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ON THE

GENERAL PROLOGUE TO THE CANTERBURY TALES

Muriel Bowden



Revised and expanded edition,
with a new Preface by the author

CHAPTER X

THE SERGEANT OF THE LAW AND THE FRANKLIN IN HIS COMPANY

A Sergeant of the Lawe, war and wys,

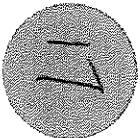
Ther was also, ful riche of excellence.
Discreet he was and of greet reverence—
He semed swich, his wordes weren so wise.

(ll. 309, 311-313)

As MANLY remarks, it is a pity that such a colorful and distinguished member of society as the Sergeant of the Law of the *Prologue* becomes the mere Man of Law on the journey to Canterbury.¹ A "man of law" could be any insignificant lawyer, but a sergeant of the law was, in Chaucer's time and for nearly five hundred years afterwards, one of a superior order of barristers, men from whom were chosen all the Common Law judges until 1873. The title of "sergeant" corresponds to the Latin *seruiens ad legem*, or "the server (of the king) in legal matters."² Manly notes that the order of sergeants is of "immemorial antiquity"; sergeants "ranked socially immediately after knights bachelors and took precedence of Companions of the Bath, younger sons of knights, and even younger sons of great nobles."³ Sergeants as members of the legal profession "ranked immediately after the judges of the king's bench and common pleas, and took precedence of both the attorney-general and the solicitor-general and also barons of the exchequer, except the chief." Sergeants were not asked to remove their head-covering, or coif,⁴ even in the presence of royalty; and the king himself "in the writ addressed to one of them uses the respectful plural *vos* instead of the *tu* and *te* commonly used in addressing officials and other inferior."⁵ Furthermore, sergeants were always men of wealth, for when a barrister became a sergeant, after a necessary sixteen years

23. Coulton, *Life in the Mid. Ages*, II, 76-77. On p. 73 Coulton says: "The . . . inquests are chosen as typical cases from the few surviving Oxford Coroners' Rolls, which are printed on pp. 150 ff. of Prof. J. E. T. Rogers' *Oxford City Documents*." And he adds that out of 29 inquests 13 "disclose murders committed by students"! This is partly because a clerk, who enjoyed always ecclesiastical immunity, could not be hanged for his first murder. The date of the inquest from which the quotation is taken is 1314.

- 24. Rashdall, III, 432.
- 25. Robinson, p. 760, n. 297.
- 26. Rashdall, III, 387.



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as a barrister, the ceremony of investiture was extremely elaborate and expensive,⁶ and the gargantuan feasts always following such ceremonies matched them in splendour and cost.⁷

The Sergeant is wary and prudent ("war and wys"). The *wys* is not here coupled with *worthy*, and the word therefore has a much less complimentary connotation⁸ than when Chaucer uses it to describe his Knight, who is also "worthy." The reserved and stately Sergeant, whose words are so "wise," is not, perhaps, all he would have us think:

Nowher so bisy a man as he ther nas,
And yet he semed bisier than he was.

(ll. 321-322)

Everyone knows the man whose self-importance exceeds any genuine importance he may have, whose busyness is so magnified in his own eyes that he becomes pompously overactive. Chaucer's Sergeant is a prominent individual in his world, but he is not as "ful riche of excellence" as he believes himself to be.

The Sergeant of the Law has very definite professional activities. He is a lawyer who—

. . . often hadde been at the Parrys.

Justice he was ful often in assise,

By patente and by pleyn commissoun.

For his science and for his heigh renoun,

Of fees and robes hadde he many oon.

So greet a purchasour was nowher noon:

Al was fee synple to hym in effect;

His purchasyng myghte nat been infect.

In termes hadde he caas and doomes alle

That from the tyme of kyng William were falle.

Therto he koude endite, and make a thyng,

Ther koude no wight pryche at his writyng;

And every statut koude he pleyn by rote.

