

PARIS B.N. ms. latin 5954 :
THE PROFESSIONAL PAPERS
OF AN ENGLISH AMBASSADOR
ON THE EVE OF THE HUNDRED YEAR'S WAR

In 1687 Colbert's London agent purchased ms. no. 13 at the public sale of Lord Burleigh's collection. This manuscript is now numbered ms. latin 5954 at the Bibliothèque nationale. Though it was used by Baluze for his *Vitae paparum avenionensium*¹, the eighteenth-century cataloguers of the Royal Library's manuscripts thought it worthwhile listing only sixteen of the seventy-eight documents it contains. They were puzzled, perhaps, by its bizarre nature. For the manuscript includes treaties and other diplomatic documents, letters of summons to English Parliaments, French royal letters patent, papal letters and summaries of papal sermons, procedural documents from ecclesiastical courts, and John XXII's condemnation and deposition of Michael of Cesena all mixed together without any coherent 'order. Yet the manuscript was written from beginning to end by a single mid-fourteenth-century English hand. The compiler obviously intended it to be a single unified collection. A close inspection of its contents suggests that it should be entitled « The Professional Papers of William of Weston, D.C.L. ».

The material in the manuscript falls roughly into seven categories :

- 1) diplomatic and related documents, dealing primarily with Anglo-French relations, but including likewise one France-Scottish, two Anglo-Aragonese, and two Anglo-Castillian documents ;
- 2) documents concerning English administration in Aquitaine ;
- 3) documents concerning French administration on the Aquitanian frontier ;
- 4) documents concerning royal administration in England ;
- 5) documents concerning English ecclesiastical benefices ;

1. S. BALUZE, *Vitae paparum avenionensium* (ed. G. MOLLAT, Paris, 1916-1922). II, 25. Where the editor mistakenly dates it from the seventeenth century.

- 6) miscellaneous papal documents ;
- 7) procedural documents of a dispute between the dean and chapter of Lichfield and the prior and convent of Coventry concerning the method of electing the bishop of Coventry and Lichfield.

Of the dated documents, the earliest is a letter of 1104 from Pope Paschal II to Robert, bishop of Coventry, included among the evidence submitted in the course of litigation (and probably a forgery)²; the latest is a summary of sermons preached by and before Pope John XXII in the summer of 1330. Apart from the procedural documents in *Lichfield v. Coventry* thirty-three documents bear dates in the 1320's. The dispute between Lichfield and Coventry ran on and off for centuries, but this particular case was heard after 1323³; though the documents included go all the way back to Paschal's letter of 1104, they should really be taken as a group dating 1323-26.

This material was probably not collected by the scribe. Though the various items have been copied one after another, without a break, they are assembled without any topical or chronological order. The rubrics; given or omitted without any apparent reason, were probably on the documents he copied. Let us assume, however, that the documents were originally collected by one man, that they all were related to his career, and that they were copied only later, perhaps after his death. We then get the following composite picture : the man who assembled these documents was an English cleric, associated in some way with the church of Lichfield or Coventry, active as a diplomat for Edward II in Aquitaine, and involved in the process of granting English ecclesiastical benefices ; he was most active in the 1320's and probably finished his career in 1330. The most likely place to find his name, furthermore, would be in the manuscript itself.

One of the more peculiar documents in the manuscript is a letter of Edward III summoning Master William of Weston to the Parliament at York on 7 February 1328⁴. Weston's name also appears in four other documents in the manuscript⁵. Though these few mentions are hardly enough on which to base an identification of the manuscript, his career so closely matches the composite picture suggested above, that he must be considered to have been the original collector.

2. F° 32 ; the text is followed by nine arguments for considering it a forgery.

3. The *libelli* from Coventry and Lichfield (f° 31 and 39) are undated. The last date mentioned in the *articuli* submitted for Lichfield is 1323 (f° 33v-39v). The hearings before the papal auditors took place during January-March 1325 (f° 49). The earlier occurrences of this dispute are found in H.E. SAVAGE (ed.), *The Great Register of Lichfield Cathedral* [Wm. Salt Archeological Society, Collections (Kendal, 1924)], n°s 378-386, 407-419, 423, 463, 464, 761.

4. Inventory n° 61.

5. Inventory n°s 21, 22, 23, 39.

Of Weston's early life or education I have found nothing except for his title of Doctor of Civil Law, which he most probably earned before entering the royal service. His first known mission for Edward II was in 1313, when he was sent with the bishop of Exeter and the earl of Pembroke to the court of Philip IV ⁶. His role was probably one of legal advisor to these two lords, who, along with Thomas of Cobeham, were to be Edward's proctors before the Parlement. For Weston it was the beginning of a ten year apprenticeship in the problems of Aquitaine and the ways of Capetian justice. In 1318 he was sworn of the king's council ⁷, and in 1324 he was named Edward's proctor to the Parlement of Paris in all cases touching the Duchy of Aquitaine ⁸. That same year he served with the bishop of Dublin and the earl of Kent as « reformer » of the Duchy of Aquitaine and as envoy to Charles IV ⁹. In February 1325 he was one of the four envoys sent to negotiate marriage contracts between Alfonso XI of Castile and Eleanor, Edward II's daughter, and between Alfonso's sister Leonor and Edward, earl of Chester, in order to seal an alliance against the king of France ¹⁰. In December 1325 he was off again, this time to Avignon, where he apparently functioned as a double agent, working for Queen Isabella and Prince Edward as well as for his master Edward II. For on 22 April 1326, John XXII requested safe passage for him through France, assuring Charles IV that Weston was « a defender of Queen Isabella ». Soon afterwards, the Pope wrote directly to the Queen to say that Weston had done nothing « in derogation of [her] honor » while fulfilling Edward II's mission ¹¹. This testimony served him well : immediately following Isabella's *coup d'état*, Weston was granted royal protection and a pardon « for having prosecuted in the time of Edward II certain business in the Court of Rome against the King », and his expense account for this mission was eventually accepted by Edward III for payment by the exchequer ¹². Less than a year later, in April 1328, he was on his way back to Avignon as envoy of Edward III ¹³. There he stayed for a year. In May and June 1329 he was back again in

6. *C[alendar] of P[atent] R[olls] 1307-1313*, p. 527. *C[alendar] of C[lose] R[olls] 1307-1313*, p. 567. There are at least two other men by the name of William of Weston in the service of Edward II and Edward III — one a layman, escheator for the king in 1327 - 30 and perhaps the same person as the Wm. of Weston who appears as coroner in 1316 and attorney around the same time, the other a royal clerk, canon of Exeter and Wells and rector of Dodeton (cf. indices of the *C.P.R.* and *C.C.R.* for the reigns of Edward II and Edward III and the *C[alendar] of P[atent] L[etters] 1305-1342*, p. 202).

