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# Henry V, the English Chancery, and Chancery English

By Malcolm Richardson

For the past twenty years evidence has been accumulating which indicates that the origins of Standard Written English are to be found in Chancery English, the written dialect standardized during the reign of Henry VI (1422–1461) by the Chancery, then primarily the great secretariat of the English government.<sup>1</sup> After centuries of using French and Latin exclusively, the Chancery gradually began to adopt the vernacular as an acceptable language for many of its official documents, a change reflected in the increasing number of English entries in the rolls (official records) of Parliament, the *Rotuli Parliamentorum*,<sup>2</sup> during the 1420s.

For nearly a decade after the death of Henry V in 1422, the English documents coming out of the Chancery drifted linguistically toward what has been called Chancery Standard, but still frequently showed the kind of dialectical confusion which might be expected in early fifteenth-century documents composed and copied by several hands. By the early 1430s, however, the Chancery had developed a distinctive language, a coherent, standardized written dialect which in its linguistic forms closely resembles modern Standard English. Bolstered and sustained by the prestige and authority of any documents issued by the Chancery, by the need for a standardized form of English among lawyers, government officials, legal scribes, and the eternally litigious English gentry, and by the increasing patriotic and practical goodwill toward the formerly despised vernacular, Chancery English slowly spread throughout England during the middle years of the fifteenth century to the point where it became the most commonly accepted written dialect and, in turn, the ancestor of modern Standard. Thus current theory runs.

Although Chancery English has been described by M. L. Samuels and by

<sup>1</sup> The most thorough study of Chancery English is by John H. Fisher, "Chancery and the Emergence of Standard Written English in the Fifteenth Century," *SPECULUM* 52 (1977), 870–99, hereafter cited as Fisher. A concise but important discussion of the relationship of Chancery Standard to other fifteenth-century dialects is M. L. Samuels, "Some Applications of Middle English Dialectology," in Roger Lass, ed., *Approaches to Historical Linguistics: An Anthology* (New York, 1968), pp. 411–15. Unlike Fisher, Samuels emphasizes the influence on Chancery English of the spoken dialects, particularly Central Midlands.

<sup>2</sup> *Rotuli Parliamentorum, ut petitiones et placita in Parlamento*, etc., 6 vols. (London, 1767–77). The English entries for the reigns of Henry IV and V are in vols. 3 and 4.

John H. Fisher,<sup>3</sup> its origins are obscure. What is clear is that the pivotal period for the use of English by the government is the reign of Henry V (1413–1422). Before Henry's reign there are few English documents among the public records; after his death Latin and French are still widely used (and continue to be for the next century), but English increasingly appears after 1422 in numerous types of writs, warrants, inquisitions, and memoranda, and in the *Rotuli Parliamentorum*, among the most important English official records.<sup>4</sup> It is to Henry's reign, therefore, that we must first look for the beginnings of Chancery English and, in particular, to the role played by the king himself.

Henry was converted to the vernacular in 1417, the year in which, not incidentally, he launched his second invasion of France. Until that year, all of his correspondence was apparently in French or Latin; afterward he corresponded with his countrymen mostly in English, particularly through a series of letters to the mayor and aldermen of London printed in Chambers and Daunt's *Book of London English*.<sup>5</sup> The most dramatic and significant instance of his shift to English is found in the Chancery Warrants preserved in the Public Record Office: beginning on 5 August 1417 (four days after he landed in France), Henry began sending his warrants home to his Chancery in English, and continued to do so with few exceptions until his death five years later.<sup>6</sup> Also in English was his correspondence to his Privy Council and to his brother John, duke of Bedford, whom he left in England as his administrator.<sup>7</sup> To judge from the evidence which has been preserved, Henry's shift to English in 1417 marks a firm commitment to the vernacular — equivalent in the public world to Chaucer's commitment to English in the literary world, and of equal importance.

<sup>3</sup> Cited in n. 1, above.

<sup>4</sup> The shift toward English is reflected in several printed collections of public documents, notably Thomas Rymer, ed., *Foedera, conventiones, litterae, et cujuscumque generis acta publica*, etc., 10 vols. (1739–45; repr., Farnborough, Hants, 1967); Henry Ellis, ed., *Original Letters Illustrative of English History*, 3 series (1824–46; repr., London, 1969), vol. 1 of each series; and Sir Harris Nicolas, ed., *Proceedings and Ordinances of the Privy Council of England*, 7 vols. (London, 1834). Each of these collections emphasizes specialized materials and does not necessarily reflect the proportion of English documents among government documents as a whole, but the sudden shift to English is dramatically illustrated in each case. For the shift to the vernacular in English letters, see C. L. Kingsford, *Prejudice and Promise in the XVth Century* (Oxford, 1925), pp. 22–47. The shift to English outside of London has not been systematically studied, but is apparent in several scattered collections of civic documents, as noted in Felix Hull, ed., *A Calendar of the White and Black Books of the Cinque Ports, 1422–1955* (London, 1966), p. x.

<sup>5</sup> R. W. Chambers and Marjorie Daunt, *A Book of London English* (Oxford, 1931), pp. 67–68, 71–72, 73–74, 78, 82–84. Specimens of his letters in French when he was Prince of Wales are in M. Dominica Legge, *Anglo-Norman Letters and Petitions from All Souls Ms. 182*, Anglo-Norman Text Society 3 (1941; repr., New York, 1967).

<sup>6</sup> J. L. Kirby, ed., *Calendar of Signet Letters of Henry IV and Henry V* (London, 1978). An edition of the Chancery warrants in English is in progress.

<sup>7</sup> Examples are found in Ellis, *Original Letters*, 3rd ser., 1:61–63; H. C. Maxwell-Lyte, *Historical Notes on the Use of the Great Seal of England* (London, 1926), p. 75; Nicolas, *Proceedings*, 2:243–44, 250.

As the first part of this study demonstrates, while English did not become common in the *Rotuli Parliamentorum* and other official Chancery documents until after his death (immediately afterwards, in fact), Henry's use of English exercised a profound influence upon the development of Chancery English, both in style and in linguistic content. Henry's role in the development of English has been a long-standing question. As early as 1935, A. C. Baugh, noting that Henry's reign "seems to have marked the turning point in the use of English writing," remarked that the king's use of English and his efforts to promote it are points "which we would gladly know more about."<sup>8</sup> Over forty years later Professor Fisher still found the question of Henry's influence "a topic to be explored."<sup>9</sup> Despite the lack of real information on the subject, however, Henry's service to the language has been widely accepted. V. H. Galbraith, for example, writing at the same time as Baugh, generalized that two "far-sighted kings, Alfred and Henry V, realized ahead of their time the possibilities of English, and the reign of each began a period of triumph for the vernacular, the first temporary, the second more lasting."<sup>10</sup> Has Henry's contribution been ignored or overpraised?

As will be shown, Henry's actual role in the development of English has, if anything, been understated. The evidence presented below indicates not only that Henry's encouragement of the use of written English contributed to its popularity and respectability but — what is much more important — that the linguistic and stylistic characteristics of his correspondence fixed a standard for Chancery English itself. Professor Fisher has explored Chancery English as it appeared after 1422; here we will focus on Henry's reign (1413–1422).

The second, briefer, part of this study offers some suggestions as to how Chancery English could have been transmitted not only among the Chancery clerks, but also to many lawyers and administrative clerks in London and Westminster. While this section carries us forward chronologically past Henry's death, there are at least two major reasons why it is appropriate here. First, although English was not extensively used by the Chancery until after 1422, the procedures and organization of the Chancery changed very little during the early Lancastrian period (1399–1429), so that what holds true for Henry V's Chancery generally holds true for the early years of Henry VI's; even the Chancery clerks were largely the same, some of them having begun their Chancery service in the days of Richard II.<sup>11</sup> Secondly, and more to the point, we know more about the Chancery of 1413–1422 than we know about

<sup>8</sup> Albert C. Baugh, *A History of the English Language* (New York, 1935), p. 189.

<sup>9</sup> Fisher, p. 892, n. 92.

<sup>10</sup> V[ivian] H. Galbraith, "The Literacy of Medieval English Kings," *Proceedings of the British Academy* 21 (1935), 230.

