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SHORTER NOTES

The first Portcullis Pursuivant? *Vance Mead* writes: According to Godfrey and Wagner, CA pp. 203-9, the office of Portcullis Pursuivant was 'Probably instituted soon after Henry's accession. Portcullis occurs several times in public records from 1490 to 1499, although his name is not given.' A previously unknown Portcullis Pursuivant, James or Jacques Videt, has now been found in the plea rolls of the Court of Common Pleas. He was the plaintiff in cases for debt recorded from Hilary term 1498 until Easter term 1501. In these entries he is referred to as Jacobus (i.e. James) or Jacques Videt or Videth, Portecoulysse Pursevaunt, of London, gentleman. The same man was also the plaintiff in a case for trespass to the person, i.e. assault, recorded from Easter term 1498 until Trinity term 1499. In these entries he is referred to only by name, as James Vydet or Videt. The plea rolls have been searched from 1492 until 1510. James Videt has been found 20 times between 1498 and 1501, and not outside of these dates. There is a good deal of repetition in these entries, so they can be summarised briefly. All references to the Common Plea Rolls in what follows are to TNA (PRO) CP40, with corresponding references to the series of images available online as part of the Anglo-American Legal Tradition (AALT) project under licence from The National Archives and sponsored by the University of Houston Law Center and the University of Houston Department of History. The AALT site is at <http://aalt.law.uh.edu>. I am grateful to this journal's referee for comments and information.

In the earliest entry found, in Hilary term 1498 (CP40/943 m. 65 dorse; AALT image d 958 = aalt.law.uh.edu/AALT4/H7/CP40no943/bCP40no943dorses/IMG_0958.htm), James Videt alias Jaques Portecoulysse Pursevaunt, sues three others: Michael Berty of Sudbury, Suffolk, merchant, alias Michael Beritty, merchant of Florence, for a debt of £20; John Boston, of Lenham, Kent, clerk, for a debt of £12; and John Yonge of London, gentleman, alias John Somerset Herald of Arms, for a debt of 60 shillings.

The action against Somerset Herald does not appear in subsequent entries. Many cases were simply dropped, either because the plaintiff gave up or because the defendant paid the debt. Arbitration was encouraged, especially when the litigants were members of the same guild or college.

The declaration against Michael Berty, by contrast, was made in Easter term 1498 (CP40/944 m. 387 dorse; AALT image d 1559 = aalt.law.uh.edu/AALT4/H7/CP40no944/bCP40no944dorses/IMG_1559.htm) requiring him to respond to James Videt alias Jaques Portecoulysse Pursevaunt for a debt of £20, on a bond sealed on 20 August in the 12th year of the reign of Henry VII (1497), at London in the parish of St Sepulchre in the ward of Farringdon Without. It ended, however, with an imparlance (a time extension sought on the real or fictitious ground of seeking amicable settlement) until the Octave of Trinity. The same term, Berty presumably entered a plea and a writ of *venire facias* was issued to summon the jury, though these entries do not survive; but we do know that in the subsequent term, Michaelmas 1498, the case was

subject to a respite (CP40/946 m. 190; AALT image f 376 = aalt.law.uh.edu/AALT4/H7/CP40no946/aCP40no946fronts/IMG_0376.htm). Pleading was done at Westminster; issues of fact were decided at assizes before itinerant justices in the counties. In this entry the assize was adjourned to Hilary term for default of jury, because none came. There was almost always at least one respited jury because the sheriff had to return the panel for possible objections by the litigants. The last entry we find for this case is in Trinity term 1499 (CP40/949 m. 188 dorset; AALT image d 1385 = aalt.law.uh.edu/AALT4/H7/CP40no949/bCP40no949dorses/IMG_1385.htm), when the assize jury was again respited. Here the respites end, after which either the plaintiff gave up or the jury met.

The case against John Boston followed a similar course, though it took a bit longer. In Easter term 1500 John Boston, vicar of Lenham, was summoned to answer James Videt alias Videth alias Porcoles, of London, gentleman, alias Porcoulysse Pursuant (CP40/952 m. 352 dorset; AALT image d 673 = aalt.law.uh.edu/AALT1/H7/CP40no952/bCP40no952dorses/IMG_0673.htm). The last entry we see for this case is in Easter term 1501, when the case was adjourned to Trinity term for default of jury (CP40/956 m. 59 dorset; AALT image d 118 = aalt.law.uh.edu/AALT1/H7/CP40no956/bCP40no956dorses/IMG_0118.htm). This case was in Middlesex, which, like London, was outside the normal assize system; see J. Baker, *Oxford History of the Laws of England*, vol. 6 (Oxford 2003), p. 285. Civil trials for London look place at St Martin's-le-Grand until 1518 and thereafter at Guildhall. Middlesex trials took place en banc, or before the justices in Westminster Hall.