7. *C.C.R. 1318-1323*, p. 503.

8. *C.P.R. 1321-1324*, p. 390. He had been on at least one other mission in 1321 : *ibid.*, p. 45.

9. Inventory n° 22., 23.

10. *C.P.R. 1324-1327*, pp. 88, 90, 103.

11. *Ibid.*, pp. 301, 204; *C.P.L. 1305-1342*, pp. 473, 477.

12. *C.P.R. 1327-1330*, p. 126; *C.C.R. 1327-1330*, pp. 194, 249.

13. *C.P.R. 1327-1330*, pp. 255, 257.

England ; but on June 30, 1329, he once more departed for Avignon on royal business ¹⁴. There, about seventeen months later, death found him. On 4 November 1330 John XXII granted him the right to make a will, and on the 17th of the same month one Itherius de Itherio de Concoreto was provided to Weston's old rectory at Alberbury, « now void » ¹⁵.

Like other king's clerks, Weston was furnished by his sovereign with ecclesiastical livings ; a prebend in the church of St. Mary, Lincoln, in 1324, another in the chapel of St. Martin le Grand, London, in 1325 ¹⁶. He had another, parallel, career within the Church, however, which probably contributed to his independence, his legal knowledge, and his professional collection of ecclesiastical papers. He was already parson of Alberbury in 1321 ¹⁷, and he first received his prebend in Lincoln cathedral by papal provision in 1322 ¹⁸. When, two years later, he sought the king's grant of the same benefice it was thus only as a form of protection : he prevented some other royal clerk from asking the king for it and ousting him with the aid of the king's court. He probably already knew of the difficulties those clergy faced who held their benefices by ecclesiastical presentation or provision alone. And sometime during the decade he carried a petition to Avignon to seek papal aid against the « abuses » perpetrated in collusion with the king's courts by royal clerks holding royal grants ¹⁹. In October 1322 he was collated to a prebend in Lichfield Cathedral, and a year later Bishop Northburgh named him Official ²⁰. Although his name appears in none of the documents pertaining to the dispute with Coventry, as Official of Lichfield he was probably deeply involved. Lichfield's proctor in this case, Gerard of Sudbury, was Weston's colleague as executor of a papal provision in 1325 ²¹. In addition to his regular duties as Official — which in any case must have been accomplished by deputies after 1324 — Weston was also active as an executor of papal provisions. In the Calendar of Papal Letters and the *Lettres Communes* of John XXII he appears eleven times in that capacity between 1325 and 1330 ²². The documents in ms. lat. 5954 probably represent yet other cases not elsewhere recorded.

The presence of all the various documents in ms. lat. 5954 can thus be easily explained. Those concerning Anglo-French relations

14. *Ibid.*, pp. 361, 402; L. MIROT and E. DESPREZ, *Les ambassades anglaises pendant la guerre de cent ans*, in *Bibl. de l'Ecole des Chartes* 59 (1898), p. 556.

15. *Jean XXII, Lettres Communes* (ed. G. MOLLAT), n° 51490; *C.P.L.* 1305-1342, p. 339.

16. *C.P.R. 1321-1324*, pp. 363, 364; *C.P.R. 1324-1327*, p. 199.

17. *C.P.R. 1321-1324*, p. 145.

18. *C.P.L. 1305-1342*, p. 220.

19. Inventory n° 40.

20. SAVAGE, *Great Register Lichfield*, p. 323, n° 684 and p. 325, n. 4.

21. *C.P.L. 1305-1342*, p. 243.

22. *Ibid.*, pp. 243, 251, 272, 292, 305, 306, 307, 315, 346, 348; *Jean XXII, Lettres Communes*, n°s 41620, 45397, 47418, 47916.

prior to 1324 and the copies of the treaties between Edward I and Pedro III of Aragon were probably given to Weston as background information prior to his embassies, or came to him during some unrecorded mission during the previous decade. Those of 1324 and after concern his own duties. The documents from Aquitaine he probably collected during his work as « reformer » of the Duchy. The French letters of safeguard, of adjournment to Parlement, and *continuatio* all date from the years Weston was Edward's proctor in Parlement or immediately prior thereto. The bull condemning Michael of Cesena was published during one of Weston's sojourns in the papal court, the sermon's at the end of the manuscript were preached during his final mission there.

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The manuscript adds several new documents to the known **dossier** of Anglo-French relations in the 1320's. These have been printed in full or analysed in detail in the inventory that follows. Particularly noteworthy are items 21 and 45 giving details on moments in the War of St Sardos that have been known until now only on the basis of later reports ²³.

It is as a compilation, however, that the manuscript is most suggestive. For it indicates that the habit of record keeping was common not only to the well-established ministries of France and England but also to the clerks who took care of royal business. It has long been known that the law books of Bracton and Beaumanoir, the *Stilus curie* of Du Breuil, the *Quaestiones* of Jean Le Coq, were or must have been based on private records. The impetus to put this material into treatise form was perhaps rare ; the impulse to store for professional reference was clearly not.

Weston himself is likewise a suggestive individual : Doctor of Civil Laws and a specialist, immersed in the affairs of Aquitaine and the king's business at Avignon, a thorough professional. His two prolonged stays in Avignon after 1328 indicate the confidence Queen Isabella and her entourage had in his ability and faithfulness. Thirty months, broken only by a two-month stay in England, were almost enough to make of him a resident ambassador. Weston was not unique : George Cuttino has traced the careers of other professional specialists in foreign affairs during this same period ²⁴. But how many were there like him — trained in the learned law, professional second-level officials, area specialists or specialists in some branch of royal administration ? And what influence did they have on royal government ? Recent scholarship has begun to

²³. See P. CHAPLAYS, *The War of St-Sardos* [Camden Third Series, vol. 87 (London, 1954)], p. 188, n. 1.