<sup>11</sup> At Henry V's death, among the Chancery clerks whose Chancery service had begun before 1399 were William Aghton, John Cliderowe, John Franke, Simon Gaunstede, John Hertipole, John Rowland, John Sprynghthorpe, John Thoraby, Nicholas Wymbyssh, and possibly Henry Kays. There were doubtless many others.

it during any period before the 1450s,<sup>12</sup> simply because of the existence of a set of regulations originally issued about 1389 but reissued and revised between 1415 and 1422, the *Ordinaciones cancellarie Domini Regis*.<sup>13</sup> This fascinating but sometimes perplexing Latin document not only establishes the basic structure of the Chancery for us, but additionally gives us a few rare glimpses of the personal lives of the clerks, the latter through its numerous prohibitions, which tell us, of course, exactly what the clerks were up to. Unfortunately, so little scholarship has been produced on early fifteenth-century English administration that it is dangerous to hazard more than a few guesses about any one part of it, even the Chancery. What I have presented below is largely a summary of the evidence we have about the training of the younger clerks and some inferences which may be drawn about how Chancery English might have been transmitted to these younger clerks and to their comrades, the law students, after the senior clerks had arrived at a standardized form.

# I. HENRY V AND THE DEVELOPMENT OF CHANCERY ENGLISH

In the absence of contemporary documents governing the use of English in the Chancery — documents we are not likely to find, if indeed any ever existed — whatever generalizations we are to make about early English usage in the Chancery must come from linguistic analysis. The most fruitful question we can ask, therefore, is not whether Henry V directly encouraged his Chancery to employ English, but rather did Henry's correspondence serve as a linguistic model for Chancery Standard, and if so, did Chancery Standard evolve from his correspondence or did they both evolve from a common source? The results of an inquiry into these questions, while not wholly conclusive, are nevertheless highly suggestive.

Slightly over thirty of Henry's letters, Chancery warrants, and miscellany have been printed, enough for us to make valid judgments about their linguistic content. These documents appear in a wide assortment of sources published over a period of three hundred and fifty years, with a predictably bewildering pattern of editorial policies. The earliest sizeable collection is found in the various versions of Thomas Rymer's *Foedera*, including a long letter to Sir John Tiptoft written partly in Henry's own hand.<sup>14</sup> Henry's letters to the mayor and aldermen of London are in Chambers and Daunt's

<sup>12</sup> For the Chancery after 1454, see Nicholas Pronay, "The Chancellor, the Chancery, and the Council at the End of the Fifteenth Century," in H[arry] Header and H[enry] R. Loyn, eds., *British Government and Administrative Studies Presented to S. B. Chrimes* (Cardiff, 1974), pp. 87–103.

<sup>13</sup> Printed in George William Sanders, ed., *Orders of the High Court of Chancery*, 2 vols. (London, 1845), 1:1–7d, and B[ertie] Wilkinson, *The Chancery Under Edward III*, Publications of the University of Manchester, no. 189 (Manchester, 1929), pp. 214–23. Wilkinson's plea for a critical edition of the regulations, essential for the proper study of the Chancery in the fifteenth century, has regrettably been ignored.

<sup>14</sup> Rymer, *Foedera* 4.2., pp. 190–91. Other English documents from Henry include 4.3, pp. 68–69, 135, 175; 4.4, pp. 45–46.

*Book of London English* and Delpit's *Collection générale*,<sup>15</sup> while other letters are found in Maxwell-Lyte's *Historical Notes on the Great Seal*, Ellis's *Original Letters*, Nicolas's *Proceedings and Ordinances of the Privy Council*, and other miscellaneous sources.<sup>16</sup> While objections can be raised about specific editorial policies in many of these works, particularly the earlier ones, the transcriptions are generally accurate and certainly adequate for my purposes here. Taken together, the documents themselves form a remarkably coherent group, one both historically and linguistically of absorbing interest.

It should at the outset be emphasized that Henry's correspondence was dictated to his secretaries, or, less likely, copied by them from his originals. The differences between Henry's will and his letter to Tiptoft, discussed below, make it probable that Henry's own language usage differed in some ways from that of his secretaries and their clerks, who formed his Signet Office. Henry's correspondence is therefore not necessarily a reflection of his own personal language preferences, but it is his official voice speaking in "the king's English," and that is what is important here.

The Signet Office, which produced Henry's letters, was a relatively new department of government in 1413. Fortunately, it has been more than adequately described in Joyce Otway-Ruthven's *The King's Secretary*, the only extensive study of any branch of the early Lancastrian government.<sup>17</sup> The Signet Office grew in importance during Richard II's reign as the office which handled the king's correspondence written under the signet seal, a private seal which came into use as the clerks of the old private seal, the Privy Seal, developed into the secretariat for the king's Council and ceased to serve as the king's private secretariat. Signet Office clerks, under the direction of the king's secretary, followed the king on his journeys and were responsible for producing both his official and personal correspondence and his Chancery warrants. Although the Signet clerks themselves were usually

<sup>15</sup> Jules Delpit, ed., *Collection générale des documents qui se trouvent en Angleterre* (1847; repr. Geneva, 1971). For Chambers and Daunt, see n. 5.

<sup>16</sup> The documents I have closely examined for linguistic content besides those in Chambers and Daunt and in Rymer cited in notes 5 and 14 above are as follows: Ellis, *Original Letters*, 1st ser., 1:1–2, and 3rd ser., 1:61–64, 71–72; Nicolas, *Proceedings*, 2:243–44, 250, 255–57, 265–66; J[ohn] Nicols, ed., *A Collection of All the Wills, Now Known to be Extant of the Kings and Queens of England*, etc. (1780; repr., New York, 1969), pp. 236–43; Samuel Bentley, ed., *Excerpta Historica: or, Illustrations of English History* (London, 1833), p. 388; James Fosdick Baldwin, *The King's Council in England During the Middle Ages* (1913; repr., Gloucester, Mass., 1965), p. 168; and two unpublished letters among the PRO collection of Ancient Correspondence, SC. 1/43/160 and 161. Different editions of many of these letters are found in Delpit, *Collection générale*; Henry Thomas Riley, *Memorials of London and London Life in the XIIIth, XIVth, and XVth Centuries*, etc. (London, 1868); and Reginald R. Sharpe, *London and the Kingdom*, 3 vols. (London, 1895), Appendix A. There is some overlapping in other cases as well. In addition, I have examined the remainder of Henry's Chancery Warrants in PRO classification C81/1364–1365, but since they show no significant variations from the printed material, I have not included them in this study.

<sup>17</sup> Joyce Otway-Ruthven, *The King's Secretary and the Signet Office in the XV Century* (Cambridge, 1939). For the following see especially pp. 106–25. This study includes valuable biographical sketches of the clerks in the office.

humbly born and rarely advanced beyond the Signet Office, the secretaries were often quite well educated, certainly more so than most Chancery clerks. Of Henry's secretaries, for example, Richard Holme was a doctor of laws, John Stone was principal of Hart Hall, Oxford, and warden of King's Hall, Cambridge, and William Alnwick was an LL.D. and D.C.L.<sup>18</sup> Among Henry's clerks of the Signet Office was Walter Shirington (whose signature appears on many of Henry's Chancery warrants), who later became chancellor of the duchy of Lancaster and who made one of the earliest English entries in the Duchy Chancery rolls.<sup>19</sup> The Signet Office seems to have attracted men of talent and ability, and the language of Henry's letters is theirs, or at least the language they adopted.

Nevertheless, the content and style of Henry's correspondence are his own: here indeed is the voice of a king. T. F. Tout once observed that "one of the troubles of mediaeval correspondence is that the order of it is formal, official, and therefore tedious."<sup>20</sup> Henry's correspondence is usually far from tedious, even if the matters it discusses are sometimes obscure or, to us, trivial. K. B. MacFarlane very accurately points out that "to read a man's own words is to know his mind more intimately than at second-hand. Henry V's writing, unlike that of many of his wordy and florid contemporaries, is what might have been expected of a man of decision; it is unadorned, brief, and very much to the point."<sup>21</sup> Many of Henry's letters and warrants jump from one subject to another unexpectedly; at other times a letter, already formally closed, has an additional item added, as if some affair had suddenly come to the king's attention and had to be set down and sent off immediately.<sup>22</sup> They are not, of course, models of letterwriting style, and many show traces of the haste with which they were composed. At that, they all share one characteristic: not a word is wasted, nor is an inflated, bombastic phrase to be found anywhere; here is the unadorned, sometimes rough, but still identifiable English plain style in its early form.

The one English letter we have at least partially in Henry's own hand, however, is somewhat more elaborate in form, if not in style. Were it not for its subject matter, one would be tempted to say that here is the first great English letter. The drama, urgency, and directness of Henry's opening are sustained throughout the letter:

<sup>18</sup> Otway-Ruthven, *The King's Secretary*, pp. 167–70. John Stoppyndon, a Chancery clerk, was another of Henry's secretaries. As a clerk of the first form after 1426, he could have influenced the infusion of the Signet Office English into the Chancery.

<sup>19</sup> Duchy of Lancaster Chancery Rolls, DL. 37/16/59.

