

# THE COAT OF ARMS

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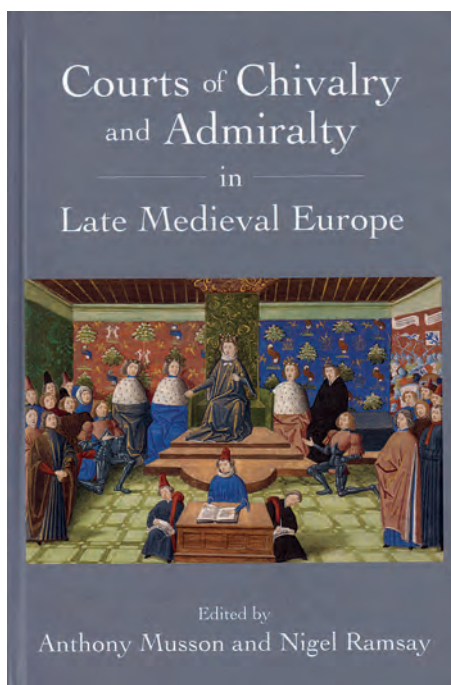
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## BOOK REVIEWS

Anthony Musson and Nigel Ramsay (edd.), *Courts of Chivalry and Admiralty in late medieval Europe*. Woodbridge: Boydell Press, 2018. xiv+ 250pp. Hardback. ISBN 978-1-78327-217-4. £60. E-book ISSN 978-1-78744-275-7. £19.99.



This compilation puts the English Court of Chivalry in its full original context as a military court with competence to address matters arising from conflict on land and the mustering of armies; its counterpart in dealing with matters at sea being the Court of Admiralty. The courts are further placed in the context of the evolution of their counterparts in France. There was an international aspect of both courts, which utilised the international Civil or Roman Law as opposed to the Common Law of England. An important aspect of the role of the Court of Chivalry was in dealing with disputes over ransoms for prisoners taken in battle, while for the Court of Admiralty a key focus was on dealing with piracy and the taking of ships as prizes of war.

Of particular interest to readers of this journal will be the introductory chapter by Richard Barber on the evolution of the role of the heralds, who seemingly played no significant part in the heraldic cases brought before the Court of Chivalry in the fourteenth century. The only herald named in the court's proceedings during that entire period was John Suffolk, whom the clerk disdainfully recorded was 'not a gentleman'. The earlier fourteenth-century kings of heralds were messengers, criers and minstrels. They needed the skills of good entertainers. The witnesses called before the Court of Chivalry were knights, esquires and clerics. They had a social standing which made their opinions count, one which the heralds then generally lacked. Another reason why heralds were not called to testify in armorial disputes was that they had no role in the granting of arms,

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which were largely self assumed, although royal grants were known, and were marks of great honour. Barber is of the view that the creation of William Bruges as the first Garter King of Arms in 1415 was the crucial watershed marking the placement of heraldry under direct royal control with a system of records which, it was hoped, would avoid disputes coming to the Court of Chivalry.

Bertrand Schnerb and Laurent Hablot in chapters 2 and 7 record a very similar evolution in the Courts of the Constable and of the Marshal of France. These military courts met from the second half of the fourteenth century, except when on campaign, in Paris, at the Marble Table in the Palais de la Cité . Here the Constable had jurisdiction over the household knights, esquires and serjeants of arms, and the Marshal over all other serving men-at-arms. Royal edicts in France in the 1370s and 1380s and England in 1389–92 defined the judicial authority of the Constable and Marshal and of the Admiral, offices which by that time already had a long history on both sides of the English Channel. Thomas Heebøll-Holm argues that the English Court of Admiralty was created because of the need to consider jurisdiction over the expanded English domains following the Peace of Bretigny in 1360, the Admiral of France having been made independent from the command of the Constable in 1342, and given his own court based at the Marble Table in Paris.

