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XX.—Observations on four Illuminations representing the Courts of Chancery, King's Bench, Common Pleas, and Exchequer, at Westminster, from a MS. of the time of King Henry VI.: in a Letter

G. R. Corner

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XX.—*Observations on four Illuminations representing the Courts of Chancery, King's Bench, Common Pleas, and Exchequer, at Westminster, from a MS. of the time of King Henry VI.: in a Letter from G. R. CORNER, Esq., F.S.A., to FREDERIC OUVRY, Esq., Treasurer.*

Read December 6, 1860.

3, Paragon, New Kent Road,
4th December, 1860.

MY DEAR SIR,

By the kind permission of William Selby Lowndes, Esq., I have the pleasure of sending you four illuminations, on vellum, for inspection by the Society of Antiquaries. From the alphabetical table at the foot and back of one of them they seem to have belonged to a MS. law treatise of about the time of King Henry VI.; to which reign, from several points in the illuminations themselves, as well as from the character of the writing, I attribute the date of these interesting representations of the King's four superior courts at Westminster.

Of the volume from which these illuminations have been taken the four leaves which I now send you are all that can be found. The rest of the book is, I fear, destroyed or irrecoverably lost. From the table of contents commencing under the representation of the Court of Common Pleas, I think that they must have formed an abridgement of the law of earlier date than that of Fitzherbert,^a the

^a The commencement of the Table of Contents is as follows:—

Accomptes	Assis	Attachm ^t s ^r prohib ^a
Addicion	Assigne	Accord
Adm'istrator	Attachement	Assetz p' descent
Age	Attemt	Admiralite
Aied	Attornay	
Aied de Roy	Attornement	Bastardy
Accionz s ^r le statut	Auncien de ^{ne}	Brief
Acc'onz s ^r le cas	Audita querela	Brief al evesq'
Admesurement	Averrment	Bill
Amercement;	Avower	Barr
Annuite	Amendm ^t	Count
Arbitrement	Adjournment	Champ'tie, &c.

first edition *of which was published by Pynson in 1516. This Manuscript was, perhaps, sometime the property of William Fleetwood, Recorder of London, temp. Elizabeth; a memoir of whom I had the honour of reading to the Society of Antiquaries on the twenty-ninth of March last.

Mr. Selby Lowndes is a descendant, through several female heirs, of Recorder Fleetwood, whose seat was at Great Missenden, Bucks; and it was at Whaddon Hall in the same county, the hospitable mansion of Mr. Selby Lowndes, that I met with these curious representations of our law courts, and obtained his permission to exhibit them. Whaddon Hall was, however, the residence of the celebrated antiquary Browne Willis, and it is equally possible that these illuminations or the MS. from which they were taken may have belonged to him.

The courts represented are, as I think,—

- 1st. The Court of Chancery. (Pl. xvi.)
- 2nd. The Court of King's Bench. (Pl. xvii.)
- 3rd. The Court of Common Pleas. (Pl. xviii.)
- 4th. The Court of Exchequer. (Pl. xix.)

THE COURT OF CHANCERY. (Pl. xvi.)

This illumination represents two judges in scarlet robes trimmed with white badger or lambskin, one of them uncovered and tonsured, the other having on his head a sort of brown cap. The former holds in his hand an open document with the great seal appendant. On each side of the judges are two persons seated wearing yellow or as they were called mustard-coloured robes; three of these are evidently tonsured.

Below them are the registrars and other officers with rolls before them. On the table, which is covered with green cloth, stands one of the six clerks or a clerk in court reading a record, and on his left an usher in a party-coloured gown of green and blue, *rayed* or striped diagonally. On the right, at the table, is the sealer pressing down the matrix of the great seal with a roller on the wax attached to a patent, and before him lie a number of writs folded up and sealed, with pendant labels, as subpcenas and Chancery writs were prepared until a recent period.

At the bar stand three serjeants with coifs and wearing party-coloured gowns of blue and green and blue and brown; there are also two apprentices of the law or barristers, clad in party-coloured gowns of blue and light brown and green and light blue. All these party-coloured gowns are striped or rayed, some vertically



COURT OF CHANCERY.

and others diagonally, the divisions of the respective colours being separated straight down the front and back.

In a row behind the last-mentioned figures are two other apprentices of the law, one of whom is reading probably a document, and three solicitors or clerks in court, one of whom is examining the point of a pen, having mended it, another is delivering a paper to his companion, and the third is writing. Each of these five is in a dress of a single colour.

Above the heads of the judges are three shields : that on the dexter side bears the arms attributed to King Edward the Confessor—azure a cross patonce between five martlets or ; the centre shield bears France and England quarterly ; and the sinister England alone.