<sup>20</sup> T. F. Tout, "The Human Side of Mediaeval Records," *Transactions of the Royal Historical Society*, 4th ser., 11 (1928), 6.

<sup>21</sup> K. B. MacFarlane, *Lancastrian Kings and Lollard Knights* (Oxford, 1972), p. 117. C. L. Kingsford, *Henry V*, 2nd ed. (New York, 1923), p. 82, praises Henry's "manly, straightforward" style.

<sup>22</sup> Otway-Ruthven, *The King's Secretary*, p. 40, notes that the tone of the letters "suggests that they were written at the king's dictation, and directions as to affairs of state may be followed in the same letter by the grant of a benefice to one of the king's clerks."



Tiptoft,

I Charge yow, by the Feith that ye owe to me that ye kepe this Matere, her after Writen, from al Men secre save from my Brother Th'Emperor owne Persone; that never Creature have Wittyng thereof, withowt myn especial Commandement, of myn owne Mouthe, or els Writen with myn owne Hand, and Seely'd with my Signet.<sup>23</sup>

The event Henry goes on to describe, the captive duke of Bourbon's offer to make a separate peace with England, is certainly of interest historically; what is astonishing stylistically is that Henry sets the duke's speeches in *dramatic* form, writing the offer down just as the duke said it, "savyng that he spak in French." Written with fluidity, suppleness, and a canny insight into the possible reactions of its reader, it is one of the most remarkable letters ever composed by an English monarch, and certainly deserving of a more honored place in the history of English language and letters than it has hitherto been given.

Linguistically, Henry's correspondence is unusually revealing. Because most of his preserved Chancery warrants after August 1417 are in English,<sup>24</sup> we have a more or less continuous record of Henry's official English for the last five years of his reign. Of the thirty letters and documents I have analyzed, all but five are the products of Henry's Signet Office. Two documents printed in Rymer's *Foedera* (both instructions to ambassadors) are not letters, strictly speaking, but there is strong internal evidence that their contents were closely edited (and possibly dictated) by the king.<sup>25</sup> We have no internal indication of which office produced these two, but having the Great Seal (along with the king's two lesser seals) affixed to both indicates that they are probably Chancery documents. In any case, the bulk of Henry's correspondence, while not large, is sufficient to permit generalizations to be made about its linguistic characteristics and to allow comparison of these characteristics with Chancery Standard.

The definitive study of Chancery English has yet to appear, but the work of Samuels and, more recently, Fisher provides the best description of Chancery Standard as it was used after 1430. The following compares their description of Chancery and distinctly non-Chancery characteristics to the characteristics of Henry's letters and correspondence and also sets the correspondence of other members of the royal family, various other documents from Henry's government and contemporaries, and early (1421–1425) English entries in the *Rotuli Parliamentorum* against both Henry's correspondence and Chancery Standard. Even considering the present lack of an adequate collection of official English documents of the early fifteenth century, the results are intriguing:

<sup>23</sup> Rymer, 4.2, p. 190.

<sup>24</sup> Correspondence between the king and the Londoners was not always in the vernacular. Delpit, *Collection générale*, pp. 216–17, has an example of a letter to the Londoners in French and another of their reply in French to one of the king's English letters (p. 219).

<sup>25</sup> Rymer, 4.3, pp. 68–69; 4.4, pp. 45–46.



1. In the thirty documents analyzed,<sup>26</sup> the spelling in Henry's documents is remarkably close to Chancery Standard. Chancery *which(e)* is the preferred spelling in all of the documents; *wech*, the only variant in any of his correspondence, is found only once, and that in an early letter where *whiche* is also used. Chancery *such(e)* is always used, never *swich(e)* or *sich(e)*. Chancery *much(e)* is the usual spelling, although *moch(e)* appears in seven documents. In two of these, however, it is found only in *forasmoch(e)* or *asmoch(e)*, and in two others *much(e)* is also used. Chancery *shew* is always used, as is *on/oon* for *one*. Chancery *shuld* is fairly consistent, save for *should(e)* and *schold* in two. *Between* is used frequently in the earlier letters, but Chancery *betwix* eventually replaces it. Modern *given* and *again* generally follow the usual Chancery spelling *yeven* and *ayen*.

2. Pronoun usage in Henry's correspondence is also quite close to Chancery standard. *Yelyou* (*you*) are always used for second person singular. Chancery *ther(e)/paireltheyre* are the usual possessive forms of *they*; *her* occurs only twice, in documents probably not produced by the Signet Office, and even then it alternates with forms of *their*.<sup>27</sup> *Them* alternates with *hem*. *Them/paym/thaim* is in eight documents, *hem* in ten, and in five cases both appear in the same document. Although *them* was the preferred Chancery form, *hem* was an acceptable alternate in Chancery writing until late in the fifteenth century.<sup>28</sup> *They/pei/pay*, the Chancery form, was always preferred by Henry's secretariat, however. *Hit* and *it* alternated like *them* and *hem*, although the later documents generally use *hit*.

3. Verb forms are equally close to Chancery Standard. Chancery *belbeen*, a regressive Chancery form (to us), is consistently preferred to *are*, which appears in only one early document. *Are*, however, is used only rarely in official documents during the early fifteenth century; the only other example of it in the more than sixty documents (printed and unprinted) examined for this study is in Henry IV's will.<sup>29</sup> Use of *-ed* for preterite verbs is normal in Henry V's correspondence, although official scribes usually preferred the perfect tense to the simple past. The Chancery preference for *-eth* in the third person singular is found in all cases, with no incidence at all of the ending *-s*. Participles ending in *-en* in words which have lost their ending in Modern English are fairly common (*seyen*, *comen*), as they were in early Chancery. Plural verb endings of *-en*, mostly discarded in Chancery practice, are found in seven documents in phrases like *pai weren*.

4. The adverb ending *-lich*, not found in Chancery Standard (but often in early Chancery documents), is used only three times in Henry's correspondence and in each case alongside of the Chancery *-ly*. The *-ly* form appears in all but ten of Henry's letters.

<sup>26</sup> See n. 16, above.

<sup>27</sup> Nichols, *Wills*, pp. 236–43; Ellis, *Original Letters*, 3rd ser., 1:72.

<sup>28</sup> Fisher, p. 884.

<sup>29</sup> Nichols, *Wills*, pp. 203–5.

Several non-Chancery spellings and practices are frequently used, however. Chancery *eny* is used only twice, while *any* appears eight times. Chancery and Modern *through* is usually *thorwel/powre* and Chancery *ond* in words like *lond* and *stond* is usually the northern and Modern *and*. Henry's scribes were fond of double vowels, particularly in *maad(e)*, *taak(en)*, *doo*, and sometimes *soo*. Otherwise, the spelling is fairly consistent with later Chancery practice, at least as much as any fifteenth-century spelling is consistent. Henry's correspondence also contains several verb constructions, particularly *have doo maad* and other combinations with *do*, which disappeared in Chancery and Modern English practice.

Equally instructive are the non-Chancery forms which Henry's correspondence does *not* use. There is no incidence of *sich(e)*, for example, or *bot*. *Nys* for *is not* is found only in his first letter and *nat* only in three. Phonetic spellings are rare: *high* is never *hey*, and *-ig-* is always found in French loan words, particularly *reign*. Nor is there any example of the participle prefix *y-*.

Given the evidence available, it is apparent that the language of Henry's documents corresponds in virtually every important respect to Chancery Standard. There are differences, but most of these are minor: *any* for *eny* is not a major variance, nor is an occasional *moche*. This similarity is even more remarkable when we consider that early Chancery entries in English in the *Rotuli Parliamentorum* are very far from standardized themselves. Like Chancery Standard, the language of Henry's secretariat was a blend of different dialectal forms which, as far as is known, corresponds to no known contemporary spoken dialect.<sup>30</sup> Equally important, it was also relatively standardized.

The language of Henry's letters does not necessarily reflect Henry's personal usage, although it may be close. We have only two documents which might reflect Henry's own style: his letter to Tiptoft and his will.<sup>31</sup> The latter item is suspect since it contains no evidence that Henry wrote it himself, but it is a very personal document, one which must have been closely supervised by the king. Written just before his departure on his second French expedition, it is concerned with the disposition of his personal fiefs rather than with his kingship. The will is quite different from any of Henry's letters. Its most striking characteristic is the frequent use of the northern, phonetic *-t* where *-ed* is now standard (*ordeynet*, *contenet*) and the use of *ar* (*are*) for the Chancery *be/been*. Also striking is the use of *y* for *I*, a practice found only this once in his documents. The will also has examples of the adverb ending *-lich* (*simplich*) and the spelling *kan* (*can*). The letter to Tiptoft is much closer in its language to Henry's other correspondence. The main difference here is the marked preference for *-yd* in preterite endings (*askyd*, *grantyd*). The *-yd* ending is almost a Lancastrian family characteristic: it appears regularly in

<sup>30</sup> But see Samuels, "Some Applications of Middle English Dialectology," pp. 414–15. The question of the relationship between spoken and written dialect is, of course, heatedly debated.