²⁴. G.P. CUTTINO, *English Diplomatic Administration 1259-1339* (London, 1940).

answer these questions for the Capetians and Valois. It would be interesting to have them answered for the Plantagenets as well.

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APPENDIX :

B.N. ms. latin 5954, summary inventory

1. *Hic incipit prima pax facta inter dominos reges Lodowyicum et Henricum*. Treaty of Paris, Oct. 1259. [RYMER, *Foedera* (London, 1818), I, i, 389.] **Fo 1.**

2. *Secunda pax inter dominos reges qui fuit Amiense*. Treaty of May 1219. [RYMER, *Foedera*, I, ii, 571.] **Fo IV.**

3. *Tercia pax facta inter reges*. Treaty of August 1286. [RYMER, *Foedera*, I, ii, 672.] **Fo 2.**

4. Letter of Simon Matifas de Bucy, archdeacon of Reims, and Pierre de Mornay, archdeacon of Sologne, to Master Hugh Vigerii, canon of Saintes, and Egidius de Aula. Philip IV has ordered the duke of Burgundy, Raoul de Nesle, and themselves to assign to Edward I 3000 l. t. on the royal domain, and to inquire concerning injuries of which Edward has complained (Paris, 4 March 1287). Because of other occupations they cannot take care of this. They order the addressees to execute this command, to suspend the seizure of Jewish goods until they have inquired into the truth of claims, to order the seneschal of Saintonæ to have his officials cease interfering with the rights of the king of England, and to order his sergeants not to act on that king's lands. Villeroi, 20 June 1287¹. [See M. GAVRILOVITCH, *Etude sur le traité de Paris* (Paris, 1899), pp. 97-98.] **Fo 3.**

5. *Quarta pax et ultima inter reges, translata de romancio in latinum de verbo ad verbum*. Treaty of May 1303. [RYMER, *Foedera*, I, ii, 952.] **Fo 3.**

6. *Sequitur alia concordantia seu compositio vel pax inter reges*. Additional terms of May 1303. [RYMER, *Foedera*, I, ii, 954.] **Fo 4.**

7. Note on the regnal dates of Henry III and Edward I.

8. *Transcriptum*. Letter patent of Philip IV ordering the seneschal of Saintonge to follow the decisions of the king's council on the requests submitted by the king of England. Paris, 28 February 1287. [Ch.-V. LANGLOIS, *Textes relatifs à l'histoire du Parlement* (Paris, 1888), p. 139 n. 2 a.] Memorandum on the granting of these decisions. [*Ibid.*, p. 133.] Text of the decisions given around Whitsunday 1286. [*Ibid.*, pp. 134-139.] « Datum huius copie Parisie xii. die Julii Anno Domini millesimo ccc° xiii°. »

Sequantur secunde responsiones facte per consilium domini regis Francie. Decisions of All Saints 1286. [LANGLOIS, *Textes*, pp. 140-141, with rubrics added.] **Fo 5.**

9. *Pronunciatio Bonifacii pape super pacibus*. Arbitration by Boniface VIII, 1298. [RYMER, *Foedera*, I, ii, 894.] **Fo 6.**

10. Undated requests concerning the activities of French judicial officers in Aquitaine. 1) That a series of restrictions be placed on the execution of French judicial orders on ducal lands in Aquitaine. 2) That no French royal official enter ducal lands with arms, unless by special order of the king. 3) That no

1. Ms. : 1286.

appeals be allowed in criminal actions where the defendant has confessed, or where he has been caught while fleeing, or where the crime is manifest or notorious ; and that other detailed restrictions be placed on such appeals. 4) That no appellant from a ducal court be granted a guardian, except by special order of the king; and that complaints concerning violation of safeguard be decided by a regular judicial process, described in detail by the request. 5) That appellants from ducal courts not be declared exempt from ducal jurisdiction, except for the case on which they have appealed. 6) « Item cum in iuribus scriptis que *Certa* sunt et finita et multo forcius in variis et in certis consuetudinibus terrarum diverse sunt prudencium opiniones, et sic quandoque contingat, et licet iudex credit bene iudicare, per iudicem tamen appellationis sua sententia revocatur, de quo iudice appellationis scriptum est, quod non semper in melius reformat sententia... » that the officers of the duke not be required to appear in the event of such appeals, unless the principal case concerns them. Judgments made by the ducal court should be granted full faith. 7) That auditors, inquisitors, and receivers of testimony swear to be impartial ². 8) That remissions of land not be made by reason of contract or crime, except as is customary in such cases. 9) That the practice of arresting and imprisoning ducal sergeants and officials be reformed². 10) Since, by common law, barons have all jurisdiction and safeguard of cathedrals and other churches within their barony, saving the king of France his jurisdiction as *superior*, that the king of France and his seneschal not grant safeguards to churches within the lands of the duke unless ancient usage or continuous privilege contrary to the common law has been proved judicially. 11) That the king of France relinquish all the safeguards he has usurped in the lands of the duke without judicial proceedings and return the situation to that which obtained at the time of the first peace treaty. 12) Since guardians are to protect those in their guard only from manifest injury and are not to concern themselves with doubtful cases, that involve judicial judgment, tha the duke and his officers not be impeded in their exercise of jurisdiction over those being guarded. 13) For a long time there has been in the diocese of Bordeaux a castle and castellanv of France which has been in the obedience and iurisdiction of the seneschal of Gascony. Since the count of Perigord recognized he held this castle as a fief, the officers of the king of France have impeded the seneschal of Gascony from exploiting the obedience of this castle. May the king of France order an inquiry made and order done whatever is found to be ancient usage. « Multa enim similia feoda sunt in regno francie in baroniis aliorum inclavata, et specialiter in vasconia, de quibus unus habet feodum et alius obedienciam et resortum. » 14) That the inhabitants, bayles, and sergeants of royal bastides should use the common law that is used by the inhabitants of other royal towns, « nec permittantur ulterius uti illis abusionibus quas libertates seu consuetudines vocant ». 15) That all decisions touching the duke or his subjects be given in each Parlement under the seal of the duke's officers as they are written in the court's register. 16) That the goods of the Templars seized in ducal lands be restored to the duke. 17) That the judgment concerning Bigorre be corrected as justice shall require. *Fos* 7^v-9.