It is difficult to identify any of the persons represented. According to Sir William Dugdale's *Chronica Series*, the only lay Chancellor during the reign of King Henry VI. was Richard Neville, first of the name Earl of Salisbury,^a who was appointed Chancellor 2nd April, 1454, in the thirty-second year of that reign. Presuming the Chancellor in the picture to be a layman, we may reasonably suppose that this Earl is the Chancellor represented ; and if so, that fixes the date of these illuminations very exactly ; for the Earl of Salisbury was succeeded as Chancellor by Thomas Bourchier, Archbishop of Canterbury, in the following year. It is, however, possible that the Chancellor in the picture may have been tonsured, for his head is covered by the cap.

The other judge sitting with the Chancellor is probably the Master of the Rolls,^b or possibly a judge of one of the other courts, appointed to assist the Chancellor.

The four persons in mustard-coloured gowns, sitting on the Bench with the judges, are the Masters in Chancery ; some of whom used to sit with the Chancellor until the time of Lord Chancellor Brougham, who dispensed with their attendance.

THE COURT OF KING'S BENCH. (Pl. xvii.)

Here may be seen five presiding judges, all of whom wear coifs ; and all are attired in scarlet robes, trimmed and lined with white. Above their heads are three shields bearing the same arms as those in the Court of Chancery.

^a K. G. and Lord Chamberlain ; attainted in 1459, but restored (though afterwards executed) in 1460.

^b Sir John Fortescue was then Chief Justice of England, John Prisot was Chief Justice of the Common Bench, and Thomas Kirkeby (?) Master of the Rolls.



COURT OF KING'S BENCH.

Below them sit the King's Coroner and Attorney, and the Masters of the Court, as at present. They all wear party-coloured dresses of blue (rayed) and white, or murrey and green. On the table, which is covered with a green cloth, are rolls and writing materials, and on it stand two ushers, one of whom is clothed in mustard colour and blue (rayed), and the other in murrey and green; each of them bears a staff, and one of them appears to be speaking, while the other is administering an oath on the gospel to one of a most ill-looking jury. A prisoner in fetters stands at the bar, in custody of the marshall or a tipstaff, and holding up his right hand. On each side of the prisoner stands a serjeant in his coif: both the serjeants wear party-coloured gowns of green and (rayed) blue.

In the foreground of the picture are six most miserable and ill-looking prisoners, chained together by the legs and in custody of two tipstuffs or gaolers, one of whom is in blue and looks very like a modern police-constable, and the other is in mustard colour, and wears a high cap.

THE COURT OF COMMON PLEAS. (Pl. xviii.)

This may be identified by its having *seven* presiding judges, which was the case from the 29th till the 32nd of Henry VI., and then eight; and in the 33rd year of the same reign, and for some time after, seven again: so also, Dugdale says, for good part of King Edward the Fourth's time; but towards the end of his reign no more than four, nor in all King Henry the Seventh's time.^a

As in the other pictures, below the judges sit the prothonotaries and other officers of the court. They are in party-coloured dresses of blue and light brown, rayed with blue stripes, and green and similarly rayed light brown. On the table, which is covered with a green cloth, are the rolls, a closed book, and writing implements, and also two ushers standing, with their staffs, and clothed in party-coloured dresses. A defendant in custody of a tipstaff, and apparently in his shirt only, his legs being bare, is standing at the bar; and on his right is a serjeant in a blue and green gown striped with white. Two other serjeants similarly habited stand at the extreme right; while on the left are two other serjeants, one of whom is addressed by an old man with a bald head, dressed in light brown and rayed blue, with a penner hanging from his girdle; there is no jury. This picture is smaller than the others, and has the commencement of the alphabetical table of contents on the lower part of the page.

^a Dugdale's *Origines Juridiciales*, p. 39.



A ccount.	A mmute.
A ddicion.	A rbitement.
A dmistratoz.	A ssio.
A ge.	A ssigue.
A ied.	A ttachement.
A ied de Roy.	A ttent.
A comz o' lestat.	A ttornay.
A comz o' le cas.	A ttornement.
A dmesuyement.	A uincien. de ne.
A mercementz.	A udita querela.

There are three shields, with the same arms as those in the other courts, over the heads of the judges, who are clothed in scarlet trimmed and lined with white budge, and all of them wear coifs. The whole page is surrounded by a very fine border, which is nearly perfect; and the writing is commenced with a large and beautifully illuminated initial letter.

THE COURT OF EXCHEQUER. (Pl. xix.)