<sup>31</sup> Rymer, 4.2, pp. 190–91; Nichols, *Wills*, pp. 236–43.

the documents of Henry IV, his sons Thomas and Humphrey, and Henry Beaufort. Also found in the letter to Tiptoft are such non-Chancery forms as *nys*, *any*, *moche*, and *shoulde*. Otherwise the letter is consistent with later Chancery practice.

The closeness in orthography and morphology of Henry's correspondence to Chancery Standard is significant enough in itself; when we compare other official documents of the time to Chancery Standard, this closeness becomes even more remarkable. For example, it is clear that the written language of Henry's letters was not shared by other members of his family and is in no way a "royal" style. One of the earliest examples of a letter written by a member of the royal family is by Edward, duke of York.<sup>32</sup> Written in 1405, the letter is characterized by the use of the participle prefix *y-* (*ylost*, *yseind*, *ywryte*), the use of *y* for *I*, and such non-Chancery spellings as *whuch* (*which*), and *theos* (*those*), not to mention the confusing syntax and obscure reference of pronouns common to so much English prose of this period (but not common to either Henry's letters or to Chancery Standard).<sup>33</sup> Henry IV's will<sup>34</sup> has much clearer syntax, but the language is otherwise even further removed from either that of his son's correspondence or Chancery Standard: preterite verb endings are usually *-yd* (*rewardyd*, *endowyd*), *I* is frequently *y*, Chancery *such(e)* is *soch(e)*, *their* is *here*. The adverb ending *-lich* creeps in (*trulich*), *ar* is used instead of *belbeen*, and the participle prefix appears in *Iyeven*.

The letters of Henry IV's sons Thomas and Humphrey are closer to Henry V's, but they still show marked differences from Chancery Standard. Thomas's letter<sup>35</sup> is short, but alongside of Chancery forms (*thei*, *understonde*, etc.) has two incidences of the participle prefix (*J-thonked*, *Iwriten*), never found in Henry V's letters, not to mention the non-Chancery *naught* (*not*) and *forasmoche*. One of Humphrey's rare English letters<sup>36</sup> has the phonetic spelling *hye* for *high*, the verb ending *-id* for *-ed* (*comandid*, *blessid*), the third person singular ending *-ith* for *-eth* (*lakkith*, *shewith*), the possessive pronoun *her* for *their*, and *saugh* for *saw* — none of which appears in any of Henry's correspondence or in Chancery Standard.

Three English letters by Beaufort<sup>37</sup> show similar deviations: *-ed* is once again the Lancastrian *-id* (*belovid*, *lykyd*), possessives and plurals are usually *-is* instead of *-es* (*Goddis*, *lettris*), *shuld* is *sholde*, *hath* is *haht(e)*, *can* and *came* are *kan* and *kam*, and the Chaucerian *molde* is used once. The last letter (in Sharpe) was written in 1432, after Beaufort had been chancellor for the third time

<sup>32</sup> Nicolas, *Proceedings*, 1:271–73.

<sup>33</sup> See Fisher, pp. 885–87, for comparison between Chancery and non-Chancery prose.

<sup>34</sup> Nichols, *Wills*, pp. 203–5.

<sup>35</sup> Chambers and Daunt, *London English*, pp. 80–81.

<sup>36</sup> *Facsimiles of National Manuscripts from William the Conqueror to Queen Anne*, 2 vols. (London, 1865), 1:38.

<sup>37</sup> Ellis, *Original Letters*, 1st ser., 1:8; *Facsimiles*, 1:40; Sharpe, *London and the Kingdom*, 3:374–75.

(1424–1426), but still shows several non-Chancery forms (*wich*, *agein*, and *yif* for *if*), indicating that Chancery Standard was developed independent of the linguistic peculiarities of individual chancellors.

Furthermore, a 1423 letter from Henry VI<sup>38</sup> seems to suggest that the infant king's secretariat did not necessarily follow the language usage of Henry V's. We find once again the verb ending *-ed* written as *-id* (*asskid*) or *-yd* (*demenyd*), *swiche* for *such(e)*, *moche* for *much(e)*, *kan* for *can*, and the phonetic spelling *rekiveryd* (*recovered*). In fact, the characteristics of this letter are similar to those of the correspondence of his uncle Humphrey, who was Protector at the time.

A closer approximation to Chancery Standard is in a letter of John, duke of Bedford,<sup>39</sup> which is very similar to Chancery Standard except in minor instances (*any* for Chancery *eny*, for example) and identical with most of Henry V's correspondence. This is hardly surprising: John, next to Henry the ablest of Henry IV's sons, had great respect for his older brother and attempted to carry out Henry's plans in every detail. Since John was left in charge in England while Henry fought in France, there was doubtless much communication between the two, and perhaps John or his secretaries consciously imitated the Signet Office's style and forms. Unfortunately, we have few of John's letters in print. If enough of them have been preserved, a study of these letters might prove revealing.

Aside from John's letter, there are no government documents from the years 1413–1422 that resemble Chancery English as closely as Henry's correspondence does. Fragmentary Privy Council minutes from 1417<sup>40</sup> are distinctly non-Chancery: *-ed* verb endings are the phonetic *-et* or *-it* (*accordet*, *discharjit*), *their* is *her*, and once the northern *qu-* appears for Chancery and Modern *wh-* (*queche*). A letter to the king from Henry Chichele, archbishop of Canterbury,<sup>41</sup> demonstrates that the archbishop at least was not won over by the king's writing style, since Chichele's letter is a virtual compendium of non-Chancery spellings: *myche*, *swych*, *pleynlich* (*fully*), *shold*, *schol* (*shall*), *perfourmeng*, and even *huncle* for *uncle*.

More to the point, the Chancery documents of Henry's reign are very far from standardized. The public announcement of the Treaty of Troyes in 1420<sup>42</sup> contains many of the elements of later Standard, but also has such non-Standard forms as *haim* (for *hem*), *bot*, *ony* (*any*), *alsmych* (*asmuch*), and *sych* alongside of their more standard spellings. The brief physicians' petition of 1421<sup>43</sup> was entered in the *Rotuli Parliamentorum* by the Chancery clerks with the phonetic *hey* for *high*, the participle *y-* (*ylerned*, *yused*), and at least two non-Chancery spellings (*moche*, *any*).

<sup>38</sup> Nicolas, *Proceedings*, 3:86–88.

<sup>39</sup> Chambers and Daunt, *London English*, pp. 85–86.

<sup>40</sup> Nicolas, *Proceedings*, 1:238.

<sup>41</sup> Ellis, *Original Letters*, 1st ser., 1:3–5.

<sup>42</sup> Rymer, 4.3, pp. 179–80.

<sup>43</sup> *Rot. Parl.*, 4:158.

Incredible as it may seem, Henry's correspondence is, as a whole, closer to Chancery Standard than is almost any entry in the *Rotuli Parliamentorum* before about 1425. Several of the earliest examples of English entries have already been examined by Professor Fisher.<sup>44</sup> The nearest to Chancery Standard of any of the entries before 1422 is in the famous petition by the Commons in 1414 not to have the language of their petitions and bills altered, but this is a very brief entry and even it has several non-Standard spellings (*sholde*, *axking*).<sup>45</sup> The ordinance of the archbishop of Canterbury and Lord Grey (1411) has such non-Standard forms as *mych*, *fullych* (*fully*), *sholde*, *neght* (*next*), and others.<sup>46</sup> The long 1414 petition of Thomas Paunfeld is even more at variance with later Chancery Standard: *heye* (*high*), *ony* (*any*), *her* (*their*), *grevouslich*, *swich*, *insomache*, and even the northern *ane* (*an*).<sup>47</sup>

The English entries at the end of Henry's reign are scarcely better in this respect than those at the beginning. Besides the physicians' petition mentioned above, there is one more English entry in 1421, a grant to the crown by the Commons in 1421, which is short, but alongside Chancery Standard forms has *everych* (*every*), *any*, and *strecchet* (*stretched*).<sup>48</sup>

The entries in the early years of Henry VI's reign show a similar variation. The merchant's petition of 1422 has many Chancery features, but also the participle prefix (*yshipped*), *her* for *their*, and *moche*.<sup>49</sup> Another short entry for the same year has *shold*, *asmiche*, and *daylich*, while one of the first items on the rolls for the next year uses *wich* (*which*), *hame* (*hem*), *privilich* (*secretly*), *dude* (*did*), *sodanlich* (*suddenly*), *hare* (*their*), and numerous other non-Chancery features.<sup>50</sup> The list of non-Chancery forms and spellings in the *Rotuli Parliamentorum* entries of 1422–1425 could be extended to great lengths, but these examples are representative.