(ll. 310, 314-320, 323-327)

The traditional interpretation of *parrys* as "the enclosed area or court in front of a building, especially of a cathedral or a castle, in some cases surrounded as a cloister with colonnades or porticoes,"

as was the *parvis* of St. Paul's in London, is probably the best.⁹ In his study of Chaucer's *Man of Law* at the Parrys, Professor G. L. Frost observes that outside of Oxford no mention is found in any record of a place connected with a *parvis* except St. Paul's Cathedral.¹⁰ Sergeants of the law had a close connection with St. Paul's. Dugdale, in his *Origines Juridicales*, as Professor Frost points out, gives an account of an investiture of sergeants in the late sixteenth century in which St. Paul's is emphasized explicitly by a reference to "that old Custome" of sergeants' hearing "their Clergyans cause" near a "Pille" of Paul's.¹¹ Since the law is conservative, Professor Frost argues that the old custom would include the fourteenth-century practice.¹² The question has been raised, however, as to why Chaucer would specify that his Sergeant was "often" at the "Parrys" if such procedure were merely customary. To answer this objection, Professor Frost interprets the frequent appearances of Chaucer's Sergeant at the Parrys to be upon special occasions at the time of investitures, which the fourteenth-century audience would have readily understood. Dugdale says that the older sergeants at the investiture ceremonies had the duty of introducing the newly created sergeants "to their respective pillars."¹³ Therefore, since sergeants were few in number (there were only a score or so when Chaucer was writing)¹⁴ and those few infrequently selected, a sergeant who had been "often" at an investiture ceremony would be important enough for such an unusual fact about him to be noted.¹⁵

Chaucer's Sergeant of the Law has often been a "justice . . . in assise," both by "patente" and by "pleyn commissoun." The assize(s) were "sessions held periodically in each county of England for the purpose of administering civil and criminal justice by judges acting under certain special commissions."¹⁶ The term "by patente" indicates that the justice "in assise" bore an open letter of appointment from the king; "by pleyn commissoun" indicates that the justice bore a letter giving him jurisdiction in all kinds of cases.¹⁶ How these men were regarded by their contemporaries will be considered later.

But the Sergeant has justified his eminent position in one way at least, for his legal knowledge, his "science," is extraordinary. English law is, as we are aware, almost entirely a matter of precedents, and our *Man of Law* knows accurately ("in terme") all the cases and opinions ("caas and doomes") which have been ruled on in the

courts since the time of William the Conqueror. Moreover, he has memorialized every existing statute word for word ("every statut koude he playn by rote"). The great breadth of this knowledge on the part of the Sergeant of the Law is indicated by many, in two quotations which he gives from Maitland's *Select Pleas of the Crown*: "Almost to the extreme limit of legal memory, almost to the coronation day of Richard I extends the series of our yet extant Plea Rolls"; and, "If the judicial records of the thirteenth century were printed in a hundred volumes, those volumes would be stout."¹⁷ Because of his vast legal knowledge and his wide reputation, Chaucer's Sergeant has received many fees and robes from his clients. Money was scarce in the Middle Ages, so "robes" (meaning whole sets of clothing)¹⁸ were not uncommonly used as payment for professional and other services. We may be sure that Chaucer's Sergeant is the kind of man to demand prompt and full payment of every bill.

For this Canterbury-bound Sergeant is a shrewd business man as well as a noted lawyer: nowhere is there a better buyer of land or obtainer of possessions ("purchasour")¹⁹ than he. If land is entailed, or defective in title ("infect"), he manages somehow to get around the restriction and hold it with a clear title (in "fee symple") to himself. He can write ("endite") his documents so that no one is able to find fault with them ("koude no wight pynche at his wryng"). This Man of Law is truly "war and wys"²¹

In this portrait, Chaucer's satire is consistently ironic: he reports in outward praise and inward condemnation the characteristics of his Sergeant which make the Sergeant of the Law a man of purely material success. But Chaucer and his contemporaries were hardly different from their descendants in their dislikes of "sharp" legal practices. Wyclif, of course, is outspoken; in one of his tracts he writes:

... & yit men of lawe, that in this worldliche falsnesse [the abuses of lordship] bi here offices & don eche man right & reson, meynnenen wrong for money & fees & robes, & forbaren pore men fro here right, that it is betre to hem to pursue not for here right, be it never so opyn, than to pursue & lese more catel* for discitis of delates and cavellacions* & evelle wils that thei usen; & thus wrong is meym-tend & trowthe & right outlawid in many stais.

