

## 99a Stephen Guerra The Avignon Papacy

The Story of the early 14th Century papacy and their exile in Avignon - a guest episode from Stephen Guerra



The Papal palace in Avignon France

Among the popes who resided in Avignon, subsequent Catholic historiography grants legitimacy to these:

- Pope Clement V: 1305–1314 (curia moved to Avignon March 9, 1309) (1)
- Pope John XXII: 1316–1334 (2)
- Pope Benedict XII: 1334–1342 (3)
- Pope Clement VI: 1342–1352 (4)
- Pope Innocent VI: 1352–1362 (5)
- Pope Urban V: 1362–1370 (in Rome 1367-1370; returned to Avignon 1370) (6)
- Pope Gregory XI: 1370–1378 (left Avignon to return to Rome on September 13, 1376) (7)

The two Avignon-based antipopes were:

- Clement VII: 1378–1394
- Benedict XIII: 1394–1423 (expelled from Avignon in 1403)

Benedict XIII was succeeded by three antipopes, who had little or no public following, and were not resident at Avignon:

- Clement VIII: 1423–1429 (recognized in the Kingdom of Aragon; abdicated)
- Benedict XIV (Bernard Garnier): 1424–1429 or 1430
- Benedict XIV (Jean Carrier): 1430?–1437



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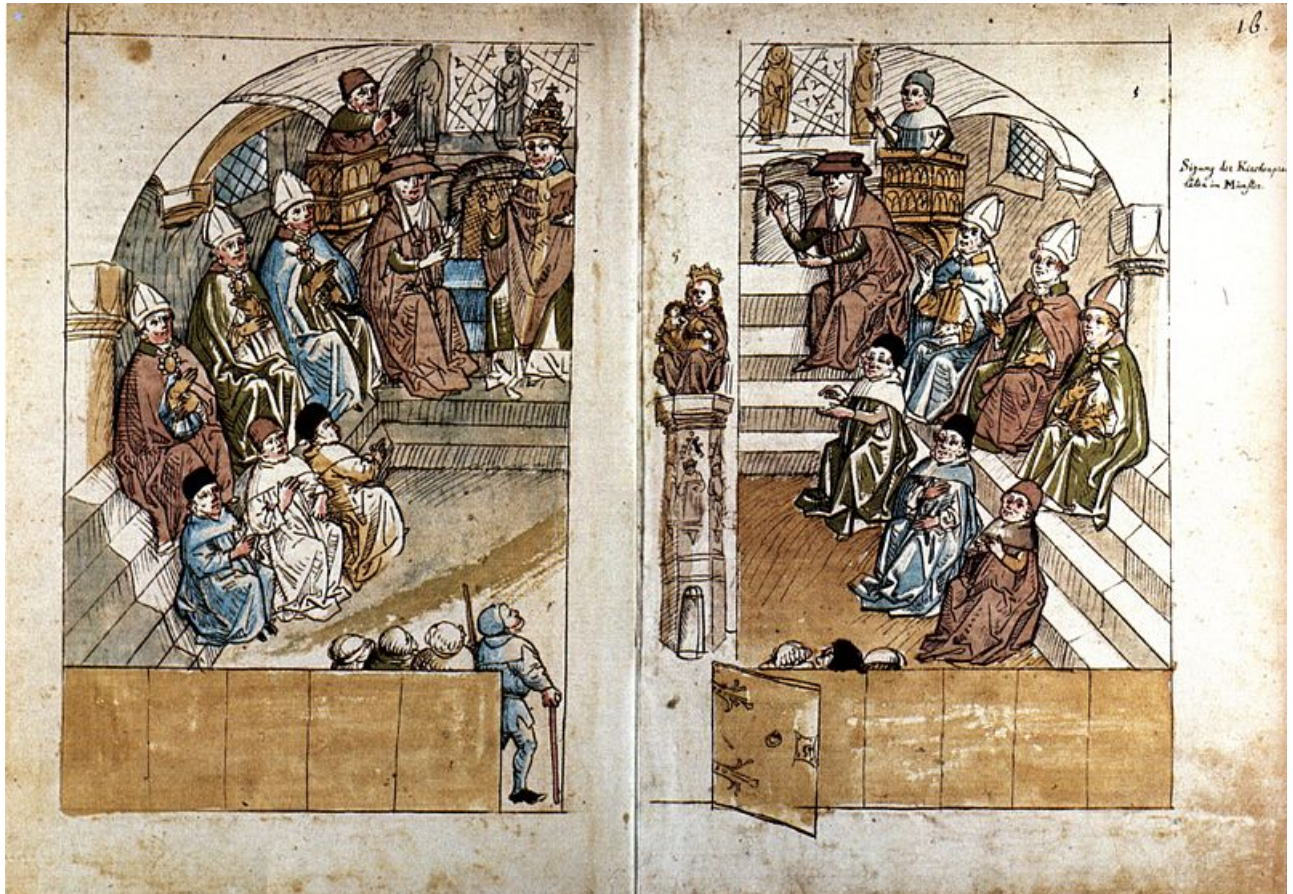
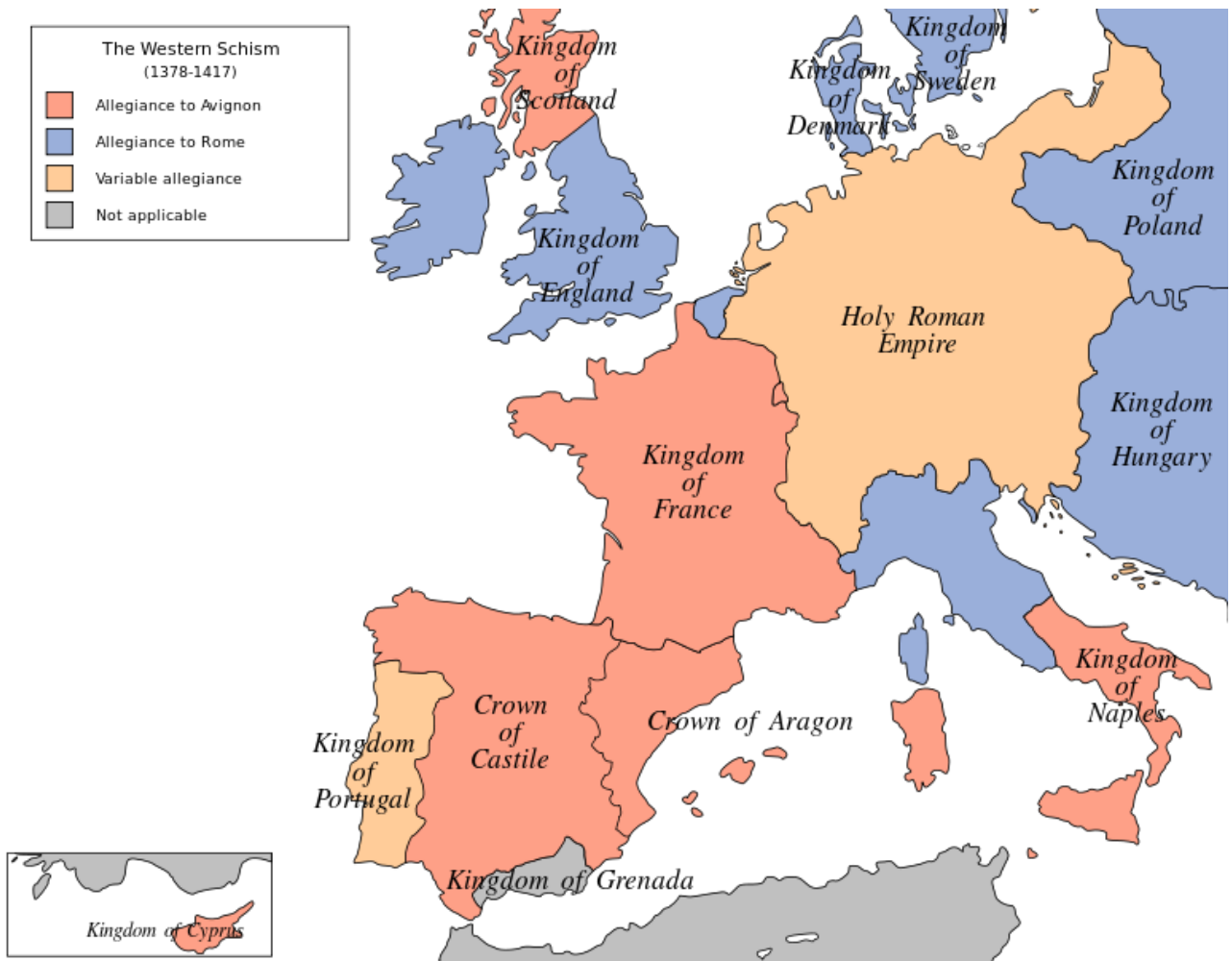
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The Avignon Popes





