

MEDIEVAL LAWYER

Clement Spice of Essex

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Cover illustration. *Detail of a historiated initial 'F' showing three men standing before a lawyer.*
By kind permission of the British Library, Royal 6 E VII, f. 134v

For my wife

The Man of Lawe

...Discreet he was, and of greet reverence:
He semed swich, his wordes weren so wyse.
Justyce he was ful often in assyse,
By patente, and by pleyn commissioun;
For his science, and for his heigh renoun
Of fees and robes hadde he many oon.
So greet a purchasour was no-wher noon.
Al was fee simple to him in effect,
His purchasing mighte nat been infect.
No-wher so bisy a man as he ther nas,
And yet he semed bisier than he was.
In termes hadde he caas and domes alle,
That from the tyme of king William were falle.
Thereto he coude endyte, and make a thing,
Ther coude no wight pinche at his wryting;
And every statut coude he pleyn by rote...

Chaucer: *Prologue to the Canterbury Tales*

First, That in every County of England shall be assigned for the keeping of the Peace, one Lord, and with him three or four of the most worthy in the County, with some learned in the Law, and they shall have Power to restrain the Offenders, Rioters, and all other Barators, and to pursue, arrest, take, and chastise them according to their Trespass or Offence; and to cause them to be imprisoned and duly punished according to the Law and Customs of the Realm, and according to that which to them shall seem best to do by their Discretions and good Advisement; ... and to take and arrest all those that they may find by Indictment, or by Suspicion, and to put them in Prison; and to take of all of them that be not of good Fame, where they shall be found, sufficient Surety and Mainprise of their good Behaviour towards the King and his People, and the other duly to punish; to the Intent that the People be not by such Rioters or Rebels troubled nor endamaged, nor the Peace blemished, nor Merchants nor other passing by the Highways of the Realm disturbed, nor put in the Peril which may happen of such Offenders...

Justices of the Peace Act, 1361

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My thanks also to my wife for her help and encouragement in the completion of *Medieval Lawyer*; I am sure that by now she knows Clement Spice as well as I do.

Christopher Starr 2014

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INTRODUCTION

This biographical monograph about Clement Spice is perhaps the first of a fourteenth-century Essex lawyer (Plate 1).¹ Its purpose is to illustrate the permeability of the ranks of the gentry during his lifetime and to illuminate the life and career of a lawyer working principally in the county of Essex. It will be shown how a man of obscure and humble origins could make his way by means of a deft combination of professional ability, patronage and a fortuitous marriage, perhaps also fired by a burning ambition to succeed. By these means he would reach the upper ranks of society in a county which was probably not the place of his birth. We should, of course, bear in mind that the concept of 'the gentry' did not yet exist in Clement's time (it was a much later construct). But then, as now, everyone knew a 'proper gentleman' when they met one, and the term 'gentry' will be used in the following study.

Wealth was the principal key to advancement in fourteenth-century gentry society, just as it is in the present day. With money (and the land and status it would purchase) a man of lowly origin could rise to gentry status and acquire sufficient 'worship' to style himself esquire or perhaps even aspire to knighthood. When Clement Spice died *c.*1420, a new (and lower) rank of 'gentleman' had been established by statute, and men could more easily reach this rank than attain the status of knight or esquire. Lawyers were renowned for their ability to climb the ladder of social advancement and by the year 1400 there were many of them among the Essex gentry.

Gentry lawyers originated from two main groups in society: those who were gentry born and those who acquired gentry status through advancement as a result of their professional competence and acquired wealth. What all these men (for there were no women lawyers in the medieval period) had in common was their connection with London and the royal courts as professional lawyers. Clement Spice was at best a parvenu or at worst an upstart as far as the established gentry was concerned, but he gave his descendants the advantage of gentle birth and

a substantial patrimony with which to start their lives. Despite this, none of his descendants ascended further than he did in the gentry hierarchy; neither did they desert the county of their birth. When his male descendants died out after four generations, Clement's female descendants carried on his line. As for his personal longevity, this was truly remarkable as he appears to have lived beyond his eighty-fifth year.

Clement Spice was born in Suffolk (albeit close to the Essex border) whose principal practice was, at least at the beginning of his career, in London but whose professional and personal interests gradually shifted to Essex. Clement was almost certainly of sub-gentry stock (his father appears at best to have been a wealthy peasant). He had, by the last quarter of the fourteenth century, not only entered the ranks of the Essex gentry, but had joined some of its many networks through a combination of clientage, patronage, adherence to powerful royal and magnate affinities, partnership with other lawyers, marriage, kinship, friendship and office-holding. Reluctant though the established members of the gentry may have been to accept a parvenu, Clement Spice became a member of the exclusive group which comprised the richest and most powerful county gentry in Essex, who, together with the resident magnates (de Vere, Fitzwalter, Bouchier and Bohun), dominated the political, economic and social life of the county in the fourteenth century. Because his father was a freeman, Clement did not have to endure the taunts suffered by Judge William Paston when he had made his way in the legal profession, that he was the son of a serf. His father's free status would have been crucial to Clement's early acceptance in gentry society.

In the absence of similar studies of other Essex lawyers of the fourteenth century, it is difficult to make valid comparisons between Clement Spice and his peers so as to judge how typical he was of them. It should also be noted that it has not been possible to conduct an extensive search of the records of the principal law courts in London for the purposes of this study, a task that awaits future scholars.



Figure 1. Map showing places associated with Clement Spice.

BACKGROUND

Medieval Essex was the surviving core and heartland of what had been the kingdom of the East Saxons and was defined by boundaries which have changed little to the present day. These boundaries include the river Stour to the north, the Thames to the south, the Lea and the Stort to the west and the sea to the east.

Occupying some 400,000 hectares, medieval Essex was similar in size to the counties of Kent, Hampshire and Somerset. Much of the countryside was virtually indistinguishable from the borderlands of Suffolk, Hertfordshire and Cambridgeshire which together formed a *pays* or continuous countryside that ignored administrative man-made boundaries. For administrative purposes, the county was divided into 19 hundreds and half-hundreds and one Royal Liberty which were themselves divided into some 400 parishes. In each parish were one or more manors, and altogether there were some 1400 manors or reputed manors in the county of Essex.

During the hundred years which followed Clement Spice's birth c.1330 there were two distinct groups of lawyers in the county where he chose to live – Essex. One group, that which included Clement, comprised men of obscure or even lowly origin who attained gentry status largely on the strength of their professional success. The other group, comprised those who were born into the gentry and who subsequently adopted the law as a profession.²

All these men acquired most of their training in London at a time when the law had only recently emerged as a profession. Self-made lawyers who clawed their way up from the lower levels of society and insinuated themselves into gentry society (where they appear to have been accepted on account of their usefulness as legal experts) were soon assimilated. Before long they used their wealth to acquire 'worship', signified as a rule by manorial lordship, advantageous marriages (usually to heiresses) and their usefulness to other members of the gentry as feoffees, stewards of manorial estates,

men of business, executors, bankers, councillors and indeed, perhaps as friends. They would, no doubt, also be appreciated for sharing the burden of office-holding in the county, taking their turn as escheators, commissioners, justices of the peace, coroners and tax officials. If they were particularly successful they might also take their turn as sheriff or knight of the shire. Crucially, lawyers were also members of aristocratic affinities, sometimes more than one at a time. Their function in this role was similar to that of legal expert among their fellow gentry. Self-made men who appear to have risen from the sub-gentry of Essex were Richard Alrede of Boreham,³ Sir Peter Arderne of Latton,⁴ Richard Fox of Arkesden,⁵ Thomas Rolfe of Gosfield,⁶ William Skrene of Roxwell,⁷ Walter Writtle⁸ and Clement Spice himself. It is significant that almost all these men were migrants from outside of Essex.

Gentry-born lawyers – probably all of whom were born in the county on manors belonging to their families – include Richard Baynard of Messing,⁹ John Doreward of Bocking,¹⁰ William Hanningfield of East Hanningfield,¹¹ Robert Rikedon of Witham,¹² Sir Thomas Tyrell¹³ and his nephew Sir John Tyrell,¹⁴ both of East Horndon. These men, born into networks of kinship and association would doubtless have felt more at ease in gentry society than the parvenus, and they generally attained high office in the county and in London through their early entry into aristocratic affinities. John Doreward and Sir John Tyrell were distinguished members of parliament and both attained the office of speaker of the Commons. Had not Sir John Tyrell died at a comparatively early age it is possible that he may have risen to the higher nobility on account of his wealth and royal connections.

The defining characteristics of the group of self-made lawyers (which they shared to some extent with gentry-born lawyers) was that once they had successfully established themselves in their profession, they invested their acquired wealth in Essex manorial property (although in some cases

CHAPTER ONE | Background

manors may have been acquired by marriage). These upwardly mobile men found their clients both in London and in their chosen county of residence. Clement's career also followed this pattern although he maintained a connection with the gentry of Suffolk (the county of his birth) throughout his long life. As part of a noble affinity, or simply as a member of the county community of gentry, networking would have provided lawyers with their clients and business. Working in the law courts, lawyers were geographically well placed to gather intelligence regarding investments in land or business and, most importantly perhaps, about heiresses whom they or their kin could marry.

For the purpose of this study it would be useful to define at this point the three groups which made up the Essex gentry during Clement's lifetime. I have called the elite group among the Essex gentry the principal or regional gentry, those 40 or so knights and esquires who were the richest office-holding landowners in Essex. Their world was not encompassed by the county border and their interests extended to London, Kent, Suffolk,

Hertfordshire and sometimes beyond. Next were the greater or county gentry, some 80 of them held more than one manor and undertook the less important county offices. Their horizons probably did not extend much beyond Essex except for occasional visits to London and perhaps one other county where they may have held land. Finally there were the lesser or parish gentry, proprietors of single manors, whose main focus was their home or immediate neighbourhood. Their numbers are difficult to compute but there were perhaps 150 parish gentry families by 1400. It was in this group that many parvenus found their place in the gentry hierarchy. In total, there were perhaps 250 gentry families resident in medieval Essex.

For the majority of our period there were four or five resident magnates, that is members of the nobility, in the county. The gentry looked to the magnates for financial remuneration, and they sought career advancement (impossible without patronage). Even the most powerful gentry appear to have sought membership of magnate affinities in order to maintain or improve their position.

CHAPTER TWO

ORIGINS

Who then was Clement Spice? Philip Morant, with an uncharacteristic failure to quote his sources, says: 'This Clement Spice was the son of Robert Spice of Bocking'.¹⁵ There is no trace of this Robert in the records of Bocking or elsewhere in Essex. The first real clue to Clement's origins is perhaps the Chancery record in The National Archives which refers to a writ sent to the sheriff of Suffolk (Edmund Thorpe) by John Pyel, mayor of the Westminster Staple following a hearing on 20 October 1360.¹⁶ This refers to a debt (presumably a loan) of £160 owed by Sir Thomas Grey, John Grey, clerk, and Roger Grey, son of Sir Thomas, to 'Clement Spice of Suffolk'. Clement would then have been aged about thirty and beginning his career as a lawyer, being 'of Suffolk' probably indicating that he had yet to acquire property in Essex and settle there.

The weight of this, and other more circumstantial evidence, points to a Suffolk origin for Clement Spice (and a date of birth *c.*1330). There is no record of the date or place of his birth but there are a number of references to the Spice family living on the Suffolk side of the river Stour which separates the county from Essex.¹⁷ The name Spice or le Spicer seems to suggest a mercantile origin for the family but there is no indication that his immediate ancestors were engaged in trade. Clement is usually referred to as Clement Spice but there are occasional references to him as Clement Spicer.¹⁸ In spite of his eventual wealth and his choice of domicile in Essex, Clement never lost touch with his Suffolk origins; indeed he maintained contact for many years with members of the Suffolk gentry's families who had probably assisted him during his early years as a lawyer.

The most important of Clement's gentry contacts in Suffolk were undoubtedly the Cavendish family, most of whom were either born in, or had connections with, the village of Cavendish near Sudbury in Suffolk.¹⁹ Some of the family evidently migrated to London a generation or two before Clement was born, probably to take up apprenticeships with London craftsmen. In view

of subsequent events (and the lack of evidence for stronger candidates for this role) it appears that Clement's parents were the William and Alice Spice who in 1327 sued out a fine in the Court of Common Pleas regarding land in Great Wenham, Suffolk.²⁰ This transaction concerning jointly held land may have occurred at the time of their marriage and as such accords with a date of birth of *c.*1330 for Clement.

Clement named his eldest (surviving) son not after himself, but after his father William Spice. The Spice family was already of some consequence in Wenham (records do not necessarily distinguish between Great and Little Wenham so perhaps we should not do so either) for in 1327, the same year that his claim was heard in the Court of Common Pleas, William Spice was one of two freemen responsible for collecting the Subsidy, a tax on moveables, in the township.²¹ The Spice family was clearly (and most importantly) by that date, of free and not servile status (but for how many generations it had been free is not known). They were, however, considerably below the status of Wenham's sole resident (and long established) gentry family, the Holbrookes of Little Wenham Hall.²² No other member of the Spice family is recorded as paying the Subsidy in Suffolk in 1327.

Mark Bailey has shown that in Suffolk in the early fourteenth century 'areas where small manors proliferated, held by low-status landlords and characterized by free tenures, are deemed to possess a 'weak' manorial structure... Regions of weak manorialism often exhibit more symptoms of social and economic individualism, and higher levels of economic development, than those which were strongly manorialized'.²³ Clement's father was probably a free tenant on a manor where villein tenures and villeins were largely non-existent, and this probably accounts for his free rather than servile status.

If Clement was indeed born in Wenham he was almost certainly baptised on the day of his birth (as was the custom) in Great or Little Wenham church

CHAPTER TWO | Origins

(Plates 2–5). The medieval font at Great Wenham church has been replaced by a Victorian font but at Little Wenham the plain fourteenth-century font in which Clement may have been baptised, was thrown out of the church and broken up some time between 1807 and 1828; it was repaired and restored to the church in 1903 (Plate 7).²⁴ At the time of Clement's

birth c.1330 the manor of Little Wenham was held by William Holbrooke, son of Edmund Holbrooke; William died c.1346 and the manor subsequently passed to the Debenham family.²⁵ The manor was held c.1369 by Gilbert Debenham, a lawyer whose clients included the Prince of Wales, the earl of Suffolk and Sir John Wingfield.²⁶



Plate 1. Detail of a historiated initial 'F' showing three men standing before a lawyer. By kind permission of the British Library, Royal 6 EVII, f. 134v.



Plate 2. Great Wenham, St John.

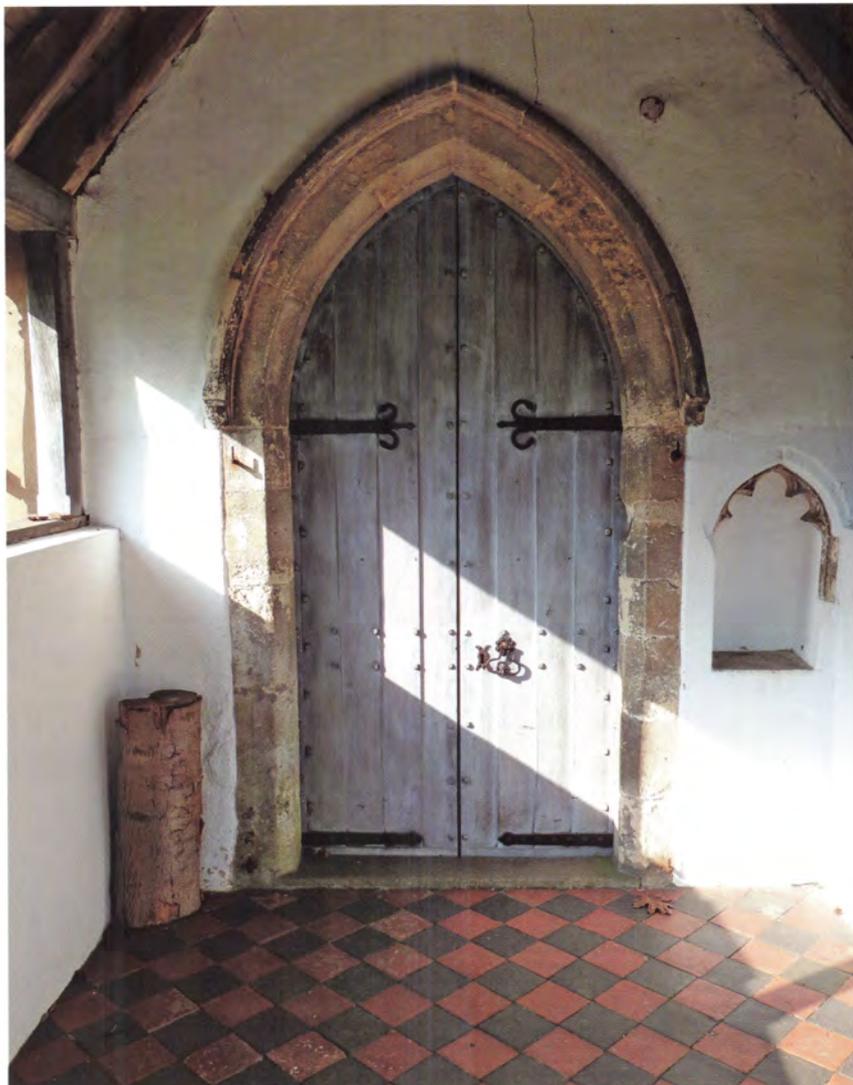


Plate 3. Great Wenham, St John: the south doorway.