11. *Copia aresti lati pro domino nostro duce contra Arnaldum de Ravinhano*. Decision remitting to the court of the seneschal of Agenais the appeal by Arnaud de Ravignan from the bayle of St-Julien-de-Colorbisse. Paris, 3 June 1312. *Fo* 9.

12. *Littera ne senescallus Petragovicensis det auctoritate sua gaudiatores appellantibus et ne ipsi partes iudices assumant*. Letter patent of Philip IV instructing the seneschals of Perigord and Saintonge to recall all guardians granted on their own authority to appellants from courts of the duke of Aquitaine. They are not to allow those guardians who are granted by special order of the king or in cases of imminent-danger to exceed the limits "of their office. Paris, 12 July 1313. *Fo* 9.

2. Scribal errors render any reading of this item hypothetical.

13. *Littera ne emptores redditum ducis defendantur appellantes*. Letter patent of Philip IV instructing the seneschals of Perigord and Saintonge that in cases where those who have farmed ducal revenues appeal to the court of the king of France, the duke is not to be prevented by reason of this appeal from collecting the revenues due him. Paris, 12 July 1313. *Fo 9*.

14. *Littera ne malefactores se faciant appellantium adherentes*. Letter patent of Philip IV to the seneschals of Perigord and Saintonge. The duke of Aquitaine has complained that wrongdoers have declared themselves to be associates of people who have appealed to the royal court, even though they have nothing to do with the case being appealed; they thus are given guardians and are able to do wrong with impunity because they are exempt from ducal jurisdiction. If this is so, such men should not be protected or granted guardians. Paris, 12 July 1313, *Fo 9*.

15. *Littera concessa ad instanciam domine Regine Anglie, quod appellantes possint renunciare*. Letter patent of Philip IV granting that appellants from ducal courts to the royal court may renounce their appeals. Pontoise, 20 April 1314. [LANGLOIS, *Textes*, p. 199.1 *Fo 9^v*.

16. Another copy of no. 12, without rubric, addressed to the seneschal of Perigord and Quercy. *Fo 9^v*.

17. Letter patent of Louis X addressed to the seneschals of Toulouse, Saintonge, and Perigord and Quercy. At the request of officials of Edward II, after deliberation by the king's council, the following have been granted. 1) That an appellant to the king's court from the court of the duke will be allowed no other associates (*adherentes*) than his wife, his immediate and contiguous family (*familiam propriam et continuam*), and « those to whom the case by nature belongs ». 2) No more safeguards are to be granted in those places where the duke has high and low justice, « nisi ex iusta et evidenti causa ad occurrendum periculis ». When such safeguards are granted, the duke's justice is not to be impeded; reserving the ancient guard of ecclesiastical persons and places, whose condition is not to be altered. 3) When guardians are granted to an appellant, they are not to interfere with the duke's justice nor perform any act of justice except such as belong to their office. 4) The duke and his officials may levy the commune at Bordeaux and elsewhere as was customary before the war, notwithstanding any appeals other than those already being tried. 5) If royal sergeants, guardians, commissioners and other officials possess a permanent residence in the Duchy, contrary to the ordinance of Philip IV, the terms of that ordinance are to be enforced. Paris, 15 June 1315. *Fo 9^v*.

18. Letter of Clement V confirming the donation made by Galhardus del God to the archbishop of Bordeaux of the manor of Pessac. Lyons, 20 November 1305. [*Regestum Clementis Papae V* (Rome, 1885-92), no. 3999.]³ *Fos 9^v-10*.

19. Letter patent of Philip IV containing the peace treaty of 1303 (text incomplete). *Fos 10-11*.

20. Letter patent of Philip IV remitting all punishments to which Edward II might be subject because of his officials' actions in the Duchy of Aquitaine and restoring Edward to his « special grace ». Poissy, 2 July 1313. [RYMER, *Foedera*, II, i, 220.] *Fo 11*.

21. *Tractatus habitus inter regem apud Boscum Vincenem super facto Sancti Sacerdotis*.

« [C]harles par la grace de dieu Roy de France et de Navarre a toux ceux que cestes lettres verrount ou orrount. Que comme per robberies, arsouns, moerdres, et plusours autres griefs excesses faitz contre nostre souverainete a lieu de Saint Sacerdoc', nostre propre demeigne, per Rawf' Basset' chivaler les seneschal de Gascoigne, ou de soun commandement, per plusours ses ministres et complitz, un arrest eust este rendu en nostre presence et de nostre

3. *Regestum*: dated *Villandmdum*, 20 November 1308.

