the legality of a forced loan to the King.

I pass over the names of Sir John Denham, reader in 1607, afterwards Baron of the Exchequer; Sir Henry Hobart, reader in 1608, Chief Justice of the Common Pleas; his successor in that office, Sir Thomas Richardson, reader in 1614, afterwards Chief Justice of the King's Bench; and Sir William Jones, reader in 1616, afterwards a Judge of the King's Bench, all of them men of remarkable careers and unstained integrity,—to mention the reading in 1632 by Mr. Atkyns, afterwards Baron of the Exchequer,† because we have in Harl. MS. 980 a note of a curious discussion which took place at that reading, taken by one Thomas Gibbon, who was probably a student at the time.

Noy, att.-gen. (at Mr. Atkin's reading in Aug. 1632, at Lincoln's Inn upon the Stat. de Foresta), held opinion that our law readings were of great antiquity, and for that purpose he vouched a record, which was 19 Hen. III. cl. m. 23, brief fuit direct al Vicont de London commandant a luy q. si fuerunt asecun schooles in ceo city en que le loy fuit lye q. doit ceo suppress. The like was directed to the Abp. Cant. And the reason was because the king by the counsel of Hubert C. J. had disclaimed his grant and confirmation of the liberties granted by Mag. Charta

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\* *Archæologia*, i. xi.

† The family of Atkyns has produced many distinguished judges. Richard Atkyns, ob. 1610, was Chief Justice of South Wales. His son, Sir Edward, a Justice of the Common Pleas. His son, Sir Robert, Knight of the Bath and Lord Chief Baron of the Exchequer. His brother, Sir Edward, the reader mentioned in the text, Baron of the Exchequer. (*Le Neve's Knights*, ii.)

and that of the Forest as being made during his nonage,\* and in those schools those laws were maintained and publicly read. Afterwards the King (as the record speaks) *saniore mente reversus est*. This appeareth also by the chart-roll, 21 Hen. III.

Then also Mr. Attorney affirmed that every Inn of the Court was an university of itself,† and highly extolled the modesty of the ancient professors of our laws, that whereas in o<sup>r</sup> Universities a short abidance there will give them the name of sophisters, 4 years continuance the title of bachelors, 7 years masters of arts, and some 14 or 19 years at the most the name of doctors, all being specious and swelling titles, in our Law Univ's at 5 years we deserved the titles of Mootmen (that is, of that c<sup>d</sup> then like children begin to word it), at 7 years, or somewhat more, the title of Barrister (a word of contempt), at 27, having been single readers in an Inn of Court, the name of apprentices to the law, and afterwards, some 3 or 4 years double reading, the name of servients to the law, never arrogating higher titles, and yet every argument in a demurrer by any lawyer at any of W<sup>m</sup> Courts was of greater labour, if not learning, and a more public demonstration of it, than of any of their doctors' acts in their schools.

Among the prominent men of the Commonwealth who were members of Lincoln's Inn were Richard Cresheld (reader in 1637), who was appointed by the Parliament a Justice of the Common Pleas, but refused to serve them after the King's death; William Lenthall (reader in 1638), Speaker of the House of Commons, Master of the Rolls, and one of the Commissioners of the Great Seal; Oliver St. John, not a reader, also one of the Commissioners of the Seal and Chief Justice of the Common Pleas; John Glynne, Chief Justice of their Upper Bench; John Fountaine, another of their Commissioners of the Great Seal.

Glynne and Fountaine, together with Hugh Wyndham,‡ Samuel Browne, Erasmus Erle, and Matthew Hale, were amongst the serjeants created during the Commonwealth whose writs were declared invalid, and who were re-created upon the Restoration. I have elsewhere § described the imposing ceremonies with which the calls of serjeants were attended at this revival of monarchy.

The practice of reading was shortly afterwards discontinued, and I shall only mention, among other members || to whom Lincoln's Inn

\* Lord Coke, *præme* to 2d Inst.

† See the note by Selden on Fortescue, ed. 1616, p. 54.

‡ The family of Windham has contributed many ornaments to the legal profession, and to this Inn. See the pedigree in Le Neve's *Knights*, 236.