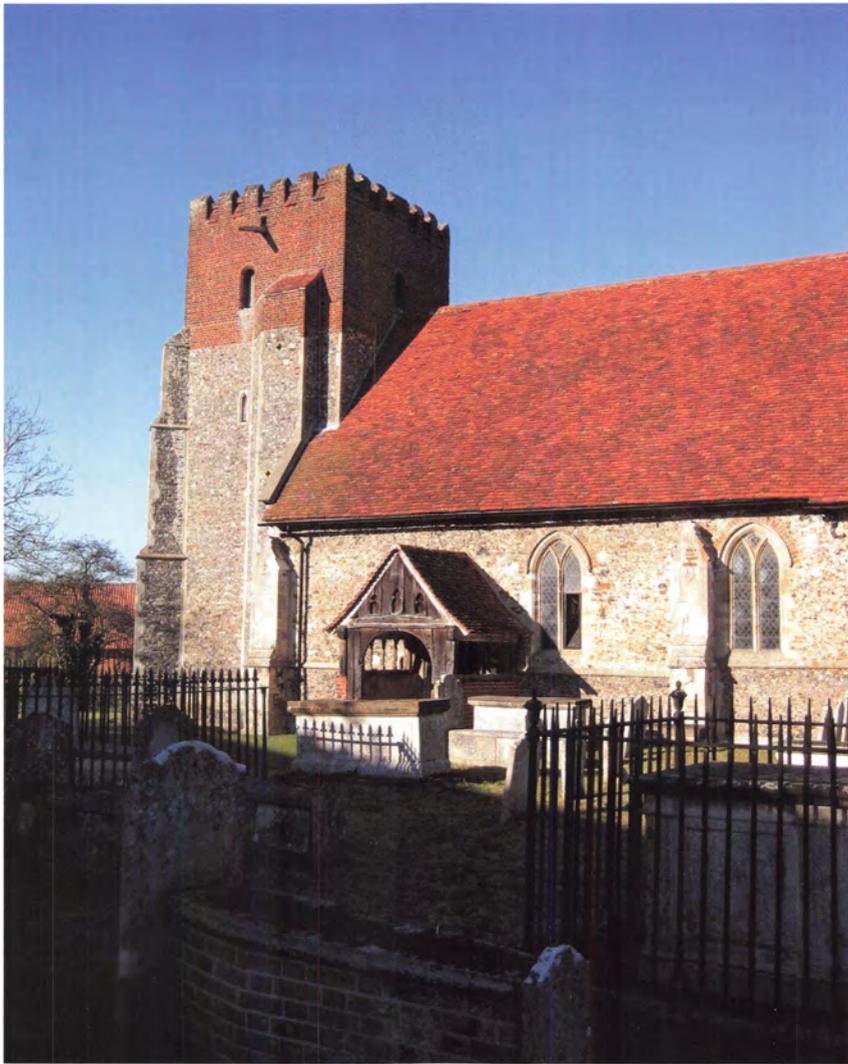


Plate 4. Little Wenham, All Saints.



Plate 5. Little Wenham, All Saints: the chancel.



Plate 6. Little Wenham, All Saints: the tomb of Gilbert Debenham died c.1369.



Plate 7. Little Wenham, All Saints: the font.



Plate 8. Bocking, St Mary.



Plate 9. Bocking Hall.



Plate 10. Jenkins Manor, Stisted.



Plate 11. Stisted Mill.

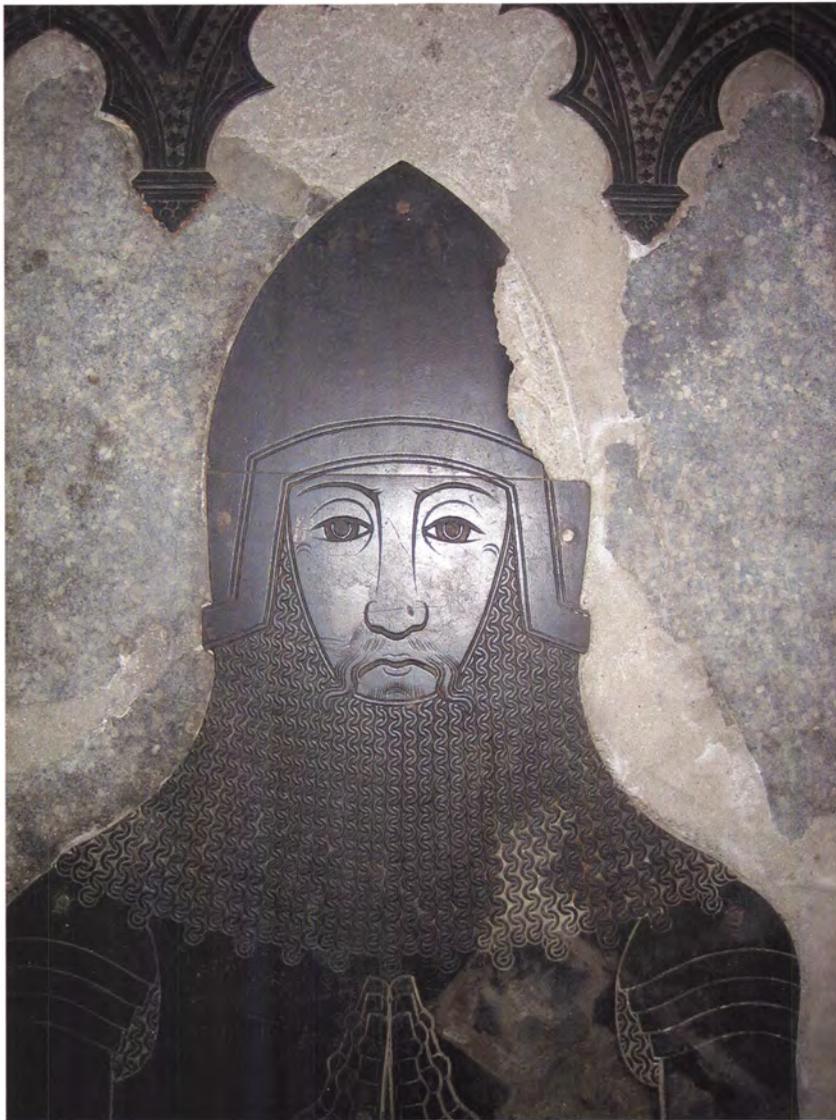


Plate 12. Monumental brass to Sir Robert Swinburne, Little Horkesley.



Plate 13. Woolverstone, St Michael.



Plate 14. Willingale Spain, St Andrew.

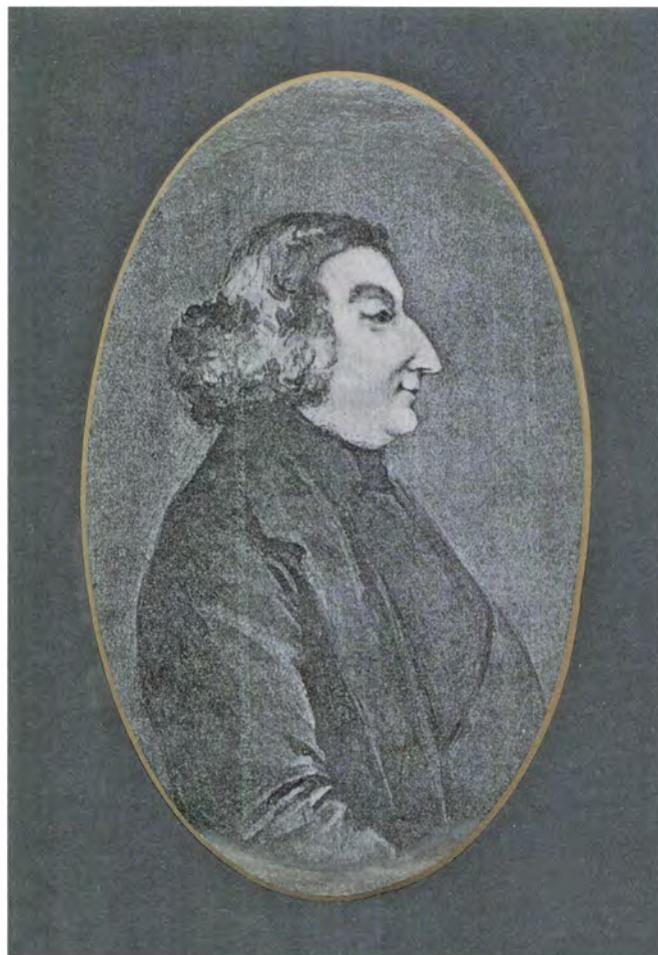


Plate 15. The Revd Philip Morant, Essex historian.

EARLY CAREER

There are few clues as to the course of Clement's early life. At some stage however, perhaps after rudimentary schooling in his parish church, or with the Holbrooke family, or even with a local religious foundation, Clement made his way to London to learn the law.²⁷ It is likely that he would have had a patron or mentor to achieve this move. Perhaps, like William Paston almost a century later, whose peasant father Clement Paston 'scrimped, saved and borrowed to send his son to school', Clement Spice had a relative like Paston's well-to-do uncle Geoffrey Somerton who helped 'with the cost of sending William to London to train as a lawyer.'²⁸ If it was not a relative, there are other possible candidates for the role of Clement's patron. The first would be the lord of the manor Gilbert Debenham, a lawyer whose clients included Edward of Woodstock, the Black Prince. It may not have been a coincidence that Clement was himself later retained by the prince as his lawyer. The large tomb recess in the south wall of the nave of All Saints church, Little Wenham may commemorate Clement's possible benefactor, Gilbert Debenham who died *c.*1369 (Plate 6).²⁹

The second possibility is that the Cavendish family provided Clement's patronage. The future Chief Justice of England, Sir John Cavendish (born *c.*1325) had connections with the village of Cavendish, some eight miles from Great Wenham. Cavendish's origins are not known but he or his father appear to have taken their name from the eponymous village in Suffolk where as early as 1226, a Robert, son of Simon Cavendish, was quarrelling over six acres of land there. In 1358 John Cavendish purchased the manor of Overhall in Cavendish which was eventually established as the family seat.³⁰ It is also possible that Clement received help from the mercantile branch of the Cavendish family which had been established in London for a generation or two.

Critically for the Clement Spice story, Sir John Cavendish was retained by Edward of Woodstock at £5 per annum in 1361 whilst he was an apprentice of the law, shortly before he was appointed sergeant

in 1362.³¹ By 1372 John Cavendish was Chief Justice of the King's Bench and had been knighted. It may also have been significant that Cavendish was one of the guardians of Humphrey de Bohun.³² The evidence for a link between Clement Spice and Sir John Cavendish is at best circumstantial: he was clearly in a position to help the bright young man from Suffolk – but did he have a motive for doing so? It is possible that Clement actually worked for John Cavendish before branching out on his own – the prominent lawyer would have needed the equivalent of articled clerks or pupils in his London chambers.

If Clement was born *c.*1330 he may have begun his training in London *c.*1348 either just before, or just after the arrival of the Black Death in London.³³ The consequences of this event for the Spice family can only be imagined but it appears that his father and at least one of his brothers survived. As to Clement's education as a lawyer we know nothing. Clearly when Clement came to London there may have been an unusually small number of students as a result of plague death and competition for places would thereby have been reduced. Professional attorneys existed in London by *c.*1260, and by 1292 the profession began to be organised and controlled. By 1300 there was a body of men 'who were recognized as having specific professional skills in representing litigants and who spent much of their time and derived much of their income from putting their skills at the disposal of litigants.'³⁴

Clement may have taken up to fifteen years to complete his training during which time he probably lived with fellow students in communal accommodation which would eventually develop into the Inns of Court.³⁵ If Clement was as poor as he seems to have been, he may have survived by acting as a servant to a richer student (it is not improbable that this was John Cavendish). It is otherwise difficult to see how he financed his legal training – unless he had a patron we do not know about. However, we do know, from a petition granted by the king on 2 October 1383, that in 1381 Clement had a 'chamber' in the Temple.³⁶

CHAPTER THREE | Early Career

The eventual division of the legal profession into attorneys and pleaders – roughly equivalent to modern solicitors and barristers (those who pleaded cases before judges were pleaders and those who acted in respect of litigation were attorneys) occurred during the early part of Clement's career, probably whilst he was still a student.³⁷ Clement appears to have been an attorney for most of his career but the situation is complicated by the fact that attorneys could and did act as pleaders on occasion. In general, pleaders were regarded as the 'upper' branch of the profession. As Anthony Musson has pointed out, 'Education in legal matters was not restricted to those who were destined to practise in the central courts. There were many opportunities for people to acquire the knowledge and skills useful for work in county administration, in estate management and in private practice' and it is likely that Clement spent the majority of his career in private practice based in Essex.³⁸

Clement did learn the law, of that there is no doubt. The central law courts were situated in what is now known as Westminster Hall and they consisted of the courts of King's Bench, Chancery, Common Pleas and the Exchequer. Sometimes they were held simultaneously under the same roof, a situation difficult to imagine, and the background noise would no doubt have been considerable. Students sat or stood in the 'crib' (a sort of gallery) where they listened and took notes of the proceedings. Somewhere, perhaps at their lodgings in one of the inns, they would also have received tuition from a qualified lawyer. The actual arrangements for legal education are shadowy and little understood today. It is clear, however, that court proceedings were conducted in French until 1362 when the language changed to English, and all legal records were in Latin.³⁹ We know therefore, that Clement would have had the ability to speak, read and write English (the same English as his almost exact contemporary Geoffrey Chaucer) and French, and to read and write Latin. He may have learned Latin at school but it is likely that he learned French as a law student. The thought that he would one day be a successful man no doubt sustained Clement during his long apprenticeship as a lawyer for, as Helen Castor put it, 'In this profoundly law-minded and litigious society, lawyers would never be short of opportunities to

make money'.⁴⁰ In all probability the kind of work in which Clement would have been engaged at the start of his career would have been what is now described as conveyancing and probate, together with a small amount of general litigation. We do not know whether he worked within a partnership or as an independent lawyer at this stage.

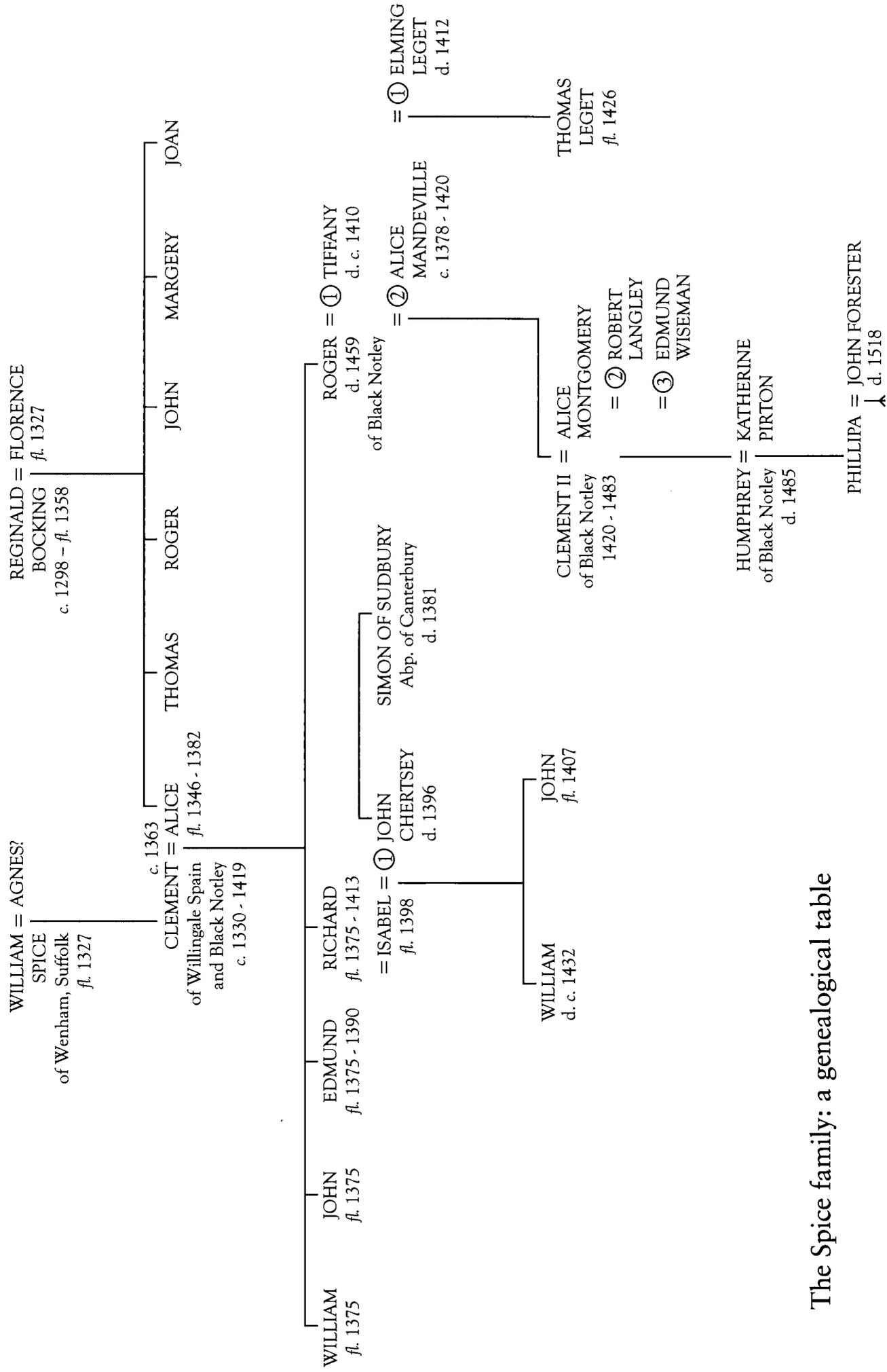
The first recorded mention of Clement Spice is as an advocate on behalf of Margaret, wife of Geoffrey Ruly, a minor gentry landlord in north-east Essex whose family connections were mainly in Finchingfield and Steeple Bumpstead in Essex but also in several Suffolk villages. In 1352 (when Clement was aged perhaps twenty-two and as yet not qualified as a lawyer), he and Geoffrey Ruly sued out a fine in the Court of Common Pleas in respect of two messuages, together with land and a marsh in Ramsey. This process would have secured Ruly's title to the land.⁴¹

