

Out of Session: Edward Guildford of Halden, Justice of the Peace for Kent, 1436-43

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Commissions of the peace were created in the fourteenth century 'to hear and determine felonies and trespasses at the king's suit' following the abandonment of the general eyre. From 1362 justices of the peace were required to sit at least four times a year (quarter sessions) and from 1394 on regular commissions with standardised powers were periodically issued for every English county.¹ The printed *Calendars of Patent Rolls* record the membership of most if not all commissions: certainly many early Tudor commissions were not enrolled.² Parliaments constantly enacted relevant legislation, steadily enhancing the powers of the justices, en route to the 'stacks of statutes' and multifarious out of court tasks of the 1580s recorded by the legist (and historian of Kent) William Lambarde.³ Not only had membership of the commission multiplied several times by 1600, plumbing genteel depths well below the county elite, but justices met for much longer at quarter sessions and were actively employed out of quarter sessions even ahead of the formal creation of petty sessions in 1631. Far from merely judges, JPs acquired a mass of administrative functions relating to county highways, bridges and hospitals, rates, the poor law, licensed victuallers and much else. The justices of the peace were indeed the true government of every shire up to the creation of the county councils in 1889.

All this is established. What is not so obvious is the trajectory from the fourteenth-century origins to the omnicompetent commissions of the late sixteenth-century. How far had the commission of the peace progressed towards its eventual maturity by, for example, 1440? What did the commission of the peace and individual justices actually do? If that was known, historians would be much better placed to understand on the one hand the commission's positive contribution to peace-keeping, and on the other, its involvement in feuding, land disputes, and bastard

feudal abuses of justice and local politics during the Wars of the Roses. Surviving formularies or treatises, both fifteenth- and early-sixteenth-century, indicate the functions of the justices of the peace,⁴ but what happened in practice is only partly revealed by the rolls of the sessions of the justices published by Professor Putnam and others. These rolls are almost entirely fourteenth century,⁵ before further powers were enacted by parliament. Although itemised by Professor Bellamy, it is not clear that they were enforced. Just because acts of parliament created new contracted procedures, Bellamy presumed that these procedures were implemented and took further extensions of such legislation as evidence of the effectiveness of the procedures.⁶ Yet this does not appear to be the case. Arguably the most important of these new procedures was the certification of riots by justices of the peace, yet Professor Maddern could find only three such instances in five East Anglian counties between 1420 and 1442.⁷ The problem is that there are almost no archives of any English county outside the highly exceptional palatinates before the mid-Tudor period.⁸ Historians are reduced to gleaning from what survives amongst the records of the central government in the national archives. Yet it is apparent that sheriffs, justices, coroners and other commissioners did create copious records that are almost completely and irretrievably lost.

There is a parallel to the justice of the peace in the much better known office of the sheriff. Originally shire reeves, sheriffs had five hundred years of history behind them before the fifteenth century. Almost all are known by name and listed. They have been investigated prosopographically by counties and as a group.⁹ Much is known of their progressively less important financial activities from the records of the exchequer, which entered their accounts on the annual pipe rolls. Sheriffs serviced every court, both local and national. Their operations can be traced laboriously from the writs and enrolments of writs of the three central courts of justice and from the jurors whom they empanelled. If there are no satisfactory minutes of their monthly county courts, some light has been cast from their returns of infrequent parliamentary elections and their endorsements on the returned proclamations that they had read out.¹⁰ Such fragments, however assiduously assembled and analysed, reveal little about key administrative functions, such as policing and the county gaol. It is hard to assess, to confirm or even to contextualise the many abuses of which medieval sheriffs were habitually accused. Miss Condon's discovery thirty years ago and editing of the highly technical notebook of George Darell (d. 1474) – a personal record for only one sheriff for only one county for only one year¹¹ – was thus important and so far, regrettably, without any sequel.

The parallel with the justices of the peace is exact. Almost seventy years ago Miss Bertha Putnam published her remarkable *Proceedings before the Justices of the Peace in the Fourteenth and Fifteenth Centuries*. She knew of 58 rolls of the county justices, only two relating to the fifteenth century. She printed 20 of them.¹² Others were published elsewhere by her, by Elizabeth Kimball and Rosamund Sillen, none of them dating after 1500.¹³ Putnam deduced that indictments, writs and other memoranda were normally written up into rolls only when king's bench migrated to the locality and superseded all other courts.¹⁴ This applied also to coroners, for whom there are no fifteenth-century rolls and whose fourteenth-century rolls were evidently written up retrospectively from old (indeed sometimes ancient) memoranda.¹⁵ It was not that later rolls were lost, but that, after king's bench ceased to migrate, there was no imperative to write up the rolls at all.

Quarter sessions accumulated miscellaneous records apparently in no particular order: jury lists, writs, and also the indictments, which on occasion were requisitioned by king's bench years after their creation. Each commission had a keeper of its rolls (*custos rotulorum*), but none had dedicated premises to store them: hence, perhaps, none of these county archives have survived. The 'Worcestershire Manual' of c. 1422 printed by Putnam collected 82 separate items, of which the originals are now lost,¹⁶ and for which there are no known counterparts existing elsewhere. What has often survived are the records of county boroughs, surely untypical of the shire counties, and those of the serjeants of the peace in the highly exceptional county palatine of Chester studied by Dorothy Clayton.¹⁷ Bar only two rolls, Professor Jack Lander was dependent for his study of *English Justices of the Peace 1461-1509* principally on the commissions themselves and on records of the payments by sheriffs to the justices amongst the exchequer various accounts (E 101) or enrolled on the Pipe Rolls (E372).¹⁸ Such sources and no others have been used by successive historians of fifteenth-century counties – by Virgoe on Norfolk and Suffolk, Wright on Derbyshire, and by Carpenter on Warwickshire. Payling on Nottinghamshire and Acheson on Leicestershire used additionally the ancient indictments of the court of king's bench (KB9) – the records of those special cases indicted at quarter sessions that were called into the superior court. What all these have revealed is the number of days quarter sessions met (and which justices presided): some JPs appeared not at all, most but rarely, and the duties were habitually shouldered by a small group of obscure legal professionals.¹⁹

Since only two rolls survive for fifteenth-century sessions, it is not surprising that little has been made of the business they actually trans-

acted. Strangely the surviving letter collections have little to contribute. Nobody, it appears, kept letters invoking their office of justice of the peace in the way that they retained those of the wardens of the marches even though, on the evidence cited below, Latin writs of this type did exist. Working justices were not the VIPs – dukes and earls – that the marcher wardens were. Whatever the statutes directed the justices to do out of court, none of the fifteenth-century county studies has any concrete evidence to reveal what JPs actually did, if they did anything. In contrast Elizabethan and early Stuart justices are known to have been constantly engaged on business out of court, as Professor Gleason and others have conclusively demonstrated.²⁰ Little has been done to substantiate the duties prescribed in surviving treatises. Whilst reporting that ample evidence existed, Putnam herself never deployed it in print, and nobody has done so since. Up till now, it has not been known in practice whether fifteenth justices were active out of sessions or what they did. A chance find, like that of Darell's notebook, has the capacity to transform our understanding.