This court, where there are over the heads of the judges the same three shields of arms as in the other courts, is presided over by a judge in scarlet robes, and wearing a hat of the same colour.^a With him sit four others, two on each side, in yellow or mustard-coloured robes, two of whom wear hats of the last-mentioned colour, while the other two hold similar hats in their hands. At the table below them are the clerks and officers of the court, two of whom have a quantity of gold coin before them, which they are counting.

In front are three serjeants and counsel in party-coloured and rayed robes of various colours, and other persons. An usher stands on the table apparently speaking, and in the foreground is a square cage, grated and barred,^b behind

^a These hats are really the lofty turban-like hoods which were worn by persons of importance, and especially by judges, in the fourteenth and fifteenth centuries, over a close-fitting professional law cap or coif. It is not improbable that the fashion was derived from the high Asiatic turban, and came through Italy, and especially from Venice, in which the greatest variety of head-coverings were to be found, all being known under the general name of *Berretta*. There are many remarkable examples to be found in Cesare Vecellio's *Habiti Antichi et Moderni*, published in 1589; and especially one in vol. i. p. 44, of a tall convolved bonnet-hood, worn by an ancient Venetian noble. They were made of velvet, silk, cloth, and even canvas, of all colours, and were secured to the head by a thick roll at the lower part.

^b This inclosure is a cage made of strong wooden bars, with a door of solid planks nailed, and having a large lock. It seems capable of containing four or five persons, and to be erected on the lower floor of the chamber, against some solid part of the platform, or dais, on which the court is sitting. There does not appear to be any person in charge of this place of detention, though there doubtless was such an officer; since Madox, after stating that the word marshal seems to have been sometimes used with latitude, adds, "The persons that were wont to be employed at the Exchequer in arresting accomptants, or other delinquents, were sometimes called by that name." (*Hist. of the Exchequer*, p. 729.) The intention, or even the existence, of this place of durance, is not noticed by Madox; but the use of it seems to be indicated in lib. ii. cap. xxi. of the *Dialogus de Scaccario*, composed in the reign of Henry II., either by Gervase of Tilbury, or Richard Fitz Nigel, Bishop of London. That section is entitled "Quid cum veniens non satisfaciat si Miles est? Quid si non Miles?" and it shows that the general practice



COURT OF EXCHEQUER.

which are two prisoners; and there are two large iron-bound chests, suggestive of treasure.

The table, however, is not chequered, but green; and as we are told the Court of Exchequer derives its name from its table covered with a chequered cloth,^a this circumstance may raise a doubt whether this illumination represents the Court of Exchequer. I believe, however, that it does, and perhaps the court is represented while exercising functions in which the chequered cloth was not used. This court, until the establishment of the Court of Wards and Liveries by King Henry VIII., had cognizance of all matters relating to the King's wards and their lands, and to escheats and forfeitures, &c.; and it was presided over by the Lord High Treasurer.^b The other judges were the Barons.

In the *Vetusta Monumenta*, vol. i. plate 70, is a view of the Court of Wards and Liveries, with the officers, servants, and other persons there assembled, from an original picture on vellum in the possession of His Grace the Duke of Richmond at Goodwood, of the date (as supposed) of 1585. This plate was engraved

of the court was to transfer the defaulter to the keeping of the Marshal until the sitting should be terminated, when his sentence was decided. He then either had *attornment* assigned him, or days appointed for the payment of his debt, or fine or amercement awarded, or was committed to the Tower or the Fleet. It is evident, therefore, that this cage is intended to represent the temporary place of confinement for the more common sort of Exchequer defaulters until the sitting of the Court was concluded. The knights were treated with more leniency until they had forfeited all their terms, and then they also were to be sent to prison.

^a Dugdale's Orig. Jurid. p. 49.—“In places of receipt or revenue it was customary to lay upon the table a *Scaccarium*, or chequered cloth, which, by reason of the chequering or diversity of the square spaces wrought upon it, was more commodious for counting of money, according to the way of those times, than a plain board or a cloth all of one colour.” (Madox, Hist. of the Excheq. p. 129, from the *Dial de Scacc.* lib. ii. cxxvii.) Notwithstanding this statement, there does not appear to be any sufficient reason for doubting whether the present illumination does represent the Court of Exchequer simply because the table covering is of a single colour. It must be remembered that, in keeping the great accounts of the court, there were two distinct operations, one relating to the *summing-up* of the amounts due from the King's debtors, and the other to the *receipt* of them. The duty, therefore, of the most skilful of the Exchequer officers was to make those calculations and reduce them to writing; and for this purpose the chequered board or cloth was used, with the proper counters. But it is the *receipt of the Exchequer* which is represented in this painting, the mere payment of the several sums due, as is indicated by the gold coin lying on the table to be counted, and the small white sheepskin bags in which the money was kept. In the many entries on the great roll relating to the cloth for the Exchequer table, it is simply called *Pannus Laneus*, without any mention of its being chequered. It must be observed, also, that there were two chambers belonging to the court, each of which had a table covered with a cloth.