Nothing more is known of Clement for six years, by which time he was aged about twenty-eight and possibly fully qualified as a lawyer. On 17 May 1358, he and Martin Cavendish were appointed attorneys for John, son of Richard de la Mere of Waltham Holy Cross, who was about to go overseas.⁴² We have no information about Martin Cavendish but he may well have been a Suffolk man and a kinsman of John Cavendish the lawyer. Martin Cavendish may not have been a lawyer as members of the gentry who were not legally trained were allowed to plead in the courts. In the same year, Clement was a party to the transfer of land in Raydon (a village in Suffolk situated between Hadleigh and the Wenhams) to Thomas Ginmore and his wife.⁴³ Also in 1358, Clement appeared in person in the Court of Common Pleas on behalf of Lady Agnes, wife of Sir Robert Swinburne,⁴⁴ of Little Horkelesley, where he sued out a fine for Lady Agnes and her husband regarding their capital manor of Little Horkelesley and their manor of Wiston, Suffolk which was across the river Stour from Little Horkelesley (Plate 12).⁴⁵ It may have been the Suffolk connection that brought Clement these two important clients and it is perhaps not surprising that the first reference to Clement acquiring property concerns Suffolk rather than Essex. On 24 October 1359 he was assigned (probably by purchase) an annual rent of five pounds per annum in Suffolk.⁴⁶

On 6 October 1361, Sir Robert Swinburne witnessed a document of enfeoffment for Roger Wolfreston and others for land in Wissington, Suffolk.⁴⁷ The fact that Sir Robert was prepared to perform this service suggests that Wolfreston and Sir Robert had been acquainted for some time. A year later, on 24 April 1362, Swinburne acted as Wolfreston's feoffee.⁴⁸ Earlier in 1361, Clement Spice had been formally retained as the attorney and agent in the Common Pleas of the Prince of Wales, at the same time but at a lower rate of pay (forty shillings) than John Cavendish. Clement also received a further twenty shillings for the purchase of a robe 'unless the prince gives him livery of a robe'. Furthermore, he was now able to claim reimbursement (after taking an oath to account faithfully) for expenses incurred 'about the writing of writs and records in the said court'.⁴⁹ In the small world of the law courts Clement Spice and John Cavendish undoubtedly knew each other very well, Clement acting as the prince's solicitor and John Cavendish as the prince's barrister. It is difficult to avoid the conclusion that Clement was introduced to the Prince of Wales either by Cavendish or Gilbert Debenham, although he may also have been recommended by Sir Robert Swinburne. Although his formal appointment as attorney to the Prince of Wales took place in 1361, Clement appears to have been working for him already. As early as 13 September 1359 he was mentioned in the prince's financial accounts when Sir Peter Lacey, clerk and receiver-general to the prince was ordered to search the tallies of the former treasurer regarding a debt

for oats and hay at the suit of 'Clement Spicer'.⁵⁰ On 6 February 1362, when aged about thirty-two, Clement had his appointment as the prince's attorney 'during pleasure' confirmed by letter patent.⁵¹ By this means the justices of the Common Pleas were formally advised that Clement would in future be authorised to 'sue and defend' for the prince 'in all pleas for and against him'. This was unquestionably an important role for the rising lawyer and one which eventually may have done much to assist his acceptance into Essex gentry society.

On 8 May 1363, a William Spice (perhaps Clement's father or brother) acted as attorney for Thomas Engaine, lord of the manor of White Notley.⁵² This suggests that Clement's kinsman may have been rather more than a rich peasant and it is worth noting that William was acting outside of Suffolk, in Essex. In October of the same year Clement Spice and John Rookwood were granted power of attorney for Thomas Rookwood for a year during his absence abroad.⁵³ Clement's co-attorney on this occasion was probably the John Rookwood of Stoke-by-Nayland, Suffolk (born c.1323) who married Sir Robert Swinburne's daughter Joan (whose mother was the Lady Agnes Swinburne who Clement had represented in the Court of Common Pleas in 1358); Thomas Rookwood was John's eldest son.⁵⁴ It is clear that most of Clement's work was undertaken in London rather than Essex at this time but he was gradually building up a client base among the Essex gentry.



The Spice family: a genealogical table

ACQUIRING AN ESTATE AND GENTRY STATUS

The geographical and social world of the Essex gentry was a compact one. The more prosperous families undoubtedly knew each other – indeed they were probably linked by ties of kinship and affinity. They would have met on business in London, at the shire court, the sheriff's tourn or at the sessions; they would have called on one another to witness documents or to accept the responsibility of being a feoffee or executor. Occasionally too, there would have been weddings or funerals to attend (presence at baptisms would have been comparatively rare as these were usually arranged in great haste so that the child could be baptised on the day it was born). None of the principal or greater gentry lived much more than a day's ride from one another in Essex. As for the lesser gentry, their horizons were still narrower – they would have met their own sort at market or perhaps on their occasional visits to Chelmsford, the county town. There would probably have been fewer calls on them to witness documents or to act as feoffee or executor, though no doubt purely social gatherings such as weddings are likely to have been just as frequent.

The gentry were in general terms, the group of middling landowners (lordship over men was almost always a prerequisite for gentry status) initially comprising knights and esquires but later including gentlemen, between the nobility and the yeomanry or richer peasantry. Most of the gentry maintained their lifestyle by means of income from their manor or manors – the sale of produce, rent, fines and so on – but the more powerful, more active gentry were also in receipt of a combination of retaining fees, annuities, corrodies, professional fees and the profits of wardship, trade and war.

The manor, or in some cases the principal manor, was home for the lord, his family and servants; typically Essex manors were moated and about ten percent were imparked. It was lordship and possession of land that gave the gentry their local

influence, their prestige and their power – what they would have called 'worship'. This was augmented by their public lifestyle – as reflected in their ability to display their wealth, endow chantries, build or improve their manor houses, give to the poor, entertain lavishly and associate not only with their equals but also with their betters.

By about 1363 Clement Spice had married Alice, the daughter of Reginald Bocking. The Bocking family seems to have leased the manor of Bocking Hall from the Priory and Convent of the Holy Saviour (Christ Church), Canterbury (Plates 8–9). A certain Henry Bocking released all claim to a new water-mill in Bocking to the Canterbury monks in 1303.⁵⁵ Reginald Bocking (possibly Henry's son) was born *c.*1297, as in 1357 he declared his age to be 60 when sworn in as a juror for an inquisition post mortem.⁵⁶ In addition to his lease of the manor of Bocking Hall, Reginald also held land in Black Notley and White Notley. By means of a fine sued out in 1346, Reginald's land, together with the reversion of land held by Reginald's brother Thomas for life, was settled on Thomas, Reginald's eldest son, his two other sons, Roger and John, together with his daughters Margery, Joan and Alice.⁵⁷ We do not know when Reginald died or how many of his children survived him (the Black Death occurred just two years after the date that the fine was sued out) but if all her brothers were dead at the time of her marriage to Clement, Alice may have inherited a share (with any surviving sisters) of her father's estate.

The small manor of Jenkins in Stisted, which had much of its demesne land in the parish of Bocking had been held by John Bocking, probably Reginald's surviving son when in *c.*1370 it was divided between his female heirs, one of whom was Alice Spice, Reginald's daughter. On 10 October 1371 Clement Spice purchased a quarter share of Jenkins Manor (a further quarter share of which he already held in right of his wife Alice),

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from John Bocking's heirs (Plates 10–11). In 1373 he purchased another quarter share from John's feoffees and in 1375 the remaining quarter. In 1397, having gradually acquired ownership of the entire manor of Jenkins, Clement sold the estate to Robert Sewale of Coggeshall to whom he had already sold Stisted mill in 1372.⁵⁸ Although it is possible that Jenkins Manor was Clement's first home in Essex, we simply do not know where he lived after his marriage. Several lawyers who settled in Essex chose a location in the south of the county in order to have easy access to the central courts in Westminster. Part of the manor house at Jenkins (now Jenkins Farm), including the central hall and solar survive from the fourteenth century, but the house has been much altered.

By marrying into a minor gentry family in the county, Clement would have perhaps secured a toehold in Essex gentry society. It would certainly have helped legitimise his children's claims to gentry status at a later date. A fine sued out in the Court of Common Pleas in 1363 appears to have been a device to place Clement's then estate in the hands of trustees in order to ensure the transmission of his property in case he died young. What is remarkable however is the *extent* of Clement's estate in 1363 and the open question as to how he had acquired it. Some of it may have been his wife's inheritance but that portion of the estate cannot be clearly identified. The estate is described as consisting of two messuages, one mill (perhaps the mill in Stisted which Clement later sold to Robert Sewelle), 300 acres of land, 20 acres of meadow, 40 acres of pasture, 12 acres of wood and 30s. worth of wood, in Black Notley, White Notley, Colchester, Lexden and Bergholt (probably West Bergholt). It appears that in 1363 Clement had yet to acquire an estate which included lands with manorial status. Clement seems to have made his home at Black Notley for some part of his life, although he lived in other houses at other times. This Black Notley property cannot be identified though he may have leased one of the four manors (Black Notley Hall, Gobions, Slamseye and Stantons) in the village. It is possible that the land once held by Reginald Bocking in Black Notley was Alice's inheritance. The leading family in Black Notley were the Mandevilles (who were not necessarily resident there). Clement's three feoffees in 1363, his trustees for what appears to have been his entire estate, were Richard Treton,

clerk, Roger Wolfreston and Roger Ketterich, the two Rogers being Suffolk men like Clement.⁵⁹

Roger Wolfreston came from the village of Woolverstone on the River Waveney in Suffolk, just a short distance from the villages of Great and Little Wenham (Plate 13). Whether Wolfreston was also a lawyer is not known, but he came from an established gentry family. Perhaps he and Clement were educated together – and in adult life the Suffolk gentleman found it convenient to deal with the rising Essex lawyer he had known since boyhood. Roger Wolfreston was himself clearly a man of influence. In 1357 he was sheriff of Norfolk, Suffolk, Essex and Hertfordshire during the brief period when the four counties were administrated as a joint shrievalty.⁶⁰ He was subsequently escheator of Suffolk in 1366.⁶¹ The Wolfreston family had been settled in Woolverstone since at least 1283 when Hamo Wolfreston and his heirs were granted free warren in his demesne lands in Woolverstone, Freston and Chelmondiston in Suffolk.⁶² Clement's friend may have been the son of the Thomas Wolfreston who paid four shillings when assessed for the subsidy in 1327 in Woolverstone and Chelmondiston.⁶³ Roger was succeeded by his sons Roger junior and Robert, but he remained associated with Clement until at least 1382. As has been said, Sir Robert Swinburne was associated with Robert Wolfreston from at least 1361 when the former witnessed an enfeoffment for Roger Wolfreston; the two men were neighbours in Suffolk and may also have been friends.

The second of Clement's feoffees (nothing is known of Richard Treton save that he was in holy orders and as such was much in demand as a feoffee) was Roger Ketterich who was born c.1307 according to the same proof of age inquisition of 1357 in which Reginald Bocking also gave evidence.⁶⁴ Clearly Ketterich was much older than Clement, indeed old enough to be his father. Roger was the son of Adam Ketterich of Shalford, and in 1356 father and son bought a small estate comprising a messuage, arable land, meadow, pasture and wood in the parishes of Finchingfield, Birdbrook and Steeple Bumpstead.⁶⁵ There is no indication that Ketterich was more than a well-to-do freeman's son. Although Roger was a relatively common name, it is likely that the two godfathers who gave the name to Clement's first born son were Roger Wolfreston and Roger Ketterich (although

Alice Spice had a brother Roger who may have performed the role).

By 1360 Roger Ketterich had married a certain Agnes, and in 1373 they jointly leased the manor of Parkhall in Gosfield from Sir Robert Swinburne and his wife Joan.⁶⁶ Clearly two of his three feoffees were associated with Swinburne and the beginnings of a network of kinship and affinity can be seen to be developing from 1361. Ketterich was dead by 1395 and Sir Robert's widow leased Parkhall to Robert Doreward (in her own name) in 1399.⁶⁷ Ketterich, another self-made man, was sheriff of Essex and Hertfordshire in 1370 and escheator of the two counties from 1372–1375 and 1377–1379.⁶⁸ Thus both Wolfreston and Ketterich were members of the county gentry, the former from a well-established family, the second a parvenu. It may be that these two men formed a bridge between the peasantry and the gentry and assisted Clement's social advancement.⁶⁹

In 1363 Clement Spice co-operated with Stephen Cavendish, a man with apparently no connection with Suffolk but who had been appointed mayor of London the previous year. Clement and Stephen Cavendish sued out a fine together concerning land in Raydon, Suffolk, a few miles from the Wenhams.⁷⁰ Despite his surname Cavendish was not a Suffolk man, in fact his father had changed his surname from *atte Wate* to Cavendish in about 1304, probably in deference to the London mercer Walter Cavendish to whom he had been apprenticed. Any family link there may have been between Walter Cavendish and Clement Spice is unknown. It is possible that Clement's mother was a Cavendish and this may perhaps explain his links with the Cavendish family. By 1364 Clement had secured another important Essex client, and appears to have wasted little time in joining his affinity. The client was John, Lord Bouchier of Stanstead Hall, Halstead, and Clement acted for him in respect of Bouchier's manor of Little Maldon when Clement, together with two members of the Naylinghurst family, one of whom was Robert Naylinghurst, rector of Sible Hedingham (where the Bouchiers were manorial lords as well as patrons of the living) and Roger Ketterich, were appointed as Lord John's feoffees.⁷¹

The year 1365 proved crucial for Clement, most particularly in relation to the expansion of the

landed estate he had already begun to accumulate in Essex. On 13 February of that year he received what was undoubtedly a reward for his service to the Prince of Wales and clearly a mark of royal approval. He was granted the Hundred of Barstable in Essex (centred on the village of Basildon) 'with all profits and advantages', to be held for six years, for which he was to pay the prince's receiver-general in London twenty marks (£13 6s. 8d.).⁷² A letter patent confirming this arrangement was evidently prepared but it has not survived. At almost the same time, perhaps as a means to raise ready cash or merely to assist with the consolidation of the family estate, Clement and Alice Spice sold to Richard Wright and his wife Margaret a messuage and twenty-three acres of land in Bocking.⁷³ This may have been part of Alice's dowry or a subsequent windfall.

On 25 April 1365 Thomas, son of Sir Thomas Grey of Cavendish, Suffolk, confirmed and quitclaimed with warranty, the manor of Spains Hall, Willingale Spain, with 'all lands, rents, services, villeins, villeinage etc' formerly held by Sir Thomas, to three trustees: Roger Wolfreston, William Spice (probably Clement's father but possibly his brother) and Roger Ketterich, which they already held for the life of William Spice from Clement and Alice Spice 'as appears by the record of an assize of novel disseisin' by Sir Thomas and his son Thomas, before the king's justice in Chelmsford (Plates 14 & 16–17).⁷⁴ Sir Thomas had granted the manor of Spains Hall, together with the manor of Ryes Hall in Little Henny, to a group of feoffees which included Sir John Aspale and John Cavendish (probably the future Chief Justice) in 1348, presumably whilst in fear of his life during the Black Death.⁷⁵ Sir Thomas held Spains Hall from the earl of Oxford from at least 1358, probably much longer. According to Philip Morant, Sir Thomas Grey died in 1361 (during another major outbreak of plague, which killed many survivors of the Black Death).⁷⁶ Then, or perhaps earlier, Spains Hall passed to his son Thomas, and Ryes Hall to his son Fulk. The same day in 1365 that Thomas Grey had enfeoffed Roger Wolfreston, William Spice and Roger Ketterich with Spains Hall, Clement Spice was in Cavendish where he quitclaimed the manor of Greys in Sible Hedingham (which the Grey family had held since at least 1321) to Thomas Grey 'saving his action for debt by reason of a statute merchant to him

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lately made by the said Thomas and others.⁷⁷ This interlocking series of transactions involving gentry from Cavendish enabled Clement to secure his title to the manor in Willingale Spain. It raises the interesting possibility that Clement had once been the protégé of Sir Thomas Grey and that Clement's father may have been in the service of this Cavendish landowner (Plate 18).

One detail of Clement's life in London in 1365 is known from the city's records. A letter patent issued by Adam Bury, mayor of London from 1364–1365, certified that John Radeclive of London 'had a portion of his left ear bitten off, whilst in the service of one Clement Spice, by a savage horse belonging to his master, to such a degree that the ear remained unhealed at the present day; and in order that his character might not suffer by incurring the suspicion of his having been punished for theft

or other matter, the said John has prayed them to testify to the truth'.⁷⁸

On 10 July of the following year (1366), when Roger Wolfreston was escheator in Essex he received the king's order to halt proceedings in a case involving the manor of Rawreth Hall in Rawreth.⁷⁹ This manor had been devised by the late William Doreward of Bocking to Clement Spice, Roger Ketterich and others (presumably as feoffees) shortly before his death, 'in fraud of the statute ... in order to deprive the king of the wardship and marriage of the said William's heir [John Doreward] who is of age.' William Doreward probably met Clement Spice through his wife Alice's connection with the village of Bocking where William Doreward held the manor of Doreward's Hall. This is the first of many examples of Clement acting as a feoffee for a member of the Essex gentry.

SEASONED PROFESSIONAL

As an established lawyer approaching the peak of his professional career, Clement was in a position to branch out in several directions. He developed close ties with the county's leading families, becoming their trusted counsellor and man of business, and he was also becoming recognized as a competent administrator whose array of skills made him useful as a member of royal commissions. At the end of the fourteenth century, Essex lawyers formed a powerful and distinct group; perhaps twenty percent of the principal and greater gentry in the county.

Nothing more is known of Clement's activities until 18 February 1367 when, on the first of eight recorded occasions between 1367 and 1398, he acted as a mainpernor or surety.⁸⁰ On this occasion he acted (together with Robert Naylinghurst, parish priest of Sible Hedingham, with whom Clement had acted for Sir John Bourchier in 1364) on behalf of Thomas Tewe of Tewes Manor, Little Sampford. Clement stood surety for Tewe's appearance in court in the sum of one hundred shillings (£5); Tewe was a senior member of the household of the earls of Oxford at Hedingham castle. By now Clement was a respected lawyer, trusted by his peers and the higher nobility; like clergymen, lawyers were expected to be trustworthy but they were probably unpopular on account of the fees they charged.⁸¹ We can assume that he was also competent, as he was after all much in demand.