II

It is therefore important that a short record by one such justice of his activities out of court has been discovered amongst the records of St Cross Hospital, Winchester at Hampshire Record Office.²¹ The justice was Sir Edward Guildford (or Gyldeford, as he called himself) of Halden in Kent, who was on the commission intermittently from 1435 to his death in 1448-9.²² There is no apparent explanation for its presence at St Cross: the Victorian earl of Guildford, who was master of St Cross, was a North, not a Guildford. The four membranes are catalogued as the record of sureties taken before Justice Guildford, which somewhat simplifies the contents. This article analyses the roll and uses it to cast a narrow light on the work out of session of the fifteenth-century justice of the peace. As preliminary, it considers what is known of Guildford and of his roll.

Edward Guildford inherited lands from both parents in the Kentish Weald and acquired others himself. Halden in Rolvenden was his principal seat. It was there that his chapel was located and in Rolvenden church that he founded his chantry chapel. This was his country. It was from Halden, as we shall see, that he operated as justice of the peace. Guildford was a member of the county elite, the son of a former MP for Kent, and a confrater of Canterbury cathedral priory. His first appointment out of many was as a commissioner (of array) in 1419, also the year of his first election as knight of the shire for Kent. He was to sit

twice more, in 1426 and 1435. He served as escheator for Kent and Middlesex in 1426, as sheriff of Kent in 1431-2 and 1438-9, and as JP in 1435-6, 1437-8, and from 1440 to death. His role as sheriff had acquainted him with the work of the justices at quarter sessions whom he had supported by producing malefactors, empanelling jurors, and executing sentences. His biography reveals, not untypically, that he was and remained a man of violence and of the main chance as well as an officer of the peace. He had extensive administrative experience prior to becoming a JP.²³

It was more than twenty years after Guildford came of age and entered his inheritance, seventeen years since his first commission and election to parliament, a decade since he was escheator, and five years after he served as sheriff, that on 18 November 1435 he was added to the commission of the peace.²⁴ Certainly by the Elizabethan era and probably already in the 1440s, it was not just being commissioned that bestowed status, but also precedence on the commission – the order in which the justices were listed.²⁵ Guildford began as fourteenth out of eighteen justices: he followed both archbishops, the bishop of Rochester, the magnates, judges and knights, the chief steward of the south parts of the duchy of Lancaster, members of the royal household, and four other esquires. Re-appointed on 13 March 1437, even more lowly placed at nineteenth out of 21, he was deleted in 1438-9, when he was sheriff. Re-appointed once more on 24 July 1440 as twelfth out of fifteen, he was again omitted in July 1441, but served from 12 April 1442 until his death. He was listed seventeenth out of 21 when last commissioned on 28 December 1447. Although self-evidently a member of the county elite, Guildford was consistently listed after other esquires from leading families – Richard Bamme, Thomas Brown, William Haute, Geoffrey Lowther, and Richard Wydeville. He stood ahead usually of Reginald Peckham and such lesser gentry and experts in the law (*legisperiti*) as John Bamburgh, Richard Bruyn, Thomas Burgess, William Garnet and William Isle, any two of whom with the royal judges constituted the quorum.²⁶

Historians have come to appreciate that membership of the commission is not the same as attendance. Late-sixteenth- and early-seventeenth-century ministers frequently complained about justices of the peace, who valued the status but neglected the duties, and set themselves to substitute working justices who shouldered the burdens of office for such 'drones among bees', who 'stand there like an idol to be gazed upon and do nothing'.²⁷ In the late medieval counties that have been studied a mere fraction of the commissioners attended each quarter session and the most regular attenders were a mere handful of the lesser

gentry.²⁸ So too during the thirteen years 1436-49 in Kent, where attendances never exceeded eight – four or five was the norm – and Bamburgh, Bruyn, Isle, Garnet, and Peckham were the most stalwart commissioners. Apart from one judge, initially John Martin and latterly Walter Moyle, and one session each attended by Humphrey Duke of Gloucester and Edward Lord Abergavenny, the sessions were run by the gentry. Altogether 21 gentry (including Moyle) are known to have been paid for service at quarter sessions during eight of these thirteen years and 19 gentry, not quite identical, presided over 36 sessions revealed by surviving indictments. Canterbury, Maidstone and Rochester were the usual venues, West Malling and Dartford very occasional alternatives.

Yet Edward Guildford did not attend any of these sessions. Indeed it appears that he was the only one of the gentry JPs commissioned with him who never appears at any of the quarter sessions.²⁹ Both sources point to the same conclusion, that Guildford was really absent and not simply unrecorded. Given that he had serviced the justices during his two shrievalties and almost certainly had to be present on those occasions in person, it is little short of amazing that he was so regularly absent. Was it the distance and inconvenience of the venues? Cade's rebels complained that they were obliged to attend sessions in the extreme east and west of Kent, sometimes requiring absences of five days from home and livelihood.³⁰ Although resident at one extreme of the county, indeed almost into Sussex, Guildford lived only 20 miles from Maidstone and enjoyed amicable relations with Canterbury cathedral priory. He was an elector at county elections both in Rochester and Canterbury.³¹ His relatively lowly precedence on the commission is unlikely to have deterred him. Without his roll therefore, Guildford would be categorised as one of the many elite justices who never acted – presumably valuing the office merely as a mark of status rather than a responsibility. On the evidence of the quarter sessions, Edward Guildford JP was one of those 'drones among bees' later denigrated by Lord Burghley. Nevertheless, non-attendance at quarter sessions did not necessarily mean inactivity out of session. As his roll demonstrates, Guildford at least was engaged in peace-keeping in his home area.