^b John Tiptoft Earl of Worcester was Lord Treasurer at the period to which I attribute these Illuminations. (Dugdale's *Chronica Series*, p. 61.)

by George Vertue, at the expense of the Society of Antiquaries, in 1747. At the bottom of the picture, without the bar, stand two serjeants in their robes and coifs. He on the left hand of the other has a party-coloured robe, which (Vertue says) was still worn for one year upon taking that degree.*

Among the most ancient representations of courts of law that are known is one of the Court of Exchequer in Ireland, copied from the Red Book of that court (fol. 32), supposed to be coeval with the Red Book of the Exchequer in England. It was published in the Gentleman's Magazine, for January 1855,^b with an account of it and of the court represented by James F. Ferguson, Esq. This sketch, which is very rude, has the words "Henricus dei gra:" at the head of the scroll which one of the officers is writing, from which circumstance and the character of the writing, Mr. Ferguson infers that it was made in the time of King Henry IV.

I have been favoured by my friend Richard Thomson, Esq., one of the Librarians of the London Institution, to whom I am indebted for some learned notes on this paper, with the following observations on these Illuminations, of which I avail myself with sincere acknowledgement.

"In the original state of these Illuminations they must have exhibited considerable merit and beauty; although they do not appear ever to have been very highly finished as manuscript miniatures. They are, however, especially valuable on account of the variety of costume contained in them; the lively and natural action of the several figures, and the very characteristic expression of their countenances. But these excellences have led to an unfeeling attempt at restoring the features and dresses by coarse and hard black outlines, in which has been introduced an air of caricature not belonging to the art of the period.

* I have made application to many of the learned serjeants to ascertain when the use of the party-coloured gowns was finally abandoned, but without success beyond the fact communicated by the Lord Chief Baron to Dr. Diamond, that the whole Bar went into mourning for Queen Anne, and they are said never to have come out again, but have mourned ever since. Mr. Serjeant Atkinson says that Vertue is wrong in saying that the parti-coloured gown was worn in his time; and that, judging from pictures, the change to the present robes of scarlet, purple, and black, took place about the time of the Protectorate, when a great alteration took place in all dress. Referring to the purple robes of the serjeants, the learned serjeant quotes an epigram of the facetious Jekyll:—

" The Serjeants are a grateful race,
Their robes and speeches show it;
Their purple robes do come from Tyre,
Their arguments go to it."

^b Gentleman's Mag. N. S. vol. xliii. p. 37. It is also inserted in the Proceedings of the Kilkenny Archæological Society, 1854, vol. iii. Pt. I. p. 46.

“ One very interesting characteristic of these drawings is, that they may safely be received as having been executed in England, and also as being very fair examples of the best kind of illumination produced in this country in the early part of the fifteenth century ; which was far from being equal to that of Italy or France at the same period in respect of careful finish and beauty of colouring.

“ The borders with which one of the drawings and text are surrounded consist of that combination of marginal bracket lines, heavy coloured foliage, and pen tracery terminating in flowers, which is usually to be found in English illuminated manuscripts, and at a later period in those of Holland. The gilding is in general good and substantial, but the colours appear to have been indifferent, coarsely laid on, and the whole work rather hastily executed. The blue is of a dark tint, as if it had been debased by the addition of some inferior colour, and the rosetto, or opaque rose colour, has often faded altogether, as may be seen in some of the foliage, and especially in the architectural frame to the miniature of the Court of Common Pleas above the commencement of the alphabetical table.

“ Several peculiarities in the ornaments of these borders, and in the large initial on the same page, appear to indicate that the volume to which the paintings belonged was written and illuminated at the Abbey of St. Edmundsbury in Suffolk. In these respects, and also in the writing, it resembles the fine manuscript of Lydgate’s poem of the Life and Miracles of St. Edmund, which was completed in the Scriptorium of that monastery in the year 1434, as a present to Henry VI. before his departure after a long visit to the abbot. It is now preserved in the Harleian Library (No. 2278), and some parts of it have been published in fac-simile by Mr. H. Noel Humphreys and the late Mr. C. J. Smith, in which these peculiarities may be traced. There are probably many examples extant of the art and industry of this very meritorious Scriptorium, if they could be collected and identified : and it was announced as being one of the literary subjects contained in “the unpublished part” of the History of the Abbey by the Rev. Richard Yates, but it does not appear to have been ever executed. There is another fine manuscript extant, also of English art, and contemporaneous with these miniatures, known as “The Golden Book of St. Alban’s,” painted by Alan Strayler in the year 1463 : the drawings in which are very inferior to the present.