The point here is not that the Chancery had not standardized its use of English in the early years of Henry VI's reign; that has already been established.<sup>51</sup> The point is that the language of Henry V's correspondence is not only closer to later Chancery Standard than that of any other official correspondence of his own reign, but is actually closer to Chancery Standard than almost any document the Chancery *itself* produced prior to about 1425. This is baffling indeed, and brings us back to our original problem: what is the relationship of the language of Henry's correspondence to later Chancery English?

Before answers to this question can be suggested, there is one other collection of English letters from Henry's reign which requires mention: the

<sup>44</sup> Fisher, pp. 880–81.

<sup>45</sup> *Rot. Parl.*, 4:22.

<sup>46</sup> *Rot. Parl.*, 3:651.

<sup>47</sup> *Rot. Parl.*, 4:57–61.

<sup>48</sup> *Rot. Parl.*, 3:151.

<sup>49</sup> *Rot. Parl.*, 3:173.

<sup>50</sup> *Rot. Parl.*, 3:176, 198–99.

<sup>51</sup> Fisher, p. 881.

letters from the mayor and aldermen of London to Henry and his brothers, printed by Chambers and Daunt. The English of these letters differs considerably from that of other examples of London English. Professor Fisher has demonstrated how Guildhall English and the English of the Brewers' Guild record books differ in most important ways from Chancery Standard. It has not been observed, however, that the language used by the mayor and aldermen in these particular letters is relatively close to that used in Henry V's correspondence; in fact, this type of London English is closer to Henry's language than any other early fifteenth-century English thus far printed. There are, of course, many deviations from the standards of Henry's secretariat. The Londoners usually favored *bot* for *but*, and sometimes forms such as *forasmoche*, *ony*, *hie* (*high*), *wiche*, and, not surprisingly, the adverb ending *-lich* (*verilich*). However, these are exceptions, not the norm. For the most part the letters bear a striking resemblance to Henry's, except that where his are direct and to the point, theirs are insufferably obsequious, verbose, and dull. Linguistically, however, the letters are close to Henry's. Interestingly, the London letters which deviate the most from Henry's secretariat standard are the earliest and the latest (addressed to the duke of Bedford); the middle group, to Henry, is relatively consistent.<sup>52</sup>

Here we are faced with a problem. It has been generally accepted by Samuels and Fisher, the leading authorities on Chancery English, that Chancery English is a variant of London English,<sup>53</sup> yet at the same time Fisher has shown that Chancery English does not resemble most of the London English printed by Chambers and Daunt.<sup>54</sup> If Henry's Secretariat English and the English of the mayor and aldermen's letters are so close to Chancery Standard while the other examples of London English are so different, then which was the stronger influence on Chancery English?

Given the small amount of printed vernacular government documents from the early fifteenth century, any answers to these questions must be quite tentative. There is a great need for a *Book of Government English* to parallel Chambers and Daunt's *Book of London English*, and until sufficient examples of government English are in print, the definitive study of the origins of Chancery English cannot be completed.

Most likely, Henry's secretariat largely imitated the written "official" language of the Londoners, substituting a few of its own usages to suit its own preferences. Historically, this seems the most probable theory, since it would have been difficult for Henry's secretariat to standardize its usages so quickly. The problem here is that there is very little evidence in print of "official" London English. The proclamations of 1415–1417 printed by Chambers and Daunt antedate any of the letters written between the king and the Londoners and seem relatively close to the language used by the

<sup>52</sup> Chambers and Daunt, *London English*, especially nos. VIII, IX, XIV, XVIII, XXVI.

<sup>53</sup> Samuels, "Some Applications of Middle English Dialectology," p. 411; Fisher, p. 885.

<sup>54</sup> Fisher, pp. 896–98.



Signet Office, but these proclamations are very short and stylized. The years between 1390 and 1417 are the crucial years which would have seen the development of this “official” London style, and we simply have too few documents from that period to make any accurate assessments.<sup>55</sup>

Nevertheless, there can be little doubt that the adoption of the “official” London written dialect by the Signet Office constituted a royal recognition that this was the authorized written standard for the central government. Just where this written dialect came from is another question,<sup>56</sup> but what is important is the influence of the Signet Office Standard on Chancery Standard.

Because the two are so close, it is probable that the Chancery gradually adopted and slightly modified the Signet Office forms in the years following Henry’s death. This adoption was more in the form of a drift toward the Signet Office style than an immediate absorption of it, and this drift took place over a decade in which the masters of the Chancery slowly accepted the new style and eliminated their own individual linguistic preferences. Chancery needed a standard form of English in the same way that it needed standard forms of French and Latin. Signet Office English was, by virtue of its relative standardization and official status, the most ready and prestigious written vernacular form to adopt. The Signet Office influence did not necessarily have to come directly from Henry V’s correspondence. The letters of John, duke of Bedford, and other letters from the 1420s, such as the Earl of Salisbury’s,<sup>57</sup> indicate that the Signet Office style had spread considerably.

What, then, was the role of Henry V himself in the development of Chancery English? The evidence above strongly suggests that the style adopted by his secretariat set the standard for Chancery English. It can scarcely be doubted that the example he set by his use of the vernacular was a major factor — perhaps *the* major factor — in the increase in the importance of English in the Chancery and elsewhere. We have contemporary evidence that the king’s use of the vernacular was well recognized even outside of government circles. Around the time of Henry’s death the Brewer’s Guild issued a revealing resolution:

Whereas our mother tongue, to wit, the English tongue, hath in modern days begun to be honorably enlarged and adorned; for that our most excellent lord king Henry the Fifth hath, in his letters missive, and divers affairs touching his own person, more willingly chosen to declare the secrets of his will [in it]; and for the better understanding of his people, hath, with a diligent mind, procured the common idiom (setting others aside) to be commended by the exercise of writing;

<sup>55</sup> Aside from these proclamations and six brief wills, Chambers and Daunt print practically nothing written between 1389 and 1417.

<sup>56</sup> Samuels, “Some Applications of Middle English Dialectology,” p. 408, argues that there was a standard Midlands literary dialect which survived until about 1430.

<sup>57</sup> Delpit, *Collection générale*, pp. 236–37.



and there are many of our craft of brewers who have the knowledge of writing and reading of the said English idiom, but in others, to wit, the Latin and French, before these times used, they do not in any wise understand; for which causes, with many others, it being considered how that the great part of the lords and trusty commons have begun to make their matters to be noted down in our mother tongue, so we also in our craft, following in some manner their steps, have decreed in the future to commit to memory the needful things which concern us.<sup>58</sup>

Referring to this famous Guild Book entry, Professor Fisher noted that “although it follows English tradition by crediting the king with personally inspiring the use of English, it actually looks to the models of ‘the Lords and trusty Commons,’ to Parliament, that is, as recorded by the clerks of Chancery, for the real justification for the change.”<sup>59</sup> There is little doubt that Chancery English, whatever its origins, through its use in law and government, was the source of the spread of a standard written dialect. Yet the Brewers were writing in 1422, the year Henry died, when there are relatively few examples of English among official documents. By 1422, however, Henry had written many letters to the citizens of London in English, had begun sending all of his Chancery warrants in English, had published the terms of the Treaty of Troyes in English, and had doubtless used English in many other public documents now lost. If the London Brewers were aware of his encouragement of the vernacular, how much greater must have been his influence on the offices of the central government.

His motive for using the vernacular was undoubtedly to win support for the war.<sup>60</sup> In the past, the threat that the French were attempting to destroy the English language had been used as a parliamentary argument in justifying the war,<sup>61</sup> and Henry’s encouragement of English was only a logical extension of this kind of propaganda. MacFarlane argued that “there is something incongruous in the king’s preference for the vernacular; for he can hardly have hoped to make it the spoken language of the governing class in his second kingdom.”<sup>62</sup> Henry, however, was more interested in his first kingdom and in ways to draw support for his increasingly expensive war. The use of English would probably not elicit much support from the upper class, but it would seem a patriotic gesture to the middle class, who largely paid for the war and to whom the continued use of Latin and French was something of an inconvenience. The middle class had little love of anything foreign, and there was continued agitation to expel foreigners (including the Welsh) from English soil.

Henry was always aware of the value of language as a tool of propaganda.

<sup>58</sup> Quoted in Albert C. Baugh, *A History of the English Language*, 2nd ed. (New York, 1957), pp. 183–84.

<sup>59</sup> Fisher, p. 898.