* catel: "goods"

cavellacions: "cavils"

In men of lawe regnein moche gile, for thei meynntenen falsnes for wrynnyng & maken lordis to meynlene wrongis, & don wrongis whanne lordis hopen to do right & please god, & bi here covetise & falsnesse thei purchasen lordis & rentis ynowe and don many extorsions & beren don the right bothe of pore & rich, & yit thei maken it so holy in signes outward as if thei weren angels of hevene, to colour here falsnesse & blynde the peple therby.²⁰

A follower of Wyclif, in another tract, complains bitterly that evil lawyers promote quarrels, pack juries, bribe perjurers, and contrive to get lands under their own control, thus cheating the rightful heirs. The wealth of lawyers arrives too quickly to be honestly got; always lawyers oppress the poor.²¹

Langland writes of lawyers in the same vein as the Wycliffites. He speaks of "sergeants of the law" in "hoods of silk": these sergeants serve at the bar, but they will plead only for money and never for love of Christ. It is more sensible to try to measure the mist on the Malvern hills than to try to get even a numble from a lawyer unless one first shows him money.²² Langland also says that Simony and Civil, representing the practitioners in the civil law, and jurors at the assizes are the most intimate of all folk with Bribery herself—

Ac Symonye and Civile . and sisours of contris
Were most pryvye with Mede . of eny men, me thoughte.²³

And finally Langland tells us, when Piers procures from Truth his bull of pardon for mankind, the lawyers who "loth were to plecte" unless they had been paid in advance have the smallest pardons.²⁴

Gower also assails the unprincipled lawyers of his day. Although some men of law are praiseworthy, he says, most will plead the cause of anyone, criminal or not, who will pay them enough. The lawyers have a thousand ways of making their profit, and their victims who are weak and without defence cannot escape their clutches.²⁵ The lawyer plunders everywhere, and he delights in quarrels. He seeks every means to get money, and joins house to house and field to field to increase his own holdings (in other words, the lawyer is a "purchasour").²⁶ England is ruined by lawyers, and they themselves are outside the law. They rapidly rise from apprentice to

sergeant to judge; gifts, fear, and favour have combined to make justice worthless.²⁷

The ordinary preachers of the fourteenth century turn their wrath against the men of law in much the same way as do Wyclif, Langland, and Gower. In Dr. Ows's opinion the impressions which all the homilists give are threefold.²⁸ First it is made abundantly clear that the people are at the mercy of "a class of trained and educated specialists" who always take advantage of them. As one typical and anonymous preacher complains: "The wyty men of this world, as justys, vocates and men of lawe, these men have power in length and brede and depnes upon gentylmen of myddel degree . . . theyn to deme and to juge as they lyst."²⁹ Second, the lawyers will never plead a case unless they receive exorbitant fees; one preacher speaks for all when he says:

A man shuld ge[ve]l judgement in the peple shuld be like a balance yeldyng to every man right. But trewly, getis blyndeth so the jugges yghen, that thei may not see the even ryght wey in the balauce.³⁰

And another preacher adds to the common complaint by saying that the lawyers are so intent upon winning that they will take bribes from both sides!³¹ Finally, the preachers say that justice is corrupted not only by bribery, but also by a sinful willingness to placate the wicked if the wicked be powerful. The men of law fear man rather than God:

By unjoste drede, on word accompt; the jugges, whan an erthly man is more drad than God, othur the right. Such a juge was Plate, denyng Crist to deithe, dredyng, yif that he had saved hym, that the Jewes wold have peched hym to the Emperour. And so he preferred mans drede, afore the drede of God. . . . And trewly, so many men, as I wene, verely in arbitrement, in judgement and on questes, thei preferre the drede of othur grett men in the world byfore the drede of almyghty God; nothur thei drede not to be wityngly forsworne.³²

Probably Chaucer's Sergeant of the Law has earned the censure of contemporary homilists on all of the usual three counts. Certainly he is a "trained and educated specialist," and such emphasis cannot have been laid on his exhaustive knowledge of common and statu-

tory law without the implication that he sometimes uses this knowledge to very questionable advantage. Nothing explicit is stated about the Sergeant's acceptance of bribes, but we are led to believe that he has more "fecs and robes" than can honestly be explained. And could such an ambitious and successful buyer of land (entailments so easily expunged!) have come by it all in a completely upright manner? The Sergeant is "discreet"; his words are carefully chosen. Does he not, perhaps, put the fear of man before the fear of God? As to the Sergeant's appearance, when we meet him he rides—

. . . but hoomly in a medlee cote,
Girt with a seint of silk, with barres smale.