Further to the settlement arrangements of 1365, on the Saturday after Easter (24 April) 1367, Roger Wolfreston and his co-feoffees granted the manor of Spains Hall, Willingale Spain to William Spice, his heirs and assigns.⁸² One of the witnesses to this charter was Robert Teye of Marks Tey, head of a gentry family seated at Marks Tey for many generations.⁸³ This is the first known event in the long association between Clement Spice and Robert Teye. It is curious that the charter makes no specific reference to the relationship between William and Clement Spice but it is clear that the grantor's intention was that the estate should pass to Clement. Whether William Spice was Clement's

father, brother or possibly his son we simply do not know. By a further charter, dated 27 July 1368, Roger Wolfreston and Roger Ketterich, acting as trustees once more, granted back to Clement and his wife Alice 'and the heirs of their bodies with remainder for lack of such heirs to the right heirs of the said Clement' the land in Black Notley and White Notley which Clement and Alice had settled on them in 1363.⁸⁴ The clerk Richard Treton, who had been co-feoffee with Wolfreston and Ketterich in 1363, quitclaimed his trusteeship, that is he disclaimed any interest he may have had in the property, on 10 February 1373, in respect of land in Black Notley, White Notley, Colchester, Lexden and Bergholt.⁸⁵ Spains Hall and Clement's other interests in land were thus kept separate and it is possible that Spains Hall was earmarked for his son's use or for some other member of the Spice family. It does appear, however, that Spains Hall was Clement's only manor, apart from Jenkins in Stisted which he later acquired piecemeal from the heirs of his father-in-law. He seems only to have leased Black Notley Hall which his son later acquired by marriage (Plate 19). Owning just two manors and some scattered messuages in Essex suggests that in terms of personal wealth at least, Clement was (and remained) at the lower end of the scale for county gentry.

On 13 November 1368, Clement Spice and Robert Naylinghurst, together with Sir Aubrey de Vere (younger brother of Thomas, 8th earl of Oxford) and John Sudbury, were appointed as feoffees of the manor of Beauchamps in Dullington, Cambridgeshire, by John, son of Sir John Meryet, by means of a deed witnessed in London.⁸⁶ This seems to have been merely a business transaction for a fee rather than out of friendship for the grantor or being a member of the grantor's affinity. By lending his name for such transactions Clement was acting in a professional capacity – as he was in many cases where he witnessed a document. It is doubtful if witnesses to documents were always present when they were signed or sealed.

In letters dated 5 December 1369, Katherine Engaine (widow of the Thomas Engaine who had

appointed William Spice as his attorney in 1362), who held the manor of White Notley until her husband's death *c.*1367, referred to a charter made when she appointed Clement Spice and others as feoffees for one-third of the manor of Blatherwick, Northamptonshire.⁸⁷ By a fine sued out in 1369, Clement and others were appointed feoffees for John Goldington and his wife Joyce (sister and co-heir of Thomas Engaine) in respect of half of the manor of Blatherwick, a third of the manor of Colne Engaine, and two-thirds of the manor of White Notley.⁸⁸ Clement Spice held land in White Notley and it was probably for this reason that he came to the notice of the Engaine family.

By 1369, Clement had received a further mark of royal favour that would have increased his income and enhanced his 'worship' in London and Essex. Possibly at the prompting of the Prince of Wales, Clement had been made steward of the important royal manor of Havering-atte-Bower, as successor to John Bampton.⁸⁹ As Anthony Musson has pointed out, 'the growing complexity of the law... saw the employment of special officials to oversee landowners' business affairs. The stewards of monastic or lay landowners were not only responsible for the administration of their estates but presided over the courts of the manor and hundred within the landowners' control'.⁹⁰ On 10 October 1369 Clement witnessed a Havering charter as 'Clement Spice, Steward of Havering';⁹¹ by 24 November of that year he was active in determining which houses on the manor were in need of repair.⁹² It is not clear when or why his stewardship of the manor came to an end but John Bampton held it again in 1380.⁹³ An inquisition of 1370 to determine whether a convicted felon had ever held an estate within the manor of Havering shows that Clement was also one of two bailiffs on the manor in 1370.⁹⁴

In February 1370, Clement witnessed a grant relating to the manor and advowson of Kelvedon Hatch.⁹⁵ Witnessing such comparatively minor transactions may have been an everyday activity for Clement – much as it is for a modern commissioner for oaths. Only a small number of documents witnessed by Clement have survived so we can only consider a few of the issues he had to deal with. On 20 May 1370, the justices of the King's Bench, to whom Clement was probably a familiar figure in Westminster Hall, were ordered by the

king to receive Clement and his colleague Richard Withermarsh, both of whom acted as attorneys for the Prince of Wales.⁹⁶ They were in due course received by the chancellor and in professional terms this must have been a considerable boost for the two lawyers.

In January 1371, Clement and the clerk Robert Melton were appointed as attorneys for Lady Margaret, the widow of William, Lord Ferrers of Groby, Leicestershire, in order to sue for her dowry and take it into possession on her behalf.⁹⁷ Such transactions for members of the nobility underline Clement's growing reputation as a lawyer and probably represent the source of a substantial portion of his income at that time. Later in 1371, an inquisition post mortem following the death of Thomas, 8th earl of Oxford, showed that the manor of Spains Hall in Willingale Spain had passed from William Spice to feoffees and then to Clement and his wife Alice, who held it in 1371 as a knight's fee, the same fee that had been held by Sir Thomas Grey from the 7th earl of Oxford in 1360.⁹⁸ Morant states that the manor was held by Thomas Spice in 1370, but this would appear to be an error (although he had a son named Thomas).⁹⁹ Sometimes when describing the descent of a manor in Essex, Philip Morant gave a short description of the manor house as it was in his own day (*c.*1768) but all he said about Spains Hall was that 'it stands a little way south-east from the Church' (of Willingale Spain) (Plate 15).¹⁰⁰

In 1372 Clement Spice and an associate named John Bek borrowed £40 from two individuals, one of whom was a priest; we do not know the purpose of the loan but it was eventually repaid.¹⁰¹ The loan of £40 may have been to raise capital for a property transaction or have been subsequently lent by Clement to a client on advantageous terms. In February 1373 the dowager countess of Oxford, widow of the 8th earl, took possession of the Willingale Spain estate from Clement's friend Roger Ketterich who was at that time the county escheator for Essex.¹⁰² The estate formed part of the dower or widow's interest in her late husband's estate, for which Clement would have done homage in due course for holding the manor from the countess.

In June 1373, Clement received his first appointment as a royal commissioner, the purpose

of the commission being to inquire into possible trespasses against the king or his tenants within the lordship of Havering.¹⁰³ ‘The prominence of a steward in a particular locality and his obvious legal expertise meant he was an ideal candidate for employment in judicial and administrative tasks carried out on behalf of the king’.¹⁰⁴ Clement clearly performed well in this role as he was appointed as a royal commissioner on many subsequent occasions.

Probably acting for a fee, rather than out of friendship, Clement and others were appointed in 1374 as feoffees for John Hunt in respect of the latter’s land and tenements at the Barbican in London.¹⁰⁵ In November 1375 they quitclaimed to new feoffees, probably after Hunt’s death. One of the witnesses to this quitclaim was Robert Rikedon, the first occasion that Clement and Rikedon are known to have worked in association with one another. They were to work together until shortly before Clement’s death *c.*1419 and it was likely that Rikedon began as his clerk and ended as his business partner. Robert Rikedon (born *c.*1350) was the son of John Rikedon of Powers Hall, Witham, whose family were Clement’s neighbours (Plates 22–24). The Rikedons were minor gentry of several generations standing, so Robert had that advantage at the beginning of his career. Despite this he never eclipsed Clement Spice in terms of wealth and worship.

In May 1374 Clement began another long-term connection, this time with Barking Abbey,¹⁰⁶ a house of Benedictine nuns, when he acted as mainpernor for the abbess Katherine Sutton.¹⁰⁷ She was almost certainly a close relative of the brothers Sir John and Sir Richard Sutton of Wivenhoe, with whom Clement was long associated.¹⁰⁸ Barking Abbey had an obligation to repair part of the enclosure of Havering park so Clement may have been involved in this connection with the abbey prior to 1374.¹⁰⁹ The abbess was an important client as she was a powerful figure with precedence over other abbesses in England. In the same year he once more acted as feoffee for his old client Sir Robert Swinburne.¹¹⁰

To sum up Clement at this stage of his life: he was now aged about forty-five and was probably at the height of his powers. Favoured with royal appointments, lawyer to all the resident magnates in Essex, feoffee for numerous Essex gentry and citizens of London, a member (albeit a parvenu) of the Essex gentry, and a manorial lord in his own right. He was in a business partnership with a well-born young Essex lawyer and was probably earning a considerable income from fees. His family had grown in number and by 1375 Clement and Alice had four, possibly five sons. It is unfortunate that we know so little of Clement’s other activities as a lawyer, the surviving records represent merely a tiny fraction of the transactions he must have undertaken.

COMMISSIONER

In the absence of a permanent paid bureaucracy, much essential local administration in Essex fell to the county gentry. Participation in royal service, particularly membership of commissions of the peace and commissions of enquiry on behalf of the king was a highly prestigious, if often tiresome activity for the gentry. It was here that a rising lawyer could make his name and come to the attention not only of the county nobility but sometimes of the king himself. Because the king was dependent on the gentry to carry out the task of enforcing the royal justice and authority, the gentry were able to increase their power and influence at the expense of central administration.

In February 1375, Sir Thomas Tyrell of Heron Hall, East Horndon, himself a lawyer and steward to members of the royal family lent, together with Clement Spice, the considerable sum of £100 to Robert Bucksin.¹¹¹ We do not know the terms of the loan but it might have been in the form of a mortgage, Tyrell and Clement probably acting as bankers for their client. In May of that year, there was yet another settlement concerning the manor of Spains Hall by which four feoffees (including the future knight and future speaker of the Commons, John Gildesburgh) granted an income of ten marks per annum out of the income of the manor to John Spice, one of Clement's sons, with successive remainders to his sons William, Edmund and Richard.¹¹² Little is known of these four sons (none of whom appears to have followed their father's profession) and it was his youngest son Roger, who seems to have been born much later than his brothers (probably by a different mother) who succeeded Clement when he died in extreme old age. We should not rule out the possibility however, that Roger Spice may in fact have been Clement's grandson, son of one of his sons.

In July 1375 Clement was appointed, with Sir John Cavendish, to inquire into two suspicious deaths in Essex.¹¹³ A week later he was appointed to a commission *de wallis et fossatis* and was ordered (with his colleagues on the commission) to investigate the Thames-side marshes in Barking; one of his fellow commissioners was John Gildesburgh.¹¹⁴ Clearly

Clement's local and legal knowledge made him, like the other lawyers, an 'ideal candidate for employment in judicial and administrative tasks carried out on behalf of the king'.¹¹⁵ Clement extended his contacts with Gildesburgh by acting as his feoffee in relation to land which belonged to Gildesburgh's sister-in-law.¹¹⁶ In the following October, Clement Spice, Robert Rikedon, Sir Thomas Mandeville (whose granddaughter would marry Clement's grandson) and Sir Thomas Hoo, jointly lent £100 to a fellow member of the gentry though for what purpose and on what terms we simply do not know.¹¹⁷ Clearly Clement was acting as a trusted banker and useful man of business; without lawyers like Clement Spice members of the Essex gentry would have found it difficult to raise capital for the purchase of land or the rescheduling of debts.

In 1376, Clement's career must have suffered a considerable setback when on 8 June his patron and benefactor Edward the Black Prince died; Clement had served him for more than sixteen years and it was the prince who had given him his early opportunities to make headway in his profession. Six weeks after the prince's death, Clement Spice, Sir Robert Teye and others were appointed mainpernors and keepers for the alien priory (that is a religious house belonging to a foreign religious order) of Mersea for as 'long as war with France shall last'.¹¹⁸ It is not clear to whom these mainpernors would have been responsible for the priory's income, but the money would eventually have found its way into the king's hands.

Clement was appointed to another Essex commission in March 1377, this time to inquire into illegal fishing in Essex by men 'who have cunningly made an instrument called a "wunderthon" like a "drag" upon which so close a net is fixed that even the smallest fish cannot escape therefrom'.¹¹⁹ The commission was headed by Walter, Lord Fitzwalter, who apparently was so impressed with Clement during the investigation that he retained him as his personal lawyer. In September that year Clement (described as Fitzwalter's 'servant') was acting as his feoffee.¹²⁰ This was an extremely important role

for Clement as he was now associated with three of the resident families of the higher nobility in Essex: de Vere, Fitzwalter and Bouchier. It is clear that his clients found no difficulty with the fact that Clement concurrently served, and was retained by, several masters who themselves must have been rivals for power and influence in the county. Evidently they relied on his professional integrity to avoid any conflict of interest. There were no other lawyers in Essex at that time who were called upon to manage such a difficult balancing act.

In common with other members of the gentry, Clement Spice sought to avoid the onerous public duties which might otherwise have been imposed upon him by the Crown to the detriment of his professional activities and personal convenience; he therefore purchased a grant by letter patent dated 15 June 1377 which gave him exemption for life from such duties.¹²¹ He had this grant confirmed by a further letter patent dated 5 November 1377, but in the event it actually offered him little opportunity to avoid his public obligations.¹²² It is not clear why he took out the second protection (which would have been expensive) unless it was as a result of the death of Edward III on 21 June, just two weeks after the original grant; perhaps he was simply taking a wise precaution in uncertain times.

On Christmas Eve 1377, Clement and his wife Alice granted a small messuage and two acres of land in White Notley to Roger Andrew and his wife Lucy, one acre of land was called 'le Scolesacre' an early reference to a school in Essex. Clement's personal seal, incorporating a letter C, remains attached to the surviving document (Plate 26).¹²³ In the following January an inquisition by Clement's colleague Roger Ketterich after the death of the late king's mistress Alice Perrers, disclosed that Clement had a reversionary interest in land in Romford which had been held by her husband's family.¹²⁴ Later in 1378, Clement was appointed as one of a distinguished group of feoffees to assist Lord Fitzwalter. The group included Simon of Sudbury, archbishop of Canterbury, Walter Fitzwalter the younger, Sir Thomas Percy, Sir Robert Swinburne, Sir John Gildesburgh, Sir Thomas Mandeville and Clement's old friend and feoffee the former escheator Roger Wolfreton.¹²⁵

New Year 1379 was a busy time for Clement who acted as feoffee for Lord Fitzwalter in respect of the manor of Great Tey, and then received an order from the king to review a judgement which had been made in the court of Husting in London, a sensitive task requiring skill and diplomacy.¹²⁶

JUSTICE OF THE PEACE

The origin of the office of justice of the peace lies in the thirteenth-century office of keeper of the peace, an appointment which included raising troops and defending the county. By about 1350 keepers had begun to try people accused of certain offences and in 1361 justices of the peace came into existence and in the case of Essex were obliged by statute to hold sessions at least four times a year (quarter sessions) in Chelmsford and to hold enquiries in different parts of the county. Later in the fourteenth century JPs were expected to help arrest wrong-doers and take sureties. Once JPs had authority to conduct arraignments in criminal cases and try misdemeanours, it became necessary for a number (a quorum) of the justices (most of whom were members of the gentry) to be learned in the law. Membership of the quorum was considered to be an honour and was highly prized.

At the beginning of 1380, Clement acted as a mainpernor once more, then in April he was appointed to a commission of oyer and terminer, together with the constable of the Tower of London, the abbot of Waltham and others, to determine the date of construction of a number of weirs on the river Thames.¹²⁷ This was followed in May by his appearance for the first time on the Essex commission of the peace.¹²⁸ His fellow JPs included Thomas of Woodstock, earl of Buckingham (son of Edward III and resident when in Essex at his castle at Pleshey, a few miles from Clement's house in Black Notley and his manor at Willingale Spain), Lord Fitzwalter and his own business partner Robert Rikedon. This would have been a considerable honour for both Clement and Rikedon. Later in the year Clement witnessed the quitclaim by John Cavendish, a London draper (this namesake of the Chief Justice was probably a kinsman of Sir John and descendant of the Cavendish family of Cavendish) to John Hawkwood the elder brother of Sir John Hawkwood the *condottiere*, of a manor in Toppesfield.¹²⁹

The year 1381 saw the Great Rising or Peasants' Revolt, the revolt of the lower orders of society in Essex, Kent and elsewhere in England. On 12 June

there was an attack by insurgents on Clement's house in Black Notley during which some of his goods were stolen and Clement was forced to make concessions to the rebels and pay them a fine.¹³⁰ His business partner Robert Rikedon was less fortunate as on 18 June he was forced by the rebels on pain of death to join in the revolt at Witham where he lived.¹³¹ Many manorial lords suffered in this way and these two, being also lawyers and hated by the insurgents for that reason, were a particular target. In many cases Essex manorial court rolls commence in the year 1382 and this generally indicates that they were destroyed during the revolt by peasants who identified them as records of their servility.¹³² Clement also lost property in London including personal documents when the insurgents burned lawyers' chambers in the Inns of Court and the Inns of Chancery.¹³³ The escheator for Essex, John Ewell, a hated royal official, lost his life to rebels during the uprising.¹³⁴ Clement was again fortunate not to have held this post at the time.

By December 1381 Clement had returned to his official duties in the aftermath of the revolt, and was appointed, together with Lord Fitzwalter and others, to a royal commission. The commissioners were asked to consider whether, following a petition by John, Lord Bourchier, he had the right to present to the advowson of the hospital of St Giles in Little Maldon as it belonged to his manor of Little Maldon, and whether the manor was actually held directly from the king (in chief) or of the honour of Peverel.¹³⁵ The commission appears to have failed to reach a conclusion for it was replaced by a further commission on 12 February 1382.¹³⁶ Following this, Clement held an inquisition in Brentwood and found that on the evidence available, the manor of Little Maldon was actually held of the king as of the honour of Peverel and Lord Bourchier had no right to present to the living of the hospital of St Giles.¹³⁷ This decision would not have pleased Lord Bourchier and Clement did very little business with him again, perhaps for this reason. Lord Fitzwalter had landed interests of his own in the Maldon area, his capital manor being at Woodham Walter a few

miles out of town. It is perhaps not unreasonable to suggest that Lord Fitzwalter used his influence over Clement to obtain a decision that would help to curb Lord Bouchier's power in the area.