commaundement per le quel les persones des ditz malfesours sont banniz de nostre roialme et lour biens confisquez et commis a nous ; pur le quel arrest mettre a execucion duwe, si corn a nous apertient, taunt contre les dites persones comme en leur biens, especialment au chastel de mont Pesat, li sires de quel avoit et est coupables des ditz excesses et compris del dit arrest, nous eussoms envoie certaines persons as leus et as parties ou il menont, et dit Rauf' Basset' et ses ministres et complitz se soyent mys en appert et notorie rebellioun engarnisaunt le dit chastel contre nous, enpeschaunt en plusours et diverses maneres le execucioun del dit arrest, en tiel manere que la dite execucioun ad este delaye et est encore, contre nostre honour et contre le bien de justise. Et depuis nostre chier frier le Roy duc' de Guyenne eit envoie per devers nous ses messages, cest asavoir l'arcevesque de Dyvelyn et nostre cher cosin Eymes counte de Kent, frier du dit roy, et mestre William de Weston clerk, a tout lettres de creauce et altres lettres overte et pendauntz de son grant seal contenaunt le poer donne a y cels sur la reformacion de la dite duche de Guyenne taunt com il en appertient a luy; lesqueux messages pour ceo establiz devant nous en la presence de nostre conseil de part le dit nostre frier desavoerent les ditz excès et malefices et les mesfesours et nous offrirent de part nostre dit frere a mettre totte la diligence qil pourroyent et a drestier et corriger les ditz excès taunt corn a nostre dit frere pourroit appartenir. Nous consideraunt corn devant est dit que le execucion del dit arrest et la correction des ditz excès apertenoit a nous taunt seulement feismes requere et comander as ditz messages en la presence de nous et de nostre conseil les choses qe sensuent. Primerement que le peschement que les susditz malfesours ont mys ou fait mettre au dit chastel de mont Pesat et as bien del dit seignour de mont Pesat oustent et facent ouster en bone foye saunz fraude, et le dit chastel et biens del dit seignour de mont Pesat et des altres bannitz de nostre roialme per la vertue del dit arrest deliverent et facent deliverer taunt com a eux appartient a ceaux que de per nous serrount deputez a lexecucioun faire del dit arrest et lour soient eidaunt et confortaunt de totte lur poer en bone foi a la dite execucion faire. Item que le dit Rauf' Basset' chivaler iadis seneschal de Gascoigne et les altres bannitz que sont compris en le dit arrest per les ditz messages ne sustendront ne defendront ne ne recetteront ne souffriront a estre sustenuz, defendutz ne recepte en la duche de Guyenne, ne ne metteront nul empeschement que les ditz bannitz ne soyent pris et arrestez et amenez par devers nous per noz gentz a ceo deputez et eux mesmes si il les trovent en la dite duche les prendront ou ferront prendre et les rendront-per devers nous et noz gentz. Et enfint lount il promis en nostre presence et de nostre conseil les ditz messages, faite protestacioun per les ditz ercevesque et clerk que de ceo que touche peine de sanc il ne se entendent point a entre-mettre pur lour estat garder. Item corn il soit venu a nostre conisaunce que aucunes persones ont tenuz le dit chasteu de mount Pesat et este dedeintz en deffense et en garnisoun empeschaunt la dite execucion de nostre dit arrest done en nostre presence, nostre entente est de proceder contre eux sicom reson serra sur les desobeissaunces et rebelliouns faites per eux. Sus ceo avoms comaunde as devant ditz messages en noun desusdit que ceux que, per les proces que sus ceo se frount, serrount trovez coupables des choses desusdites et duement atteniz et quenvenz de ceo, il ne receptoront de lors en avant; aincois soient eidaunt et confortaunt a noz gentz a faire execucion duwe contre ceux. Les queux messages desus ditz nous unt eu covent a obeir a nous et a noz gentz en cas devant dit duement, sauf a eux ditz ercevesque et clerk lur protestacion devant dite pur lour estat garder. Et nest pas nostre entent pur les choses de sus dites les droitz de nostre dit frere soient de rien empirez ne amenriz. Aincois voloms que tot son droit luy soit reservez et sauf es choses desusdites taunt corn a luy purra appartenir de reson, et que les tretez faitz et accordez sus les pees entre nos treschers seignours pierre et freres et noz altres devanciers iadis rois de Fraunce, que dieux assoile, et nostre dit frier et ses devanciers soient pour ceo en riens enfrein ne muez enfint corn les diz messages nous unt requys iustaument. Et pour ceo que ceo serroit ferm et estable a touz iours nous avoms fait mettre nostre seal en ses presentz lettres. Donne au boys de Vincenn' lan de grace mill. ccc. xxiiij. en moys de may.

Sequitur factum per partem nunciorum Reg. Ang. A touz ceuz que cestes lettres verrount ou orrout. Alex' par la grace de dieu Ercevesque de Dyvelnye, Edmon frier au Roy Dengleterre Counte de Kent, et William de Weston chanoigne de Nichole messages **etc.** Salutz. Saitchez que nous avoms veu et regarde les lettres le tresexcellent prince Charles per la grace de dieu Roy de France et de Navarre en la forme que sen seut. Charles **etc ut supra proximo.** Et nous messages desus ditz enprotestaunt primes expressement que les droitz nostre dit seignour Roy Dengleterre Duke de Guyenne a luy en quecumque manere apertenaunz ou per les [sic] en ces hures faites ou en autre manere ne soyent de riens empirez ne amenusez, mes en totes choses de sus dites et totes autres a luy soit sauf et reservetz, et que cestes choses ne soyent a luy preiudiciales en tiemps avenir. Voloms et grantons auxi avaunt comme a nous appertient et a ceo avoms poer de nostre dit seignour, solom noz estatiz issi que nous Ercevesque et clerk en cas touchaunt crime ne soioms de rien arceez ne tenuz per nule chose ou promesse desus dite, les choses contenuz en les dites lettres susescriptes. » Fo 11^v-12.

22. Letter patent of Edward II commissioning the archbishop of Dublin, Edmund, earl of Kent, and William of Weston, canon of Lincoln, *legum doctor*, to inquire and do justice in the Duchy of Aquitaine concerning the « excesses and damages » done by ducal officials to his subjects and to other persons. Westminster, 30 March 1324. **Fo 12.**

23. Letter patent of Edward II naming the archbishop of Dublin, Edmund, earl of Kent, and William of Weston his proctors to negotiate a date and place for him to meet Charles IV. Fulmer, 11 April 1324. **Fo 12^v.**

24. Truce between the earl of Kent and Charles de Valois. La Réole, 22 September 1324. [P. CHAPLAIS, *The War of St-Sardos* (Camden Third Series, vol. 87, London, 1954), no. 47.] **Fo 12^v.**

25. *Judicium latum apud Oleronem per dominum Norwycen' Episcopum contra dominum J. de Greilleiaco dudum senescallum Vasc'.* Conviction of Jean de Greilly for excesses while in office. Oleron, 22 July 1287. **Fo 13^v.**