(ll. 328-329)

Sergeants of the law when officially clad wore a long robe, a garment much like a cassock; a fifteenth-century manuscript shows four illuminations of sergeants wearing such robes of striped blue and green,³³ although official colours were brown and green.³⁴ The "medlee cote" of Chaucer's Sergeant is probably shorter than the official robe, and as we are told that it is "medlee," it is possibly a coat striped in different colours.³⁵ The Ellesmere MS. depicts the Sergeant in a coat of red and blue, reaching just below the knee. The girdle ("seint") of silk, not worn with the long robe, is part of the "hoomly" attire, and is omitted from the Ellesmere picture; if the artist had included an accurate representation of the Sergeant's girdle, he would have shown the narrow metal strips ("barres smale") with which it was ornamented.³⁶ The artist, unprompted by the poet, does show the white coif of the Sergeant. The coif was something like a skull-cap, and was tied beneath the chin;³⁷ it was almost a badge of office for sergeants of the law and could be worn by them even in the royal presence.

Manly has made a thorough study of the legal records for the reign of Richard II, and although they are, as he says, "unfortunately incomplete," we can be fairly certain that "they record the career of every sergeant who was as active in the practice of his profession as was the one whom Chaucer had in mind."³⁸ Only one of these actual sergeants meets the requirements of the Chaucer figure, Manly tells us, and that is Thomas Pynchbek. His career, sketched much more fully by Manly,³⁹ may be briefly summarized as follows: Pynchbek became a sergeant of the law "at least as early as 1376";

between 1376 and 1388 he "served often as justice of the assize"; he was apparently a supporter of the Gloucester faction, and so Chaucer might have felt more free to expose him to satire; numerous records indicate that Pynchbek dealt extensively in land, and he is generally represented "as acquiring the property in fee simple"; later records give evidence that the Pynchbek family became one of great wealth, and, Manly suggests it is "not without significance that the surname Pynchbek became a proverbial term for thrift." Not only does the career of Chaucer's Sergeant resemble that of the actual Pynchbek, but, again as Manly points out,⁴⁰ there exists a definite connection between the poet himself and Pynchbek. First, the Lincolnshire estates of the Pynchbek family were near the estate of Katherine Swynford, Chaucer's sister-in-law, and there is reason to believe that Chaucer's wife frequently visited her sister, so that Chaucer would have had first-hand reports of the rising wealth of the Pynchbeks; and second, there is a traditional story, probably founded on some fact, concerning a quarrel between Pynchbek and Chaucer's friend, Sir William de Beauchamp. We must not forget, either, that Chaucer's education, which was obviously that of a gentleman, probably included some study at one of the Inns of Court, where he could hardly have failed to know Pynchbek. They were about the same age.

Manly concludes his suggestion as to the identity of Chaucer's Sergeant, by calling attention to the line, "Ther koude no wight pryche at his writyng" and by posing the question as to whether or not Chaucer intended the pun.⁴¹ It is difficult to suppose that Chaucer had no *arrière-pensée*, but in any case we can be sure that most of Chaucer's audience would have read Pynchbek's name into the line, and for them, in their not unmalicious amusement, the Sergeant of the Law could have been none other than the over-clever and somewhat dubiously rich Thomas Pynchbek of Lincolnshire.

* * *

The Franklin who accompanies the Sergeant of the Law is almost, if not entirely, his social equal.

A Frankeleyn was in his compaigne.

At sessions ther was he lord and sire;
Ful ofte tyme he was knyght of the shire.

A shireve hadde he been, and a contour,
Was nowher swich a worthy vavasour.

(ll. 331, 355-356, 359-360)

A "franklin" in the fourteenth century had come to mean a wealthy landowner of the gentry class;⁴² Chaucer's Franklin, in particular, must occupy a well established and dignified position in his community because of the many public offices he has held.

The list Chaucer gives us of his Franklin's offices is impressive. The Franklin has presided at sessions of justices of the peace ("at sessions ther was he lord and sire"); he has often been a member of Parliament ("ful ofte tyme he was a knyght of the shire");⁴³ and he has been a sheriff ("shirreve"), that is, an administrative officer of the Crown, ranking next in the shire to the Lord Lieutenant,⁴⁴ and a pleader in court ("contour").⁴⁵ Nowhere else, Chaucer sums up, is there such a "worthy vavasour," the terms *franklin* and *vavasour* being apparently synonymous in Middle English usage.⁴⁶

The Franklin's many specific offices make it seem probable that Chaucer had in mind some one person for this important figure. The detailed description of the Franklin's personal appearance and character emphasizes that impression.