III

Guildford's roll is calendared in the appendix: numerals in square brackets in the text relate to this. The roll consists of four parchment membranes written on both sides, obverse first and the reverse apparently afterwards. Although very faded at the head, the roll is complete. It contains 32 documents, 18 on the front and 14, with gaps, on the

dorse. It is the work of more than one scribe. All the documents are copies, all but the English oath of a constable are in Latin, and all but one belong naturally in an archive of Guildford's own acts. The exception, a bond made before Sir Geoffrey Lowther JP and relating to Tenterden, was of obvious interest to Guildford. They are unevenly distributed across the six years 1436-43. Ten date to 1436, two to 20 June and eight to 24 November. There are none for the years 1437-40, 6 from August 1441, one dates to 26 September 1442, and another 14 from 3 January to 14 June 1443. That there are documents dated 1436 and 1443 on both front and dorse is strongly suggestive that the roll was written at one time, soon after 1 June 1443: it is also indicative that the earliest and latest documents relate to the same parties, John Boteler and Thomas Aleyn [1, 26]. Item 8, dated 29 May [1443], refers to that year as 'last past' (*preterito*), fixing the roll as before 29 May 1444, to 1443, or even to Henry VI's 21st regnal year ending 31 August 1443. The roll certainly does not contain all Guildford's work out of court – several documents in the roll supersede or otherwise refer to items not included [9, 13, 16, 31] – and it is therefore a selection made for a purpose unknown on criteria unknown about June 1443. Not only did Guildford make significantly more than 32 transactions over these six years, but it cannot safely be presumed that these represent the full range of activities that he undertook. Yet even this tiny sample illuminates the formal and bureaucratic business of a justice of peace between sessions.

The first document is a Latin writ from 'Edward Gyldeford one justice of the peace of the lord king to the constables of the hundred of Cranbrook' to attach John Boteler at the suit of Thomas Aleyn. He did not name himself as his own witness as his colleague John Bamburg (perhaps the *custos rotulorum* for Kent) did and as such Worcestershire JPs as John Wood did.³² Altogether there are 13 writs giving instructions, often 'on the king's behalf' (*de parte domini Regis*), some to unspecified recipients, but most to the bailiffs and constables of the Wealden hundreds, to the sheriff, and, to receive a prisoner, to the custodian (or lieutenant-constable) of Canterbury Castle. There are copies of 5 bonds and 17 memoranda relating to such bonds. In several cases Guildford was acting in response to writs from the king, chancellor, sheriff or another justice, which he transmitted to the bailiff and constables of hundreds to compel an elected constable to take up office, to array their inhabitants, to bind over individuals, or to release others from their bonds. Royal writs to the justices were transmitted to Guildford and hence to the hundred constables for implementation. Another entry records the replies by two constables to a returnable writ ordering the attachment of criminals [16]; several of Guildford's writs ordered their return to

[quarter] sessions [20]. Two writs of *supersedeas* cancel earlier transactions [23, 25]; in one case a note of *supersedeas* updated the records [11].

Until now, individual justices were not known to have generated writs and bonds or maintained archives. It is therefore surprising and striking how formal and sophisticated these documents are and how bureaucratic were the underlying procedures. Evidently bonds were routinely taken and copies made, formal memoranda being recorded on each occasion, and writs were routinely issued in consequence to inform the sheriff, other justices, constables, and other royal officials of the new situation. Other writs on Guildford's behalf 'and on the part of the king' demanded arrests, the imprisonment, and/or production of individuals at the sessions. Every action generated a trail of parchment. The roll also contains one writ to the hundred constables 'on the king's behalf' as commissioner of array [17]: another topic where almost nothing is known of what the commissioners actually did.³³ All these documents employed or at least echoed official formulas, confidently applied correct procedures, and deployed royal and legal diplomatic. Writs, for instance, stated Guildford's office in a greetings clause, recited the circumstances, commanded action or forbade non-compliance 'on your peril' (*suo periculo*), and terminated with the date in regnal years and usually the location. All personages were named in full: the domicile and rank of all mainpernors were recorded, but, strangely and irritatingly, not those of the contesting parties. There are close parallels in Guildford's roll with the peace bonds printed by Putnam and Clayton, but Guildford's versions are not identical. Evidently there were local variations. Guildford's bonds merge the different functions, apparently distinct at Chester, between bonds to keep the peace, bonds to appear at future sessions, and recognisances.³⁴

Did gentry also accumulate similar archives as escheator and sheriff? Guildford's records as JP – writs to him, copies of writs from him, memoranda – were preserved and were thus available for inclusion in the roll even six years after the original event. Since Guildford is unlikely to have done any of this drafting or filing himself, he clearly required Latinate clerk(s) with some expertise in legal documents to undertake it for him, although unlike Bamburgh's clerk Hore, they did not endorse any of the surviving writs that they wrote. Because the roll is unique, records activity otherwise unknown, and may or may not have points in common with the records published by Putnam and Clayton, the whole roll has been briefly calendared.

Professor Putnam considered that the 'Worcestershire Manual' gave a good impression of the work of quarter sessions. There were numerous

writs from the justices in quarter sessions to the sheriff and hundred constables, bills of presentment and indictments, writs of *venire facias* and *certiorari* to them, documents relating to procedures for jury trial, outlawry and pardons, gaol delivery, and mainprise. Except for the last, none of this quarter sessions business is mentioned in Guildford's roll. Moreover the 'Worcestershire Manual' makes frequent references to murder, rape and Lollardy, crimes of which those to be attached or produced had been indicted.³⁵ Guildford's roll contains only two references to one indictment on suspicion of felony [24, 25], although there are numerous bindings to keep the peace until the next sessions, occasionally 'general sessions', which must be quarter sessions. It records none of the crimes characteristic of the Weald, such as Lollardy and poaching. They may have come before him, yet were apparently irrelevant to the purpose of this particular (and highly selective) roll. It reveals that many royal writs to the justices were referred to individual justices (by whom?) and by them to the hundred constables [13, 17]. The 'Worcestershire Manual' usually relates to what quarter sessions had done – to culprits who had been indicted – and often therefore with the actions of quarter sessions and implementation of its decisions, although some documents may also relate to justices out of court. Guildford's roll in contrast definitely relates to the preliminaries, before the issues reached quarter sessions and to those that never did. It reveals how much public government took place even below county level. And so it was in the city of London also. Below the City government, the author of John Vale's book copied a mass of direct mandates from the crown under the privy seal and signet to the London alderman Thomas Cook.³⁶ Both provide insight to an otherwise inaccessible sub-world of royal government.