“ In addition to a very good outline for the period, these Illuminations exhibit such a natural arrangement and characteristic expression in the figures, as seem to prove that they must have been drawn *ad vivum*, or under the direction of some

sound professional advice, since they immediately convey to an instructed eye the particular court intended to be represented, even at the distance of four hundred years."

Among the most noticeable things in these Illuminations are the party-coloured gowns and clothing of the serjeants, officers of the Court, and other persons represented. The custom of wearing party-coloured garments which prevailed so extensively in this country, and probably also generally throughout Europe from the time of our Edward III. until that of Henry VIII. is too well known to justify my entering upon the subject at any great length. It arose doubtless from the giving of liveries of chosen colours by great lords to their friends, retainers, and servants with a view of attaching to themselves as numerous and strong a party as might be, while men of lower station were glad to accept and sometimes to purchase the livery of a great lord for the sake of his patronage, protection, and favour. This practice having been looked upon with great jealousy by the Sovereign, various Acts of Parliament were passed for restraining the giving of liveries, except in certain specified cases; and in these exceptions I think we shall find the explanation of the use of party-coloured gowns by the serjeants-at-law, who seem to have retained them so long after other persons had abandoned the use of them.

An Act was passed in 1 Ric. II. (c. 7) against the giving of liveries by people of small revenue, who made great retinue of people, as well of Esquires as others, giving to them hats (or hoods) or other livery of one suit by year, taking of them again the value of the same livery, or perchance the double value, to maintain suits or other confederacies.

And in 20 Ric. II. (c. 2) it was enacted, that no valets called yeomen, nor any other of less estate than esquire, should use or bear any badge or livery called Livery of Company of any lord within the realm, unless he were a menial and household servant or continual officer of his said lord.

In 1 Hen. IV. (c. 7) it was enacted, that no lord should use or give any livery of sign of company to any knight, esquire, or yeoman; and no ecclesiastic or temporal person should give any livery of cloth to any man, but only to his menial servants or officers, and to them that were of his council, as well spiritual as temporal, learned in one law or the other, upon pain of fine and ransom at the King's will; which enactment was confirmed, with a heavy penalty on its infringement, by statute 7 Hen. IV. (c. 14).

And again by statute of 8 Edw. IV. (c. 2) no person of what degree or condition soever should give any livery or retain any person other than his menial servant,

officer, or man learned in the one law or the other by any writing, oath, or promise, under a penalty of 100s. for every such livery, and also of 100s. per month on the retainer and the person retained. But it was provided that the Act extended not to liveries given at the King's or Queen's coronation; the installation of any archbishop or bishop; the erection, creation, or marriage of any lord or lady; the creation of any Knights of the Bath; the commencement of any clerk in any university; or the creation of serjeants-at-law; or to those given by any guild or fraternity; or by the mayor or sheriffs of London, &c.

On the authority of the exceptions in these statutes, therefore, I conclude that the party-coloured gowns of the serjeants and lawyers were livery gowns given to them by their clients of high rank with their retaining fees.

One of the earliest and most interesting examples of the use of these party-coloured garments is in the seated figure of John of Gaunt, as Lord High Steward, from one of the Cotton MSS., engraved in Strutt's *Regal and Ecclesiastical Antiquities* (Pl. 17), and also (with the colours) in Noel Humphreys' *Illuminated Books of the Middle Ages*. In that illumination, "time-honoured Lancaster" is arrayed in a flowing robe of blue and white, which were the Lancaster colours;^a while Thomas of Woodstock is kneeling and receiving a charter.

In a letter from Sir John Paston to his mother and his brother (without date, but referring to the expected coming of King Edward IV. into Norfolk, in 1469 or 1474,) he says, "And whether ye will offer yourself to wait upon my lord of Norfolk or not, I would ye did that best were to do: I would do my lord pleasure and service, and so I would ye did, if I wist to be sure of his good lordship in time to come. He shall have 200 in a livery, blue and tawny, and blue on the left side, and both dark colours."^b

In the tournament roll of jousts performed by King Henry VIII. and his court, A.D. 1510, in honour of Queen Katharine of Arragon on the birth of a prince (which is preserved at the College of Arms, and engraved in *Vetusta Monumenta*, vol. i. plates 21-25), the squires, heralds, trumpeters, and attendants are in party-coloured garments of yellow and grey, some paly, others quarterly, and this livery is worn as well by the valets as by gentlemen with gold chains round their necks.

At Kimbolton Castle, the seat of his Grace the Duke of Manchester, there is a picture of the landing of Charles first Duke of Manchester at Venice, on his

^a Willement's *Regal Heraldry*, p. 43, and authorities there cited.