The Council of Constance

## 100 Theatres of War

This week, a bit of a scene setter; Edward and the development of consent from the commons in his parliaments, the theatres of the 100 years war ahead - and the revolt in Flanders led by Artevelde

### Edward and Parliament

Edward does not have the reputation of Edward I as a man with a constitutional mission. To my mind, he may deserve the accolade more. By the end of his reign parliament's role and structure had changed, and had become much more settled. Part of this was the separation of Lord and Commons we recognise today.

### The war in Gascony

For the first 8 years, although this was supposed to be a fight about Aquitaine, the main theatre of the war was in the north. Down in the south West, the English were usually but not always, on the back foot.

### The Theatres of War

For this first phase of the war, 1337-1341, we had essentially 4 theatres of war:

1. **The Low Countries** - in the/to the north of France - Brabant, Flanders, Artois and northern France
2. **The south west of France** - Gascony
3. **Scotland** - the threat from behind as the Scots fought the 2nd war of independence
4. **The English Channel, La Manche** - the fight for dominance

### Jacques Artevelde and the revolt in Flanders

In 1337, Jacques (or is it Jacob? I see both...locals might want to comment...) van Artevelde was made Captain General of Ghent, as Ghent threw off the authority of the Count of Flanders, Louis. Flanders was densely populated and uniquely industrialised - reliant for their livelihood on the cloth trade. Artevelde's view was that Flanders could not survive in opposition to England - because it needed English wool to survive. The English embargo on wool to Flanders and the resulting Flemish neutrality in 1338 is one of the few examples of a successful round of economic sanctions.



Artevelde

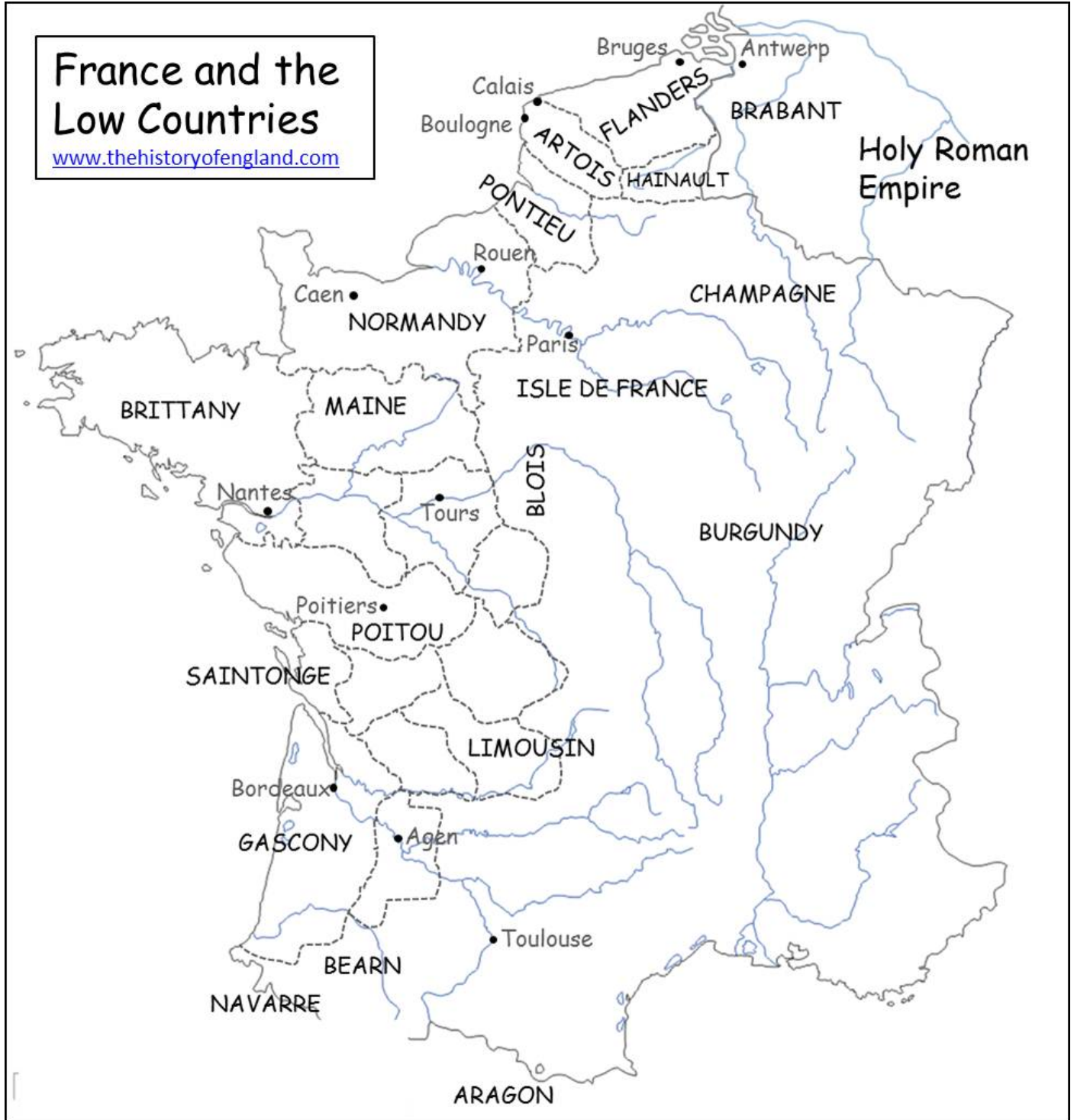


Black Agnes



# France and the Low Countries

[www.thehistoryofengland.com](http://www.thehistoryofengland.com)



Gascon Lords

De Foix

D'Aupres (? Spelling)

Armagnac

## 101 King of France and England

Edward faced a weary time, a weary time. His allies demanded money; he had none to give them. So they refused to fight, while the French closed in on Gascony and raided the south coast of England. Edward handed out impossible orders, sacked perfectly competent ministers and became increasingly isolated from his parliament, magnates and ministers. Against this background, in the Friday market at Ghent in 1340, Edward declared himself king of France.



Arms of Edward III

### The allies

Edward's diplomats did a good job of assembling an impressive army of allies - in numbers at least. But it cost him a fortune, and really there was little community of interest. They constantly demanded their money and refused to march without it. Edward was practically a prisoner in the Low Countries.

Ally	Soldiers	Price
The Emperor	2,000	£45,000
The Duke of Brabant	1,200	£60,000
The Count of Hainault	1,000	£15,000
The Count of Guelders	1,000	£15,000
The Margrave of Juliers	1,000	£15,000
The Count of Loos	200	£10,000
Rupert Count Palatine	150	
The Count of La Marck	100	
The Margrave of Brandenburg	100	
The Lord of Falkenberg	100	
<b>Total</b>	<b>6,900</b>	<b>160,000</b>

### The campaigns of 1338-1339...

...were a non event for England! In 1338, the allies refused to move without pay. In 1339 they did the same - so Edward said he would go alone, and they'd be sorry when he died a hero's death, so there. Most of the allies reluctantly followed him, except the Holy Roman Emperor.

They moved to besieged Cambrai, a town in Hainault help by the French. So Edward lifted the siege and marched into France proper. There they met Philip VIth and the much larger French army. They faced each other at La Capelle, in full battle order. But the French wouldn't attack, and the allies couldn't. So in the end, the allies ran out of food and water, and had to leave and return to Antwerp.