IV

The cases on Guildford's roll come from thirteen of Kent's rather small hundreds. Apart from one relating to Cornilo hundred [20], near Deal in East Kent, and another from Romney Marsh [5], the hundreds involved were Barnfield, S[w]elbrittenen, and Oxney bordering Sussex, and their immediate Wealden neighbours Marden, Cranbrook, Barclay, Rolvenden, and Tenterden, particularly Cranbrook, Rolvenden, and Tenterden: a compact Wealden group in the south-west of the county within a few miles of Guildford's seat. This was Guildford's country. The parties themselves are disappointingly obscure. They are indeed recorded elsewhere, but not very much. Apart from one chaplain (Simon Burgh) and one gentleman Roger Twysden, all were local farmers (yeomen and

husbandmen), craftsmen or labourers. They crop up scarcely at all in the chancery calendars or in early chancery proceedings.³⁷ None of these specific cases appear to have reached Westminster, none crop up in Lollard trials, and none were significant a few year's later in Cade's rebellion.³⁸ Their affairs and quarrels were predictably local.

Putnam has identified a large number of responsibilities of the justices. Guildford's roll highlights only four, relating to the hundreds, the statute of labourers, arrests of offenders, and sureties of the peace. Many of Guildford's writs were directed to the high constables or bailiffs of his local hundreds. In one instance, where one William Hammond had declined to take up the office of high constable to which he had been elected, Guildford ordered the bailiff to take action to force Hammond to take on the office [15]. It is an indication that Guildford supervised the appointment of hundred constables that the oath of such constables is included in his roll [32]. Putnam remarked with some surprise at the prominence of labour legislation in early-fifteenth-century Worcestershire;³⁹ Guildford also handled one such case [26-31]. On two occasions, both in 1443, Guildford was ordered to attach named individuals. The first was John Stanway, suspected of felony, who was arrested at Guildford's command by the constables of Rolvenden and then consigned by the justice to prison at Canterbury castle to appear at the next session [24, 25]. Guildford also ordered that John Stile and William Symond [10] be attached for unnamed offences and produced before him. The result, as always, is unknown.

Much more important, so the 'Worcestershire Manual' revealed, were:

'numerous illustrations of the procedure used in the binding over of men to keep the peace, in half of the instances before a single justice ... The context always indicates that the defendant has threatened the plaintiff with bodily harm. The evidence from the manual, therefore, shows the justices of the peace acting upon the authority conferred on them by commission and them taking surety 'of good abearing' under the statute of Edward III'.⁴⁰

If full records of quarter sessions had survived, Putnam added, 'it would probably be found that a large proportion of time was occupied with "matters connected with pledges, mainprise, and bail for the appearance of the parties on an appointed day and with the binding of people to keep the peace"'.⁴¹ T.B. Pugh found and calendared 72 peace bonds taken at the great sessions of Newport in 1476 and Clayton studied no less than 1,797 taken before the justice of Chester in county court session and a further 2,057 recognizances for the peace during the

sessions of the Chester county court and registered at the palatinate exchequer.⁴² Clearly the exaction of bonds to keep the peace, usually towards specific individuals, was already a commonplace activity for justices sitting in sessions. So too was it out of session on the evidence of Guildford's roll. Such transactions account for 24 documents relating to nine distinct cases as appears in table 1: three-quarters of the contents of his roll.

Table 1: Peace Cases before Edward Guildford

John Bertelot v John Cornet	14-20/6/1436	3 entries
Thomas Aleyn v John Boteler	24/11/1436	8 entries
Thomas Howelot v Robert Kene	1-7/8/1441	3 entries
Robert Lavys	1441	2 entries
Thomas Mayne v Geoffrey White	26/9/1442	1 entry
John Stanway	3/1/1443	2 entries
Philip Scott v Thomas Grybull	3/5/1443	3 entries
John Boteler v Thomas Aleyn	3/6/1443	5 entries
Simon Burgh v William Jankyn	3/5/1443	1 entry
William Symond	1442-3	1 entry

A typical example of the procedure is revealed by what is chronologically the earliest case. It was initiated on 20 June 1436 by a royal writ to the Kentish justices to bind over John Cornet to keep the peace towards John Bertelot, which Guildford implemented. William Newman and Geoffrey Lavys of Dittisham, both husbandmen, Adam Bell yeoman and Laurence Ford husbandman stood sureties for Cornet at £20 each, and Cornet himself was bound in £40. However Cornet responded by returning to chancery for a *supersedeas* [21-3]. Justices, in short, were directed by central government but also overruled by it, sometimes in the same case and at the initiative of those aggrieved by their actions. At a later stage pardons could negate indictments and convictions. In 1441 Robert Kene was bound over to keep the peace towards the king and specifically towards Thomas Howelot, his sureties being Robert Stanstreet of Ivychurch and John Cobbes of Newchurch, both yeomen. Six days later the bond was superseded [5, 7]. Also in 1441 Guildford had bound Robert Lavys, labourer of Biddenden, to appear at sessions on his own surety and those of other mainpernors of £20, but this was superseded by writ to the sheriff of Kent by John Bamburgh, one of the justices of the quorum [13]. In two other cases bonds were released: one entered by Geoffrey White of Wittersham against Thomas Mayne butcher of Wittersham before Guildford and William Garnet JP was relaxed at

Mayne's request in 1442; a second, by William Jankyn against Simon Burgh chaplain, was relaxed in 1443 [9, 31]. There is no overlap between these cases and no obvious reason why Guildford selected these fragments for special treatment in 1443, to which most of them relate.

What appear to be endorsements to returnable writs dated 3 May 1443 initiate another case, *Scott v Grybull*. John Willard [of Biddenden] constable reported that Simon Tyndehurst and Richard Ricard were in custody, but that John and William Ricard had not been found. Thomas Elliott, another constable, who returned the writ, reported that he had attached Thomas Grybull at Tenterden on 3 May, but that he had resisted and escaped. Subsequently Grybull appeared before Justice Geoffrey Lowther in session at Canterbury, where he was bound to keep the peace towards Philip Scott of Tenterden. Roger Twysden gentleman and William Grybull of Tenterden husbandman stood surety in £10 each. Thomas Grybull himself was bound in £20 [8, 16]. Given his resistance to arrest and his operations in Guildford's home country, the low level of the bonds and their imposition by another justice at Canterbury is a surprise. Obviously, however, Guildford was interested.