James Videt or Vydet was also the plaintiff in a case for assault and battery starting in Easter term 1498 against William Sever of London, salter (CP40/944 m. 38; AALT image f 76 = aalt.law.uh.edu/AALT4/H7/CP40no944/aCP40no944fronts/IMG_0076.htm). More detail, much of it in formulaic language, is given in Videt's declaration as plaintiff in Trinity term 1498 (CP40/945 m. 121; AALT image f 239 = aalt.law.uh.edu/AALT4/H7/CP40no945/aCP40no945fronts/IMG_0239.htm). William Sever was attached to respond to James Vydet on a plea that on 12 November in the 13th year of the reign of Henry VII (1497), with force and arms, that is to say with swords, staves and daggers, he assaulted the plaintiff in the parish of St Sepulchre in the ward of Farringdon Without and beat, wounded and ill-treated him so that he was in despair of his life. The last entry we see for this case is in Trinity term 1499, when the jury trial was respited to Michaelmas, then to Hilary, and finally to Easter term 1500 (CP40/949 m. 80 dorset; AALT image d 1172 = aalt.law.uh.edu/AALT4/H7/CP40no949/bCP40no949dorses/IMG_1172.htm).

One other person with the same surname as Portcullis has been found in the Common Plea Rolls of the same period. In Hilary term 1498 John Vydet sued Francis Bonnerlet, of London, barber, on a plea that Francis assaulted him at Shoreditch. No further entries have been found for this case (CP40/943 m. 316 dorset; AALT image d 1434 = aalt.law.uh.edu/AALT4/H7/CP40no943/bCP40no943dorses/IMG_1434.htm).

In conclusion it seems to be established that James Videt(h) or Vydet was Portcullis Pursuivant in August 1497; of course he may well have been appointed to the office long before this date. The fact that he was named Portcullis in later Common

Pleas records down to 1501 does not, sadly, establish that he remained in the office at those dates. The plaintiff in an action of debt on a bond had to set out his name in exactly the same form as in the bond or there would be a fatal variance; likewise he had to retain the same form at each subsequent stage of the process. As shown by the way Videt's colleague Yonge was himself described ('John Yonge of London, gentleman, alias John Somerset Herald of Arms'), heraldic offices were treated as part of a person's name. Arguably the fact that Videt did not use the name of Portcullis in the action commenced in 1498 throws doubt on whether he was still in office then.

What is certain is that Videt was in London from August 1497 at the latest, and resided there, possibly in the parish of St Sepulchre in the ward of Farringdon Without. His surname and the sobriquet *Jacques* suggest he was French. Henry Tudor had lived for about 14 years in Brittany and France, and had been accompanied by a contingent of French troops when he landed at Milford Haven in 1485. It is possible that Videt entered his service in France and accompanied him to England.

Original patents of augmentations in Venetian archives (part 1). *Sebastian A. Nelson writes:* Two original seventeenth-century patents of augmentations granted to the Venetian diplomat Antonio Foscarini (1570-1622) survive in the library of the Museo Correr in Venice. Foscarini served as ambassador in Paris and later in London, and the first augmentation was granted by Louis XIII in March of 1611 (see **Plate 6a**). The second augmentation, granted by James I, is discussed in Michael Siddons' *Heraldry of Foreigners in England* (Harl. Soc. pubns. new series 19; London 2010), pp. 130-2. A brief examination of the original patents, however, allows a few details to be added to Siddons' account.

Foscarini's French augmentation, *Azure three fleurs-de-lys in fess or*, is visible in both patents borne in the first and fourth quarters (his ancestral arms, *Or a bend of fusils azure*, are borne in the second and third quarters). These quarters are described in *Heraldry of Foreigners*, along with Foscarini's crest (*Out of a coronet a demi-lion or*) and his English augmentation (*Over all a chief gules thereon a lion passant guardant or*). The English patent now reveals Foscarini's supporters, which appear to be *two lions regardant or langued gules* (see **Plate 6b**). Their presence in the earlier French patent, however, rules out the possibility that these supporters were an additional English augmentation.

Siddons writes that 'the date of the grant is not recorded in the available sources, but it was probably later than 1614' (op. cit. p. 130). The text of the patent confirms his supposition:

...datae e regio Palatio Nostro apud Westmonasterium, primo die decembrie, anno regni Nostri Angliae, Franciae et Hiberniae tercio decimo, Scotiae vero quadragesimo nono...

The date of the English augmentation was thus 1 December 1615.

A transcription of the English patent can be found in Niccolò Barozzi, *Relazioni degli stati europei lette al Senato dagli ambasciatori Veneti nel secolo decimosettimo*, series 2, vol. 1 (Venice 1857), pp. 400-1. Foscarini was executed in 1622 by the Venetian authorities under the false charge of spying for Spain.