Whit was his berd as is the dayesye;
Of his complexion he was sangwyn.
Wel loved he by the morwe a sop in wyn;
To lyven in delit was evere his wone,
For he was Epicurus owene sone,
That heeld opinion that pleyn delit
Was verrailly felicittee parfit.
An housholdere, and that a greet, was he;
Seint Julian he was in his contree.
His breed, his ale, was always after oon;
A bettre envyned man was nowher noon.
Withoute bake mete was nevere his hous
Of fish and flesh, and that so pleitevous,
It snowed in his hous of mete and drynke,
Of alle doyntees that men koude thynke.
After the sondry seasons of the yeer,

So chaunged he his mete and his soper.
 Ful many a fat partrich hadde he in muwe,
 And many a bream and many a luse in stuwe.
 Wo was his cook but if his sauce were
 Poynaunt and sharp, and redy al his geere.
 His table dormant in his halle alway
 Stood redy covered al the longe day.

An aulias and a gipser al of silk
 Heeng at his girdel, whit as morne mill.

(ll. 332-354; 357-358)

It should first be noted that the Franklin's temperament ("complexioun") is "sangwyn." The medieval physiologist classified human beings according to four temperaments, determined by the supposed preponderance of one or more fluids ("humours") in the individual's body. The "sanguine" type was so named because persons belonging to this group were thought to possess more blood than any other fluid; they are spoken of as "hot and moist" and their characteristics are described with little variation by all medieval writers on the subject. What the author of the *Secreta Secretorum* has to say about this "complexioun" is therefore common knowledge for the fourteenth century:

The sangyne by kynde sholde love Loye and laghyge, and company of women, and moche Slepe and syngynge: he shal be hardy y-nowe, of good will and wythout malice: he shalbe fleshy, his complexion shalbe lyght to hurte and to empeyre for his tendyrnesse, he shall have a goode stomake, good dygescion, and good delyverance, he . . . he shall be fre and lyberall, of fayne semblaunt . . .⁴⁷

Thus if Chaucer had stopped short after telling his medieval audience that the Franklin is "sangwyn" in temperament, they would have seen him clearly enough as a type: the man of "good stomake" and "good dygescion," † who loves food and joy and laughter and good companionship, and who is "fre and lyberall." But Chaucer did not stop short; he amplified and indulged in delightful hyperbole, with the result that the Franklin stands distinct, and as someone who is likely to have been immediately identified by his contemporaries.

The Franklin has more than good appetite and good digestion; he is "owene sone" to Epicurus. According to *Boete*, Epicurus is said to have "juggid and establissyde that delit is the soverayn good,"⁴⁸ and the Franklin has come to the conclusion that dining well offers one of the greatest joys in life. How the Franklin enjoys a "sop in wryn" in the morning! The "sop in wryn" was no frugal apple, as suggested by one scholar,⁴⁹ but must have been one of the rich, glazed "soppes" of the Middle Ages. It was made by pouring a sauce of wine, almond milk, saffron, ginger, sugar, cinnamon, cloves, and mace, over the best white bread.⁵⁰ The Franklin's bread and ale are uniformly good ("always after oon"), his wine cellar is the best stocked in the country ("betre envyned man was nowher noon"), his larders are never without baked meats and fish; indeed, as Chaucer says, it snows food and drink in the Franklin's house! And what variety there is, following "the sondry sesons of the year," for both dinner and supper! "Epicurus owene sone" keeps fat partridges ready at hand in a coop ("muwe"); his private fish-pond ("stuwe") on the estate is filled with bream and pike ("fisce"); and woe betide the cook if the sauces for these delectable foods are insufficiently "poynaunt and sharp," or if the cooking utensils ("geere") are not in constant readiness. The Franklin as a great and hospitable "housholdere" has changed the ordinary medieval custom of setting up boards across trestles for each meal, for he has a permanent table always in position for use ("table dormant"). Truly the Franklin is "Seint Julian . . . in his contree."