Conflict between two particular litigants unites the whole seven-year period and together involves 13 of the 32 documents: 40 per cent of the total [11-4, 6, 10, 11, 26-31]. The two parties were Thomas Aleyn and John Boteler. It was aggression by John Boteler towards Thomas Aleyn, presumably already a labourer of Rolvenden, that caused Guildford to order the constable of Cranbrook to attach Boteler in 1436 and to bind him over to keep the peace towards the king and Aleyn and to appear at the next session. Altogether there were three bonds: one by Boteler himself in £20; a second in £10 each by Richard Spayn of Rolvenden husbandman and William Martin of Tenterden; and the third by four yeomen, Richard Martin of Cranbrook, William Martin of Tenterden, Henry Oliver of Rolvenden, and Thomas Broke of Marden, in £20 each, and by Boteler himself in £40. The bonds sealed, Guildford informed the bailiffs and constables by writ. Finally, on 24 November 1436, the very same day as *all* the other transactions, Guildford issued a writ of *supersedeas* on the grounds that no date had been stated for the next session at which Boteler was to appear[11]. This was the sort of technicality that an administrator experienced in such bonds should surely have remembered. If that was indeed the final transaction in this sequence, as it appears to be, the attachment and bond-making gave no protection to Aleyn at all. Was Guildford going through the motions and favouring Boteler throughout?

Seven years later it was Boteler who was pursuing Aleyn. As Aleyn was now an unemployed labourer, he fell within the terms of the statute

of labourers and was bound compulsorily to serve Boteler in husbandry for a reasonable stipend, presumably by Guildford himself. Aleyn withdrew for reasons not recorded. Given their previous history, one can well imagine that Boteler was not someone Aleyn wished to serve and that Boteler may have proved (and intended to be) a malicious employer. Guildford ordered the constable of Cranbrook hundred to compel Aleyn to take up the service or else consign him to prison. Boteler was required to find pledges that he would prosecute his case. Finally Guildford, on behalf of the king, ordered the constable to arrest Aleyn and to produce him before the justices at the next session [26-31]. Again, Guildford's insistence that Aleyn must serve Boteler and the use of the labour laws was conduct highly inimical to Aleyn and favourable to Boteler. What was Guildford's relationship to Boteler? The enmity of Boteler and Aleyn links events over the seven years of the roll. One wonders whether it was an otherwise unrecorded audit of Guildford's conduct that caused him to compile his roll in first place.

Certainly the roll was a working document. Several hands can be distinguished at work. Some documents are abbreviated, dates being curtailed – 'in the year above' (*anno supradicto*) or last past (*anno preterito*) – or updated with reference to a later supersedeas. Whilst the front is covered with writing, there are two large gaps on the dorse. Crosses and other symbols refer particular documents to others in the roll, there are two authorial notes, and two documents are actually duplicates. The precise purpose however remains a mystery.

In 1487 parliament legislated to prevent mainprises being taken before a single justice, but this was the practice in Worcestershire c. 1422⁴³ and was the norm for Guildford. Admittedly one such had been handled jointly with W[illiam] G[arnet] and a case in Tenterden, near Guildford's own base, was conducted at Canterbury by Sir Geoffrey Lowther [8, 9]. At his residence at Halden in Rolvenden, Guildford normally sat alone – he was probably the only resident justice in the locality – and served principally the Wealden hundreds along the Sussex border: Barnfield, Cranbrook, Rolvenden, and Oxney. Most suitors who came before him were from Biddenden, Cranbrook, Marden, Rolvenden, Tenterden, and Wittersham. Another two sureties came from Newchurch and Ivychurch in the Kentish part of Romney Marsh, where Guildford also acted as commissioner of array [16]. This was Guildford's country. Here he had only ever been crossed by opponents at their peril. Ironically he had been bound over in 1412 to keep the peace and in 1416 he was of such 'oppression et allyance' that no remedy against him was possible before the courts.⁴⁴ From 1436 he represented royal justice in the area and kept the king's peace. By becoming a justice of the peace and

officiating out of session, Guildford exercised authority not only over his own tenants, but over those of others, all freemen in Kent. He became part of the chain of command between county authorities such as the sheriff and quarter sessions and the hundred constables whose election he supervised, to whom he tendered their oaths, and whose activities he directed. 'We command' (*precipimus*), 'I command' (*mando*), on your peril, without fail, he wrote to sheriffs, gaol-keepers, constables and bailiffs. Appointment as a JP gave legitimacy to Guildford's authority locally and reinforced his sway. Perhaps his authority was not untrammelled, for several of his actions were superseded and he was answerable to chancery, sheriffs, and justices. Such practical authority and doubtless prestige justified him taking on such unpaid responsibilities. No doubt, as Lander stated, there were 'possibilities of dubious deals in their own interests and the frustration of equally shady activities on the part of ... local rivals for office'.⁴⁵

V

Late medievalists have used appointments to county office and especially the commission of the peace to indicate the distribution of power in the late medieval county. Yet the surviving peace sessions do not contain much of sufficient importance to demand the attention of the county elite. Why was it that Sir William Plumpton, one of Guildford's younger contemporaries, was so anxious to become a JP?⁴⁶ Guildford's roll suggests that gentry were not attracted to the bench to officiate at quarter sessions, nor for mere prestige, but rather for the opportunity to wield effective authority locally. To stand aside from such office, as another contemporary John Hopton supposedly did, evidently involved a real sacrifice of local standing.⁴⁷ Guildford's roll also reveals that central government was impacting far more effectively within his country than is hitherto known. Actually Guildford as the local justice was located on a clearly articulated chain of command from the central courts and quarter sessions down to the hundreds. His performance was subject to routine review. Far from being archaic and moribund survivals, the Kentish hundreds still had constructive roles to play in keeping the peace. The hundred bailiffs and constables were the key agents of the justice of the peace who invigorated the whole system. Guildford appears to have had a role in selecting such officials, tendering them their oaths of office, directing and supervising their operations. Although undoubtedly unpaid, the procedures that he operated and the records he kept were thoroughly professional and technically correct. If Edward Guildford was at all typical and the insights that his roll offers applied

elsewhere, then it appears that England possessed everywhere a more intensive system of government operated by the JPs at a more local level than historians have hitherto dared to guess. To test this hypothesis we must hope that other evidence of the ongoing government of county and hundred can now be found.

Appendix 1. Calendar of Edward Guildford's Roll of Sureties, 1436-43
Hampshire Record Office, Archive of St Cross Hospital, Winchester,
111M94W/T1/2

m.1.

[All locations are in Kent. The looser term 'bond' has been used instead of the more technical 'mainprise' and 'recognisance', which were shown by Clayton to differ from time to time and from place to place].