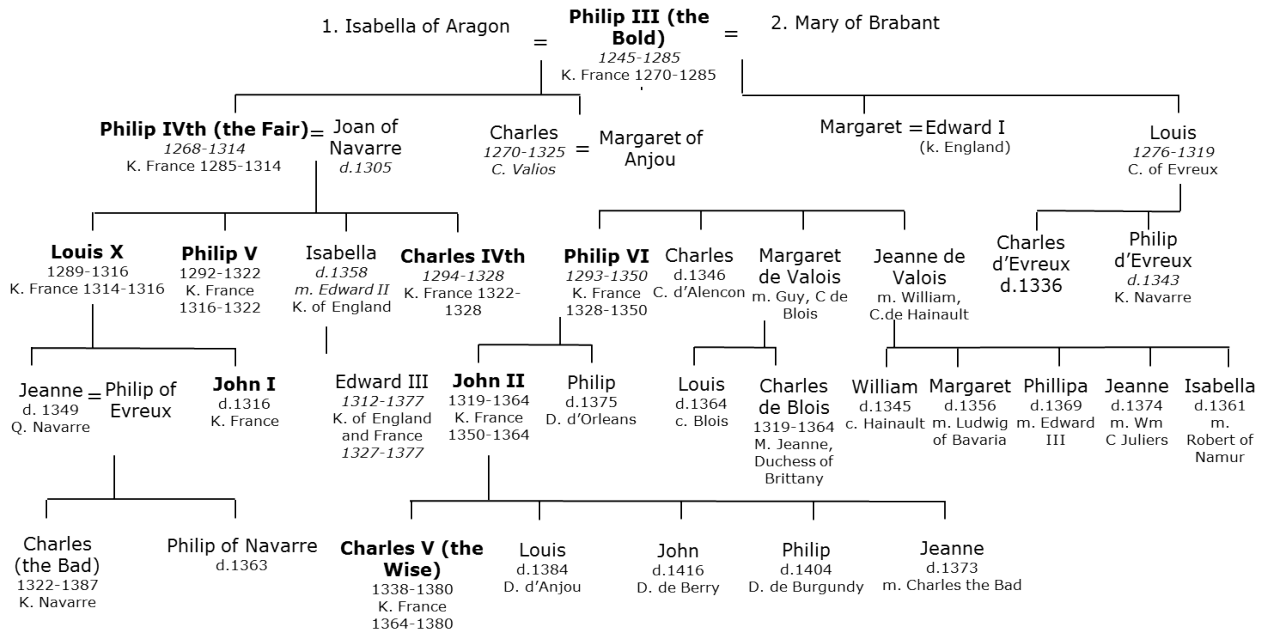
### Edward III declares himself king of France

Why did Edward do it? It is reasonably unlikely that even Edward felt he had a good claim, and though he may have convinced himself, it's very unlikely anyone else took it seriously. From the family tree below you can see that he did have a claim; it's just that Edward II had already neglected to advance it at the time, and Edward III had done homage to Philip VIth. Plus, French kings couldn't claim through the female line. Actually, by Edward's yardstick, a certain man known to history as Charles the Bad had an even closer blood relationship.



Ghent

The History of England Podcast Family Trees  
The 14th Century French Monarch and Edward III's claim to the throne of France



The reason he went for it was to bring Flanders into the war. Jacob van Artevelde wanted to avoid the punishment that would fall on him if he revoked his loyalty to the king of France - the Pope would impose an interdict and a fine. Also, he'd be seen by the world as a rebel. So the answer seemed to be to find a new king of France. And so Edward obliged.



The Oriflame



Phillip VI of France



## 102 Highs and Lows

In 1340 against all the odds - of numbers and quality - Edward defeated Philip VIth's Great Army of the Sea at Sluys. The impact on morale, English and French was dramatic. But none the less Edward's campaign still failed at the walls of Tournai, and his problems of debt and discordant allies rose like a flood around him.

### The Battle of Sluys, 23rd June 1340



### The background

Edward was in Ipswich with his great council in June 1340, when the news came that Philip VIth's Great Army of the Sea had brutally taken the Flemish port of Sluys. The plan was to keep Edward and his allies apart, and with the uncertainty of finding ships at sea, the French took the approach of blockading the main Flemish port.

Edward had to get to Flanders before his alliance fell to pieces, and before the campaigning season came to an end. But the Archbishop of Canterbury, his admiral John Crabbe and his Great Council were vehemently opposed - the odds they said were too great. Edward was furious, and determined to attack. He lectured the Great Council:

'You and the archbishop are in league, preaching me a sermon to stop me crossing! Let me tell you this: I will cross and you who are frightened where there is no fear, you may stay at home'

### The Fleets

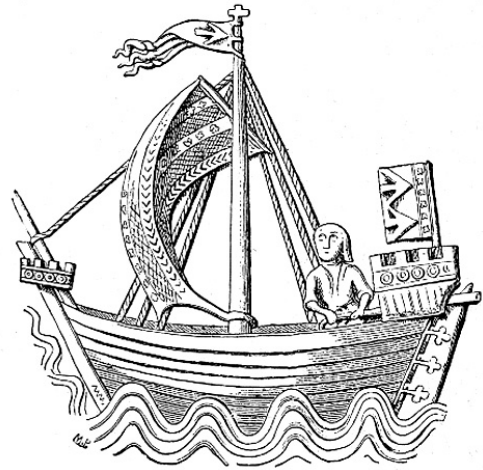
The Council were right of course. The French Fleet was wildly superior in both size and quality, on paper. The French had 213 ships. Most were Cogs, but they also had a core of oared Genoese Galleys; the Grimaldi of Monaco had also worked for the French crown with Galleys like those in the picture. Plus they had royal Cogs designed for war, and a massive complement of sailors and soldiers - 19,000 on them.

By contract, Edward's fleet was much smaller at between 120 and 160 ships, and were entirely made up of Cogs, merchantmen pressed into service.

## The Battle



Genoese Galley



Cog

The French had blocked the harbour of Sluys by putting their ships into 3 lines across the entrance to the harbour. The first line held their largest Cogs, Royal barges and Galleys

Edward delayed his attack to make sure the enemy could not come out the the harbour and flank him, and to make sure the sun was in the faces of the French crossbowmen. Then he led the attack, in his flagship the Cog Thomas. They went straight for the French Flagship, the Cog Christopher - ironically, an ex English ship captured by the French.

The fighting was hard and brutal - for 4 hours the two fleets fought. Edward was wounded in the thigh, and reduced to shouting orders from the Thomas, and the Christopher. As Froissart recorded:

*'It is indeed a bloody and murderous battle. Sea-fights are always fiercer than fights on land, because retreat and flight are impossible. Every man is required to hazard his life and hope for success, relying on his own personal bravery and skill'*

At around 7 pm, the second line of French ships saw the English breaking through the first line - the English had beaten the biggest and the best of the French fleet.

The weakness of the French strategy then became clear - having beaten the best of the French fleet, hammering the 2nd and 3rd lines was never in doubt, though hard. In the rear, the Flemings, seeing how it was all going, launched their boats and attacked the Norman Merchantmen who made up the third line.

### The result, and why

The result was a massive English victory, so complete because so few French ships could escape. As many as 16,000 French seamen and soldiers died. So why did they lose? Well...

1. **The French strategy sucked.** Bunched together across the harbour they were unable to use the superior manoeuvrability of their galleys
2. **The French strategy sucked.** Essentially they allowed the English to engage 3 separate fleets of say 70 ships each, and therefore failed to make their bigger numbers count
3. **The Longbow.** It will get boring but the Longbow was a superior weapon in almost every way to the French ranged weapon, the crossbow. At shorter range, the Crossbow had greater penetration; and any old fool could use it, whereas using the bow was a lifetime of training. But the rate of fire was poxy (less than half that of a longbow) and the range shorter. So as the English ships approached, they swept the French fore- and aft- castles clear of men.



4. **Edward.** Let's give the lad some credit. He inspired a much smaller fleet to attack and defeat the French, the leaders of Christendom. Whatever you think of him, he was a superb warrior and war leader.