St. Julian, the patron of hospitality, was one of the most popular saints of the Middle Ages; although he was indeed "more legendary than historical."⁵¹ The *Legenda Aurea* mentions several Julians, but since Chaucer connects him elsewhere with a "bon hostel,"⁵² it is probable that this "Seint Julian" is the one identified as the Bishop of Le Mans who probably lived in the third century, although legend makes him one of Christ's contemporaries. The *Legenda Aurea* says of Julian:

. . . he was the same man as Simon the Leper, who was cured by Christ, and then invited him to dine at his table. . . . It may be this Saint Julian whom travellers invoke, that they may find hospitality on their journey; this would be due to the honour which was his in receiving Our Lord as his guest.⁵³

Since Chaucer's Franklin is another St. Julian, we can be positive that even the fare he usually sets before his guests is suitable for a "feast." In John Russell's *Boke of Nurture*, written about the middle of the fifteenth century, the menu for "A Feste for a Franken" is given. The first course consists of brawn with mustard, bacon and pas; beef and boiled chickens, roast goose, capon, and "custade costable," a dish of pastries stuffed with a mixture of cream, eggs, marrow, prunes, dates, and spices. The second course consists of "mortwees," a rich stew made of meat or fish, veal, lamb, kid or rabbit, chickens or pigeons roasted, "dowettes" or little pastries stuffed with cream, eggs, spices, and ⁵⁴ "the dices of fryed bread; apples and pears if in season; bread and cheese; spiced cakes and wafers with "bragot," a drink of ale, honey, and spices; and mead.⁵⁴ Twentieth-century imaginations reel, and perhaps not all those of the fourteenth century were quite steady, when picturing this vast quantity of food. We are inclined to think of the "snowing" of meat and drink in the Franklin's house as something very like an avalanche.

Only one physical characteristic of the Franklin is mentioned by Chaucer, but that one is especially striking: his beard is as white as a daisy ("dayseye"), with his ruddy face the center.

Chaucer says almost nothing, of course, about the Franklin's dress, for he must be clad in the ordinary garb of a country gentleman. One small distinction in apparel is, however, noted by the poet: an "anlaas" and a "gipser" hang at his girdle. The "anlaas," or *anlaas*, was a large hunting dagger, having a broad blade sharpened at both edges and tapering to a point.⁵⁵ The "gipser," or *gypciere*, was an ornamental purse almost always suspended from the girdle.⁵⁶

The Franklin's "gipser" is of silk that is as "whit as mornic milk"; the white of the purse would be in sharp contrast to the colour of his gown which the Ellesmere artist depicts as particoloured red and blue. That the Franklin wears both "anlaas" and "gipser" connects him still further with the gentry, for only wealthy civilians and distinguished men of law are shown to wear both dagger and purse in the monumental brasses of the fourteenth and fifteenth centuries.⁵⁷

As has been suggested, the Franklin is so carefully individualized by Chaucer that we feel his portrait must have been created entirely

from one living model. Manly has made out an excellent case for identifying him with John Bussy of Lincolnshire. The Franklin's career parallels Bussy's very closely. Bussy was "ful ofte tync" knight of the shire, for he served in many parliaments in the reign of Richard II.⁵⁸ Bussy was also sheriff a number of times;⁵⁹ and he repeatedly "sat on commissions of the peace and other county business."⁶⁰ Furthermore, Bussy was often associated with Pynchbek and Pynchbek's friends, and Bussy lived only a few miles from Pynchbek's estates in Lincolnshire;⁶¹ it would have been natural for Bussy, the franklin, to have accompanied his important friend Pynchbek, a sergent-at-law, on an actual pilgrimage. Manly for a time made a possible objection to identifying the Franklin with Bussy, who was called "Sir" as early as 1384, and referred to in records as "Chevalier," by re-emphasizing that "Franklin" and "avasour" both designated a member of the gentry class, and by reminding us that not all "knights" were of the same grade.⁶² "The fact that Bussy was regarded by his enemies as an upstart," Manly writes, "points to his being classed as a commoner."⁶³

Of course we know nothing of Bussy's personal appearance; and there is no way to discover whether or not Bussy had earned the reputation of being the St. Julian of Lincolnshire, although we do know that he was "an housholder, and that a greet," for his estates were large⁶⁴ enough to warrant the cost and the provisioning of many a "feste for a franklen." Had Chaucer himself sat at an ever-ready "table dormant" in Bussy's Hall, and been snowed under by all that "mete and drynke"? Did he, perhaps, observe Pynchbek's acceptance of a friendship which would gain that clever sergent of the law such pleasantly free-of-charge delights? The temptation is to reply to these questions in the affirmative even while we are aware that in reality they must remain unanswered. †

NOTES

(The abbreviations used to designate books and articles mentioned in the Notes will be found listed alphabetically in the Bibliography, opposite the full reference. Reference to lines in the *Canterbury Tales* are given by fragment and line numbers only.)