[1] Writ dated 24 November 1436 of Edward Guildford JP for Kent on the king's behalf to the constables of Cranbrook hundred to bind John Boteler to keep the peace towards the king, his people, and especially towards Thomas Aleyn and to produce Boteler with this precept at the next sessions.

[2] Memorandum dated 24 November 1436 at Halden of sureties of £10 each taken before Edward Guildford JP for Kent from William Martyn of Tenterden yeoman and Richard Spayn of Rolvenden husbandmen to produce John Boteler before the next session of the peace and for Boteler to keep the peace towards the king and all his people and especially towards Thomas Aleyn, unless Thomas relaxes the bonds. Also that John Boteler commits and procures no ill or damage to Thomas Aleyn on pain of £20.

[3] Writ dated 24 November 1436 of Edward Guildford JP for Kent to the sheriff of Kent and constables that John Boteler had appeared before him and had rendered sufficient surety for his appearance at the next sessions, for his good behaviour, and that he would not commit or procure to be committed any damage or ill towards the king, his people, and especially towards Thomas Aleyn.

[4] Bond taken 24 November 1436 before Edward Guildford JP in £20 each from four sureties Richard Martyn of Cranbrook yeoman, William Martin of Tenterden yeoman, Henry Oliver of Rolvenden husbandman, and Thomas Broke of Marden yeoman, and a further bond of John Boteler himself for £40.

[5] Memorandum dated 1 August 1441 before Edward Guildford JP for Kent that Robert Stonstrete of Ivychurch and John Cobbes of Newchurch yeomen each stood sureties on pain of £10 for the appearance of Robert Kene at the next general session of the peace. Kene

was bound in £20 to keep the peace to the king and all his people and especially towards Thomas Howlotte.

m.2

[6] Note that John Boteler had granted all his lands and chattels to the king if he committed any damage or ill towards Thomas Aleyn or any other.

[7] Writ dated 7 August [1441] of Edward Guildford JP for Kent to the sheriff and all royal officers in Kent. Whereas Robert Kene has rendered sufficient surety before me to appear at the next sessions at Canterbury after Michaelmas and to keep the peace towards the king, his subjects, and especially Thomas Howlotte, therefore the previous bonds are superseded.

[8] Bond taken on 24 May [1443] before Geoffrey Lowther JP for Kent at the Mote [Maidstone] from Thomas Grybull of Tenterden to appear at the next session of the peace at Canterbury in person and to find sufficient surety to the king and his people and especially towards Philip Scott of Tenterden. Roger Twysden of Chart gentleman and William Grybull of Tenterden husbandman were each bound sureties in £10 and Thomas Grubbull himself was bound in £20 to keep the peace.

[9] Memorandum of release dated 26 September 1443 at Halden before Edward Guildford JP for Kent by Geoffrey White of Whittersham of sureties of the peace that he had earlier received from Thomas Mayne of Whittersham before Edward Guildford and William G[arnet] JPs for Kent.

[10] Duplicate of [4]

[11] Writ dated 24 November [1436] of Edward Guildford JP for Kent to the sheriff, constables, and all royal officers in Kent reciting that Richard Martin, William Martin, Henry Oliver, and Thomas Broke [as above 4, 10] had each stood surety in £40 that no harm or ill should befall Thomas Aleyn. And John Boteler himself grants £40 from his lands and chattels to the king if he shall commit or procure to be committed any damage or ill towards Thomas Aleyn [printed below].

Note: Superseded because it is not known at which session he ought to appear.

[12] Duplicate of 3.

[13] Writ of supersedeas of Henry VI dated 16 August 1441 to the sheriff of Kent of the security of the [m.3] peace lately taken before Edward Guildford JP for Kent from Robert Lavys of Biddenden to appear at the sessions at Canterbury on Thursday after Michaelmas next [5 October 1441] to answer divers transgressions of which he was indicted. Witness John Bamburgh, at Rolvenden. Endorsed: Hore.

[14] Memorandum dated at Rolvenden 16 August 1441 of the original bonds in £40 of Robert Lavys of Biddenden labourer to appear before Guildford and his fellow justices at the next session of the peace.

[15] Writ dated 10 May 1443 at Halden from Edward Guildford JP for Kent to the sheriff of Kent and Peter Colyn bailiff of Barnfield hundred. Whereas William Hammond late of Barnfield hundred was elected hundred constable and in contempt of the king and of the community refused, therefore Guildford commands both or one of them to make William Hammond appear before them, take the oath, and take up office. And do not fail on your peril.

[16] Memorandum of John Willard constable in the writ specified that Simon Tyndeherst and Richard Ricard are bound to appear before the justices of Kent on the day and place specified and that John Ricard and William Ricard have not been found.

Reply by virtue of that writ from Thomas Elliott constable of Witton hundred aforesaid that Thomas Grybull was attached at Tenterden and that Thomas Grubyll resisted by force of arms and refused arrest and is not in his custody.

[17] Writ dated 10 May 1443 of Edward Guildford commissioner of array on the part of the king ordering the constable of the hundred of Swelbritten to muster all the men of the hundred in defensible array before me at Barkeleys [Barclays] Forstall on 23 May 1443 and to light beacons in the places accustomed and convenient within the hundred to resist the arrival of the king's enemies. Order to certify me of the men at arms, hobelers, bowmen, and panisers mustered at the day and place aforesaid.

[18] Illegible undated royal writ of Henry VI.

[19] Writ dated 21 Henry VI [1442-3] of Edward Guildford JP for Kent to the constable of Cornilo hundred and Simon Cokswell bailiff the to attach John Stile and William Symond and to deliver them to him at Halden.

m.1d

[20] Writ dated 21 Henry VI [1442-3] of Edward Guildford JP for Kent to the sheriff of Kent and constables of Cornilo [Cornyle] hundred and to Simon Coksell bailiff of the hundred and to each of them. By virtue of a royal writ directed to himself, Guildford instructed them to arrest William Symond and take sufficient sureties for him to appear and to return this writ.

[21] Writ of Henry VI dated at Westminster on 20 June 1437 to the justices of the peace for Kent or one of them. Whereas John Bertelot feared for his life and mutilation from John Cornet, the justices are to

take sufficient surety on certain pains that Cornet does not commit or procure to be committed harm to the king, his subjects, and especially to Bertelot, and to certify it to chancery.

[22] Memorandum dated 20 June [1443] of Edward Guildford JP for Kent by virtue of the writ above [21] relating to John Bertelot and John Cornet reciting sureties for Cornet to keep the peace from William Newman, Geoffrey Lavys, and Laurence Ford, all of Dittisham husbandmen, and Adam Bell of Dittisham yeoman in £20 each, and a bond from John Cornet himself in £40.