^b Fenn's *Paston Letters*, vol. ii. p. 22, Letter xxvii.

embassy to that state in 1696 or 1707, in which picture his attendants are represented in party-coloured liveries.

Of the mayors' and sheriffs' liveries, John Stowe, in his Survey of London, says, "The clerks of Companies were to inquire for them of their Companies that would have the mayor's livery; their money (as a benevolence given), which must be twenty shillings at the least, put in a purse, with their names that gave it, and the wardens to deliver it to the mayor by the first of December; for the which every man had then sent him four yards of broad cloth rowed or striped athwart with a different colour, to make him a gown, and these were called *ray gowns*, which was then the livery of the mayor and also of the sheriffs, but each differing from others in the colours." According to the same authority, the officers of the city of London in older times wore gowns of parti-colours, as the right side of one colour and the left side of another; and from books of accounts in the Guildhall it appears that in the nineteenth year of the reign of Henry VI. there was bought for an officer's gown two yards of cloth coloured mustard villars^a (a colour out of use in Stowe's time), and two yards of cloth coloured blue, price two shillings the yard, in all eight shillings. "More paid to John Pope, draper, for two gown-cloths, eight yards of two colours, *eux ambo deux de rouge* (or red) medley brune and porre (or purple) colour, price the yard two shillings." These gowns were for Piers Rider and John Buckles, clerks of the chamber. And in the year 1516, in the seventh of Henry VIII., it was agreed by the Common Council in the Guildhall that the sheriffs of London should (as they had been accustomed) give yearly rayed gowns to the recorder, chamberlain, common serjeant, and common clerk, the sword bearer, common hunt, water bailiff, and common crier, like as to their own officers, &c.

In 1525, in the sixteenth of Henry VIII., Sir William Bayly, then being mayor, made a request, "for that cloths of ray (as he alleged) were evil wrought, his officers might be permitted (contrary to custom) for that year to wear gowns of one colour, to the which (in Common Council) one answered and said, yea, it might be permitted, and no man said nay, and so it passed."^b

^a In a letter from Margaret Paston to her husband John Paston, dated 18th December, 1477, she says, "My Mother sent to my Father to London for a gown-cloth of mustyrd de-vyllers, to make of a gown for me; and he told my mother and me, when he was come home, that he charged you to buy it, after that he was come out of London. I pray you, if it be not bought, that ye will vouchsafe to buy it and send it home as soon as you may, for I have no gown to wear this winter but my black and my *green a-lyer* (*grenouiller*, or frog colour), and that is so cumbrous that I am weary to wear it." (Fenn's Paston Letters, p. 257, Letter lxxxii. Vol. ii.)

^b Survey of London, ed. 1633, p. 652.

Party-coloured liveries were worn by the trading companies of London as early as the reign of the first Edward; Strype mentions a procession of citizens in 1300, on that King's marriage at Canterbury with his second queen, Margaret, when the fraternities rode, to the number of six hundred, "in one livery of red and white (the livery colours of the house of Plantagenet),^a with the conuzances of their mysteries embroidered on their sleeves."^b

Strype also mentions a representation formerly existing in one of the windows of Guildhall Chapel of a mayor sitting "in a habit party-coloured, and an hood on his head, the common clerk and others bareheaded, with their hoods on their shoulders."

Chaucer says—

A Marchaunt was ther with a forked berd,
In motteley and highe on hors he sat.

(Lines 272-3.)

and—

An Haberdasher, and a Carpenter,
A Webber, a Deyer, and a Tapicer,
Were all y clothed in o liveré
Of a solempne and gret fraternité.

(Canterbury Pilgrimage, lines 363 to 366.)

The colours of the liveries of the several companies were varied from time to time. The Grocers in 1414 wore scarlet and green, in 1418 scarlet and black; at the commencement of Henry the Sixth's reign their colours were murrey and plunket, the former described to be "darkly red,"^c and the latter "a kind of blue;"^d subsequently the Grocers' colours are described as "murrey and plunket celestine," the latter is azure or a sky-coloured blue;^e and in 1450 their blue gowns were ordered to be thenceforth "violet in grayne and fur hodyes (to be) parted with crymsyn."

^a Willement's Regal Heraldry, p. 26.

^b Strype's Stow, 1754, ii. p. 1247.

^c Murrey in heraldic language signifies deep crimson. Gwillim defines it as the last of the seven mixed colours, (which) we do commonly call murrey, but in blazon sanguine; and it is, as Leigh saith, a most princely colour, being one of the colours appertaining of ancient time to the Princes of Wales. The word is considered to be derived from "Morée," or the colour of the Moors, verging from deep red to black. It may be said still to exist in the name of the brown-ruby colour employed for curtains morone or maroon.