Repercussions of the Great Rising continued into 1382 when Clement Spice, Robert Rikedon and others were ordered to bring certain fugitive Essex rebels to justice.¹³⁸ The two Essex lawyers may have relished this opportunity to exact revenge for the indignities they had suffered at the hands of the rebels the previous year. In April, Roger Wolfreston, probably the last surviving original trustee of the manor of Spains Hall, Willingale Spain, quitclaimed to Clement and Alice Spice (this is the last we hear of Clement's wife until 1419) and thus relinquished his trusteeship of the manor.¹³⁹ Later in 1382 Clement quitclaimed the manor of Doddington, Cambridgeshire to Aubrey de Vere (the future 10th earl of Oxford) and assembled powerful witnesses to authenticate the document, including Lord Fitzwalter, Sir William Coggeshall (probably the richest member of the Essex gentry at that time), Sir John Sutton and his brother Sir Richard.¹⁴⁰

In March 1383 Clement Spice and Robert Upston, parson of Shimpling, Suffolk, borrowed forty pounds from Robert Muskham, clerk (Clement's old associate).¹⁴¹ It is unlikely that the money was repaid as we hear that Clement later that year acted as executor for the priest 'Sir Robert de Muskham'.¹⁴² Also in 1383, Clement petitioned the king in French for a charter exempting him from 'being put on assizes, juries, attaints, inquisitions or recognizances and from being made mayor, sheriff, escheator, coroner, collector, assessor or controller of tenths, fifteenths or other tallage or subsidy, arrayer or leader of men at arms, hobelars and archers, or other ministers of the king against his will, or compelled to take the order of knighthood', 'as the original charter granted to him by Edward III and a confirmation of the king, were taken from his chamber in the Temple in the last rebellion'.¹⁴³ The petition was granted by the king on 2 October 1383. We shall see just how successful he was at avoiding the liability to undertake the obligations set out in this comprehensive list, but he was certainly able to avoid any duties regarding the collection of tax (his father had been a tax collector in 1327) and unlike many successful lawyers, was never knighted. Just why he chose to avoid offices

which would have advanced his status is not clear. Similarly in 1383, the bishop of Durham requested the king that Robert Rikedon, described as 'servant of John Hawkwood' together with John Sergeant of Hertfordshire, be granted charters of exemption from public duties.¹⁴⁴ The king granted this request on 19 November that year.¹⁴⁵ The John Hawkwood referred to here was the elder brother and namesake of the famous soldier.

A commission of oyer and terminer was established on 18 February 1384 which required Thomas of Woodstock, earl of Buckingham, the Sutton brothers, the lawyer William Rickhill of Kent (who had been made king's sergeant the previous year and who was soon to figure importantly in the life of the earl of Buckingham) and Clement Spice to investigate 'certain treasons, felonies and other offences committed in Colchester and the Hundreds of Tendring and Lexden'.¹⁴⁶ Doubtless it was the two lawyers Clement Spice and William Rickhill who were best qualified to carry out such an investigation with all the necessary interrogations; the other commissioners may merely have lent their powerful names to the proceedings to give them weight, rather than undertake any of the investigative work involved. Perhaps it was Buckingham who put Clement forward for the role of commissioner on this and other occasions as Clement was now a member of the earl's affinity, and almost certainly (together with Robert Rikedon) acted as his attorney.

In return for a fee of 40s., a licence was obtained from the king on 20 June 1384 which enabled Sir Geoffrey Stratton, Clement Spice, Roger Wolfreston and Roger Cavendish, son of Sir John Cavendish (sheriff of Suffolk in 1395, Norfolk and Suffolk in 1397), to grant the manor of Talbots in Hintlesham, Suffolk to John Hadleigh (citizen and grocer of London and mayor in 1379 and 1393 whose name suggests he may have been a Suffolk man).¹⁴⁷ A year later, Lord Fitzwalter obtained a licence to enfeoff Sir Richard Sutton (without his brother on this occasion), the parson of Shimpling, Clement Spice and others, with the manors of Hemenhale and Diss in Norfolk, the feoffees being required to grant the property back to Lord Fitzwalter and his wife, and his heirs in tail male with remainder to his heirs general – a classic medieval property settlement – probably made when Lord Fitzwalter was about to travel abroad on military service.¹⁴⁸



Plate 16. Willingale Spain, St Andrew: the south doorway.



Plate 17. Willingale Spain, St Andrew: the font.



Plate 18. Spains Hall, Willingale Spain.



Plate 19. Black Notley Hall.



Plate 20. Black Notley, St Peter and St Paul.



Plate 21. Black Notley, St Peter and St Paul: possible tomb of Spice family.



Plate 22. Powers Hall, Witham.



Plate 23. Powers Hall, Witham: the medieval barn.



Plate 24. Witham, St Nicholas.



Plate 25. Pleshey Castle: the Keep.

For some unrecorded reason the settlement did not take effect and was cancelled. A fresh licence was granted by the king in November which enfeoffed the same individuals – with the exception of Clement, whose omission cannot be explained.¹⁴⁹ This and many other settlements show that literate and trustworthy members of the clergy and legal profession were much in demand as feoffees for the gentry and higher nobility.

By a fine of 1385, Clement Spice and other members of Buckingham's affinity (the earl was created Duke of Gloucester on 6 August 1386) including the earl of Arundel, the countess of Hereford (Buckingham's mother-in-law), Sir Richard Waldegrave of Smallbridge, Suffolk, Sir William Berland of Latton, Thomas Coggeshall and Ralph Strelley (parson of Great Leighs), acted together for the recently knighted Sir John Gildesburgh and others concerning the manors of Rochford, Foulness and Bretton.¹⁵⁰

Another echo of the Peasants' Revolt of 1381 was a commission empowered in June 1386 to investigate the circumstances in which bondmen that were the property of the Essex manors belonging to St Pauls, London had withdrawn their customs and services from their lord following the insurgency.¹⁵¹ Clement Spice, together with John Holt, John Plays of Stansted Mountfitchet, Sir John Sutton, Sir Walter Lee of Albury, Hertfordshire, and Robert Rikedon were members of the commission. Only a month later, Clement was appointed to yet another commission, this one requiring him to arrest and bring before the king and council, or into chancery, all forgers of royal seals, counterfeiters of papal bulls, indulgences and pardons, together with those sending money, bullion and jewels abroad without authority.¹⁵² It is not clear what Clement's precise role would have been on such a commission but he was certainly present on it as a lawyer and pragmatist rather than as a makeweight. He doubtless received a fee for his work which may have been time-consuming unless it could be delegated to others. It would be interesting to know how Clement's partner Robert Rikedon worked with Clement in this regard.

In a deed dated 2 May 1386, cited by the Suffolk historian Walter Copinger, Clement quitclaimed the manor of Boxford Hall, Sproughton, Suffolk (presumably as a former feoffee) to Margaret,

widow of Sir Thomas Visdelieu, and mother-in-law of the powerful Suffolk MP Sir William Burgate.¹⁵³ Five days later, the same manor was granted to a new group of feoffees which included Roger de Wolfreston (but excluded Clement).¹⁵⁴ Early in 1387, Clement acted as feoffee of the eighteen-year-old Lord Fitzwalter whose father had died in Galicia, north-west Spain the previous year.¹⁵⁵ Doubtless there was much business to transact at this time and the young man was fortunate to have his father's trusted attorney to advise him during his minority. During July 1387 Clement was much in demand elsewhere, both as a feoffee and as a witness to documents. On 5 July he was a feoffee in respect of a property in Hintlesham, Suffolk; on 10 July he was one of a group of witnesses which included Sir Robert Marney of Layer Marney, Sir John Gildesburgh, Sir Ralph St Leger and Nicholas Fitzrichard the escheator, who had witnessed an indenture for Sir Aubrey de Vere and others.¹⁵⁶ On 13 July he witnessed a charter concerning land in Stanford Rivers and Greensted, together with other important local gentry including Sir William Wauton of Willingale, Thomas Lampet and Thomas Bataille.¹⁵⁷

It is probable that Clement drew up many of the deeds and indentures that he subsequently witnessed and it would have been his clerk or associate who collected the signatures and seals of the other witnesses. Documents dated at a particular manor would not necessarily have been attested by all the witnesses at the same time although the witnesses could have been gathered specifically for the purpose and perhaps feasted for their trouble. Nigel Saul suggests such an event in his book 'Scenes from Provincial Life'.¹⁵⁸ It was probably from simple transactions such as these (possibly only a tiny percentage of which have survived) that Clement earned his bread and butter fees. By providing these services, his name would have been familiar to most of the gentry in Essex, particularly within the affinities of the higher nobility of which he was an important member. Furthermore, his services as banker and his role as JP, commissioner and eventually escheator would have given him a still greater prominence. Travelling so often in Essex he would have gathered news and gossip which would have made him interesting company, and perhaps also a broker in the property and marriage markets in the county. He may also have been engaged as a

CHAPTER SEVEN | Justice of the Peace

lawyer by citizens of London and in consequence of this and his necessary attendance in the courts, he could have owned or rented accommodation in the City, as well as in chambers at one of the Inns of Court or Inns of Chancery.

Clement continued to work on behalf of the de Vere family and the Fitzwalters and it may occasionally have required a deft touch to avoid being embroiled in, or even crushed by, the rivalry between his powerful masters and their families. However, it seems that relations between the de Veres and Fitzwalters were generally cordial. This may have been helped by the fact that Sir Aubrey de Vere's first wife was the daughter of Lord Fitzwalter.¹⁵⁹ It is interesting that the de Vere family were among the least wealthy of the higher nobility, on a par with the Fitzwalters and poorer than the Bouchiers. The Fitzwalter family was on good terms with the Duke of Gloucester whose Essex home was at Pleshey castle, but all the resident magnates seem to have been at arm's length with the Bouchiers to judge from that family's absence from feoffee and witness lists. Gloucester eventually brought about the downfall of Robert de Vere, Richard II's great favourite, in 1388, but the de Vere family survived.

In January 1388, Clement and a group of gentry whose interests lay mainly in the south-east of the county, were associated with the enfeoffment of Sir Aubrey de Vere's manor and other properties in the Horndon area.¹⁶⁰ Witnesses seem to have been selected on the basis of being 'well-wishers' of Sir Aubrey as future earl of Oxford, and being resident in the area where the property lay. Perhaps the selection and management of feoffees and witnesses was a function that Clement performed for his powerful clients, a task he partly delegated to his clerks. In this case, the witness list included Sir Robert Marney, Sir John Gildesburgh, Sir Ralph St Leger, Thomas Belhouse and Thomas Gobion of Laindon. Advanced age was clearly no bar to appointment as a feoffee as Clement was approaching his sixtieth year (when average life expectancy, even for the gentry, was only a little over forty years).

On 27 February 1388, Clement and two others were appointed as trustees of the principal Essex manors of the Fitzwalter family and were charged with paying all manorial income into the Exchequer during Walter Fitzwalter's minority – except for

a personal allowance of £30 per annum (a very small amount for a baron, however young) for his maintenance.¹⁶¹ It is possible that the eighteen-year-old lord spent time with Clement learning the elements of law and estate management. Clement had considerable experience of manorial stewardship at Havering and it is possible that he acted in this role for Lord Fitzwalter. Unlike some manorial estates in Essex of comparable size, for example the Tyrells' relatively compact cluster of manors with Heron Hall, East Horndon as its capital manor, the Fitzwalters' land was scattered inconveniently across the county of Essex and was thus more difficult for Clement and his colleagues to administer. Even as a minor, it may have been possible for Lord Fitzwalter to borrow money on the security of future income (perhaps employing Clement as banker).

In November 1388 it seems that Clement's old associate Sir John Gildesburgh was putting his affairs in order in anticipation of his imminent death, for Clement was asked to quitclaim as the last surviving feoffee of Sir John's capital manor at Wennington.¹⁶² The last known of Clement's transactions that year was his appointment, together with Sir Gerard Braybrooke of Colmworth (Bedfordshire) and Danbury, Sir John Trayly and others, as feoffees for William Bateman of Little Sampford, a future sheriff of Essex.¹⁶³

For reasons that are not clear, Clement Spice and others paid 20 marks to the king in 1389 for a licence to found a chantry at the altar of St Mary, in the church of St Mary, Over, Cambridgeshire, endowing it with rents and the reversions of messuages and land in Over and Long Stanton.¹⁶⁴ Both Clement and his partner Robert Rikedon were associated with a number of chantry foundations and it is possible that they did this in their role as lawyers acting on behalf of clients, rather than out of their own pious devotion.¹⁶⁵ The foundation of chantries could be complex and often involved a series of property transactions, including the sale of land. In February 1389, Clement was again enfeoffed with the manor of Wennington by Sir John Gildesburgh and the witnesses to the charter included Sir Robert Marney, Sir William Wauton, Thomas Belhouse and others.¹⁶⁶ It is not possible to determine whether the witnesses on such occasions were collected by the lawyer or the client but they often include powerful Essex gentry as well as local,

relatively unimportant individuals. The names of witnesses generally appear in descending order of importance, as one might expect.

In October 1389, shortly after Sir John Gildesburgh's death, the Wennington estate was transferred from Sir John's feoffees to his widow Elizabeth Gildesburgh.¹⁶⁷ The purpose of enfeoffment thereby being made clear – to ensure the smooth transfer of property according to the deceased's wishes. On 15 July Clement was once more appointed JP – having paid for exemption from such duties he was clearly a volunteer – unless his lord had pressured him to accept office again.¹⁶⁸ Also with him on the Essex bench were a number of clients and acquaintances, Sir Robert Swinburne, Sir John and Sir Richard Sutton (all three knights were then elderly and approaching the end of their lives). He was reappointed JP on 10 November and was no stranger to his fellow JPs the Lords Aubrey de Vere and John Bourchier, Sir Richard Sutton, Alexander Walden, Thomas Coggeshall and others.¹⁶⁹ On 13 October, Clement and a clerk named Robert Garton, lent Alice, the widow of John Gestingthorpe, together with William and Thomas Toppesfield, 500 marks for reasons and purposes we do not know.¹⁷⁰ The debt was repaid but we can only speculate as to the terms on which such loans were made, this is another case where a cleric was party to the money-lending activities of a lawyer such as Clement.

Clement once again sat as JP, and member of the quorum, on the Essex bench in 1390, together with local magnates and senior gentry, few of whom were lawyers.¹⁷¹ Much of the practical work of the bench was carried out by the lawyers on it rather than the lay members, the majority of whom frequently failed to attend. By 1390 Clement was about sixty years old, his own sons (and daughters if he had any) would probably have been married. It is not known whether any of his sons were lawyers or whether any of them ever assisted him in his profession. Of all the known Essex lawyers' sons in the medieval period, few of them followed their fathers' profession, the exceptions being in the Tyrell and Doreward families, despite the fact that a career in the law was potentially still a means to raise the family's status.

Clement's son Edmund is heard of in 1391 when a bond of 34 marks was taken out and made

payable on Michaelmas Day to John Brown, parson of St Stephen's, Walbrook, John Giffard of Essex and 'Edmund, son of Clement Spice of Essex'.¹⁷² This description of Edmund suggests that he may still have been a young man. In October 1390, Clement, together with John Boys (a neighbour of Robert Rikedon in Witham) and others, acted as feoffees for two freeholders regarding land in Boxford, Suffolk (not far from the Wenhams).¹⁷³ It is significant that the two minor landowners were able to obtain (and presumably pay for) the services of a leading member of the local gentry (John Boys) and an important, and possibly expensive lawyer such as Clement.

Later in 1390, as a distant echo of the 1381 Rising, Clement Spice, Sir Walter Lee, Sir Richard Sutton, Sir Thomas Mandeville, Edward Brokesbourne and other prominent members of the Essex/Hertfordshire gentry were appointed to a minor commission which inquired into damage caused to some houses in Manningtree, 'in the time of the insurrection'.¹⁷⁴

Clement was still involved with Suffolk matters as late as 1391, as a fine of that year shows him active in the local land market with Roger Wolfreston and Roger Cavendish.¹⁷⁵ The same year saw Clement, John Doreward and a young lawyer from Little Waltham, named Richard Waltham (who was establishing himself in the Court of Common Pleas) appointed as feoffees for William Geldrich (who would be escheator for Essex and Hertfordshire in 1392 and 1400) and his wife Margaret, for the manors of Petches in Finchingfield, and Dynes in Great Maplestead.¹⁷⁶ Many of Clement's clients were past or future escheators of Essex and Hertfordshire. Such men would have had much work for lawyers both in respect of their public and personal lives.

On 8 May Clement was appointed to a commission to inquire into felonies committed in the liberty of Bury St Edmunds, Suffolk, one of his fellow commissioners being Sir Robert Swinburne.¹⁷⁷ Several other commissions which involved Clement and other prominent members of the Essex gentry followed during the year.¹⁷⁸ As the only lawyer on most of these commissions his role was probably to give professional advice but he may also have acted as secretary. By the end of that year Sir Robert Swinburne, Clement's long-standing

client, had died because on 2 December his son and heir Sir Thomas Swinburne was ordered to produce mainpernors for the colossal sum for those days of £1,000 (considering that the average annual income for a member of the gentry was about £20) in order to ensure that 'he shall do or produce no hurt to Joan who, was the wife of Sir Robert Swinburne ... his feoffees John Doreward, John de Boys, Thomas Lampet, Clement Spice and Ralph Chamberlain'.¹⁷⁹ The reason why Sir Thomas was brought before the courts and ordered to produce sureties of £1,000 is that on his father's death in 1391 he had attempted to snatch seisin of the family estates from his step-mother Lady Joan Swinburne. Despite the Swinburne family's problems, Sir Robert and his son Sir Thomas are commemorated side by side on a superb monumental brass at Little Horkesley.¹⁸⁰ Less than a month after the order to find mainpernors, Sir Thomas managed to borrow the spectacular sum of £10,000 from a consortium comprising Sir Thomas Mortimer, Robert Hethe and Robert Newport. They in turn borrowed £6,000 from John Doreward, Clement Spice, Thomas Lampet and John Boys – none other than Sir Thomas's own feoffees.¹⁸¹ If these sums actually existed – and were not mere paper transactions – they would presumably have been arranged on the London money market where Clement would doubtless have had the right contacts to facilitate the transaction.