The European judicial view on homonymous arms throughout the later Middle Ages was really set by Bartolus de Sassoferrato in the 1350s. Identical arms borne by individuals from different regions were not considered to warrant a trial, although there might be exceptions, such as when one of the bearers had brought the arms into dispute. Half a century later the French considered there were three ways of resolving disputes over the bearing of homonymous arms: an amicable solution, trial by battle, or judgement by the crown. In the latter eventuality arms granted by a prince would naturally be looked upon with more favour than those simply assumed by an individual. Numerous heraldic disputes were brought before the premier royal court, the Parlement of Paris, with which the heralds had very little involvement before the establishment of the French College of Arms in 1407. It is known that Toison d'Or King of Arms was present at a case concerning arms examined at Arras in 1435, and Hablot considers that he was acting as the spokesman for the Office of Arms in Paris.

There are several chapters vaunting the utility of studying the medieval depositions presented to the English Court of Chivalry, there being no surviving records from the French courts. In chapter 3 Julian Luxford considers how they can be used to better understand how heraldry was employed and perceived. The depositions provide direct evidence that medieval funerary effigies were *painted* with the owner's arms, which has been a point of contention amongst historians. Clerical testators had little understanding of the dating of heraldic objects, and exhibited a tendency to exaggerate their antiquity. Luxford cites an example of a donative chasuble with the arms of Scales functioning more as a commemorative object than as a religious one, in that it was placed annually on the donor's tomb on the anniversary of her death.

Philip Morgan (chapter 4) writes on the importance of social standing of both the appellants themselves and their deponents in terms of evidential value and outcomes. In the Scrope-Grosvenor case, which was effectively between two relatively newly made families, Grosvenor attempted to slur Scrope as a descendant of parvenu lawyers,

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while both families attempted to enhance their social standing through foundation myths for their ancestors. The Prior of Bardney claimed that Scrope's ancestor was a Saxon nobleman and friend of Edward the Confessor, while Grosvenor, whose surname derives from 'chief huntsman', claimed descent from a cousin of the first earl of Chester, Hugh d'Avranches. Andrew Ayton (chapter 5) looks at the biographical and prosopographical value of the depositions with particular reference to the career of Nicholas Sabraham, esquire, a Scrope-Grosvenor deponent whose entry in the DNB to details of his remarkable military career gleaned from his own deposition.

Ralph Moffat (Chapter 6) has transcribed a treatise on preparation for a trial of combat for treason before the Constable and Marshal written by the linen armourer and sergeant of arms under Henry IV and Henry V, whose predecessor must have prepared Henry of Bolingbroke for his own intended fight to the death against the erstwhile Marshal, Thomas Mowbray, in 1398. The theme of the role of the Constable in treason trials is picked up by Anne Sutton (chapter 10) in her account of the period when Richard Plantagenet as duke of Gloucester combined the offices of Constable and Admiral. This was between 1469 and 1483. The subsequent reforms of Richard when he became king effectively brought the office of Constable to an end. As Constable Richard oversaw with the Marshal the trial for treason and the summary execution of numerous political opponents of the House of York captured in battle. When not in the field the Court of Chivalry sat in the White Chamber at Westminster Palace. Richard's officers, the heralds, were granted ordinances in the 1470s concerning their need to be familiar with all the noblemen and gentlemen of the realm and their right to bear arms. It was under Richard's authority as Constable that the first heraldic visitations took place, in the north of England. There is an interesting reference to his intervention as Constable in the matter of fees owing to the heralds in 1478 for their participation in a knighting ceremony. Could this have been a purely ceremonial function, or were coats of arms also being certified?

Richard III gave two great rolls of arms which he possessed as Constable to the College of Arms when he incorporated the heralds in 1484 (These have been identified by Nigel Ramsay as versions of what is now called Thomas Jenyns's Book, and of the lost St George's Roll). Sutton contends that although Richard III appointed Lord Stanley to be the last ever full time Constable of England, he envisaged that the College of Arms would permanently take on the heraldic responsibilities of the office. There is no consideration here of the role of the Earl Marshal during this period, it being contended (without citing any evidence) that it was the Constable who then presided over the granting of Arms. Conceivably the Marshal picked up some of the responsibilities of the Constable after the latter office fell into abeyance under Henry VII.

With this interesting volume to whet the appetite, the publication of Nigel Ramsay's edition of the surviving medieval records of the Court of Chivalry in the Selden Society series is keenly anticipated.

*Paul A Fox*