§ *Proceedings of the Society of Antiquaries*, iii. 417.

|| A few may be enumerated in a foot-note. Sir Thomas Estcourt, Master in Chancery, knighted 1660, and buried under the chapel. His son, Sir Thomas

may refer with pride, William Prynne, Sir Matthew Hale\* (who left us his priceless manuscripts, coupled, however, with the unfortunate condition that they should never be printed), and Sir Anthony Ashley Cooper, the first Earl of Shaftesbury. Since their time Lincoln's Inn has had many distinguished sons, but it is not needful that on an occasion like this I should name them. I may, however, be permitted to mention the Right Honourable William Pitt, whose escutcheon is on my left, who served his year as treasurer, and whose initials as such are inscribed on one of our sundials. And I am sure I may add—

At genus immortale manet, multosque per annos  
Stat fortuna domus, et avi numerantur avorum.

One word, before I conclude, as to the officers of the Inn. We have three clergymen associated with us, the preacher, the chaplain, and the reader. Our preachers have always been men of great distinction; in the windows and on the walls are the arms of many who have become bishops; but Mr. Spilsbury will give you a fuller account of them.

The chaplain has his fixed place at mess, and is, I need not say, a most welcome member of it.

And I should be ungrateful if I passed over the office of steward, to which, as now held by Mr. Doyle (as it was by his father before him,)

Estcourt, also Master in Chancery, died 1702. Sir Thomas Beverley, Master of the Request, knighted 1662. Sir Edwin Rich, Master in Chancery (son of Lord Rich), and Sir Edwin Rich, his son, ob. 1676. Sir Thomas Gery, knighted 1666. Sir John Halsey, Master in Chancery, died 1670. Sir John Mynne, knighted 1671. Sir Nicholas Pedley, serjeant-at-law, knighted at Lincoln's Inn 1671. Sir Richard Stote, 1671. Sir James Butler, Master of St. Katherine's Hospital near the Tower, illegitimate son of the Duke of Ormond and Lady Thynne, 1671. Nicholas Franklyn, a bencher, and his nephew, Sir John Franklin, Master in Chancery, knighted 1696. Sir George Strode, and his brother Thomas Strode, serjeants-at-law, who died 1696. Sir Richard Stephens, knighted 1679. Thomas Powys, serjeant-at-law, and his two sons, Sir Littleton Powys, *Justice of the King's Bench*, and Sir Thomas Powys, *Attorney-General*. Sir Robert Eyre, *Judge of the King's Bench*. Sir Isaac Preston, died 1708. Sir John Haules, *Solicitor-General*, whose "arms are on the inside of the Gate House at Linc. Inne: Two coats, quarterly, Sable, three greyhound's heads erased argent; 2nd. Or, a fess between three crescents gules; 3rd as 2nd; 4th as 1st. Crest: A greyhound's head coupt argent, in mouth an o . . . branch azure." See *Le Neve's MS.* published by the Harleian Society for pedigrees of these knights.

\* Sir Matthew Hale was the son of Robert Hale of Aldersley, co. Gloucester, a member of Lincoln's Inn. Sir Matthew's third son Thomas was also of Lincoln's Inn. (*Le Neve's Knights*, 152.)

we are all much indebted, and to whom you owe no little of the comfort you enjoy in this hall to-day.

Our arms, which you see represented in various places, are described by an old herald (MS. Harl. 1104, A.D. 1598) as, "Sapphire, fifteen fere moulius or, on a canton of the second, a lion rampant purple." How we came by them, or to what they are allusive, I am wholly unable to say.

My apology for having trespassed upon you so long with the associations of my Inn lies in the sentiment which the youngest student or the most briefless barrister must feel when he looks on those shields of coat armour:—

*Forsan et nostrum nomen miscbitur istis.*

At least, I hope you will, when you think of all that Lincoln's Inn has done for the law, and all that the law has done for England, join in our chaplain's prayer in the daily grace: "God preserve the Queen, the Church, and this honourable Society, and grant us His peace evermore."

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