26. Treaty between Edward I and Pedro of Aragon arranging the marriage of Eleanor to Alfonso. Sorde, 8 October 1273. [RYMER, *Foedera*, I, ii 506.1 **Fo 14^v.**

27. Promise by Edward I to Alfonso of Aragon to execute the above treaty. Oleron, 28 July 1287. [RYMER, *Foedera*, I, ii, 678.] **Fo 15.**

28. *Vidimus* by the bishop of Valencia of the sealed instrument contracting the marriage of Alonso of Aragon to Eleanor. *Apud Ostam*, 25 August 1282. [RYMER, *Foedera*, I, ii, 613.] **Fo 15.**

29. *Contra ministrum tunc generalem Ordinis minorum.* Bull « Dudum ad nostri » condemning Michael of Cesena. Avignon, 6 June 1328. [*Bullarium Franciscanum*, V, 346-349.]. **Fo 16.**

30. Letter patent of Edward II to the seneschal of Gascony and the constable of Bordeaux concerning the reforms to be made in the administration of the Duchy. Westminster, 7 August 1320. **Fo 16^v.**

31. Ordinance on the custody of Gascon castles. Westminster, 7 August 1320. [RYMER, *Foedera*, II, i, 430.] **Fo 17.**

32. Ordinance on the reform of Aquitaine. Pontefract, 8 February 1323. [RYMER, *Foedera*, II, i, 505.] **Fo 17.**

33. Letter patent of Edward II ordering sheriffs to arrest anyone interfering with William of Bevercote in his prosecution of a royal presentation to the prebend of Rampton in the church of St Mary, Southwell. York, 20 September 1314. [See *C.P.R.*, 1313-1317, pp. 175, 176, 495, 689.] **Fo 17^v.**

34. Letter close of Edward III to R[oger], bishop of Coventry and Lichfield, summoning him to Parliament at Northampton on Easter next. York, 5 March 1328. [See *C.C.R.*, 1327-1330, p. 375.] **Fo 18.**

35. Agreement negotiated between ambassadors of Charles IV and those of Edward II concerning the homage to be rendered for Aquitaine; followed by

a summary of the additional accord delaying execution of this agreement for two weeks. 31 May 1325. [RYMER, *Foedera*, II, i, 602.] **Fo 18.**

36. Letter patent of Charles IV to his officials of Gascony informing them of the truce extension until 24 July. Paris, 1 June 1325. **Fo 19.**

37. Letter patent of Charles IV creating Pierre, bishop of Viviers, Alphonse d'Espagne, lord of Lunel, Master Jean de Cerchemont, Master Hugh de Chalençon, and Guillaume Flotte, lord of Revel, his proctors to negotiate a renewal of the peace with Edward II. Fontainebleau, 25 May 1325. [ST. BALUZE, *Vitae Paparum Avenionensium* (ed. Mollat, Paris, 1914-27), III, 379, no 71.] **Fo 19^v.**

38. Petition of the people of Agenais to Charles IV. 4 May 1324. [CHAPLAIS, *War of St-Sardos*, no. 30.] **Fo 19^v.**

39. Memorandum relating Anglo-Castilian negotiations. Valladolid, 22 May 1325. [CHAPLAIS, *War of St-Sardos*, no. 178.] Followed by the instructions given to the envoys of Edward II sent to the king of Castile. [*Ibid.*, no. 132.] **Fo 20.**

40. Undated petition to the pope concerning the « abuses » of the English royal courts in cases concerning ecclesiastical benefices ⁴. **Fos 21^v-24.**

41. Letter of Clement V secularizing the Augustinian convent of St-Emilion. Avignon, 18 December 1309. [*Regestum Clementis Papae V*, n° 6208.] **Fo 24-25^v.**

42. Letter close of Edward II naming A, bishop of B [*sic*], Master Thomas of Cobham, doctor of Canon Law, Gilbert of Middleton, canon of St Paul, London, and John Cromwell, knight, his proctors to negotiate the preservation of peace with the king of France. n.p., n.d. [London, 28 September 1311.] [*Gascon Rolls, 1307-1317*, n° 439.] **Fo 25^v.**

43. Letter patent of Edward II creating Edmund, earl of Kent, his lieutenant in the Duchy of Aquitaine. Portchester, 21 July 1324. [RYMER, *Foedera*, II, i, 562.] **Fo 26.**

44. Letter close of Edward II to the constable of Bordeaux ordering him to pay the earl of Kent the monies he requires for placing the castles and towns of Aquitaine in a state of readiness for war. 20 May 1324. **Fo 26.**

45. Letter patent of Charles IV informing the town of Bazas of the confiscation of Aquitaine.

« Charles par la grace de dieu Roys de France et de Navarre, a nos amez les consuls et habitanz de Besatz, salut et dileccion. Vous savez coment la duchee Daquitayne est de nostre fee et qe luy Roy Dengleterre duc Daquitayne le dit duchee doit tenir de nous en foy et en homage par cause de la coroune de France, le quel duc nest pas venuz a nous pur faire foy et homage du dit Duche suffisamment requys plusours foitz de par nous sur ceo, combien que nous ne fuissions pas tenuz de luy requeirre et combien que nous eyoms este Roys de France per grant tiemps, saunz ceo qil soyt venuz a nostre obeissance, si corn il estoit tenuz et le devoit faire. Et savetz les grauntz excesses que les gentz del dit duc ont fait a Seint Sacerdot' en graunt grief et preiudice de nous et de nostre souveraynete et des gentz du payse ; contre les quels gentz del dit duc, quand nous fumes a Tholouse, nous perfeismes certayns proces per veye de reson pur ceste chose en la presence dauquins des gentz de la ville de Agenum et dautres villes du dit Duchee. Et savetz auxint que quant vous et les autres gentz du dit duchee estes greve per le dit duc ou per ces gentz ou per autres vous avez refuge et recours a nous per voy de appel et per plusours autres maneres, et savetz coment souz nostre proteccioun de nous et de no predecessours Roys de France vous avez touz iours este et estes gardez et defenduz envers touz de totes iniuries, violences, et oppressiouns, la quele chose a laide de dieu nous voloms et entendoms toutz iours a faire et defendre si corn nous y sumes tenuz et le devons faire. Et corn pur le fait desus dist de Seint Sacerdot' Raoul Basset' que lors estoit seneschal de Gascoigne, et le seneschal Dagen, luy sires de Mont Pesat et plusours autres des gentz du dit duchee apelez