White and green were brought into use as the livery colours of the house of Tudor by King Henry VII.

^d This interpretation appears to have been supplied from Ainsworth's English and Latin Dictionary, 1736. "A plunkett colour, *vel color, vel cœruleus*;" but it is found explained as a kind of blue colour in older authorities.

^e Murrey and blue were the livery colours of the House of York.

Sanguine or cloth of blood colour, "parted with rayes," or striped cloth, and combined with green, were leading colours with other companies.

An illumination, forming the initial letter and part of an ornamented border of a charter granted by King Henry VI. to the Clothworkers' Company, represents the King on his throne, delivering the charter to four kneeling clothworkers, who wear party-coloured dresses of red and blue, or murrey and plunket just described, equally parted or divided vertically, so that the right side is of one colour and the left of the other.^a

But to come to the party-coloured robes of the serjeants-at-law, of which the earliest mention I have found is in Chaucer, who says of the serjeant—

He rood but hoonly in a medlee cote

Girt with a seynt (cincture) of silk with barres smale.

(Canterbury Pilgrimage, lines 330-1.)

Sir John Fortescue, in his treatise *De Laudibus Legum Angliæ*, describing the form of making a judge, says, that a serjeant being made a justice, instead of his hood must wear a cloak, closed upon his right shoulder, all the other ornaments of a serjeant still remaining, saving that his vesture shall not be party-coloured, as a serjeant's may, and his cape furred with minever, whereas the serjeant's cape is ever furred with white lamb.^b

Sir William Dugdale, in his "*Origines Juridicales*," says of the serjeants' robes:—

"The robes they now use do still somewhat resemble those of the justices of either bench, and are of three distinct colours, viz., murrey, black furred with white, and scarlet: but the robe which they usually wear at their creation only, is of two colours, viz., murrey and mouse-colour; whereunto they have a hood suitable, as also a coif of white silk or linen.

"I am of opinion," Dugdale says, "that the form of the robe and colour thereof, which they use at their creation, is very ancient; for in Chaucer's time, which is three hundred years since, it is evident that party-coloured garments were much in fashion; and that the people of that age were grown to a great exorbitancy therein; so that in his *Parson's Tale* he sharply inveighs against

^a See Herbert's "*Livery Companies*," vol. i. p. 58, *et seq.*

^b *De Laudibus Legum Angliæ*, c. ii. f. 123a.

the vanity thereof: and, amongst other particulars which he instanceth, takes notice that one-half of their hose was white and the other red.”^a

In the “*Liber Famelicus*” of Sir James Whitelocke, edited by John Bruce, Esq., F.S.A., and published by the Camden Society, 1858, he relates that on the occasion of his being created a serjeant, June 29th, 1620, after taking his leave of the Society of the Middle Temple, they attended him to Serjeants’ Inn in Fleet Street; where, his party-coloured robe being put upon him in his chamber, he was conducted into the hall by the tipstaves, his scarlet hood and his coif laid upon it being carried before him by his man. And, after recording the expenses of his creation and robes, he adds, “*Memorandum: I made no black robe, nor purple, because I was not to need them, but only a party-coloured and a scarlet; the party-coloured, a robe, a hood, and tabard; the scarlet, a robe and hood.*”

He says further, “I rode circuit in summer, 1620, serjeant-at-law, and practised in my party-coloured robe on Sundays and holidays, both in the circuit and in the term.”

Spelman, *in voce* “*Serjant vel serviens ad Legem,*” says, in reference to their party-coloured gowns:—

“*Sed quære unde habet togam bicolorem, more Helvetiorum, qui tunicas et femoralia sic dividunt. Leighus in Accidentiâ Armorum, pag. 40, ait, Milites Cursores nuncia principum deferentes sic vestiri solitos, coloribus scil. Domini sui pessum divis.*”

I cannot learn that the Swiss lawyers in particular were ever distinguished by wearing party-coloured robes; but I have been favoured by Dr. Ferdinand Keller, President of the Society of Antiquaries of Zurich, and by M. Troyon, Hon. F.S.A., with some letters on the subject; and Dr. Keller has most obligingly sent me three tracings, illustrative of the use of party-coloured garments, in the fifteenth and sixteenth centuries. It appears from their account that party-coloured dresses were much in use in Switzerland, and that they are still worn by inferior public servants. They seem, however, to be principally of heraldic origin, devised from the arms of the several cantons, many of which bear, *per pale*, *per fesse*, or

^a *Origines Juridiciales*,” pp. 136, 7.—In the prologue to the *Parson’s Tale*, Chaucer says, “The horrible disordinate scantiness of clothing as be these cut slops or hauselines, that through their shortness eke, and through the wrapping of their hose, which are departed of two colours, white and red, white and blue, white and black, or black and red, make the wearers seem as though the fire of Saint Anthony or some such mischance had cankered and consumed one-half of their bodies.”