### **Consequences**

Consequences were less dramatic than you might think. It was NOT the end of French presence in the Channel. It was not the end of French raids on the south coast. But it was the end of French dominance of the channel, which had til then seemed very close. And it made a world of difference to morale - the English suddenly saw they could win, the French that they could lose. Edward at last had a success to build on.

## 103 The war in Brittany

1341 saw a serious political crisis - Edward returned home determined to put his English administration, parliament and particularly Archbishop in their places. In fact it's Edward who is forced to back down and accept a punitive legislative programme to rebuild his partnership with the political community. With a truce in place, Edward was saved from a life of fun and luxury by the start of civil war with a disputed succession to the Duchy of Brittany.

### The Crisis of 1341

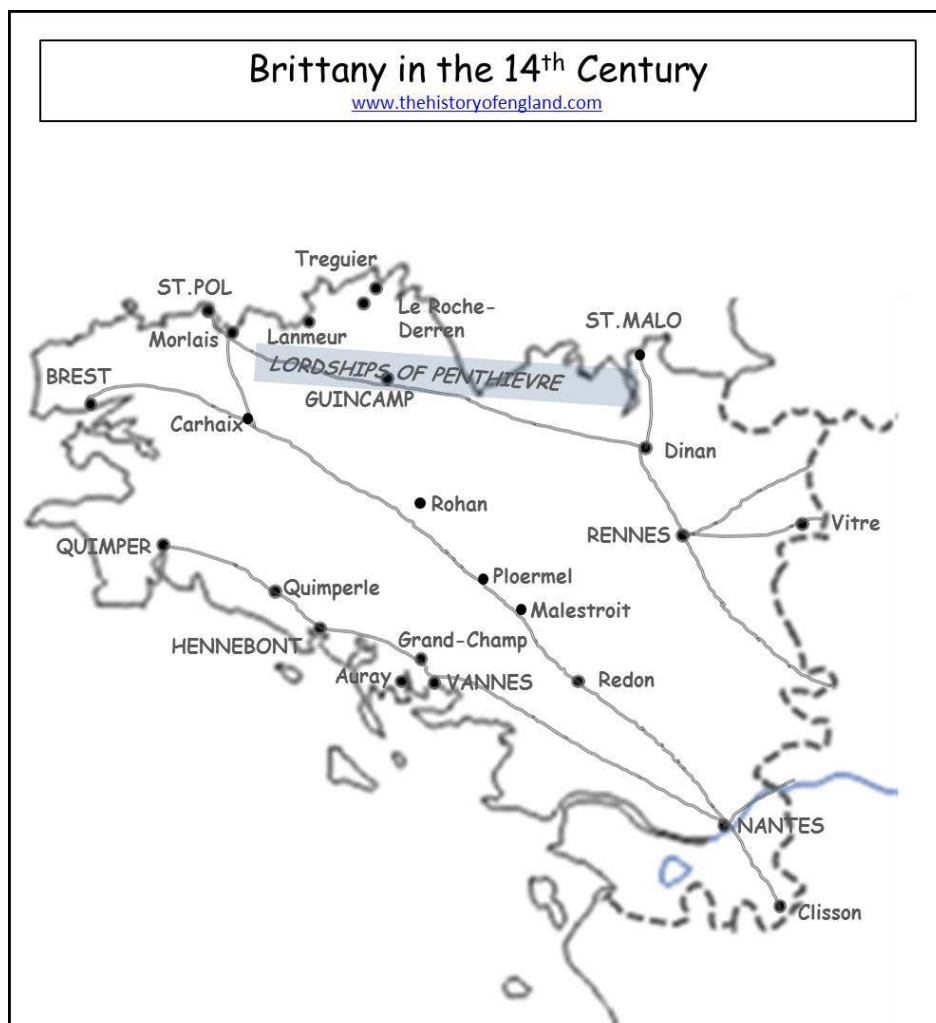
Edward had returned and sacked his ministers, determined to show that his defeat was the result of incompetence on behalf of his ministers, not because it was a losing strategy. His household officials pretty much took the law into their own hands in trying to collect the tax approved in 1340 and getting the clergy to cough up. But the money was still not forthcoming, and a storm of protest, led by the Archbishop of Canterbury, arose at these methods.

In the end Edward had to give way, and call a parliament. He was forced to accept a series of new statutes from the Commons - although a year later in happier times to cancelled all of them. But it was a significant defeat for Edward - but also significant in the way Edward accepted the result, and re-established harmony with his magnates and parliament, not something his predecessor would have been able to do.

### Civil War in Brittany

#### The Topography of Brittany

Think of Brittany in 2 parts. To the east, fertile country similar to neighbouring Maine and Anjou, easily accessible to the rest of France - Gallo-Brittany. To the west, Breton Brittany; a central rocky and hilly central spine (then heavily forested) and a coastal strip of communities.



## The succession and start of the war

The death of the Duke of Brittany led to a disputed succession:

1. John Montfort and his wife Jeanne de Flandre.
2. Jeanne de Penthièvre, and her husband the French king's nephew Charles of Blois

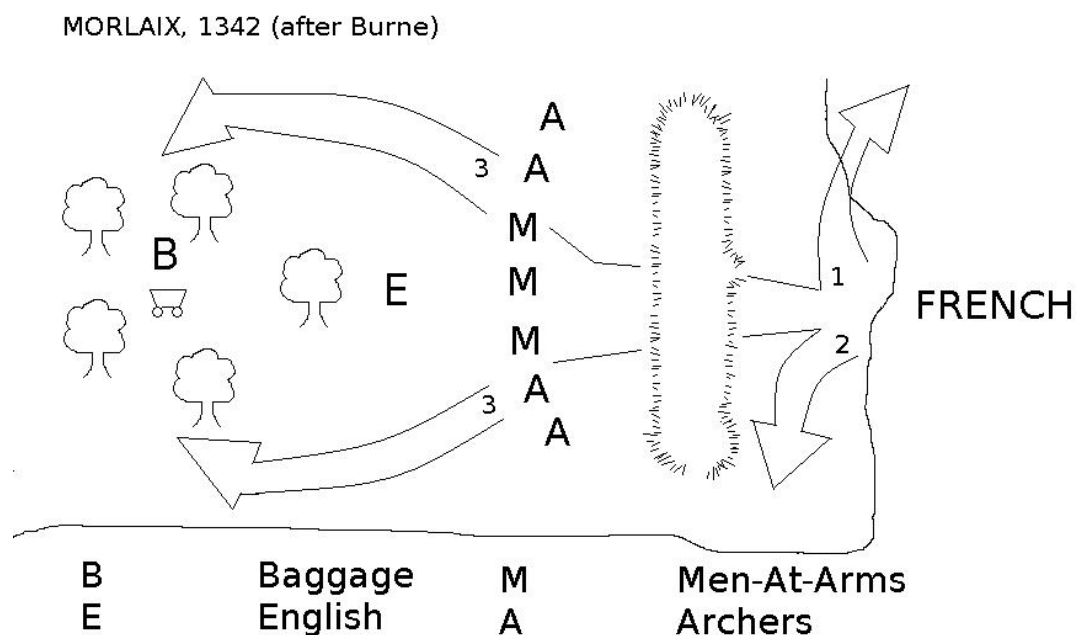
Almost to a man, with a few exceptions, the Bretons accepted Charles. But John and the Countess of Montfort reacted to the Duke's death quickly, taking possession of key towns and the ducal treasury.

Charles of Blois soon arrived with a large army and the backing of the French king and before long had swept most of Brittany clear. Montfort was imprisoned in Paris. Just a few strongholds remained for the Montfort's, including Auray, Brest and the castle of Hennebont, held by the Countess.

## William Bohun, Earl of Northampton and the Battle of Morlaix

Northampton finally arrived to help with an army of 2,400, split 50/50 men at arms and archers. At first Charles of Blois retreated but as Northampton advanced to besiege Morlaix he returned with an army of maybe 3 times the size. In the ensuing battle, Blois was driven off despite his superior numbers.