[large gap]

m.2d.

[23] Writ dated 14 June 1443 of Edward Guildford JP for Kent to the constables of Brenchley hundred and other royal constables and bailiffs in Kent. Whereas John Cornet lately bound himself in chancery not to commit or to procure to be committed any damage or ill to John Bertelot or any other royal subjects. Now 'on the part of the lord king' and in accordance with a royal writ of supersedeas to the justices of peace for Kent, Guildford orders Cornet to be freed from prison.

[24] Writ dated 3 January 1443 of Edward Guildford JP for Kent to the constables of Rolvenden hundred ordering them to arrest John Stoneway on suspicion of felonies committed to the hundred and to take him to the next gaol there to remain. Penalty clause for default.

[25] Writ dated 3 January [1443] of Edward Guildford JP for Kent to the keeper (*custos*) or lieutenant of Canterbury castle ordering him on the king's behalf and at his peril to receive and keep safely until the next sessions John Staneway of Rolvenden, who has been arrested on suspicion of felony by Richard Aleyn bailiff.

[26] Writ dated 5 June 1443 of Edward Guildford JP for Kent to the constables of Cranbrook hundred. John Boteler has retained for the accustomed term Thomas Aleyn of Rolvenden labourer, a vagrant out of service, in accordance with the statute of labourers, but Aleyn has refused him service. Guildford therefore ordered the constables to call Aleyn before them, to compel him to serve Boteler, and if he refused to consign him to the next royal prison, and to notify Guildford and the justices of the peace at the next sessions.

[27] Writ [1443] of Edward Guildford JP for Kent to the constables of Cranbrook hundred certifying that Thomas Aleyn had appeared before him and sworn to serve John Boteler in husbandry for one year at a reasonable stipend according to the statute. Therefore Guildford ordered on the king's behalf Aleyn's release from pains and sureties. And if Aleyn defaults, the constables are to notify them.

[28] Note of pledges of John Boteler to prosecute Thomas Aleyn in a plea of trespass: John Bous and William Clay.

[29] Writ [1443] of Edward Guildford JP for Kent on the king's behalf ordering the constables of Cranbrook hundred to arrest Thomas Aleyn of Rolvenden labourer and to keep him in safe custody to appear before Guildford and his fellow justices at the next sessions on the pleas of the king and of John Boteler because Aleyn was retained by Boteler and has left his service without excuse or licence against the form of the statute.

m.3d

[30] Writ [1443] of Edward Guildford to the constables of Cranbrook hundred stating that Thomas Aleyn had left the service of John Boteler without licence in breach of the statutes and ordering that Aleyn be put back into service on sufficient surety and penalty of £10.

[31] Writ dated at Halden on 3 May [1443] of Edward Guildford JP for Kent to the sheriff of Kent, steward of the liberty and custodian of the gaol at Maidstone, reciting that William Jenkyn had released the security of the peace lately taken before Guildford of Simon Burgh chaplain.

[32] Form of oath of a constable [See Appendix 2]

m.4d [blank]

Appendix 2: Form of Oath of a Constable

[32] *Sacrum constabulari* [oath of a constable]

Thow shalt be trewe to þe kyng & to his eyris and trewe execucion do of precepts to þe directyd fro Justicys of pees & truly sette lotte & scote whan þow art required and sette no man heygher for no malice ne no man lower for any favour and trewe execucion do upon þe kynges felonys and all þat ver (sic)⁴⁸ pertenyth to thyn office sicut deus te adiuvet etc.

- 1 For the complicated evolution of the medieval commission of the peace, see A. Musson and W.M. Ormrod, *The Evolution of English Justice: Law, Politics and Society in the Fourteenth Century*, (Basingstoke, 1999), pp. 50-1.
- 2 J.R. Lander, *English Justices of the Peace, 1461-89*, (Gloucester, 1989), p. 19; A.S. Bevan, 'Justices of the Peace, 1509-47. An Additional Source', *Bulletin of the Institute of Historical Research*, 58 (1985), 242-8; R. Virgoe, *East Anglian Society and the Political Community of Late Medieval England*, edited by C. Barron, C. Rawcliffe, and J.T. Rosenthal, (Norwich, 1997), p.85.
- 3 J.H. Gleason, *The Justices of the Peace in England, 1558-1640: A Later Eirenarcha*, (Oxford, 1969), pp. 9-10, 96-104.
- 4 See *Early Treatises on the Practice of the Justices of the Peace in the Fifteenth and*