At the beginning of 1392 Clement again acted as banker, this time with his friend Roger Ketterich and others. He lent John Rokele of Wormingford (escheator in 1384 and 1387) £200 for purposes we do not know but possibly for the purchase of land.¹⁸² On 20 February Clement, a clerk named Robert Crull, judge William Rickhill (he had taken two steps further than Clement in the legal career in becoming a judge) and others, paid 40 marks for licence to alienate land in Barking to the abbess of Barking in return for her providing a chaplain to celebrate divine service daily at the shrine of St Ethelberga the Virgin in the abbey church.¹⁸³ It is not clear whether this daily service was for the three named individuals or whether they were merely acting as nominees for one or more other people; the latter seems more likely.¹⁸⁴

On 20 June the much larger sum of 250 marks was paid to the king for a licence to alienate in mortmain the manor and advowson of Histon,

Cambridgeshire, to the abbess and convent of Denney in Waterbeach, Cambridgeshire.¹⁸⁵ This was undertaken by Clement and his associates for whose benefit we do not know. Judging by the frequency of such transactions it seems likely that Clement's role was a professional rather than a personal one. Called on yet again to provide a loan, the irony of his position would not have escaped Clement when on 18 December 1392, some sixty years after he had been born to poor parents in a Suffolk village, he was able to lend the very considerable sum £300 to Sir John Braham of Braham Hall, Brantham, a knight from his native county of Suffolk.¹⁸⁶ At the close of the year, Clement acted as mainpernor for Sir John and also for Sir Robert Mounteney, of Mountnessing, regarding a share of the manor of Sheringham, Norfolk whilst it remained in the king's hands, probably during the minority of an heir.¹⁸⁷

There is also a record of a Suffolk fine sued out at this time in which Clement seems to have bought land in Brantham on behalf of Sir John Braham and his wife Johanna.¹⁸⁸ These transactions illustrate how Clement appears to have been equally comfortable acting on behalf of clients in London, Essex and Suffolk, perhaps also further afield. He was certainly associated with the gentry of Hertfordshire, Bedfordshire, Cambridgeshire and Middlesex and thereby demonstrated in a significant way the permeability of county administrative boundaries. His Essex clients ranged from sub-gentry landowners to the higher nobility families resident in the county. It is significant that Clement's Suffolk clients were from the small geographical area of the county around Great and Little Wenham. Perhaps it was a satisfied Sir John Braham who brought Clement to the attention of Michael de la Pole, earl of Suffolk, for on 11 January 1393, Clement Spice, together with the Sutton brothers, Sir Robert Teye and John Rookwood who were appointed as the earl's feoffees: a further honour for Clement.¹⁸⁹

On the day following his assistance to the earl of Suffolk, Clement was appointed to a commission inquiring into carelessness, negligence and bad government by the abbot of St John's, Colchester.¹⁹⁰ The abbot had initially submitted to the bishop of London when charged with these offences, but had subsequently refused obedience to the extent of 'maliciously withdrawing the food and

clothing of the priests and monks and selling and alienating the possessions of the abbey.’ Clement and his fellow commissioners Sir Adam Francis, Sir William Coggeshall, Thomas Coggeshall and John Boys were charged with putting an end to his behaviour and restoring peace in the abbey. This would have been a stringent test of their skills and it can be imagined that Clement played a key role in the proceedings.

On 18 June 1393 Clement returned to the Essex bench as one of a distinguished list of JPs, some of whom rarely, if ever took their places as active justices.¹⁹¹ The distinguished members included Thomas, duke of Gloucester; Aubrey, earl of Oxford; John, Lord Bourchier (who was to marry Lady Margaret, widow of the recently deceased Sir John Sutton), Sir Alexander Walden, Thomas Coggeshall, John Doreward, judge William Rickhill and others. It would be interesting to know what pressure, if any, was brought to bear on appointees to attend in their judicial capacity. Later in 1393, John Doreward sought to protect the descent of his patrimony by the usual practice of arranging a series of enfeoffments, the first of which included the manors of Leaden Roding, Loft Hall, Olivers, Belhouse in Orsett, Stanway and Laver de la Haye. In addition to Clement Spice, the feoffees included the bishop of London, the earl of Oxford, Sir George Felbrigg, Sir Thomas Erpingham, Walter Clopton, the parson of Bocking, Thomas Coggeshall and Robert Rikedon.¹⁹² In a contrasting transaction, Clement acted as feoffee for one John Schoolmaster of Chelmsford and his wife Margery, in respect of

land in Great Dunmow and it is surprising that this ordinary couple were able to engage such heavyweights as Sir Richard Waldegrave, Thomas Coggeshall and Edmund Fitzsymond of North Shoebury, as joint feoffees with Clement.¹⁹³

In January 1394 Clement accepted the role of feoffee for the widow of his friend Sir John Gildesburgh and in the following October he did so for Robert Sewale of Coggeshall (probably the son of sheriff John Sewale whose ‘wonderthon’ Clement had investigated years before).¹⁹⁴ If Clement took an active role as feoffee and had a hand in the administration of the many properties for which he was trustee, this would have occupied much of his time. What actually happened in most cases is that his clients retained *de facto* control of their property and that the demands made on Clement and other feoffees were probably notional.

The will of Alice Nerford, successively widow of Sir Thomas Nerford (d. 1344) and Lord John Neville of Essex (d. 1358) named Clement Spice as one of her executors for which he was to have 10 marks for his trouble. The will was proved in the consistory court of the bishop of London on 31 May 1394 by her three executors, William Bergh, rector of St Christopher le Stocks church in the City of London, Clement Spice and John Aleyn of Boxford. Clement also received the following bequest: ‘I bequeath to Clement Spice a hanap [a goblet-shaped drinking cup with cover] ... which he gave me with his own hand’. William Bergh received, amongst other items, ‘one silver spice plate’.¹⁹⁵

ESCHEATOR

In medieval England, when a tenant who held land directly from the king (known as a tenant-in-chief) died or committed a felony, the estate reverted to the king and the estate was said to escheat to the Crown. The king therefore appointed escheators in every county to manage these escheats, but in the case of Essex, the county was treated as a joint bailiwick with Hertfordshire and there was a single escheator to deal with both counties. On the death of a tenant-in-chief the escheator received a writ from the king (who had an interest in acquiring valuable escheated estates), empowering the escheator to empanel a local jury and hold an ‘inquisition post mortem’ to ascertain from witnesses the name, age and relationship to the deceased of the legal heir and the extent of the deceased’s estate held directly from the king.

Clearly November 24, 1394 was a significant date in Clement’s life for it was then that he was appointed (at the advanced age of about sixty-four) as escheator for Essex and Hertfordshire, an obligation from which his various grants of exemption from public office may hitherto have protected him. This was a new time-consuming and responsible burden, which he eventually held for an unprecedented unbroken term of five years until 8 December 1399 (the usual term of office being one year, sometimes two).¹⁹⁶ His old friend Roger Ketterich actually matched Clement’s length of service as escheator but Ketterich had a break in service for two years after his first three years as escheator; Clement’s service was continuous. Ketterich, however, was also sheriff in 1372 and 1377. In view of Clement’s advanced age and busy legal practice, the demands of the escheatery must have been onerous for him. There was no upper age limit for county office and Clement served as escheator until he was about seventy.

For reasons we can only speculate upon, Clement never became an MP or sheriff. His income would, like other lawyers, have qualified him for knighthood but this would doubtless have been another burdensome distinction he wished to avoid. He had purchased protection from the king

against being appointed to county office *against his will* but in any case, very few Essex gentry achieved knighthood if they were not born into a gentry family. Sir John Gildesburgh may have been one of the few who did. In this context it is significant that the parvenu Clement Spice, a first generation manorial lord, with the highest professional and social connections was not usually referred to as ‘esquire’. This title was generally reserved for those who were born of gentle blood. Clement may have been accepted into gentry society on account of his wealth and usefulness but he may never have been recognized as an equal by the Essex gentry whose wealth and position he matched. Perhaps some of his peers may have been less than accepting of someone who had ‘come up from the ranks’.¹⁹⁷ Another hint that Clement may not have been fully accepted in gentry society is that he appears never to have been called on to be a godfather or for other families to use his Christian name. Could his limited acceptance also stem from his lack of military experience in a society which valued warrior culture so highly?

As escheator for Essex and Hertfordshire, it was Clement’s duty in May 1395 to give Joan, countess of Hereford (widowed in 1373), whose daughter Eleanor had married Thomas of Woodstock (now duke of Gloucester), livery of certain manors in Essex.¹⁹⁸ This may have been the first occasion on which they came into contact with one another but in due course Clement was to join her affinity, perhaps on the recommendation of Lord Fitzwalter, a good friend of the countess and her son-in-law the duke of Gloucester, to whose affinity Fitzwalter belonged. Similarly, Clement was ordered to give the duke of Gloucester livery of the advowson of Wethersfield church, and the earl of Derby (the future King Henry IV) livery of the advowsons of East Horndon and Little Hallingbury.¹⁹⁹

During March 1395 Clement had witnessed a series of three transactions concerning the manor of Nortofts in Tilbury-juxta-Clare (Plate 27).²⁰⁰ Clement, Thomas Coggeshall and Robert Rikedon were all witnesses on 4, 6 and 12 March, and other

witnesses were variously employed on the same dates. It is scarcely credible that three such busy men actually met three times in nine days regarding a relatively unimportant transaction and this suggests that witnessing such documents may have been a formality that only required the consent not the actual presence of witnesses.

Sir John Braham of Brantham, Clement's important Suffolk client, planned to go to Ireland on the king's business in 1396, and he chose Clement, together with Roger Cavendish (sheriff of Suffolk and son of Sir John Cavendish) to be his attorneys.²⁰¹ Clearly Sir John Braham placed great trust in the elderly lawyer. Despite his age, Clement remained physically active, for on 26 July he and William Bateman (sheriff of Essex and Hertfordshire during that year and half Clement's age) were commanded by the king to eject Richard, Lord Talbot from the manors of Great Braxted, Wallbury in Great Hallingbury and Hassenbrook Hall, Stanford-le-Hope and to seize them on the king's behalf as both Lord Grey and William Beauchamp claimed the manors as their own. Clement Spice and William Bateman went to Braxted and commanded Lord Talbot to leave. Fortunately for Clement perhaps, who doubtless wanted to avoid violence, Lord Talbot 'humbly with honour' inspected their commission 'and obeyed the king's commands with all humility and reverence'.²⁰²

In May 1396, with an array of lawyers and other gentry, including Sir Walter Lee, John Boys, William Bateman, Robert Rikedon, William Geldrich, John Kempe, Richard Waltham, and John, Lord Cobham, Clement Spice quitclaimed his rights as feoffee in respect of the manor of Great Sampford on behalf of William Bateman and his wife Margaret to John Doreward of Bocking and the rector of Bocking and Stisted.²⁰³ Both Bateman and Doreward were Sir William Coggeshall's sons-in-law so this transaction appears to represent a family settlement of the Coggeshall patrimony, Sir William having no surviving sons.

Clement received other commands from the king that required him in his role as escheator, physically to deliver important documents. For example, in September 1396 he had to deliver the temporalities of the conventual church of St Mary and St John the Baptist, Bicknacre, Essex to William Winchester the newly elected prior.²⁰⁴ There is no evidence that

Clement employed a deputy to carry out these time-consuming tasks. Clearly he was still trusted by the local gentry during his term of office as escheator, for Clement courteously obliged his occasional co-feoffee John Boys by acting as feoffee for him regarding the manors of Blunts Hall, in Witham, Tolleshunt D'Arcy and Virley, all of which were in Essex.²⁰⁵

Just before Christmas 1396, Clement witnessed a charter of enfeoffment for Lady Joan Swinburne, who had now apparently reached an accommodation with her stepson Sir Thomas Swinburne regarding the disputed patrimony of her late husband.²⁰⁶ Curiously, the list of witnesses to this charter is far more impressive than the list of feoffees (the latter includes two former sheriffs, William Bateman and William Geldrich) as it includes Robert Braybrooke, bishop of London, the earl of Oxford, Sir Bartholomew Bouchier, Sir William Coggeshall, Sir William Bouchier, Sir William Langham, Sir Geoffrey Brokhole, Thomas Coggeshall, John Doreward, John Langham, John Boys as well as Clement Spice.

The year 1397 was to prove a momentous one for Clement as he was to witness the fall and destruction of the duke of Gloucester his sometime patron. It was his good fortune not to fall with him as Richard II was likely to be vindictive toward Gloucester's former adherents – although it has to be said that it was not unusual for lawyers to survive the fall of their patrons. As late as 16 April he was still acting on behalf of the doomed duke regarding the manor of Wethersfield.²⁰⁷ On 1 July Sir Thomas Swinburne enfeoffed Clement, John Doreward, John Boys, Thomas Lampet, Ralph Chamberlain and others with his land in Lincolnshire, Cambridgeshire, Suffolk and Essex.²⁰⁸ Ten days later Gloucester was arrested by the king at Pleshey Castle and taken to Calais where he was imprisoned. There on 8 September, the judge Sir William Rickhill, who had served on commissions of the peace with Clement, interrogated the duke on the king's behalf. Gloucester appears to have confessed to treason against the king and by 24 September it was put about that he had died. It later transpired that he had been smothered under a feather pillow. As a member of Gloucester's affinity it was Clement's misfortune to be an important royal official in Essex when Gloucester's affairs in the county came under the king's scrutiny. On

1 October 1397 he received an order from the king requiring him as escheator to deliver to the treasurer and chamberlain a complete certified inventory of goods and chattels seized by him on information that Gloucester had embezzled 'divers prests and sums of money' from the king.²⁰⁹ In addition, Clement was to seize and keep safe until further notice, all the duke's goods and chattels to be found in Clement's bailiwick. No doubt Clement made his way to Pleshey in great haste and would have supervised personally the preparation of the required inventory of goods (Plate 25). This detailed document has survived in the escheator's accounts for Essex and Hertfordshire in The National Archives, and shows the extraordinary richness of Gloucester's lifestyle.²¹⁰

Having prepared the inventory as instructed, Clement was appointed with others to seize on the king's behalf, all other property located in Essex and Hertfordshire belonging to the late duke, Thomas Arundel the archbishop of Canterbury, the earl of Arundel and the earl of Warwick.²¹¹ His urgent task having been completed to the king's satisfaction it seems, Clement was re-appointed to the Essex bench as JP once more on 12 November 1397 together with William Bateman, Robert Newport, William Skrene (a fellow lawyer and neighbour from Roxwell, Essex) the earl of Oxford, Lord Bouchier and others.²¹²

Ten days later, Clement was appointed as a member of a commission of oyer and terminer with the lawyers William Skrene, John Doreward, Robert Newport and others, regarding bondmen of Great Bromley who had withdrawn their customs and services on the manor.²¹³ By 24 November his professional practice had sufficiently returned to equilibrium to enable him to lend (with Roger Cavendish) to a certain James Andrew of Suffolk, 200 marks.²¹⁴ At the end of what had undoubtedly been an exhausting year for Clement, he was appointed on 20 December to an extraordinarily important royal commission on which also sat the bishop of London, the earl of Oxford, Lords Fitzwalter and Bouchier, five abbots, the prior of St Botolph's Colchester, four knights and ten lesser members of the gentry, in order to consider the payment of the tax known as the Ancient Farm of Essex.²¹⁵

Clement may have taken a break from work at the beginning of 1398 for we do not hear of him

again until 21 March when he was ordered by the king to give Gloucester's widow livery of the castle and manor of Pleshey the king having taken her homage and fealty.²¹⁶ The duchess died, apparently of grief, on 3 October the following year and her only son died aged eighteen on his return from exile in Ireland. On 14 May, 1398 Clement was a mainpernor once again (but we do not know upon what terms he acted) in the sum of 100 marks for a West Ham man and next day he and William Skrene were appointed justices of oyer and terminer in Essex.²¹⁷ A further royal commission followed on 16 June when Clement, together with William Skrene, William Bateman and others, was charged with examining waterways in Essex but to what end we do not know.²¹⁸ Another member of the commission was the judge Sir William Rickhill (knighted in 1397) and it may be that in view of his own relationship with Gloucester that Clement would have found difficulty working with him. The year 1398 marked the fiftieth anniversary of the outbreak of plague now known as the Black Death; there could have been few men alive in Essex who were adults in 1348 who remembered it as Clement undoubtedly did.

By 16 July 1398, one Richard Spice (apparently Clement's youngest son by his wife Alice) was a witness to a quitclaim in Hertfordshire by Thomas de Hoddesden.²¹⁹ His fellow witnesses included John and William Chertsey, Richard's two stepsons from his marriage to Isabella, widow of John Chertsey who died the previous year. Chertsey had been a citizen and clothier in London and is mentioned in the will of John Parker as having left his son property in London, to hold for the lives of Beatrice Wolfreston (possibly the sister of Roger Wolfreston, Clement's old friend) and the unnamed wife of John Nowers.²²⁰ Despite his surname, the clothier John Chertsey was the second son of Nigel Tebaud or Theobald of Sudbury, Suffolk, a wealthy merchant, whose eldest son was Simon of Sudbury, archbishop of Canterbury who was murdered in 1381 during the Peasants' Revolt.²²¹

During the following February, Clement and his neighbour Thomas Lampet of Fyfield borrowed £116 from John Doreward (who was sheriff from 22 August that year) and William Geldrich of Finchingfield (escheator in 1392 and 1400).²²² It is perhaps significant that Clement does not appear to have acted with his partner Robert Rikedon during

Clement's years as escheator and this suggests that Rikedon may have taken over the main burden of the partnership's work for the time being, probably in association with Richard Waltham, Rikedon's neighbour from Little Waltham, Essex. Like Clement, Rikedon also held county office, including his appointment as JP between 1386–1410, when he was much in demand as a commissioner. Eventually Clement was able to relinquish his duties as escheator when he was succeeded by Robert Ramsey on 8 February 1399, who was himself succeeded by the lawyer Richard Baynard on 30 September.²²³ Such a short term of office suggests that Ramsey was either a stand-in for Clement who may have been temporarily incapacitated or that Ramsey was a sick man. Appointments to the escheatery at this time generally lasted for a minimum of one year and ran from November or December. Perhaps Clement was sick when he relinquished his appointment in February.