Morlaix is significant because it's the first real battle in the Hundred Years war, and it has many features of later English victories - a defensive well chosen position, dismounted knights/men at arms, the impact of the longbow in the hand of English archers.



## The Truce of Malestroit, January 1343

In the autumn of 1342, Edward arrived with an army that took the English presence to 5,000 men. He took over most of western Brittany, but was held up at Vannes. And then meanwhile Jean, Duke of Normandy and the French heir, arrived with a considerably larger army in Nantes.

Edward was vulnerable, with a much smaller army. But incredibly the Duke offered a Truce - and Edward almost snatched his hand off in enthusiasm to accept. The terms were generous - lands in all theatres to be held as they were at the date of the truce, January 1343. It meant that the Montfort claim had survived despite at one stage coming very close to extinction.



## 104 Lancaster and the Battle of Auberoche

Edward had little intention of keeping the truce for long. After a brief period of reconstruction, he repudiated the truce a year early. And so enters one of the most attractive figures of the Hundred Years' War - Henry of Grosmont, the Earl of Derby, the Earl of Lancaster. His campaign in 1345 finally proves that the English can win.



**Henry of Grosmont and the campaign of 1345**

Henry of Grosmont was the son of the earl of Lancaster, antagonist of Isabella and Mortimer. He's born in 1310, and from 1337 he was known as the Earl of Derby. On his father's death in 1345 he became the Earl of Lancaster. I could write a biography about him, but I don't have much time available...and anyway, Kathryn Warner has already done so on her blog. So to read more about a genuinely fascinating and attractive man, go to Kathryn's blog.

Edward dismissed the papal negotiators and repudiated the truce in early 1345. He had a plan. He would attack into northern France, Billy Bohun would take a small army to Brittany, and Henry of Grosmont would lead a campaign in the south west. French intelligence was good - so they concentrated on the north. Unfortunately for them, English inefficiency sold them a dummy - Edward would not sail until 1346, and meanwhile Henry of Lancaster (let's call him that, it's easier) had a free hand.

### **A change of strategy**

One of the great contributions Lancaster made was in changing the way the English thought about strategy in the south west. Medieval warfare was often a painstaking business of taking castles one by one. This was the Seneschal's strategy. Lancaster changed all that. He favoured the chevauchee, quick, fast movements attacking into the heart of French lands before they could concentrate their forces.

### **Bergerac and Auberoche**

Lancaster marched day and night and appeared before the walls of Bergerac before the French knew he was on the way. Before the end of the day, Bergerac had fallen. After a delay to gather his forces, Lancaster marched on to Perigueux, and settled down to starve them out.

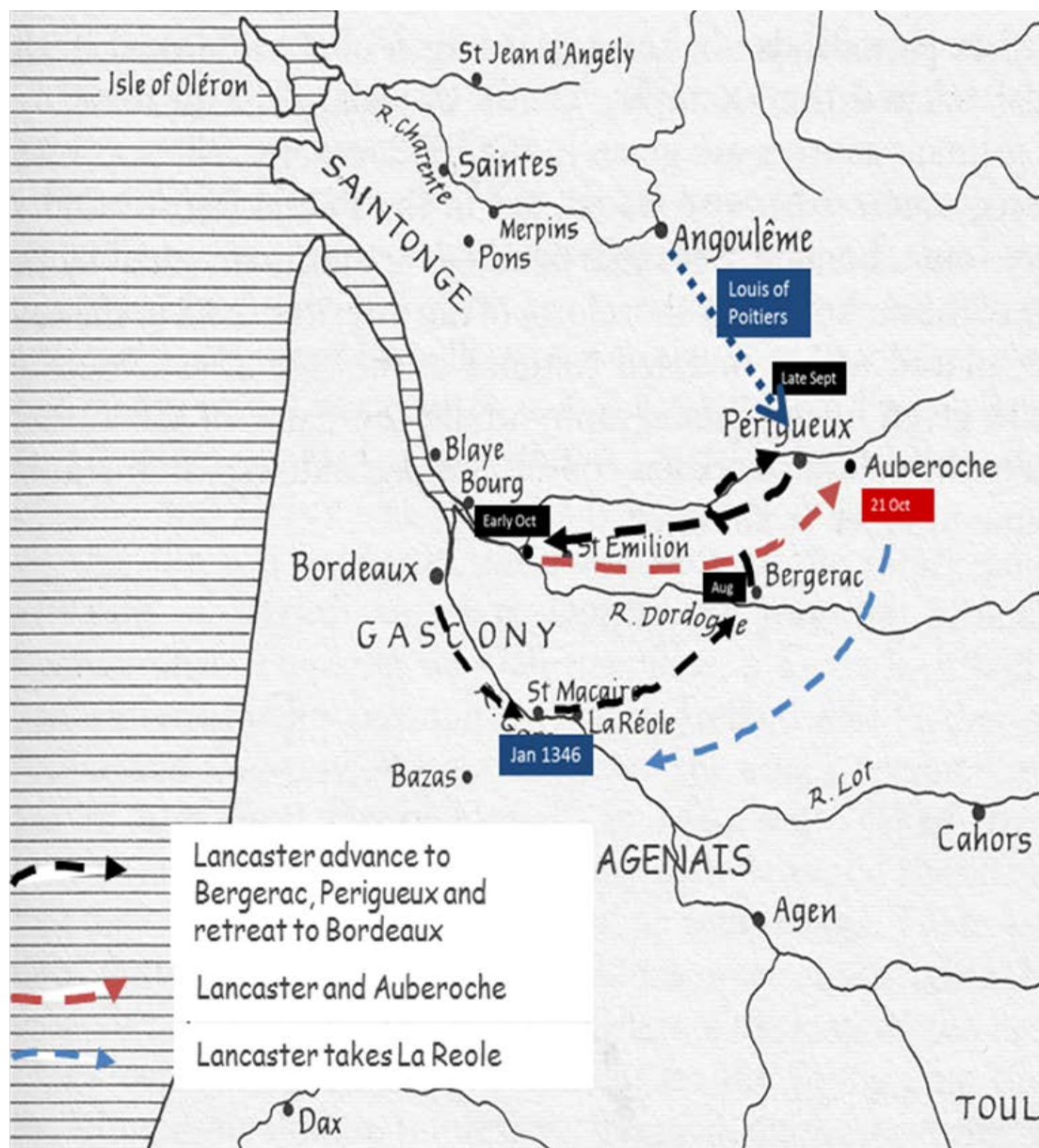
The Duke of Normandy finally gathered enough forces to respond, and his captain Louis of Poitiers drove Lancaster away. Lancaster withdrew to Bordeaux, leaving garrisons in the area. Louis, however, was determined to leave no base for future English operations. He laid siege to Auberoche, and it's English castellan Alexdandre de Caumont.

Lancaster responded with another lightening quick march with Walter Manny and 1,200 men at arms to Auberoche, hoping to shore up the defences until the Earl of Pembroke, with the main army could arrive.

Lancaster and Manny watched the French from the woods as they watched Auberoche, relaxed and confident in the knowledge that their forces were way superior and no English were near. It was clear that Pembroke would not arrive soon.

In the encounter that followed, English Aarchers, cavalry and the advantage of a surprise attack combined to win for Lancaster a victory of 1,200 men over 7,000. In the end, a sortie by Caumont into the rear of the French broke them, and Lancaster had won a magnificent victory.

The reward was the town and castle of La Reole. The French were in no position to stop Lancaster as he marched south and with the help of the townspeople, took the castle in January 1346.