- 1. Manly, *New Light*, p. 132.
- 2. *NED*, "Sergeant."
- 3. Manly, *New Light*, p. 133.

4. Skeat says (*Piers Plow*, II, 16), that lay lawyers shaved their heads (for the tradition of the ecclesiastical, and hence tonsured, lawyer was kept clean, but later of white silk.

5. Manly, *New Light*, pp. 133 f.

6. *Ibid.*, pp. 137 ff.

7. *Ibid.*, pp. 142 f.

8. Héroucourt, p. 93.

9. *NED*, "Paris": Robinson, p. 760, n. 310.

10. Frost, *MLN*, XLIV, 499.

11. *Ibid.*, pp. 499 f.

12. *Ibid.*, p. 501.

13. Robinson, p. 760.

14. Frost, *loc. cit.*, p. 501. Skeat, Robinson, and the *NED* "tree in assigning the meaning "church-porch" to *parvis*. Manly incline to the interpretation of *parvis* as the *paradisus*, or "court," at Westminster, used either as the court of the Exchequer, or for an afternoon exercise for the students of the Inns of Court. Manly says that it is "uncertain" that St. Paul's was used for lawyer-client consultation in the fourteenth century. (*Cant. Tales*, p. 518, n. 310.) Robinson points out, however, that Fortescue's text, edited by Selden—who is Manly's source for the Westminster theory—really supports the St. Paul's theory.

15. *NED*, "Assize."

16. Manly, *Cant. Tales*, p. 518.

17. *Ibid.*, p. 519.

18. *Ibid.*, p. 518.

19. *NED*, "Purchaser." Lawyers were accused of these same tactics as late as the end of the sixteenth century. Robert Greene writes in *A Notable Discovery of Coynage* (1592): "Think you some lawyers could be such purchasers, if at their pleas were short, and their proceedings justice and conscience?"

20. Matthew, pp. 234, 237 f.

21. *Ibid.*, pp. 182 ff.

22. *Piers Plow*, C. Passus I, 158-164. Langland speaks in great exaggeration, of course, of "hundreds" of sergeants of the law.

23. *Ibid.*, C. Passus III, 63-64.

24. *Ibid.*, C. Passus X, 43-45.

25. Gower, *Vox Clam.*, lib. VI, cap. I.

26. *Ibid.*, cap. II.

27. *Ibid.*, cap. III, IV. Cf. *Mitour*, ll. 24541-24559 and 24574-24588.

28. Ows, *Li. and Pulpit*, pp. 338-349.

29. *Ibid.*, p. 341. Quoted from the English version of the *Gesta Romanorum*, p. 434.

30. *Ibid.*, p. 342. Quoted from MS. Roy. 18 B. xxiii, fol. 135.

31. *Ibid.*, p. 343.

32. *Ibid.*, p. 344. Quoted from MS. Roy. 18 B. xxiii, fol. 135.

33. Druitt, p. 224.

34. Robinson, p. 760, n. 328.

35. Manly, *Cant. Tales*, p. 519.

36. *Ibid.*

37. *NED*, "Coif."

38. Manly, *New Light*, p. 148.

39. *Ibid.*, pp. 148-154.

40. *Ibid.*, pp. 154-156.

41. *Ibid.*, p. 157. See also Tatlock, *Flügel Mem.*, Vol., pp. 228-232.

42. G. H. Gerould has amassed much evidence (*PMLA*, XII, 262-279) to show that fourteenth-century franklins were of the gentry, although originally the word "gentlin" denoted only "a free man." Gerould quotes from thirteen, fourteenth, and fifteenth-century writers to prove his point. Manly and Robinson agree with Gerould, and Manly reminds us (*Cant. Tales*, p. 520, n. 340) that Thomas Chaucer, only a generation later, was a franklin, yet "he was one of the wealthiest and most powerful persons in England." Gerould says that many scholars have argued that franklins held an inferior social position because of a confusion arising from Todd's quotation in 1810 from Waterhouse's *Commentary* on Sir John Fortescue's *De Laudibus Legum Anglae*. Todd's quotation "tended to show that franklins did not belong to the gentry," and for want of better evidence, misled scholars for many years. As Gerould points out, this mistaken interpretation even appears in the *NED*.