September 1399 saw the deposition of Richard II and Clement may well have enjoyed the prospect of the reign of his successor King Henry IV who was the son-in-law of Clement's patron countess Joan. In October, Clement and others obtained a licence from the new king for 95 marks to enable the prior and convent of Leighs in Essex to alienate land in Halstead in mortmain so as to celebrate masses for the soul of Richard atte Hoo in perpetuity. Leighs Priory had an interest in the manor of Great Wenham, Suffolk so it is not surprising that Clement was the lawyer chosen to arrange the alienation.²²⁴ Although Clement was once again appointed as JP in November, we hear very little of him during 1400.²²⁵ At the age of seventy the stress of the last few years may have taken a toll on his health. However, a deed of 7 February 1400 describes him as the tenant and occupier of a messuage and shops in the London parish of 'Aldermaichurche' (St Mary Aldermary in Bow Lane).²²⁶ This is our only clue as to the possible whereabouts of Clement's London home. In Essex he appears to have been itinerant – drawing up deeds and conducting other business in the homes of the higher nobility and the gentry. No doubt clients also came to see him at Willingale Spain and Black Notley but this prompts the questions – when and where did they know how to find him? The grapevine would have served this purpose as would networking with his fellow gentry. For the

ordinary folk who needed his help he may well have followed the practice of conducting business in the porch of their parish church (this would have been more comfortable for Clement than having to work in a succession of hovels); for the better sort, business would no doubt have been conducted in their homes.

At the close of the year and despite his advanced age, Clement was appointed to yet another commission of oyer and terminer with such dignitaries as Sir William Rickhill, Sir William Waldegrave of Suffolk, Thomas Coggeshall and Thomas Lampet.²²⁷ They were required to investigate a complaint from the prior of Earls Colne that the dowager countess of Oxford, together with a monk named John Preston (the de Vere's steward), Thomas Tewe and others, broke into the prior's house at Earls Colne during the night 'assaulted him and imprisoned him and carried him from thence to divers places' and then took him back to Earls Colne 'shamefully clad', where he was forced to swear on the Host never to undermine the monk John Preston's claims to the priory. The prior also claimed that this mob of people had cut down his trees, fished in the fisheries, carried away his goods, consumed his corn and assaulted his fellow monks and servants. There is no reason to suppose that Clement did not carry out the arduous commission to which he was appointed in person.

In 1401 Clement was twice more appointed as JP, and he was named in a pardon purchased from the king by Thomas Walden which forgave Thomas for granting Clement and others the manor of Ongar Park in High Ongar (which Walden held from the king) and appointing them as feoffees.²²⁸ The same pardon gave the feoffees licence to grant the manor back to Thomas Walden and his wife Margaret. In March, Clement witnessed the quitclaim of the manor of Stanway in Essex by William Farman to John Doreward, other witnesses included Sir William Coggeshall (Doreward's father-in-law), Robert Rikedon and Richard Baynard (Doreward's brother-in-law).²²⁹ It appears that at this date Clement's son Richard leased the manor of Baas in Hoddesden, Hertfordshire as he regularly accounted to his stepson John Chertsey in the church of Waltham Holy Cross for the rent.²³⁰ In the same year, Ismania widow of Sir William Wauton enfeoffed Clement and others with her manor of Porters, Stebbing.²³¹

At the end of November 1401 Clement was associated with the powerful London draper and former mayor, John Hende (who had an estate in Essex and was Richard Baynard's stepfather) and Robert Rikedon as feoffees for John Bishop of Suffolk.²³² Two months later Hende appointed Clement as one of his own feoffees.²³³ Maybe the two men came into contact through London members of the Cavendish family (some of them of Suffolk origin) who, like John Hende, were members of the Drapers' Company. Hende had acquired the Essex manor of Bradwell-juxta-Coggeshall, and like other successful Londoners of humble origin, had established himself as an Essex gentleman. In his case, in order to establish himself, he had taken the added precaution of marrying as his second wife Katherine Baynard, the widow of Thomas Baynard of Messing.²³⁴ The Baynards were a particularly long established Essex gentry family with an impressive pedigree and an estate centred on the village of Messing.

In May 1402 Clement was appointed to a royal commission with the task of enquiring into the whereabouts of concealed goods belonging to John, the late earl of Huntingdon.²³⁵ A year later, when challenged concerning these goods, Clement was, like a good lawyer, able to prove on oath in chancery that he had not physically received the document appointing him to the commission.²³⁶ He was, however, properly appointed to a commission *de wallis et fossatis* which included Richard Waltham and William Hanningfield, both of them Essex lawyers, covering a section of the Thames estuary.²³⁷

In a fine sued out in 1403, Clement and his youngest son Roger, acted as feoffees together for John Bray of Tilbury-juxta-Clare, and Joan his wife in respect of land there.²³⁸ Although it is unlikely that Roger was the son of Alice Bocking as she was born c.1335, it is possible that he was born to her shortly after 1375 when the names of her living sons (including Roger) were set out in a deed.²³⁹ If Roger (perhaps Roger Wolfreston or Roger Ketterich was his godfather) was born c.1380 he would have been about eighty when he died in 1459 – a remarkable example of father and son longevity as Clement was perhaps eighty five or ninety when he died. Unusually for an old man, when aged more than seventy, and almost certainly having had no previous military service, Clement was appointed

to a commission of array for Essex on 28 August 1403, with Sir John Howard, Sir William Coggeshall (the former *condottiere*), John Doreward, Robert Litton, Robert Rikedon and Helming Leget, then sheriff of Essex and Hertfordshire.²⁴⁰ Presumably the commissioners' duties would have been almost entirely administrative and therefore entirely appropriate to elderly lawyers like Clement Spice and Robert Rikedon who seemed to have devoted the latter part of their careers largely to such duties in Essex on behalf of the crown. At Chigwell during the following year, Clement and yet another distinguished group of senior Essex gentry, which comprised the distinguished knights Sir John Howard, Sir William Coggeshall, Sir William Bouchier and Sir William Marney (son of Sir Robert), together with Robert Teye and John Boys, had witnessed a charter with which Bartholomew, Lord Bouchier enfeoffed Robert Newport, John Doreward, Robert Rikedon and Richard Fitznichol (all of whom it should be noted, were below the rank of knight) with land in Chigwell and the advowson of the parish church.²⁴¹ It was an indication of Clement's advancing years that some of his fellow witnesses – Sir William Marney and Robert Teye – were the sons of former clients and associates.

Another administrative task given to Clement was an appointment as one of the controllers for the collection of the subsidy for Essex, his fellow controllers being Robert Rikedon, Richard Waltham (both lawyers), Richard Torrell (Clement's neighbour and fellow manorial lord from Willingale Doe) and John Lightfoot.²⁴² In 1405, Clement was appointed to a commission investigating treasons and felonies said to have been committed by the abbot of St John's, Colchester doubtless reminding him of his earlier commission to investigate an abbot of Colchester in 1393.²⁴³ However, Clement Spice, Robert Newport and Robert Rikedon were subsequently able to take an oath swearing that the commission document had never come into their hands, in Clement's case a repetition of the administrative failure of a commission in 1403.²⁴⁴

Clement was appointed to another commission in February 1406, together with the ubiquitous Sir William Coggeshall, as well as William Clopton, William Skrene and Helming Leget (whose widow Alice later married Clement's son Roger), this time to investigate a report of poaching in the park at Bardfield, which was in the king's hands during

CHAPTER EIGHT | Escheator

the minority of the earl of March.²⁴⁵ In November Robert Rikedon was appointed escheator for Essex and Hertfordshire and he would doubtless have found it helpful that his partner and mentor were available to brief him on his duties. It is interesting how the escheators formed a group of senior gentry who not only undertook a series of

county administrative tasks but collectively stood as feoffees, witnesses, mainpernor for each other, once again the result of successful networking. In 1407 Clement was enfeoffed with land by Robert Sewale of Coggeshall, the son of John Sewale who had been sheriff of Essex and Hertfordshire during the Peasants' Revolt.²⁴⁶

RETIREMENT

Very little is known of Clement Spice's activities during the year 1408. No doubt on account of his age, his professional workload may have greatly reduced in volume, but he was still in demand as a trustworthy feoffee, even though he could have died of old age shortly after the ink was dry on the documents. He witnessed a grant by feoffees on 20 February to the heirs of Thomas Bataille concerning the manor of Matching Barns in Hatfield Broad Oak, his fellow witnesses included Sir William Coggeshall and Sir William Bouchier, also Ralph Chamberlain, another lawyer popular as a feoffee and witness to documents.²⁴⁷ A month later on 20 March 1409 Clement witnessed a grant of land together with Helming Leget and others.²⁴⁸

Richard de Vere, 11th earl of Oxford (the 6th earl had been alive when Clement was born) appointed Clement as his feoffee on 10 March together with John Hende, Robert Teye, Robert Rikedon, John Basset and others including Elias Bocking, a kinsman of Clement's wife Alice (it is not known whether she was still alive at this time).²⁴⁹ In February 1412 Clement and John Hende lent Lord Clinton of Say 200 marks but it is not recorded whether the debt was recovered in Clement's lifetime; lending money to the rich and powerful was a risky business as it was sometimes difficult to recover money from them.²⁵⁰

On 16 April at Great Dunmow, a short journey down the Roding valley for an octogenarian lawyer who probably divided his time between his houses in Willingale Spain and Black Notley, Clement witnessed a quitclaim of the manor of Alfreston, Great Dunmow, together with a manor in Norfolk, by William Bygod to his step-father John Doreward and his mother Isobel (who was the lawyer Richard Baynard's sister).²⁵¹

At this time Clement was one of a group of friends and well wishers still associated with countess Joan, the king's grandmother, who obtained for her a 40 mark licence enabling the countess, together with Sir Gerard Braybrooke, Sir William Marney and John Boys to found a perpetual chantry with

two chaplains to celebrate divine service daily in the church of Dunmow priory, Essex for Walter Fitzwalter, 4th Baron Fitzwalter, son and heir of John Fitzwalter and his wife Eleanor, together with their ancestors and descendants.²⁵² For this they granted the prior of Dunmow the advowson of Great Tey. Walter Fitzwalter died abroad whilst on military service but he and his wife are commemorated by a fine alabaster monument in Little Dunmow church, which was formerly the priory.

In 1412, Clement Spice, like the majority of landowners in England with an annual income from land of more than £20, was assessed for the payment of the subsidy. His estate income at Black Notley was put at £20 for tax purposes and 20 marks at Willingale Spain. He also had property in Colchester assessed at five marks per annum.²⁵³ No doubt the value placed on his land was the lowest he thought he could get away with; opportunities for tax avoidance, especially for someone as experienced as Clement Spice, would have been considerable. We have no reason to think, however, that he was more dishonest than his peers. In 1436 when his son was assessed for income tax he was found to have an annual income of £133, this would have made him one of the richest members of the Essex gentry.²⁵⁴ Clearly Clement had given him a good start.

Clement is next heard of in July 1413 when he witnessed a charter of enfeoffment for John Ewell of Ewell Hall, Kelvedon, whose father had been murdered by the rebels in 1381 whilst serving as escheator.²⁵⁵

Clement's heir Roger Spice had married Tiffany (surname unknown) whose existence is only known from a record made by the seventeenth-century antiquary Richard Symonds who recorded part of the inscription on her tomb at Black Notley.²⁵⁶ There may have been a number of monuments to the Spice family at Black Notley but none of them has survived. After Tiffany's death, Roger married Helming Leget's widow Alice, probably in 1413, a short while after Leget's death in 1412. Haste

CHAPTER NINE | Retirement

was usual in such cases, especially where, as with Helming Leget, he left a young son and heir, some of whose income could perhaps be enjoyed during his minority. Alice Leget was the daughter and heir of Sir Thomas Mandeville of Black Notley Hall and she brought the manor to the Spice family on her marriage to Roger Spice (though the family may previously have leased the manor).

On 28 October 1414, Clement's name together with that of Robert Rikedon was listed among the witnesses to a grant of land in the villages of Terling and Fairstead.²⁵⁷ As only a small portion of all the deeds signed and sealed in fourteenth-century Essex survive, it is impossible to know how much work Clement was doing at any particular stage of his career. All we have are the fragmentary remains of his documentary output. Clement's name also appears in the record of a fine sued out in the Court of Common Pleas during Michaelmas term 1415 (6 October to 25 November) where he began his training as a lawyer. Clement together with John Doreward, Robert Rikedon, and Clement's son Roger Spice, was enfeoffed with land in Stebbing and Great Saling, by Nicholas Talbot and his wife Ismania.²⁵⁸

Clement Spice is mentioned in a letter of attorney dated 6 March 1416, together with Robert Rikedon, Roger Spice and Richard Honeley addressed to John Fokes and John Barber to deliver seisin of land in Essex to Clement's old acquaintance John Bray of Felsted, Essex (Plate 28).²⁵⁹ The document still bears wax fragments of Clement's armorial seal (a chevron is visible) and also the personal seal of Robert Rikedon. Clement's last known transaction

as a lawyer, indeed the last date on which he is known to have been alive was 4 March 1419, when a grant by Clement of a messuage in White Notley to four named individuals was made. It was witnessed by, amongst others, his son Roger and the document is sewn to the grant of 1377 by which Clement and his wife Alice had conveyed the same property to Roger and Lucy Andrew.²⁶⁰

We do not know when Clement Spice died but it was probably when he had reached the age of eighty-five or more. Perhaps he died in 1419, the same year as Countess Joan. No will survives for Clement Spice, but this is not unusual as the majority of gentry wills have perished with the passage of time. It is more unusual that no inquisition post mortem seems to have taken place in Essex following Clement's death. There is no record of his burial place or of a monument to his memory but it is most likely that he was buried either at Black Notley with other members of his family or at Willingale Spain in the church which still has an ancient bell which could have tolled at his funeral.

Roger Spice succeeded his father as head of the family and named his own son and heir after his father. Roger died in 1459 and was buried in Black Notley church, a short distance from Black Notley Hall (Plates 20–21).²⁶¹ Clement Spice II (1420–1483) may never have seen his grandfather Clement I, but he grew up at Black Notley Hall and eventually became an MP for Essex.²⁶² His son Humphrey Spice is Clement's last known male direct descendant and he died in 1485. Humphrey's daughter Philippa was his heiress and through her Clement's line continued in Essex.²⁶³

CONCLUSION

This study of the life of Clement Spice highlights a number of aspects of lawyer and gentry activity in fourteenth-century Essex. Clement rose from obscurity in a Suffolk village to be a leading member of his profession (counsel to the Prince of Wales), and having achieved this success, acquired an estate in Essex and thereby entered local gentry society. His initial acceptance as a parvenu may have been grudging (he was rarely addressed as ‘esquire’ even at the height of his career – an indignity experienced by most self-made gentry lawyers at that time) but clearly he was valued and probably respected by his many clients. In time, through a combination of clientage, adherence to magnate affinities, partnership with other lawyers, marriage to an heiress with useful local connections, kinship, friendship and office holding, he became as much a part of gentry society as if he had been born into it.

For his services to the Prince of Wales he was rewarded with a salary, livery, and the income from an Essex hundred and stewardship of a royal manor. From his magnate and gentry clients (to whom he was obviously very useful) he seems to have relied on fees, but membership of these circles of affinity no doubt had other advantages for an ambitious man. There is no reason to suppose that Clement’s services and rewards as a lawyer were unusual but he does seem to have done his job extremely well, as is demonstrated by the fact that not only did the king repeatedly employ his services (even after the fall of Clement’s patron the duke of Gloucester) but most of his clients maintained him for many years, sometimes recommending him to their children.

Not only was Clement Spice trusted as a feoffee, witness and escheator, but he also acted as arbitrator, banker (providing loans and raising capital on behalf of clients) and mainpernor. Most of his business in Essex was done in partnership with gentry-born lawyer Robert Rikedon and later the lawyer Richard Waltham seems to have been brought into the practice. Professional partnerships between lawyers seem to have been the rule between Essex lawyers who seldom acted alone. It is also noteworthy that Clement frequently acted in matters

of trust, particularly as a feoffee and in the execution of wills, with members of the local clergy, usually parish priests. Magnates and senior members of the gentry were frequent users of Clement’s services and those of his partners and associates.

An analysis of Clement’s recorded clients shows that his everyday work was done with the principal or greater gentry – those whose interests lay not only in Essex but also other (usually bordering) counties. Typically they owned several manors in each county where their interests lay. He seldom dealt with the minor or parish gentry whose sole manor was their main source of landed income and whose outlook and interests were largely confined to a single locality, usually a single parish. He did, however, occasionally take very ordinary people as clients, men and women who were altogether outside gentry society. Perhaps this was through personal connections for which no documentary evidence survives. Clement was also retained by residential Essex magnates and had the remarkable distinction of working for all three of the resident higher nobility families, de Vere, Fitzwalter, Bouchier as well as the duke of Gloucester and countess Joan Bohun. Sometimes Clement was employed by more than one member of the higher nobility at a time. He was not only able to avoid becoming embroiled in their rivalry, but he was a trusted adviser to them all, with no apparent conflict of loyalty, though this may not have been unusual among the legal profession. He was also employed on a frequent basis as a commissioner to deal with particularly sensitive matters such as errant members of the higher nobility or senior clergy. Reviewing the decisions of the Court of Husting in London would have taxed his technical knowledge and diplomatic skills. Perhaps the most serious test of his abilities came when he was part of the royal commission which dealt with the aftermath of the duke of Gloucester’s murder whilst remaining a part of countess Joan’s affinity, she being the duke’s supporter and mother-in-law.