4. To be published in *Traditio*.

suffisaument et deuement per deuant nous eyent este bannitz de nostre royaume de France. Et les choses desus dites soyent si notaries et manifestes et eyent este faites grief, preiudice, et damage de nous et de nostre royaume, totes voyes nous a la requeste de plusours de la duche Daquitaine pur narder nous et tout le pais de damages nous sumes suffert de punir les excesses desus-ditz et de faire iusques a ore acomplissement de justice. Et combien que Eymes Dengleterre, frier du Roy Dengleterre duc Daquitaine, et auquns, aultres des gents du dit duc se suyssent trait per devers nous pur ceste cause et par certain comaundement que nous lur feismes il eussent accorde per lur lettres pendaunz qe les ditz bannitz et le chastel de Mont Pesat il bailleroient et delivererent en nostre mayn saunz delay pur faire accomplissement de justice et a ordiner a nostre volente, sicom il est plus plenerement contenuz es dites lettres, le quel nous avoms per devers nous, la quele chose il ont refuse de tut affaire et sont de tutte en tutte desobeissaunt, de quey nous nous merveillomes moult. Nous considerauntz et regardauntz totes choses et les revelliouns desus dites et que nous sumes touz iours fie et fioms de vous avoms ordeyne et purnos envoyer nostre tres cher et ame ounce le counte de Valoys et plusours de noz gentz ovesque luy vers les pertyes du dit duchee pur prendre le dit duchee en nostre mavn. taunt per default de homme pur ceo qil ad este et est defaillaunt de venir a nostre obeissaunce pur cause del dit duchee comme pur les causes desus ditz et plusours altres, et puy punir et amender les rebellions, desobeissaunce. et excès desusdites. Purquei nous vous mandoms, prioms, et requeroms que vous voillezt estre obeissaunt, eydaunt et confortaunt a nous [et] a nostre dit uncle et as noz altres gentz que nous envoyoms per de la en ceste busoie per force darmes et per totes les voyes et maneres que vous pouretz en tiel maner qil nous doit estre agreable, et qil appert del feute et amour que vous avez eu touz iours envers nous et vers noz predecessours Roys de France. Et pur ceo que le dit Duc Daquitaine nest venuz ne entrez a nostre homage ne a nostre obeissaunce pur cause del duchee desusdit, ne fait son devoir envers nous, aincoys luy et ses gentz ount este et sont desobeissauntz de tout, coment desus est dit. Pur lesqueles causes vous nestes pas tenuz de obeir a luy ne a ses genz, aynces devez estre de tut de nostre obeissaunce, et le dit duchee est en nostre mayn, de quel duche et des subgitz de celui la conoissaunce et le correccioun et le punicion et le obeissaunce appartient et doit appartenir a nous soul et pur le tout per les causes desusditez et autrement. Nous vous maundoms et coman-doms, et pluys estreitement que nous pooms, vous defendoms que vous, sur la loyaute et lamour que vous avez a nous et sur peine dencourer nostre indignacion et sur tout ceo que vous purrez mesfere envers nous, au dit duc ne a ses gentz vous ne obeissez ne ne donez eide ne confort ne conseil en apert ne en receyt per vous ne per altres en quele manere que ceo soit. Donee a Villers Costrest, le xxij jour de Juyn, lan de grace mille ccc. xxiiij. » **Fo 26.**

46. Letter of Charles de Valois to Mathieu de Trie, Pierre de Cugnières and Alphonse d'Espagne. Before La Réole, 3 September 1324. [CHAPLAIS, *War of St-Sardos*, no. 38.] **Fo 26^v.**

47. Letter patent of Charles IV placing Guillaume Galteri, clerk, bourgeois of Dax, in the royal safeguard and granting him a guardian. Paris, 4 April 1323/24. **Fo 27.**

48. Letter adjourning the king of England to Parlement to proceed on the appeal by Marguerite de Guorida, lady of Castillon, from the court of the seneschal of Gascony. Paris, 14 April 1323. **Fo 27^v.**

49. Letter adjourning the king of England to Parlement to proceed on the appeal of the countess of Foix from various officials of the Duchy of Aquitaine. Paris, 14 July 1322. **Fo 27^v.**

50. Letter of Antonio di Pessagno, knight, seneschal of Gascony, creating Master Austance Jourdain, *jurisperitus*, his proctor to follow the cases of the king and duke and his officials before the court of the king of France, his seneschals and commissioners. Dax, 29 November 1318. **Fo 27^v.**

51. Letter of Amaury de Craon, seneschal of Gascony, to the constable of Bordeaux, granting Robert de la Vertadausa, sergeant, a rent of 10 l. t. *per*

annum. Bordeaux, 5 June 1322. Followed by an *inspeximus* of Jean Guitard, clerk, *custos sigilli* of the king of England in Bordeaux. 20 August 1322. *Fo* 28.

52. Memoire relating the reply of Edward II to the ambassadors of Charles IV [during the summer of 1325].

« Endroit de ceo que levesque de meaus et Monseigneur Thebaud de Chypoys ount requys de par le Roy de France, que nostre seigneur le Roy vousct passer la outre ou envoyer Monseigneur Edward soun filtz pur acomplyr et faire ascunes choses contenues en la pees que fait est entre les deux roys, les queles demoerent uncore a faire. Nostre seigneur le Roy ad respondu que il vodrent mout si lui plect au Roy de France qil envoyast per de cea auques bones gentz ov plener poer de treter des dites choses, et assentir pur luy a tut ceo qil verroit que feut a faire. Si que nostre seignour le Roy se pust sur ceo acorder et de prendre journeye au Roy de France sur chose certeine, cest a dire sure chose dount il ne covenist my avoir desputesoun ne debat quant il vendroyent ensemble, car autrement il ne passereit ne ne suffreit soun filtz passer en nule manere ne conseil ne averoit de faire. Et fait a remembrer que nostre seignour le Roy, a la requeste des ditz messages, graunta et assenty que eaux ou altres, enfourmes de dites choses de per le Roy de France, et ove plener poer de mesmes celuy Roy, puissent venir par de cea dedeintz la feste de la Nativite nostre Dame procheine avenir de treter des dites choses et de assentir a tut ceo que lem verra que soit a faire.