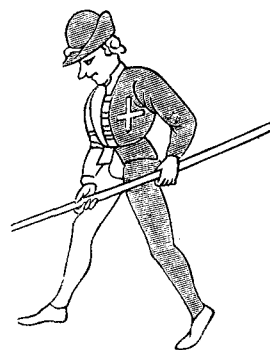
per bend of various colours. A print which has been published in Switzerland under the title of "*Le Grand Sceau de la Confederation Suisse et le Costume des Huissiers des 22 Cantons*," exhibits the arms and the dresses of the huissiers or ushers, which are all party-coloured according to the arms. Dr. Keller has also sent me a copy of an illumination, dated 1320, which shows the use of party-coloured dresses in Westphalia; it represents a judge in a party-coloured robe of red and yellow, vertically divided. The inscription says, "*Isti sunt qui falsum testimonium proferunt*:" there are two accused persons, and two persons bearing false witness, before the judge; one of the latter is attired in a blue and yellow coloured garment, divided horizontally, as if suggested by barry of four: above the heads of both the witnesses is hovering an evil spirit or imp of Satan. This illumination is from a manuscript belonging to the town of Soest, and is published in "*Westphalische Provinzialblätter*," 1 band, iv. heft, leaf vii. Minden, 1830.

The other tracings sent me by Dr. Keller are derived from the illuminations of the Chronicle of Gerold Edlibac, a manuscript of the fifteenth century, preserved in the library at Zurich.^a One of these (see woodcut) represents an attendant on the ambassadors from Zurich to the King of the Romans; he is dressed in the colours of Zurich, blue and white, divided obliquely from the right shoulder to the left hip, so that the right arm and leg and lower part of the body are blue, and the left arm, breast, and left leg are white.^b Another tracing gives two other figures, probably heralds, who are dressed in a similar way, but with the colours reversed. A third tracing represents two of the Federal soldiers, attired in red and white divided vertically, the colours of the Federal coat, with a small white cross on the breast. The position of the colours is reversed in the two figures, of which one is shewn in the annexed woodcut.

Another drawing is of the date of 1563, and represents the *baumeister*, or town architect, of Zurich. He is dressed in the colours of the canton—blue and



ZURICH OFFICIAL.



SWISS SOLDIER.

^a See an account of this manuscript in "*Transactions of the Society of Antiquaries of Zurich*," Tome IV.

^b This dress really forms a surcoat of the arms of Zurich, parted per bend azure and argent.

white, divided diagonally across the breast, as before described, partly concealed by what seems to be a leather apron; he carries his rule and compasses, and has a pouch hanging to his girdle, out of which appear his writing tablets. His *zollstab*, or rule, is a remarkably interesting instrument; it appears to be graduated throughout into spaces apparently containing nine or ten inches each; in the upper half of which the divisions are plain, but in the lower part they are cut or notched, like the teeth of a saw, into the smaller measures.

Although in Harl. MS. No. 980, it is said that the robe of a serjeant-at-law was formerly party-coloured, in order to command respect, no good ground seems ever to have existed for such a reason, as it seems always to have been more or less a badge of dependence. By the time of Henry VIII. the party-coloured dress or livery was confined nearly (if not quite) to household retainers and servants.

In modern times we have an instance of this kind of clothing, now considered grotesque, being used for the most degrading purpose; a hangman's livery. Vice-Admiral William Henry Smyth, F.R.S., F.S.A., in his *Memoir on Sicily and its Islands* (page 80), after giving an account of the trial and conviction of a young man of Palermo, for poisoning his father, mother, and a young orphan girl, says that (the culprit having been condemned to be hung and burned to ashes,) "On the fatal day, he was led forth by the gate of St. George, in a melancholy procession, headed by the two executioners, distinguished by party-coloured dresses of red and yellow, intended to mark the degradation of the office. Behind them marched the criminal, in a black pitched vestment, and bareheaded, accompanied by the white brotherhood, the priests, and officers of justice. On being assisted up the ladder, the scene was truly horrible, for one of the motley wretches sat upon the gallows, and when the assistant had leaped off with the victim, nimbly glided down the rope, and all three remained swinging together: but this, though a very unsightly, is certainly a merciful mode of execution." The date of this occurrence was 1815.

I remain, my dear Sir,

Your very faithful servant,

GEO. R. CORNER.