<sup>60</sup> See Otway-Ruthven, *The King’s Secretary*, pp. 28–29, 46.

<sup>61</sup> Fisher, p. 879.

<sup>62</sup> MacFarlane, *Lancastrian Kings and Lollard Knights*, p. 119.

When dealing with the French and Burgundians, Henry and his ambassadors persistently haggled over which language to use in writing treaties and other agreements, the English always insisting on Latin rather than French.<sup>63</sup> Many years earlier Froissart had noted that the English “were not so well used to the finesse and double meanings of [French], as the natives who turned and twisted it to their own advantage at pleasure”;<sup>64</sup> undoubtedly this motive was in Henry’s mind, too. An interesting excerpt from an argument at the Council of Trent over the composition of the various “nations” at church councils throws some light on the English attitude toward language at that time. Henry’s ambassadors demanded to know “whether nation be understood as a people marked off from others by blood-relationships and habit of unity or by peculiarities of language (*the most sure and positive sign and essence of a nation in divine and human law*)” (italics mine).<sup>65</sup> Shrewdly measuring the rise of English nationalism, Henry always took pains to balance his international ambitions with patriotic flourishes toward his own people. His use of English was only a part of a larger plan.

The effect of Henry’s adoption of English as an official language was not fully felt until after his early and unexpected death. We do not know who authorized its increased use in the Chancery; in all likelihood either John or Humphrey, the Protectors of the infant king, continued and expanded its use as a propaganda measure. By the end of the 1420s, however, Chancery English was well on its way toward standardization, and there was no attempt to revert to using French and Latin exclusively. Henry’s legacy to the English language was more fruitful to his people than his legacy of military glory and conquest, which so soon crumbled in less able hands.

If the Chancery inherited Henry’s Signet Office English and modified it for its own standard language, then Modern English owes Henry a great debt indeed. If the Chancery drew on other sources for the basis of its own standard language, Henry’s encouragement of English as a propaganda device opened the gates for a flood of vernacular documents flowing into the Chancery and forced it to develop a clear, supple, and standardized language for law and administration. In either case — or in both cases — Henry V was, if not the father, at least the step-father of Chancery English.

## II. CHANCERY TRAINING AND THE DEVELOPMENT OF CHANCERY ENGLISH

Since English became widely used by the Chancery immediately following Henry’s death in 1422 and was, in fact, fairly standardized within less than a decade later, we might reasonably ask what the conditions were within that organization during and shortly after his reign which would have allowed such a standardization to take place on such an unprecedented scale. Unfor-

<sup>63</sup> Margaret Wade Labarge, *Henry V: The Cautious Conqueror* (London, 1975), pp. 53, 145.

<sup>64</sup> Quoted in Labarge, *Henry V*, p. 53.

<sup>65</sup> Quoted in C. H. Lawrence, *The English Church and the Papacy in the Middle Ages* (London, 1965), p. 211.

tunately, our knowledge about the Chancery during this period is sketchy, the *Ordinaciones cancellarie* notwithstanding. The great work begun by T. F. Tout<sup>66</sup> and Bertie Wilkinson on the English administration in the fourteenth century and earlier has not been extended into the fifteenth century, nor have scholars made much progress since the 1920s in calendaring and publishing the considerable mass of documents for this period buried in the Public Record Office. Early fifteenth-century administrative studies have been in a state of virtual suspension for nearly a half century, a situation that shows no sign of changing.<sup>67</sup> Nevertheless, what evidence we have indicates that the Chancery was the one organization in England both organized sufficiently and interested enough in language to attempt a standardization of the vernacular, the church being organized but not interested, the university students being interested but not organized for the purpose.<sup>68</sup>

In the reign of Henry V the Chancery contained the largest, the best trained, and the most prestigious body of civil servants in England. Apparently immune to the effects of dynastic changes, virtually assured of steady employment until retirement or death, the greater Chancery clerks continued in service reign after reign, amassing wealth through the steady accumulation of benefices and a constant trade in moneylending and real estate investment. Some of Henry's senior clerks had already seen thirty or forty years service; a junior clerk, Nicholas Wymbyssh, was to serve nearly sixty years before his retirement around 1460.<sup>69</sup> Most of Henry's senior clerks continued well into the next reign,<sup>70</sup> and these were the very men who

<sup>66</sup> Notably *Chapters in the Administrative History of Medieval England*, 6 vols. (1920–33; repr., New York, 1967). Tout's major work on the fifteenth-century Chancery is his essay "The Household of the Chancery and Its Disintegration," in *Essays in History Presented to Reginald Lane Poole*, ed. H. W. C. Davis (Oxford, 1927), pp. 46–85.

<sup>67</sup> A notable exception is Nicolas Pronay, "The Hanaper Under the Lancastrian Kings," *Proceedings of the Leeds Philosophical and Literary Society* 12 (June 1966–Aug. 1968), 73–86.

<sup>68</sup> University students wishing to learn legal (i.e. Chancery) English in the later fifteenth century may have been forced to go to special tutors, or *dictatores*, who in the fourteenth century at least taught elements of legal Latin and French to Oxford students. We know little of the *dictatores* in the fifteenth century. See H. G. Richardson, "Letters of the Oxford Dictatores," in H. E. Salter, ed. *Formularies Which Bear on the History of Oxford, c. 1204–1420*, Oxford Historical Society 5 (Oxford, 1942), pp. 331–450. Despite the increased use of English in the law in the fifteenth century, the universities still maintained French and Latin as their official languages, the former, it seems, by force (Richardson, p. 335). Students, being as always more practical, learned legal English either privately or at the Inns of Court.

<sup>69</sup> A. B. Emden, *A Biographical Register of the University of Oxford to A.D. 1500*, 4 vols. (Oxford, 1957–59), 3:2120–21.

<sup>70</sup> Two clerks of the first form, Simon Gaunstede and William Aghton, died in 1423 (John LeNeve, *Fasti Ecclesiae Anglicanae, 1300–1541*, rev. ed., 12 vols. [London, 1962–67], 3:14, 1:17). John Spryngthorpe died in 1425 (E. F. Jacob, *The Register of Henry Chichele, Archbishop of Canterbury*, Canterbury and York Societies 45 [Oxford, 1947], p. 305), Henry Kays in 1426 (*Calendar of Patent Rolls, 1422–29*, p. 379), and John Rowland in 1427 (LeNeve, 12:79). Thomas Herlande simply disappears from the printed records as nearly as I can discover. Clerks of the first form who died in office were normally replaced by the promotion of clerks of the second form, like Nicholas Wymbyssh, who was promoted by 1425 (*Rot. Parl.*, 4:295).

witnessed the standardization of Chancery English in the 1420s.

This standardization was facilitated by at least three major factors, the first of which was simple necessity. The preponderance of documents produced by the Chancery secretariat were legal documents — writs, indentures, commissions, charters, and the like — and the law demands a kind of precision *in ratione, litera, dictione et syllaba* (to quote *Fleta*, the great thirteenth-century legal treatise)<sup>71</sup> that was woefully lacking in the vernacular prose of the early fifteenth century. The patterns of French and Latin legal usage had long been established, but English, for which there were no ready models, was a different matter. The consternation of lawyers in the 1420s upon finding that yet a third language was now acceptable in legal writing can well be imagined, and there is little reason to doubt that pressure from the legal profession was brought to bear on the Chancery to develop some type of standard for English usage. The Chancery clerks were attorneys themselves and probably saw the need immediately. We put ourselves in peril when we ignore the influence on English of the legal mind, which may exceed that of the poet in its desire for linguistic precision — and, sometimes, ambiguity.

Standardization was also speeded by the Chancery organization, a strictly hierarchical structure with a strong degree of central control.<sup>72</sup> Under the chancellor were the twelve clerks of the first form (or Masters, clerks of the robes, etc.), headed by the Keeper (or Master) of the Rolls, the first among equals. Under these were the twelve clerks of the second form followed by twenty-four cursitors, the latter producing standardized writs about which there could be no confusion or controversy. In addition, there were numerous copyists working for all grades of clerks. While a discussion of the entire structure is impossible here, Tout and Wilkinson long ago demonstrated how the Chancery was characterized by an orderliness and sense of tradition on which its stability rested. Doubtless we will never know the exact process by which the clerks of the first form adopted or developed a standardized form of English. If the Chancery adopted Signet Office English as the basis of its own Standard, as suggested above, then it had a ready model on which to build. The wide variation in linguistic style found in the English entries in the *Rotuli Parliamentorum* of the 1420s, however, makes it clear that despite the strict hierarchical Chancery structure, Chancery Standard was not simply imposed on the clerks from above. Very likely it came into use slowly while the most senior clerks continued to follow their own linguistic preferences until their retirement or death. Of particular interest is the role played by

<sup>71</sup> Quoted in Wilkinson, *Chancery Under Edward III*, p. 74, in reference to those qualities sought by the Chancery Examiners, senior clerks who inspected the work produced by other clerks and approved it for issue.