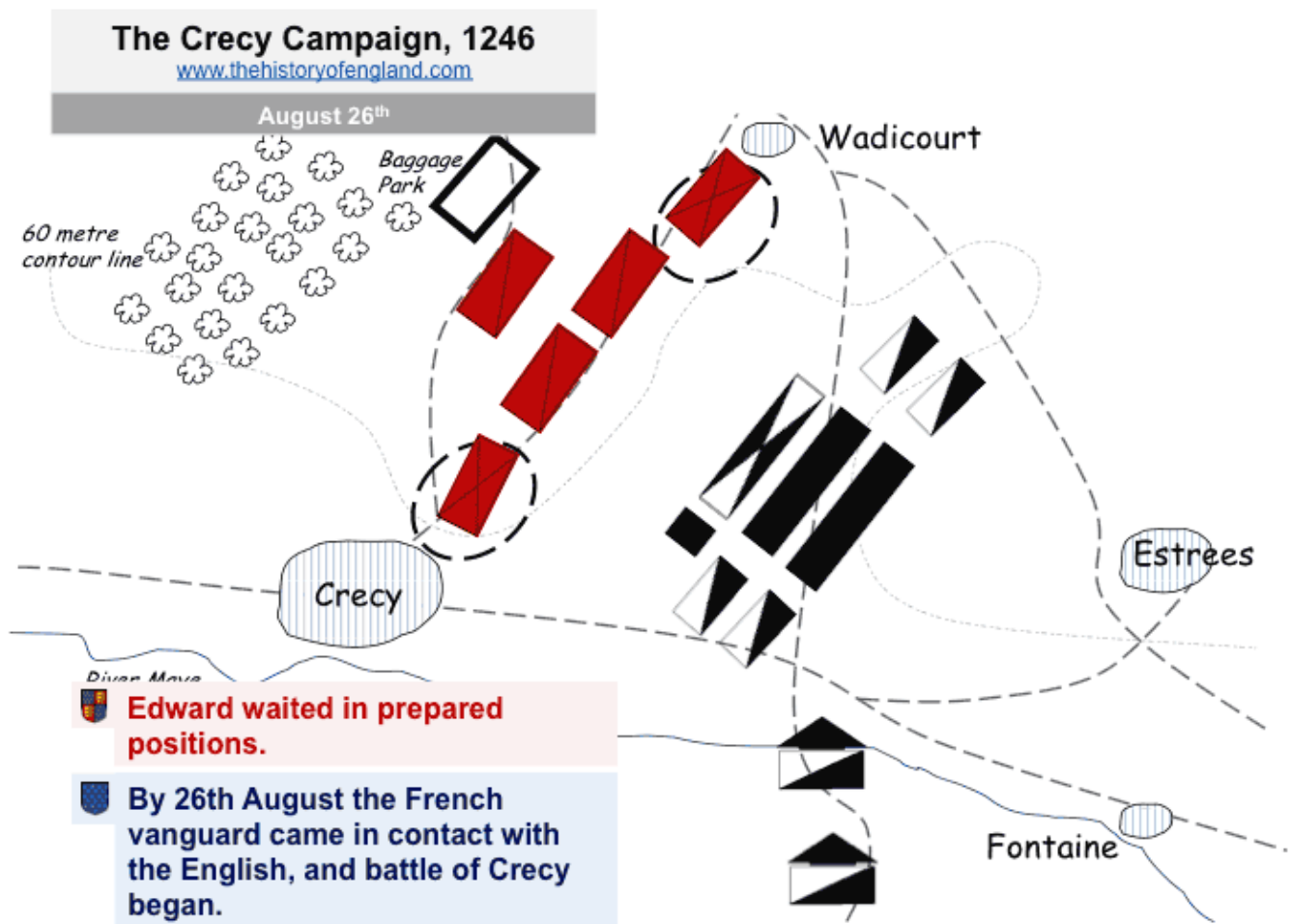


## 105 Crecy

In 1346 Edward finally launched the invasion he had hoped to lead in 1345. The target was Normandy a devastating raid through northern France, a glorious victory in battle followed by - well who knows. There followed a tense campaign that teetered on the edge of disaster until the two armies finally met outside the village of Crecy on 26th August 1346.

After victory at Caen, in fact the Crecy campaign teetered constantly on the edge of disaster, as the problems of crossing the Seine threatened a miserable end to the campaign, or a superior French army threatened to trap them.

**Check out the animated maps on the web site.**



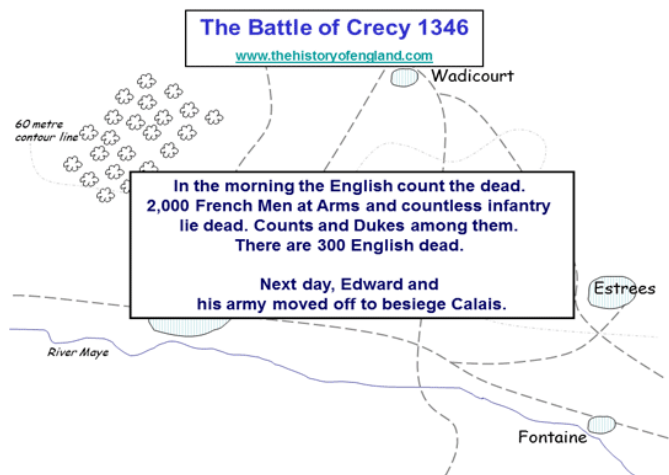
**Before the battle.**

It is easy to over exaggerate the long term significance of Crecy – there are slightly potty claims made for the battle that it transformed society by making the peasant aware of their own power, that it caused the death of feudalism, transformed European relations...and really it didn't. No one for a moment thought that now England should be thought of as the leading nation of Christendom. And militarily in some ways it was also a bit irrelevant; Edward simply did not have the manpower to hold on to the areas he had supposedly conquered, and within 20 years most of what he'd gained was lost. But that's not to say that Crecy was not remarkable, because it was. The news came to Christendom like a bombshell. It gave Edward the opportunity to attack Calais, a decision which would most certainly have an impact in prolonging war. The wave of support in England the victory generated allowed Edward to tax his country to support the continuation of the war. And we have to give Edward the credit. A superb strategy - a 3 pronged campaign which confused and diffused Philip's response. The courage of the tactical decisions Edward made which could have led to disaster at any point, the leadership to maintain English confidence in the face of overwhelming numbers; tactical mastery of the battlefield, showing restraint and discipline and well as innovation and courage.





The Battle by Froissart














After the battle.



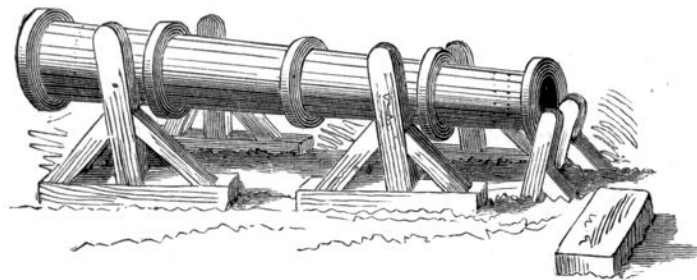
Crossbowman



Edward counting the casualties.

Belligerents	
 Kingdom of England	 Kingdom of France
 Holy Roman Empire	 Genoese mercenaries
	 Kingdom of Navarre
	 Kingdom of Bohemia
	 Kingdom of Majorca
Commanders and leaders	
 Edward III of England	 Philip VI of France (wIA)
 Edward, the Black Prince	 John of Bohemia †
Strength	
10,000–15,000	20,000–25,000
Casualties and losses	
100–300 at most	c. 2,000 men-at-arms unknown number of common soldiers

Stats. From Wiki



English cannon.



## 106 Calais and Neville's Cross

By the end of the march across Normandy in 1346, Edward had accepted that he was not going to be able to hold French territory. But he had a clear objective - Calais. Philip meanwhile now hoped that the Scots would invade an empty, defenceless England and Edward would have to abandon his plans and rush back home.

### The Siege of Calais



Calais in 1346 was not a big and important town, not a particularly important trading centre - but it had two key factors that made it significant. It was of course very close to England; and it had a massive and well designed fortifications. So off Edward set to Calais.

It was a tough target, completely surrounded by water. On the north die was a harbour, separated from the town by a moat and wall

In the North West was the castle with a circular keep and bailey, defended by an independent system of moats and curtain walls

Outside the town was an expanse of bleak marshland crossed by lots of small rivers and shifting causeways. The ground was too soft for siege engines or mining

Pretty soon, outside Calais sat a new, temporary town of Villeneuve-la-Hardie, or 'Brave new town'. Given that the English army was now 34,000 strong, this was a town bigger than any English town outside London. Edward had prepared for the long game; know that assault was almost certain to fail. But the defences constructed by the besiegers made it almost impossible for the French to shift them, which Philip found to his cost.