43. A fifteenth-century statute requires that knights of the shire be "gentlemen." Gerould quotes (*loc. cit.*, p. 273) from *Statutes of the Realm*, 23 Henry VI, cap. 14, as follows: "... soient notablez Chivalers . . . ou autrement tiel notablez Esquiers gentils homes del Nativite dez mesmes les Counteez comme soient ablez destre Chivalers & null home destre tiel Chivaler que estoise en la degree de vadlet & desouch."

44. Robinson, p. 761, n. 359.

45. Manly states (*Cant. Tales*, p. 521, n. 359) that this is here the more likely interpretation for the word *contour*, although the word also meant "an accountant" and is so used in the *Book of the Duchess*, l. 435.

46. Gerould says (*loc. cit.*, pp. 277 f.) that *franklin* and *vavasour* are both merely descriptive words, and for this reason they appear only infrequently in state documents. His research leads him to the positive conclusion, however, that the two words are interchangeable.

47. *Secreta Secretorum*, pp. 219 f.

48. *Boece*, III, pr. 2, 88-91.

49. *N & Q*, series X, vol. 8, p. 249.

50. *Two 15th Cent. Cook Bks.*, p. 11.

51. Robinson, p. 761, n. 340. See also Butler (*Lives of the Saints*, I, 345), who assigns 250 A.D. as a probable date for this Saint Julian.

52. *House of Fame*, l. 1022.

53. *Golden Leg*, p. 128.

54. *Early Eng. Meals and Man.*, pp. 54 f.

55. *Ibid.*, p. 411.

56. *Ibid.*, p. 305.
 57. Druitt, pp. 188 ff. The brass of Sir William Gascoigne, Chief Justice of the King's Bench, should be particularly noted (p. 227, n. 1).
 58. Manly, *New Light*, p. 162.
 59. *Ibid.*, pp. 162 f.
 60. *Ibid.*, p. 163.
 61. *Ibid.*
 62. *Ibid.*, pp. 164, ff.
 63. *Ibid.*, p. 167. K. L. Wood-Leigh takes issue (*Rev. Eng. St.*, IV, 145-151) with Manly's identification of the Franklin with Bussy. He argues that for the Middle Ages, Bussy was not often enough knight of the shire to satisfy Chaucer's "ful ofte tyme." He disregards the meaning of "plender" for con-
 Stephen de Hales of Norfolkshire as a better candidate for the Franklin's prototype than Bussy. De Hales was nine times in Parliament before 1386, he was sheriff for two terms, commissioner of the peace four times, and he served as commissioner of taxes (perhaps equivalent to "contour"?). De Hales also was associated professionally with Pynchok. But, Wood-Leigh concludes, as there are so many possibilities, the Franklin may be regarded as typical. To the present writer, if there were a flesh-and-blood model, Bussy seems the best choice.
 64. Manly, *New Light*, p. 163.

CHAPTER XI

THE FIVE GILDSMEN AND THEIR COOK

An Haberdasshere and a Carpenter,
 A Webbe, a Dyere, and a Tapycer,—
 And they were clothed alle in o liverye
 Of a solompne and a greet fraternitee.
 Ful fresh and newe hir geere apiked was;
 Hir knyves were chaped nought with bras
 But al with silver; wroght ful clene and weel
 Hire girdles and hir pouches everydeel.
 (ll. 361-368)

SINCE CHAUCER'S five gildsmen are clad in one livery and yet are of different crafts, the "greet fraternitee" to which they belong must be a parish, not a craft, gild.† The parish gilds had their origin in cooperative chantries. * Mr. George Unwin, the most recent authority on the medieval gild, writes:

The extension and rebuilding of churches which were constantly going on throughout the fourteenth and fifteenth centuries in London as elsewhere were largely supported by the foundation of chantries. The feudal magnates who had held the churches in early days were replaced by wealthy drapers, fishmongers, vintners, and mercers, who not only acquired their great houses but adopted their social traditions, and who hoped to found a family in a spiritual sense by making provision for themselves, their ancestry, and their posterity.¹

Certainly any provision these newly rich persons planned would include masses for the dead, which was such an exceedingly important part of medieval religious observance; and, as these masses came to be neglected by monks, who had been the first to perform the office, the great majority of the later foundations were in parochial, instead of monastic, churches.² It was natural that members of the

* *chantry*: "endowment for priest(s) to sing masses for the founder's soul."