<sup>72</sup> The best brief summary of Chancery organization is V. H. Galbraith, *An Introduction to the Use of Public Records* (Oxford, 1934), pp. 15–34. Also useful is Wilkinson, “The Chancery,” in *The English Government at Work*, ed. James F. Willard and William A. Morris, Mediaeval Academy of America Publications 37 (Cambridge, Mass., 1940), 1:162–205.

John Franke, who was Clerk of Parliament (1414–1423), a receiver of parliamentary petitions (1414–1436), and Keeper of the Rolls (1423–1438). We know all too little about Franke's influence.<sup>73</sup>

A third factor which may have facilitated the spread of Chancery Standard throughout the Chancery and perhaps to the attorneys and lawyers in London and Westminster was the training program within the Chancery for younger clerks just beginning their work in the Chancery structure. Because of the living arrangements of fifteenth-century clerks, noted by T. F. Tout,<sup>74</sup> this training program expanded and included law students and others not affiliated with the Chancery, although much against the desires and prohibitions of the chancellor. While the apprentice system remained the basis of all training, the evidence seems to point to an organized Chancery training system at the heart of a much looser, more informal system which incorporated non-Chancery personnel.

The most important piece of contemporary evidence we have for a Chancery "school" comes from the *Ordinaciones cancellarie*:

Item, quod cursiste predicti, et omnes alii clerici qui dicte Cancellarie, propter doctrinam et scripturam, adherere voluerint, extra hospicium prefati Custodis Rotulorum, vel alicujus clerici de prima vel secunda forma, comorantes, uno vel diversis hospiciis honestis ad invicem morentur, et non inter apprenticios legis, attornatos aut alios extraneos; nec habeant inter se comorantes attornatos aut clericos aliarum placearum . . . etc.<sup>75</sup>

(The said cursitors and all other clerks who may wish to belong to the said Chancery for learning and writing [and who are] dwelling outside of the household of the said Keeper of the Roll or [the household] of any clerk of the first or second form, should live either alone or in various households of good repute, and not among apprentices to the law, attorneys, or other outsiders; nor should they have dwelling among them attorneys or clerks from other places . . . etc.)

The obvious purpose behind this passage is to keep out the groups of young men who flocked to the *hospicia cancellarie* in the western suburb of London to pick up legal training without having any real intention of ever joining the Chancery.<sup>76</sup> Knowledge of writs was the common bond between lawyers and Chancery clerks (who were attorneys themselves, of course), and there were few better places to learn than at the *hospicia*. After a while the two occupations separated, the more wealthy students continuing on as practicing attorneys, the clerks drudging away in the Chancery hierarchy. The senior Chancery personnel obviously felt that having these *extraneos* around was

<sup>73</sup> His career is described in A. F. Pollard, "Fifteenth Century Clerks of Parliament," *Bulletin of the Institute of Historical Research* 15 (1938), 142–44. His will, in Latin, is in E. F. Jacob, ed., *The Register of Henry Chichele*, pp. 591–95. A biographical study of Henry V's Chancery clerks is in progress.

<sup>74</sup> Tout, "The Household of the Chancery and Its Disintegration," pp. 46–85.

<sup>75</sup> Quoted in Wilkinson, *Chancery Under Edward III*, p. 220.

<sup>76</sup> Tout, "Household," pp. 76–80; Fisher, p. 892.

detrimental to the dignity of the Chancery and the sense of unity of the clerks. The ordinance was unsuccessful, and within two generations the “inns of chancery” had come to be concerned largely with preparation for a legal career.<sup>77</sup> The point here is that there appears to have been some institution slightly more regular than an apprentice system in existence. The fledgling lawyers would probably not have sought out cursitors and mere copyists from whom to learn, but would have chosen someone who could teach them the *doctrina* as well as the *scriptura*. Given the facts of life at the time, it is not unlikely that the law students banded together and paid Chancery clerks, probably those living in the *hospicia*, to teach them the elements of the system of writs.

A second piece of evidence, this time more specific, was pointed out by Tout. It seems that as early as 1350 John Tamworth, first clerk of the crown, was being paid for training new clerks in the wake of the Black Death. The grant of additional pay to Tamworth seems to imply that this procedure is something unusual and that he was forced to go to unexpected expenditure to maintain these clerks. It is entirely possible that Tamworth was only training his own workers. Tout, however, argued that “it is easier to believe that he was keeping a school for would-be chancery clerks whom he had to support until fit to enter upon their work.”<sup>78</sup> Considering the evidence, this does not seem to be an unwarranted assumption. In any case, Tamworth went ahead and purchased a goodly amount of property around Chancery Lane, including New Inn in 1368. Tout also uncovered evidence that Tamworth’s successor as clerk of the crown, Geoffrey Martin, continued to train clerks, at least up until his pension went into arrears in the 1380s. To date, however, no one has seen fit to follow Tout’s lead and investigate the nature of Tamworth’s school, and any final judgment as to its makeup or purpose must be withheld.

Part of Tout’s assumption is supported by a letter from much later, entitled “Orders explained by Mr. Crooke, 1554, upon the Estate of the Chancery Courte.” Normally, anything stemming from such a late date would be suspect. Mr. Crooke, however, appears to have done quite a bit of research, for most of his observations are in accordance with what we know to have been Chancery practice in the fourteenth and fifteenth centuries. Furthermore, it is reasonable to suppose that he had access to documents now lost, not to mention unwritten tradition. Crooke concludes:

Theis bene all the officer and ministers that of old tyme did use [to wri]te to the Greate Seale saveinge that the Clarke of the Crown the six clarkes and the clarkes

<sup>77</sup> Tout, “Household,” pp. 76–81. The origin of the later “inns” is disputed.

<sup>78</sup> Tout, “Household,” p. 74. Elijah Williams, *Early Holborn and the Legal Quarters of London*, 2 vols. (London, 1927), vol. 1, sec. 22, describes Tamworth’s career and his involvement in both legal and Chancery training. Williams also prints a grant from the Hustings Rolls (2, sec. 1262) in which Tamworth received an inn on “Chauncelereslane,” very near the Chancery headquarters, the *Domus Conversorum*.



of the peggybagge were never stinted to any nombre of clarks for 2 causes One was for and in considerac'on of bringing up of youth and the other more speciall for the redy dispatch of the kings busines and his subjects.<sup>79</sup>

Although this interesting passage brings up more questions than it answers, it nevertheless reveals that the clerks of the crown, the clerks of the petty bag (clerks of the second form), and the others were indeed involved in a training program, the “bringing up of youth.” Had the passage said that they were never stinted *money*, it might be suggested that these clerks were responsible for the food and lodging of younger clerks. The fact that they were not stinted “clarks” can mean little else in this particular context than that they were involved in some type of training program. Whether or not these “clarks” were the youths themselves or teachers of those youths is a tantalizing question which cannot be answered at present. Nevertheless, as nearly as I can determine, only two important clerks of Henry V's reign had a university education, which we might reasonably conclude would make them desirable as teachers: Richard Sturgeon, a clerk of the crown, and Nicholas Wymbyssh, a clerk of the petty bag.<sup>80</sup>

Finally, if all other evidence of a Chancery school were lacking, we could still hypothesize its existence by a process of elimination, or, more directly, by common sense. The type of knowledge required for work in the Chancery — knowledge of writs, of forms, of administrative procedure, of government protocol — could be learned at no place but the Chancery itself. No doubt a little of this could be picked up at one of the universities, but university graduates were apparently not interested in a Chancery career. Certain attorneys who had previous training could have been absorbed into the Chancery and could have provided it with a ready pool of workers who needed little training, but there is no evidence that this happened. Few clerks appear in any official records outside of those of the church before they join the Chancery, and while this is not conclusive evidence in itself, it is likely that most clerks entered the Chancery as young men and received all of their education at the hands of senior clerks. A clerk not only needed a background in law, but also was required to know the standard Chancery hand, abbreviations, and a host of other departmental procedures, none of which could be learned without years of practice on the job. Chancery English was only one of a myriad of standardized procedures, but in many

<sup>79</sup> Sanders, *Orders of the High Court of Chancery*, 1:10–11.