The siege took 11 months, and was successful at least in part because of the surge of public support after the victory at Crecy. Eventually, you get Froissart's superb theatre of the surrender. The negotiation between Walter Manny and the French commander, Jean de Vienne; Edward's implacable determination to make the town suffer; the 6 burghers, bareheaded and wearing halters, the sacrificial lambs to assuage the fierce king's anger; and the mercy of



Phillipa, throwing herself onto her knees in front of Edward to win his mercy. The message was pretty clear - the King of England decided the fate of French subjects, hate it or loathe it.

### **The Battle of Neville's Cross, 17th October 1346**



King David of Scotland marched south with a well prepared invasion, heart full of glee to have England, as he thought, at his mercy. Trouble is, he rather messed about - taking time to capture castles on the border that he could have easily left alone. This gave the English wardens of the Northern Marches - Henry Percy and Ralph Neville - and the Archbishop of York time to gather an army. The tradition was that all the lands north of the river Trent were to be devoted to beating off the Scots.

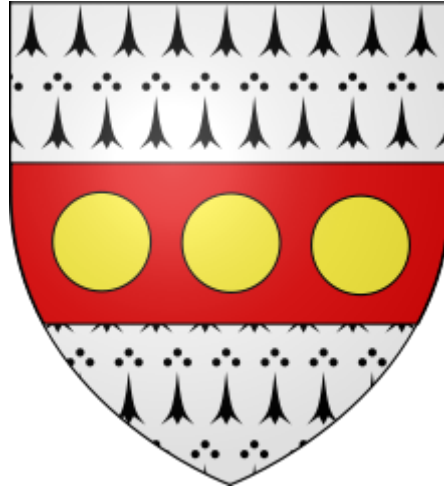
William Douglas, the hugely successful Scottish warrior, met the English forces in fog outside Durham. He fell back after a bit of a mauling, and David chose his ground and waited. Both sides faced each other over ground broken by stone walls both waited for the other to attack, since that was the pathway to victory it seemed, after Crecy. Eventually, the English advanced some archers and started tormenting the Scots. David lost his patience and attacked - now over the very ground he'd chosen as perfect for defence. Not good. The Scots were defeated and David found and captured under a bridge, and lobbed into the Tower of London. The whole thing was a disaster for the Scots - and England was to have peace for many years.

### **The Battle of La Roche Derrien, 18th June 1347**



In 1346/7, Charles of Blois was able to ride roughshod over Thomas Dagworth and the English in Brittany with a much larger army. Eventually he tipped up at La Roche Derrien - Dagworth's only port in northern Brittany. Charles hoped to lure Dagworth into attacking, with a far smaller army, so that Charles could destroy him.

Dagworth took the bait - with just 700 men to the 5,000 French, he attacked in the middle of the night. He'd noticed that Charles's army was in 4 segments, separated by marsh and wood land, so maybe he could beat each section, helped by a surprise attack.



Charles was not surprised. And so was waiting in full armour when Dagworth and his men crept into camp. And so it was going badly for Dagworth. But then the castle sallied, and suddenly Charles was in trouble, and captured in a windmill. And then yes, Dagworth beat each segment of the French army in turn.

Charles meanwhile went off to join David in the Tower of London, and his cause in Brittany lay in ruins.

## 107 The Death of Joan

In 1348 a 14 year old royal princess, Joan, set out from Portsmouth to marry Pedro of Castile. Her route went by Bordeaux, and with the massive trousseau she carried - enough to fill an entire ship - she would have expected a comfortable journey. But Joan never arrived.

### The Black Death


I think there has been so much written about the Black Death that I am not going to repeat it all here. As ever, Wikipedia is as good an account as any, so go the the Black Death page.

The most famous descriptions of the plague come from Italy. Below is a quote that famously communicates a little part of its horror.

*"The mortality in Siena began in May. It was a cruel and horrible thing. . . . It seemed that almost everyone became stupefied seeing the pain. It is impossible for the human tongue to recount the awful truth. ... Father abandoned child, wife husband, one brother another; for this illness seemed to strike through breath and sight. And so they died. None could be found to bury the dead for money or friendship. And as soon as ditches were filled, more were dug. I, Agnolo di Tura called the Fat buried my five children with my own hands. . . . And so many died that all believed it was the end of the world."*

Below is a map showing the spread of the plague through Europe



 Spread of the Black Death. Spread by merchants and travelers, the plague killed more than a third of Europe's population within five years.



## Joan Plantagenet

Joan was one of the first victims of the plague. As she travelled to Castile to marry Pedro, the king of Castile's son and heir, she caught the plague in Bordeaux and died in a little village called Loremo. When Edward heard, he wrote to the king of Castile:

*"...your Magnificence knows how...we sent our...daughter to Bordeaux, en route for your territories in Spain. But see, with what intense bitterness of heart we have to tell you this, destructive Death (who seizes young and old alike, sparing no one and reducing rich and poor to the same level) has lamentably snatched from both of us our dearest daughter, whom we loved best of all, as her virtues demanded"*

*"No fellow human being could be surprised if we were inwardly desolated by the sting of this bitter grief, for we are humans too. But we, who have placed our trust in God and our Life between his hands, where he has held it closely through many great dangers, we give thanks to him that one of our own family, free of all stain, whom we have loved with our life, has been sent ahead to Heaven to reign among the choirs of virgins, where she can gladly intercede for our offenses before God Himself"*



Joan Plantagenet



Pedro of Castile



Yersinia pestis



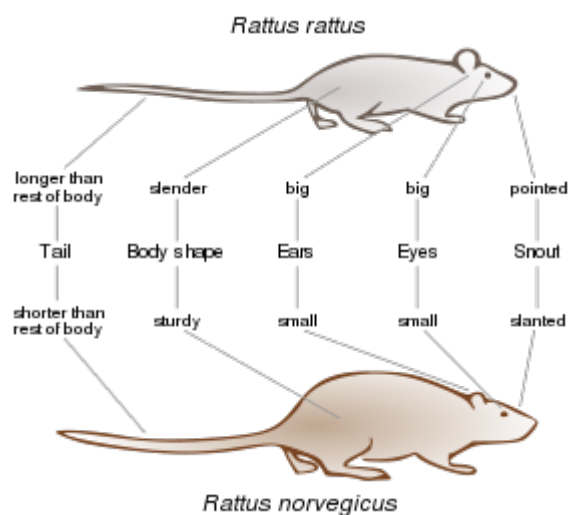
Flea infected with Yersinia pestis

## 108 What has the Black Death ever done for you?



The theory runs that the Black Death transformed medieval society. With a dramatic shortage of labour, the English peasant was able to demand whatever wages and terms they wanted - liberating the English from serfdom. Is this true? And what other impacts did the Black Death have on the medieval mind?

Population Estimates in Medieval Europe: High side			
	1100	1340	1450
England	2	7	3
France		20	19
Italy	7	10	11
Spain/Portugal	7	9	7
Greece & the Balkans	5	6	4.5
Germany	4	11.5	7
Population Estimates in Medieval Europe: Low side			
	1000	1340	1450
England	1	5	2
France	6	13.5	19
Italy	7	10	11
Spain/Portugal	7	9	7
Greece & the Balkans	5	6	4.5
Germany	4	11.5	7



### The Statute of Labourers, 1351

Medieval England was a structured and traditional society that valued stability far more than change. The statute was the barefaced attempt by the powers that be to keep everything exactly as it was. Here's the text of most of the Statute.