- Sixteenth Centuries, edited by B.H. Putnam, (Oxford, 1924), passim.
- 5 *Proceedings before the Justices of the Peace in the Fourteenth and Fifteenth Centuries*, edited by B.H. Putnam, (s.l., 1938).
- 6 J.G. Bellamy, *Criminal Law and Society in Late Medieval and Tudor England*, (Gloucester, 1984), pp. 1-31, esp. 4-5; see also my review of Bellamy, *Criminal Law and Society*, in *Parliamentary History*, 6 (1987), 169.
- 7 P.C. Maddern, *Violence and the Social Order: East Anglia, 1422-1442*, (Oxford, 1992), p. 174.
- 8 D.J. Clayton, *The Administration of the County Palatine of Chester, 1442-1485* (Chetham Society, 3rd series, 35, 1990); M.J. Zell, 'Early Tudor JPs at work', *Archaeologia Cantiana*, 93 (1977), 125-43; The National Archives (hereafter TNA), classes CHES, DURH, PL; see also M.M. Condon, 'A Wiltshire Sheriff's Notebook', *Medieval Legal Records*, edited by R.F. Hunnisett and J.B. Post, (London, 1978), p. 410.
- 9 Most recently and fully by R. Gorski, *The Fourteenth-Century Sheriff: English Local Administration in the Late Middle Ages*, (Woodbridge, 2003). There are sections on the sheriff in most of the county histories cited below.
- 10 A. Rogers, 'The Lincolnshire County Court in the Fifteenth Century', *Lincolnshire History and Archaeology*, 1 (1966), 64-78; J.A. Doig, 'Political propaganda and royal proclamations in late medieval England', *Historical Research*, 71 (1998), 253-80.
- 11 Condon, 'Wiltshire Sheriff's Notebook', 409-28.
- 12 Putnam, *Proceedings*.
- 13 E.g. *Yorkshire Sessions of the Peace, 1361-1364*, edited by B.H. Putnam, (Yorkshire Archaeological Society Record Series, 100, 1939); *Oxfordshire Sessions of the Peace in the Reign of Richard II*, edited by E.G. Kimball, (Oxfordshire Record Society, 53, 1983); *Records of some Sessions of the Peace in Lincolnshire, 1360-1375*, ed. R. Sillem, (Lincoln Record Society, 30, 1933).
- 14 Putnam, *Proceedings*, p. xciii.
- 15 C.L. Smith, 'Medieval Coroners' Rolls: Legal Fiction or Historical Fact?', D.E.S. Dunn (ed.), *Courts, Counties and the Capital in the Later Middle Ages*, (Stroud, 1995), pp. 96-7.
- 16 Putnam, *Early Treatises*, pp. 61, 240-80.
- 17 D.J. Clayton, 'Peace Bonds and the Maintenance of Law and Order in Late Medieval England: The Example of Cheshire', *Bulletin of the Institute of Historical Research*, 58 (1985), 133-48; *Sessions of the Peace in the City of Lincoln 1351-54 and the Borough of Stamford*, edited by E.G. Kimball, (Lincoln Record Society, 65, 1971).
- 18 Lander, *English Justices*, chs. 3-4.
- 19 Virgoe, *East Anglian Society*, pp. 84-6, 91; S.M. Wright, *The Derbyshire Gentry in the Fifteenth Century*, (Derbyshire Record Society, 8, 1983), pp. 93-7, appendix 9a; C. Carpenter, *Locality and Polity: A Study of Warwickshire Landed Society, 1401-1499* (Cambridge, 1992), esp. pp. 264, 267-72; S.J. Payling, *Political Society in Lancastrian England: The Greater Gentry of Nottinghamshire*, (Oxford, 1991), esp. 157-71, 180-4; E. Acheson, *A Gentry Community: Leicestershire in the Fifteenth Century, c. 1442-1485*, (Cambridge, 1992), pp. 130-1; Condon, 'Wiltshire Sheriff's Notebook', p. 413.
- 20 Gleason, *Justices*, pp. 9-10, 96-104; A. Hassell Smith, *County and Court: Government and Politics in Norfolk 1558-1603*, (Oxford, 1974), pp. 103-8;

- A.J. Fletcher, *A County Community in Peace and War: Sussex, 1600-1660*, (London, 1975), pp. 139-40.
- 21 Hampshire Record Office, 111M94W/T1/2. This is calendared below: references hereafter are to the appendix *passim* or to specific entries as numbered there.
 - 22 *Calendar of the Patent Rolls ... of Henry VI*, (6 vols, Norwich, 1901-10), (hereafter CPR), 1429-36, pp. 618-19; 1436-41, p. 584; 1441-6, p. 472; 1446-52, pp. 594-5.
 - 23 *The House of Commons 1386-1421*, edited by J.S. Roskell, L. Clark, and C. Rawcliffe, (4 vols, Stroud, 1992), II, pp. 254-5. The dominance of later generations of Guildfords in the Seven Hundreds of the Weald is well-attested, see e.g. R. Lutton, *Lollardy and Orthodox Religion in Pre-Reformation England*, (Woodbridge, 2006), p. 47.
 - 24 CPR 1429-36, pp. 618-19, 1436-41, p. 584, 1441-6, p. 472; 1446-52, pp. 594-5.
 - 25 Hassell Smith, *County and Court*, p. 71.
 - 26 CPR 1436-41, pp. 618-19, 1441-6, p. 584, 1446-52, pp. 590, 594-5; TNA C 66/438 m.27d; /440 m.48d; /445 m.27d; / 465 m.28d.
 - 27 Hassell Smith, *County and Court*, p.62; Fletcher, *Sussex 1600-1660*, p. 128.
 - 28 E.g. see Payling, *Nottinghamshire*, pp. 182-3; Virgoe, *East Anglian Society*, p. 91 n.37.
 - 29 TNA, E372/281, 283, 288-92; KB9/233/11-13, 16, 96-7, 100; KB9/235/35, 51; KB9/238 m.61; KB9/239/2, 5, 8, 9; KB9/240/5, 28; KB9/241/80, 82; KB9/242/48; KB9/247/5, 17, 32, 47, 49, 51; KB9/248/19, 57, 103; KB9/251/122, 123; KB9/252/1/68; KB9/253/53, 55; KB9/254/52, 106; KB9/258/17, 27, 67, 127. For the following point, see Wright's comment in *Derbyshire Gentry*, p. 95.
 - 30 I.M.W. Harvey, *Jack Cade's Rebellion of 1450*, (Oxford, 1991), pp. 187-8.
 - 31 *House of Commons*, II, pp. 284-5.
 - 32 Putnam, *Early Treatises*, p. 273.
 - 33 A. Goodman, *The Wars of the Roses*, (London, 1981), pp. 143-4.
 - 34 Clayton, 'Peace Bonds', pp. 141-6.
 - 35 Putnam, *Early Treatises*, pp. 73, 90-1
 - 36 *The Politics of Fifteenth-Century England: John Vale's Book*, edited by M.L. Kekewich, C.F. Richmond, A.F. Sutton, L. Visser-Fuchs, and J.L. Watts, (Stroud, 1996), pp. x-xi, 81-5.
 - 37 E.g. CPR 1446-52, pp. 347, 366 (Roger Twysden); TNA, C1/26/152 (John Willard).
 - 38 None of these individuals occur in the modern literature: Lutton, *Lollardy and Orthodox Religion*; Harvey, *Jack Cade's Rebellion*; M.E. Mate, *Trade and Economic Developments. 1450-1550. The Experience of Kent, Surrey and Sussex*, (Woodbridge, 2006).
 - 39 Putnam, *Early Treatises*, p. 91.
 - 40 *Ibid.*, p. 90.
 - 41 Clayton, 'Peace Bonds', pp. 134, 138, 142.
 - 42 *Ibid.*, pp. 133-4.
 - 43 Putnam, *Early Treatises*, p. 86.
 - 44 *House of Commons*, II, p. 254.
 - 45 Lander, *English Justices*, p. 46; see also Hassell Smith, *County and Court*, pp. 76-8.

- 46 *The Plumpton Letters and Papers*, edited by J. Kirby, (Camden Society, 5th series, 8, 1997), p. 52.
- 47 His political inactivity is the central theme of C. Richmond, *John Hopton. A Fifteenth Century Suffolk Gentleman*, (Cambridge, 1981).
- 48 Sic, for 'ther': perhaps indicative of Kentish dialect.