<sup>80</sup> Sturgeon, an Oxford graduate, was the only regular clerk of the first or second forms who was almost certainly a university graduate (Emden, *Oxford*, 3:1810), although the notary, a clerk of the first form who was called to the Chancery as a diplomat and legal authority, was usually a Doctor of Civil or Canon Law. The notaries (Ralph Grenehurst, John Hovingham, and possibly John Stokes in Henry V's reign) played no part in the secretariat side of the Chancery. Wymbyssh (identified as a clerk of the petty bag in Chancery Warrant C81/1364/47) was listed by Emden as a graduate (*Oxford*, 3:2120–21), but the evidence presented there is by no means conclusive since it cites Wymbyssh primarily as a patron beginning in 1430. Emden also lists John Franke as a “doubtful” graduate (*Oxford*, 2:721), but has very slight supporting evidence.



ways it is the most important inferential evidence of a concentrated training program within the Chancery, as it was an artificial form (at least to the Chancery clerks, most of whom seem to have been Northerners) and could be learned only where it was used.<sup>81</sup>

Thus far, the evidence points to two conclusions: (1) that some type of training program existed within the Chancery by 1413, and (2) that this training program was probably entrusted to or supervised by some of the clerks of the second form, particularly the clerks of the crown. What we know very little about, unfortunately, is the nature and organization of the training.

The safest hypothesis is that this training involved "some sort of apprenticeship system, such as was the only method of instruction followed in the middle ages."<sup>82</sup> In other words, the clerks were trained "on the job." But where was "the job"? What we would now consider to have been the "offices" of Chancery consisted of three main places: a corner of Westminster Hall where business was transacted by the chancellor and his subordinates (eventually in White Hall), an office next door for the Hanaper, and the *Domus Conversorum*, a building intended for the maintenance of converted Jews but long used as Chancery headquarters.<sup>83</sup> If we consider these three locations, two must be found unsuited for any type of training whatsoever. The marble table at Westminster and the Hanaper office were too crowded, too public, and too dignified to be filled with young clerks earnestly trying to acquire the skills of their trade. The Chancery was on display when working at Westminster, and it is unlikely that anyone other than the senior clerks and a few assistants attended these sessions.

Some junior clerks were probably trained at the *Domus Conversorum*, where they would have the benefit of working directly under one or more of the clerks of the first form and where the rolls and formularies maintained there could serve as textbooks. The *Domus* would have had a further advantage to the clerks of the crown, the Six Clerks, and the clerks of the petty bag, who, as the evidence presented by Tout and Sanders indicates, were directly involved in the "bringing up of youth." The clerks of the petty bag and the Six Clerks had numerous individual duties, but both groups shared the duty of engrossing documents on the rolls and both were appointed directly by the Keeper of the Rolls.<sup>84</sup> They were, in other words, the records maintenance staff of the Chancery. Besides merely copying documents, the younger clerks could have been trained in part by searching through the old rolls to confirm charters and letters patent. However, these young clerks trained at the *Domus* must have been a fortunate few, since the most impor-

<sup>81</sup> M. L. Samuels, "Some Applications of Middle English Dialectology," p. 413, argues that Chancery English reflected current London dialect.

<sup>82</sup> Tout, "Household," p. 75.

<sup>83</sup> Tout, "Household," pp. 58–59.

<sup>84</sup> Wilkinson, *Chancery Under Edward III*, pp. 84–86; Maxwell-Lyte, *The Great Seal*, p. 272; Wilkinson, "The Chancery," p. 168.

tant administrative office in the land would have little enough room for the inexperienced.

There is a certain amount of evidence which suggests that at least some of the training went on at the clerks' lodgings, the *hospicia cancellarie*. Tout demonstrates that by 1413 the old ideal of the *hospicium cancellarie* had largely passed.<sup>85</sup> While it is certain that at one time the greater clerks had lived a more or less collegiate life, by the fifteenth century there appear to have been great variations in the living arrangements of all grades of clerks. The *Ordinaciones cancellarie* devote an inordinate amount of space to describing proper lodging for each grade of clerk, evidently intending to rectify certain abuses which had arisen as the clerks became increasingly wealthy and, consequently, increasingly likely to seek either private lodgings or lodgings over which they acted as landlord. The *Ordinaciones* attempt to ensure that the hierarchy of Chancery authority is maintained even in what we now consider "private life." Greater clerks are forbidden to take lodgings in homes owned or leased by their inferiors; lesser clerks, however, may lodge in homes run by greater ones. There is no restriction otherwise on where a clerk may live, provided the place be respectable, and no rule requiring entire grades of clerk to live together. As noted above, the *Ordinaciones* specifically prohibit clerks from living "inter apprenticios legis, attornatos aut alios extraneos; nec habeant inter se cormorantes attornatos aut clericos aliarum placearum." Apparently, by 1415 the *hospicia* contained a miscellaneous assortment of clerks and students bound together by one common interest: the law.

A close study of the existing records pertaining to the clerks' living arrangements might reveal the extent to which individual clerks maintained *hospicia*. Individual entries in the records are often highly suggestive, as in this one from the Close Rolls of 1440:

Brother Peter Bisshop prior of the house of friars of the order of the Holy Cross by the Tower of London and the convent to Thomas Haseley esquire, clerk of the crown and brother of their chapter. Demise with warranty for his life and one year longer, without rendering ought to them or their successors save at his free will, of a small hall made the "Prioures halle," a chamber called the "Prioures chambre" with a cellar below the hall, a small low parlour near the said cellar, four chambers attached to the said hall on divers sides, and a garden thereto attached with a stable or diversory within the close of the house, with free ingress and egress for him and all his servants, friends and others, and for their needful carriage whatsoever, granting that they may freely prepare victuals for them and theirs in the convent kitchen when they please at the cost of the grantee in fuel etc. Dated the chapter house, 6 June 1440, 18 Henry VI.<sup>86</sup>

Since Haseley, as a clerk of the crown, may have been involved in training young clerks, we can easily suspect that the "servants, friends, and others"

<sup>85</sup> Tout, "Household," pp. 46–72, 82–85, is the best summary.

<sup>86</sup> *Calendar of Close Rolls*, 1435–41, pp. 371–72.

included clerks to whom he was introducing the complexities of Chancery writs and forms and that the hall was leased specifically for this purpose. Unfortunately, the internal affairs of the *hospicia* are but imperfectly understood, and the relative importance of such entries can only be understood when all of the pertinent records are systematically studied.

We can scarcely doubt that the *hospicia* were serving as a type of school for both Chancery clerks and law students, although the evidence for this is entirely inferential. Both Chancery clerks and law students were required to understand the English writ system, the common interest between the two groups. The communal life which the *hospicia* offered would have been ideal for the very type of tutorial system which the universities offered and would have provided a second income for a Chancery clerk or attorney who was willing to serve as a tutor. A puzzling passage in the *Ordinaciones* requires that "omnes clerici clericorum de prima et secunda forma, ac eciam illorum cursistarum qui ad habendos clericos licentiati fuerunt . . . jurentur quod ipsi omnia et singula brevia sub nominibus magistrorum suorum facienda manibus propriis scribant."<sup>87</sup> If, as Wilkinson suggests, this rule implies that clerks were preparing writs away from work and bringing them in later,<sup>88</sup> then it is possible that some of them might have been prepared by students in the *hospicia* under the supervision of a clerk who was serving as a tutor. This system would be beneficial to all concerned: the student would develop his knowledge of writs, while the tutor would not only be paid but have some of his own office work done for him in the bargain. This theory is supported by the development of the inns of Chancery out of the older *hospicia*, but the early history of the inns is very poorly understood even after two hundred years of study by legal historians. Further investigations may reveal more about this training program, which is important in the history of English only during and after the reign of Henry VI, though to what extent it is too early in our research to say. What should be evident is that an amorphous but well-developed system existed by the early fifteenth century which would allow Chancery Standard to be transmitted not only to beginning Chancery clerks but also throughout the London legal profession, thereby establishing Chancery Standard as a language of law in England.

Equally evident is the importance of Henry V's reign in the history of the language. The various economic, social, and political pressures which made the adoption of the vernacular by English officialdom inevitable reached their highest level when the French war was revived by the king, who in turn responded to these pressures by personally opening the floodgates of English slightly. That English was used by the Chancery less in his reign than in the next may only be the result of his early death and not of any planned limitation of it by the king. By 1422 a form of standardized English had been used for at least five years by the Signet Office, and the Chancery, a large

<sup>87</sup> Wilkinson, *Chancery Under Edward III*, p. 222.

<sup>88</sup> Wilkinson, "The Chancery," pp. 168-69.

and efficient organ of the government, was prepared to use it in its own documents. Equally important, Englishmen caught up in the practical affairs of their time, whether Chancery clerks or London Brewers, were at last willing to concede, or perhaps to accept as an act of faith, that English could be a precise and useful language in business and law. The next half century witnessed the ensuing explosion of vernacular prose, so unwittingly prepared for by an ambitious king and his secretaries.

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