Et auxint fait a remembrer que nostre seigneur le Roy sur le departir de mesmes les messages, quant il pristrent lour cunge de luy, fit un protestacion et dit expressement devant eux et devant plusours altres, que tut ne eust il nome devant eux en sa demande fors Maulion et Bernard du Perer, que pur ceo ne entendoit il mie estres forsclos qil ne puisse monstrier et demaunder altres choses lesqueles il et son conseil verrount que a monstrier et demander facent quant il verra lieu et tiemps avant qil passe. *Fo* 28^{r-v}.

53. Letter close of Edward II ordering the arrest of all subjects of the king of France. Portchester, 21 July 1324. [RYMER, *Foedera*, II, i, 562.] *Fo* 28^r.

54. Letter patent of Edward II ordering that the Priory of Wilmington be returned to the custody of the prior. 10 December 1324. *Fo* 28^r.

55. Letter patent of Louis X to the bishop of Saint-Malo, Jean, comte de Forez, Master Guy de Parcon, and Master Guillaume d'Ust, king's clerks, commissioning them to complete, along with representatives of Edward, duke of Aquitaine, the terms of peace made between Philip IV and Edward I. Paris, 28 June 1315. *Fo* 28^r.

56. *Commissio ad resumendum processum super pacum [sic] complemento Petragoric' inchoata anno quarto*. London, 28 September 1311. [Gascon *Rolls*, 1307-1317. n° 439.] *Commissio ad resumendum processum Monsteroill' inchoatum anno r' patris domini nostri Regis xxxiiij super dampnis datis tempore treugarum et pacis*. [Ibid., n° 438.] *Commissio ad admittendam renunciationem appellationis et faciendam justitiam*. Westminster, 18 July 1310⁵. [Ibid., n° 398.] Commissions to Edward II's representatives in the proceedings of Montreuil and Perigueux. *Fo* 29^{r-v}.

57. *Secundum paces de quibus agitur*. Demands of the French ambassadors presented to those of England, and demands of the English ambassadors. n.d. [1311.] [GAVRILOVITCH, *Etude sur le Traité de Paris*, p. 140-142, 129-131.] *Fo* 29^{v-30}.

58. Letter of continuation of cases in Parlement between the king's proctor and the duke of Aquitaine. 6 June 1323. Letter of continuation of all cases *de gratia speciali et ex causa*. Mehun-sur-Yèvre, 23 March 1324. (In margin : « Ista littera non fuit exhibita quia non continebatur in ea de n... insertis, imo emendata sub forma que sequitur. ») Letter of continuation of all cases *factum bastide sancti sacevdotis et quoscumque ratione facti ipsius tangentibus exceptis*. Mehun-sur-Yèvre, 23 March 1324. (In margin : « exhib. in parlamento coram

5. *Gascon Rolls*: dated Northampton, 4 August.

magistris absente domino Tho. x^o die april' a^o dⁱ m^o ccc^o xxiiij. ») [CHAPLAYS, *War of St-Sardos*, no. 27.] **Fo 30^v.**

59. Documents in the dispute between the dean and chapter of Lichfield and the prior, monks and convent of Coventry concerning the method of electing the bishop of Coventry and Lichfield. The documents include 1) the *libellus* for the dean and chapter of Lichfield, 2) five twelfth- and thirteenth-century documents concerning the mode of election, 3) articles presented by Gerard of Sudbury, proctor for the dean and chapter, 4) *libelli* for the dean and chapter of Lichfield and for the prior and convent of Coventry, presented to Guigo de Sancto Germano, auditor, 5) articles for the prior and convent, 6) an instrument recording hearings before the auditors, January-March 1325, 7) a notarial copy, dated 24 November 1326, of a condemnation of Gerard of Sudbury for forgery, 14 August 1311. **Fos 31-32, 33^v-41^v, 49-50^v, 55.**

60. Letter of John XXII to the bishop of Coventry and Lichfield ordering him to admit William Swein of Bothfeld to a prebend in Lichfield to which he had received an expectancy at the request of Philip V. Avignon, 2 June 1318, [See *C.P.L.*, 1305 - 1342, p. 125.] **Fo 32.**

61. Letter close of Edward III summoning Master William of Weston to the Parliament at York, Sunday after the Feast of the Purification. Coventry, 11 December 1327. [See *C.C.R.*, 1327-1330, p. 240.] **Fo 32^v.**

62. Letter of John XXII to the bishop of Coventry and Lichfield, ordering him to refrain from doing anything to prevent John, Cardinal-deacon of St. Theodore, papal legate, from holding the archdeaconate of Coventry as a benefice. Avignon, 17 September 1328. **Fo 32^v.**

63. Confederatio facta et iurata inter Gallicos et Scotos contra Anglici. Alliance between Charles IV and the Scots. April 1326. [*Acts of the Parliament of Scotland*, XII (Edinburg, 1875), 5.] **Fos 32^v-33.**

64. Letter patent of Edward III granting the abbot and convent of Rochester in Dovedale license to appropriate the church of Woodford. York, 25 May 1327. [*C.P.R.*, 1327-1330, p. 105.] **Fo 33^v.**

65. The prior of Newbrough, diocese of York, and the prior of the Dominicans of York acknowledge receipt of a letter of John XXII ordering them to hear witnesses in a dispute between John de C. and Robert de R. over the prebend of St. Stephan martyr in the church of St. John. 14 March 1327. Record of their proceedings and responses of witnesses, 28 March-17 August 1328. **Fos 51^v-53, 54.**

66. Summaries of sermons preached at Avignon by John XXII on All Saints Day (no year), 21 April 1330, 15 July 1330, 26 July 1330, and Assumption Day. **Fos 53-54.**