*"Whereas late against the malice of servants, which were idle, and not willing to serve after the pestilence, without taking excessive wages, it was ordained by our lord the king, and by the assent of the prelates, nobles, and other of his council, that such manner of servants, as well men as women, should be bound to serve, receiving salary and wages, accustomed in places where they ought to serve in the twentieth year of the reign of the king that now is, or five or six years before; and that the same servants refusing to serve in such manner should be punished by imprisonment of their bodies, as in the said statute is more plainly contained: whereupon commissions were made to divers people in every county to inquire and punish all them which offend against the same: and now forasmuch as it is given the king to understand in this present parliament, by the petition of the commonalty, that the said servants having no regard to the said ordinance, but to their ease and singular covetise, do withdraw themselves to serve great men and other, unless they have livery and wages to the double or treble of that they were wont to take the said twentieth year, and before, to the great damage of the great men, and impoverishing of all the said commonalty, whereof the said commonalty prayeth remedy: wherefore in the said parliament, by the assent of the said prelates, earls, barons, and other great men, and of the same commonalty there assembled, to refrain the malice of the said servants, be ordained and established the things underwritten:*

*First, that carters, ploughmen, drivers of the plough, shepherds, swineherds, deies [dairy maids], and all other servants, shall take liveries and wages, accustomed the said twentieth year, or four years before; so that in the country where wheat was wont to be given, they shall take for the bushel ten pence, or wheat at the will of the giver, till it be otherwise ordained. And that they be*

*allowed to serve by a whole year, or by other usual terms, and not by the day; and that none pay in the time of sarcling [hoeing] or hay-making but a penny the day; and a mower of meadows for the acre five pence, or by the day five pence; and reapers of corn in the first week of August two pence, and the second three pence, and so till the end of August, and less in the country where less was wont to be given, without meat or drink, or other courtesy to be demanded, given, or taken; and that such workmen bring openly in their hands to the merchant-towns their instruments, and there shall be hired in a common place and not privy.*

*Item, that none take for the threshing of a quarter of wheat or rye over 2 d. ob. [2 1/2 d.] and the quarter of barley, beans, pease, and oats, 1 d. ob. if so much were wont to be given; and in the country where it is used to reap by certain sheaves, and to thresh by certain bushels, they shall take no more nor in other manner than was wont the said twentieth year and before; and that the same servants be sworn two times in the year before lords, stewards, bailiffs, and constables of every town, to hold and do these ordinances; and that none of them go out of the town, where he dwelleth in the winter, to serve the summer, if he may serve in the same town, taking as before is said. Saving that the people of the counties of Stafford, Lancaster and Derby, and people of Craven, and of the marches of Wales and Scotland, and other places, may come in time of August, and labor in other counties, and safely return, as they were wont to do before this time: and that those, which refuse to take such oath or to perform that that they be sworn to, or have taken upon them, shall be put in the stocks by the said lords, stewards, bailiffs, and constables of the towns by three days or more, or sent to the next gaol, there to remain, till they will justify themselves. And that stocks be made in every town for such occasion betwixt this and the feast of Pentecost.*

*Item, that carpenters, masons, and tilers, and other workmen of houses, shall not take by the day for their work, but in manner as they were wont, that is to say: a master carpenter 3 d. and another 2 d.; and master free-stone mason 4 d. and other masons 3 d. and their servants 1 d. ob.; tilers 3 d. and their knaves 1 d. ob.; and other coverers of fern and straw 3 d. and their knaves 1 d. ob.; plasterers and other workers of mudwalls, and their knaves, by the same manner, without meat or drink, 1 s. from Easter to Saint Michael; and from that time less, according to the rate and discretion of the justices, which should be thereto assigned: and that they that make carriage by land or by water, shall take no more for such carriage to be made, than they were wont the said twentieth year, and four years before.*

*Item, that cordwainers and shoemakers shall not sell boots nor shoes, nor none other thing touching their mystery, in any other manner than they were wont the said twentieth year: item, that goldsmiths, saddlers, horsemen, spurriers, tanners, curriers, tawers of leather, tailors, and other workmen, artificers, and laborers, and all other servants here not specified, shall be sworn before the justices, to do and use their crafts and offices in the manner they were wont to do the said twentieth year, and in time before, without refusing the same because of this ordinance; and if any of the said servants, laborers, workmen, or artificers, after such oath made, come against this ordinance, he shall be punished by fine and ransom, and imprisonment after the discretion of the justices.*

*Item, that the said stewards, bailiffs, and constables of the said towns, be sworn before the same justices, to inquire diligently by all the good ways they may, of all them that come against this ordinance, and to certify the same justices of their names at all times, when they shall come into the country to make their sessions; so that the same justices on certificate of the same stewards, bailiffs, and constables, of the names of the rebels, shall do them to be attached by their body, to be before the said justices, to answer of such contempts, so that they make fine and ransom to the king, in case they be attainted; and moreover to be commanded to prison, there to remain till they have found surety, to serve, and take, and do their work, and to sell things vendible in the manner aforesaid; and in case that any of them come against his oath, and be thereof attainted, he shall have imprisonment of forty days; and if he be another time convict, he shall have imprisonment of a quarter of a year, so that at every time that he offendeth and is convict, he shall have double pain: and that the same justices, at every time that they come [into the country], shall inquire of the said stewards, bailiffs, and constables, if they have made a good and lawful certificate, or any conceal for gift, procurement, or affinity, and punish them by fine and ransom, if they be found guilty: and that the same justices have power to inquire and make due punishment of the said ministers, laborers, workmen, and other servants; and also of hostlers, harbergers [those who provide lodging], and of those that sell victual by retail, or other things here not specified, as well at the suit of the party, as by presentment, and to hear and determine, and put the things in execution by the exigend after the first capias, if need be, and to depute other under them, as many and such as they shall see best for the keeping of the same ordinance; and that they which will sue against such servants, workmen, laborers, [and artificers], for excess taken of them and they be thereof attainted at their suit, they shall have again such excess. And in case that none will sue, to have again such excess, then it shall be levied of the said servants, laborers, workmen, and artificers, and delivered to the collectors of the Quintzime [the tax known as the "Fifteenth"], in alleviation of the towns where such excesses were taken."*





## 109 The War between the Wars

The period between 1347 and 1353 was one of low level war and violence; punctuated by more or less effective truces. But even the truces don't stop the low level local violence that saw a creeping chaos in areas of France. Meanwhile at home, Edward's parliaments of 1351-3 introduced a range of legislation and saw the Commons become a more unified coherent unit.



Winchelsea

### The Statute of Treason 1352

It is faintly odd that this statute should have been introduced by a man who was far more forgiving and successful at avoiding treason trials than his grandfather, father or indeed grandson. It may have been the long delayed trial of some of the murderers of Edward II that prompted Edward to bring the statute forward. The first half of the statute, concerning High Treason remains in force. The second part about Petty Treason of a man against his lord, was repealed in 1828.

*"Item, whereas divers opinions have been before this time in what cases treason shall be said, and in what not; the King, at the request of the Lords and of the Commons, hath made a Declaration in the manner as hereafter followeth, that is to say:*

*When a man doth compass or imagine the death of our Lord the King, or of our lady his Queen or of their eldest son and heir; or if a man do violate the King's wife or the King's eldest daughter unmarried, or the wife of the King's eldest son and heir; or if a man do levy war against our Lord the King in his realm, or be adherent to the King's enemies in his realm, giving to them aid and comfort in the realm, or elsewhere, and thereof be attainted of open deed by men of their rank; and if a man counterfeit the king's great or privy seal or his money; and if a man slay the Chancellor, Treasurer, or the King's Justices of the one Bench or the other, Justices in Eyre, or Justices of Assize, and all other Justices assigned to hear and determine, being in their Places, doing their Offices. And it is to be understood, that in the Cases above rehearsed, anything ought to be judged Treason which extends to our Lord the King, and his Royal Majesty. An of such treason the forfeiture of the escheats belongs to our sovereign lord the king.*

*And moreover there is another kind of treason, that is to say when a servant slays his master, or a wife her husband, or when a secular cleric or a religious kills his prelate, to whom he owes faith and obedience; and in such kinds of treason the escheats ought to pertain to every lord of his own fee.*

*And as many other similar cases of treason may happen in time to come, which a man cannot think nor declare at the present time, it is agreed that if any other case, supposed treason, which is not specified above, should come before any justices, the justices shall wait, without passing sentence of treason, till the case be shown and declared before the king and his parliament, whether it ought to be judged treason or some other felony.*