Clement Spice’s career shows just how much the Crown relied on the local gentry especially

CHAPTER TEN | Conclusion

lawyers, for the provision of local government in the counties. He had what must at times have been a crushing workload, particularly as he was at his busiest when he was well past middle age. For an unusually long period he held the office of escheator for Essex and Hertfordshire and he was also a long-term JP. In the latter role he was appointed to a Bench comprising magnates, senior clergy, and the principal gentry, many of whom rarely attended the sessions. It was left to him and his fellow lawyers to carry out the main burden of the work. Similarly he was appointed to numerous royal commissions where it is clear that he dealt not only with the administration and the provision of legal advice but also the execution of the king's personal orders. It is significant that Clement was never chosen as sheriff or elected as MP, these offices were still almost the exclusive preserve of the long-standing

principal gentry families in the county and not for parvenus such as Clement. He did of course take out royal protection from appointment to public office against his will.

In relation to his position in gentry society there remains a paradox: he had many kin in Essex and probably also in Suffolk, also neighbours and no doubt personal friends, yet it is never clear from any analysis of his transactions whether he was acting as a lawyer for a fee or *pro bono*. Perhaps the best measure of his acceptance by, and value to, the gentry, is his frequent employment as feoffee, escheator, banker and mainpernor. This lasted until he had passed his eightieth year. Although he must in many ways have been typical of his profession, his record was remarkable.

ABBREVIATED REFERENCES

The following abbreviations are used in the notes and select bibliography:

B.I.H.R.	Bulletin of the Institute of the Historical Research
B.L.	British Library
E.H.R.	English Historical Review
E.R.O.	Essex Record Office
O.D.N.B.	Oxford Dictionary of National Biography
T.N.A.	The National Archives

NOTES

In general, medieval spellings of names and places have been modernised. The prefix 'de' has been removed from surnames except in the case of the de Vere family. Place-names are in Essex unless otherwise specified. Technical terms are explained in the glossary.

Introduction

¹ Clement was a relatively uncommon Christian name in 1330. St Clement who died c.100 was a pope and martyr, some forty-three churches were dedicated to him in England. St Clement is the patron of Trinity House and his feast day is 23 November: D.H. Farmer, *Oxford Dictionary of Saints* (2nd edn., Oxford, 1987), p. 91. Two medieval dedications to St Clement are known in Essex churches, they are at West Thurrock and Leigh: J. Cooper, *The Church Dedications and Saints' Cults of Medieval Essex* (Lancaster, 2011), p. 65. St Clement is also the patron saint of blacksmiths and metalworkers. The church of St Clement in Ipswich docks is perhaps the closest church to Great and Little Wenham with this dedication.

Chapter 1: Background

- ² 'Socially the lawyer's position remains ambiguous ... yet contemporaries regarded lawyers as socially inferior ... Richard Scrope was taunted with the rebuke that he could not be a gentleman (gentil homme) because his father was a lawyer.': B. Vale, 'The profits of the law and the "rise" of the Scropes', in M. Hicks, ed., *Profit, Piety and the Professions in Later Medieval England* (1999), pp. 100–01.
For the lowly origins of a medieval lawyer see C. Moreton, 'A "best betrusted frende": A Late Medieval Lawyer and His Clients', *Journal of Legal History*, Vol. 11 (1990), pp. 183–9.
- ³ Richard Alrede (d. 1447) of Boreham.
- ⁴ Sir Peter Arderne (d. 1467) of Latton.
- ⁵ Richard Fox (d. 1435) of Arkesden: J.S. Roskell, L. Clark and C. Rawcliffe, eds, *The History of Parliament: The House of Commons 1386–1421*, 4 Vols (Stroud, 1992), 3, pp. 114–16.
- ⁶ Thomas Rolfe (d. 1440) of Gosfield: C. Starr, *Medieval Mercenary* (Chelmsford, 2007), pp. 72–8.
- ⁷ William Skrene (d. c.1410) of Roxwell.
- ⁸ Walter Writtle (fl. 1420) of Writtle.
- ⁹ Richard Baynard (c.1371–1434) of Messing: Roskell et al., *History of Parliament 1386–1421*, 2, pp. 150–2.
- ¹⁰ John Doreward (d. 1420) of Bocking: Roskell et al., *History of Parliament 1386–1421*, 2, pp. 790–2.
- ¹¹ William Hanningfield (d. 1426) of East Hanningfield: Roskell et al., *History of Parliament 1386–1421*, 3, pp. 282–4.
- ¹² Robert Rikedon (d. c.1420) of Witham.
- ¹³ Sir Thomas Tyrell (d. c.1381) of Downham and East Horndon: O.D.N.B. (2004).
- ¹⁴ Sir John Tyrell (c.1382–1437) of East Horndon: Roskell et al., *History of Parliament 1386–1421*, 4, pp. 683–6.

Chapter 2: Origins

- ¹⁵ P. Morant, *The History and Antiquities of the County of Essex*, 2 Vols (London, 1763–1768, repr. 1978), 2, p. 392.
- ¹⁶ T.N.A., C 241/141/175. John Pyel was Mayor of London in 1372.
- ¹⁷ Grant by Reginald Osgot c.1240 which refers to land of 'Johannis Speciarrii de Donewico': P. Brown ed., *Sibton Abbey Cartularies and Charters Part 2. Suffolk Record Society, Suffolk Charters*, 8, No. 83 (Woodbridge, 1986). The list of subsidy tax payers in Suffolk in 1327 shows numerous men with the surname Spicer/le Spicer.

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- ¹⁸ For example, in the Essex lay subsidy for 1327, the following appear: David le Spicer, Stifford; Johanne le Spicer and Nicholas le Spicer, Chelmsford; Johanne le Spicer, Maldon; Ricardo le Spicer, Layer-de-la Haye; Saman le Spicer, Coggeshall: J.C. Ward ed., *The Medieval Essex Community: The Lay Subsidy of 1327* E.R.O., Publication No. 88 (Chelmsford, 1983). It is clear that the form Spice is much less common than le Spicer. The *Essex Fines* also list many examples of the name Spicer.
- ¹⁹ F. Bickley, *The Cavendish Family* (London, 1911), p. 2.
- ²⁰ *Suffolk Feet of Fines* (1900), No. 12, p. 160.
- ²¹ *Suffolk in 1327*, Suffolk Green Books, No. 9 (1906), p. 5. Great Wenham and Little Wenham. Great Wenham, also known as Wenham Combusta, was in the hundred of Samford and outside the Liberties of St Edmund and St Etheldreda. In addition to William Spice, a Richard Spice was also taxed at 12d. in the Wenhams. Robert Aspal was taxed at 4s. and heads the list of tax-payers, it is not clear whether he was a manorial lord in Great or Little Wenham, the Holbrooks were not taxed in either village.
- ²² W.A. Copinger gives the history of the manor of Great Wenham in *The Manors of Suffolk*, 7 Vols (Manchester, 1905–11) 3, pp. 308–9. See also *Feudal Aids 1284–1431* (Great Wenham: p. 24 (1303), p. 37 (1316), p. 48 (1346).
- ²³ M. Bailey, *Medieval Suffolk* (Woodbridge, 2007), p. 27: ‘In general, Suffolk in c.1300 was lightly manorialized ... vills which were divided into greater numbers of small, low-value, manorial units, mainly held by lay landlords and dominated by free tenures: villein tenures and villeins were largely non-existent.’ p. 33.
- ²⁴ L. Boreham, *The Church of St. John the Evangelist at Great Wenham, Suffolk* (2002), and R. Tricker, *All Saints’ Church, Little Wenham, Suffolk* (2005).
- ²⁵ E. Martin, ‘Little Wenham Hall, A Reinterpretation’, *Proceedings of the Suffolk Institute of Archaeology and History*, Vol. XXXIX, Part 2 (1998), pp. 151–64.
- ²⁶ Gilbert Debenham (d. 1369) of Great and Little Wenham, Suffolk: Roskell et al., *History of Parliament, 1386–1421*, 2, p. 760.

Chapter 3: Early Career

- ²⁷ P.A. Brand, ‘Courtroom and Schoolroom: the education of Lawyers in England prior to 1400’, *B.I.H.R.*, 60 (1987), pp. 147–65, outlines the education that trainee lawyers such as Clement Spice may have received. B.H. Putnam, *The Place in Legal History of Sir William Sharesull* (Cambridge, 1950), p. 17, suggests that Sharesull would have been sixteen or seventeen when he began his legal training c.1305.
- ²⁸ P.A. Brand, ‘The Origins of the English Legal Profession’, *Law and History Review*, Vol. 5, No. 1 (Spring 1987), pp. 31–50.
- ²⁹ For a description of the tomb see: R.Tricker, *All Saints’ Church, Little Wenham, Suffolk* (2005).
- ³⁰ F. Bickley, *The Cavendish Family* (London, 1911), p. 2. See also J.H. Round, ‘The origin of the Cavendishes’, in W. Page (ed.), *Family Origins* (London, 1930), pp. 22–32.
- ³¹ H. Eiden, ‘Cavendish, Sir John (d. 1381)’ *O.D.N.B.* (Oxford, 2004).
- ³² *Ibid.*
- ³³ Black Death arrived in London by 1 November 1348.
- ³⁴ Brand, ‘The Origins of the English Legal Profession’, p. 35.
- ³⁵ B. Seaman, ‘Lawyers in Chaucer’s Time’, *Legal Studies Forum*, Vol. 6, No. 2 (1982), pp. 187–203.
- ³⁶ T.N.A., SC 8/253/12632. Petition by Clement ‘Spys’.
- ³⁷ N.L. Ramsay, ‘What was the Legal Profession?’, in M. Hicks (ed.), *Profit, Piety and the Professions in Late Medieval England* (1990), pp. 62–71; R.C. Palmer, ‘County Year Book Reports: the professional lawyer in the medieval county court’, *E.H.R.* Vol. 91 (1976), pp. 776–98.
- ³⁸ A. Musson, *Medieval Law in Context* (Manchester, 2007), p. 68.
- ³⁹ B. Seaman, ‘Lawyers in Chaucer’s Time’, *Legal Studies Forum*, Vol. 6, No. 2 (1983), pp. 190–1.
- ⁴⁰ H. Castor, *Blood & Roses* (2004), p. 13.
- ⁴¹ *Essex Feet of Fines*, 6 Vols (Colchester & Oxford, 1899–1993) 3, p. 103.
- ⁴² *Calendar of Patent Rolls, 1358–1361*, p. 47.
- ⁴³ *Suffolk Fines*, No. 4, p. 218.
- ⁴⁴ *Essex Fines*, 3, p. 124.
- ⁴⁵ Sir Robert Swinburne (c.1327–91), of Little Horkesley and Wissington, Suffolk: Roskell et al., *History of Parliament 1386–1421*, 4, pp. 545–7.
- ⁴⁶ Bodleian Library, Rawlinson MS, 13/202.
- ⁴⁷ E.R.O., D/DPb T2/1 and T2/2.

- ⁴⁸ E.R.O., D/DPb T2/6.
- ⁴⁹ *Black Prince's Register*, 4 Vols, (London, 1930–2), 4, pp. 376–7.
- ⁵⁰ *Ibid.*, 4, p. 311. It may be no more than a coincidence but Peter Gildesburgh, appointed Keeper of the Prince's Exchequer in 1344, was related to Sir John Gildesburgh who Clement Spice served as lawyer on many occasions. *Ibid.*, p. 146. In 1355, the Black Prince's clerk and Keeper of the Privy Seal was Richard Wolveston, probably a kinsman of Clement's friend Roger Wolfreston. The Black Prince was born in 1330, a contemporary of Clement Spice and Sir John Gildesburgh: Roskill et al., *House of Commons 1386–1421*, 3, pp. 185–7 and Putnam, *Sir William Sharesbull*, pp. 36–8.
- ⁵¹ *Cal. Pat. Rolls*, 1361–1364, p. 158.
- ⁵² *Ibid.*, p. 191. Thomas Engaine (c.1336–67) was the son of Sir Thomas Engaine of Dillington, Hunts. (d. 1358).
- ⁵³ *Ibid.*, p. 256.
- ⁵⁴ John Rookwood (d. c.1386) of Stoke-by-Nayland, Suffolk.

Chapter 4: Acquiring an estate and gentry status

- ⁵⁵ A. Hoffmann, *Bocking Deanery* (London, 1976), p. 18. Release by Henry de Bockynge: B.L. Chartae Antiquae B. 36.
- ⁵⁶ *Calendar of Inquisitions Post Mortem*, 10, p. 320. See Morant, *History of Essex*, 2, pp. 384, 392, for the descent of Bocking Hall, and Jenkins Manor, Stisted.
- ⁵⁷ *Essex Fines*, 3, p. 81.
- ⁵⁸ Morant, *History of Essex*, 2, p. 392.
- ⁵⁹ *Essex Fines*, 3, p. 137.
- ⁶⁰ *List of Sheriffs for England and Wales*, List & Index Society 72 (London, 1932).
- ⁶¹ *List of Escheators for England and Wales*, List & Index Society 9 (London, 1898).
- ⁶² *Calendar of Charter Rolls*, 1257–1300, p. 270.
- ⁶³ *Suffolk in 1327*, p. 2.
- ⁶⁴ *Calendar of Inquisitions Post Mortem*, 10, p. 320.
- ⁶⁵ *Essex Fines*, 3, p. 114.
- ⁶⁶ *Ibid.*, pp. 130, 168.
- ⁶⁷ *Ibid.*, p. 230.
- ⁶⁸ *List of Sheriffs* (1932) and *List of Escheators* (1898).
- ⁶⁹ N. Saul, *Knights and Esquires* (Oxford, 1981), pp. 106–9, discusses the necessary qualifications for office-holding in the fourteenth century. Ketterich was described as still 'of Shalford' in a quitclaim dated 13 October 1392 (E.R.O., D/DO T1/4) but was dead by 21 April 1395 when his widow had right of dower over the land (E.R.O., D/DO T1/5).
- ⁷⁰ *Suffolk Fines*, No. 7, p. 229. See R.R. Sharpe (ed.), *Calendar of Wills in the Court of Hustings 1258–1688*, 2 Vols (London, 1890) 2, p. 149, for the will of Stephen Cavendish dated 1372.
- ⁷¹ *Calendar of Close Rolls*, 1364–1368, p. 200. Lord John Bourchier, 1329–1400.
- ⁷² *Black Prince's Register*, 4, p. 547.
- ⁷³ *Essex Fines*, 3, p. 142.
- ⁷⁴ *Calendar of Close Rolls*, 1364–1368, p. 170–1.
- ⁷⁵ *Essex Fines*, 3, p. 90. Sir John Aspale (d. by 1357) held land in Black Notley.
- ⁷⁶ Morant, *History of Essex*, 2, p. 480.
- ⁷⁷ *Calendar of Close Rolls*, 1364–1368, p. 171.
- ⁷⁸ R.R. Sharpe (ed.), *Letters from the Mayor and Corporation of the City of London circa A.D. 1350–1370* (1885), p. 125.
- ⁷⁹ *Calendar of Close Rolls*, 1364–1368, p. 243.

Chapter 5: Seasoned Professional

- ⁸⁰ *Calendar of Close Rolls*, 1364–1368, p. 372. Thomas Tewe was steward to Thomas de Vere, earl of Oxford.
- ⁸¹ Ramsay, 'What was the Legal Profession?', p. 65.
- ⁸² *Calendar of Close Rolls*, 1374–1377, p. 200.
- ⁸³ Robert Teye (d. 1426), of Marks Tey: Roskell et al., *History of Parliament 1386–1421*, 3, pp. 579–81.
- ⁸⁴ *Essex Fines*, 3, p. 137.
- ⁸⁵ *Calendar of Close Rolls*, 1369–1374, p. 535.

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- ⁸⁶ *Calendar of Close Rolls*, 1364–1368, p. 491. Robert Naylinghurst was Custodian of the Hospital of St Giles, Maldon, until his death in 1369. Sir Aubrey de Vere and Clement Spice gave to the abbey and convent of St Osyth two acres of land in Elmstead and the perpetual advowson of the church to sing mass every day for ever for the soul of Robert Naylinghurst: R. Newcourt, *Repertorium*, 2 Vols (London, 1710), 2, p. 401. See also *Calendar of Patent Rolls*, 1381–1385, p. 83. Sir Aubrey succeeded his nephew as 10th earl of Oxford in 1392 and died in 1400. He was married to Alice Fitzwalter (d. 1401).
- ⁸⁷ L.C. Lloyd and D.M. Stenton, eds, *Sir Christopher Hatton's Book of Seals* (London, 1950), p. 62.
- ⁸⁸ *Essex Fines*, 3, p. 158.
- ⁸⁹ *Calendar of Close Rolls*, 1369–1374, p. 64. See also M.K. McIntosh, *Autonomy and Community – The Royal Manor of Havering 1200–1500* (London, 1986), p. 93 for Clement's office-holding on the manor.
- ⁹⁰ Musson, *Medieval Law in Context*, p. 105.
- ⁹¹ E.R.O., D/DU 651/2.
- ⁹² *Calendar of Close Rolls*, 1369–1374, p. 64.
- ⁹³ McIntosh, *Autonomy and Community* (1986), p. 93.
- ⁹⁴ *Calendar of Inquisitions Miscellaneous*, 1348–1377, pp. 291–2.
- ⁹⁵ E.R.O., D/DK T229/1.
- ⁹⁶ *Calendar of Patent Rolls*, 1367–1370, p. 406. Richard Withermarsh of Withermarsh Green, Suffolk, held the manor of Netherhall there.
- ⁹⁷ *Calendar of Inquisitions Post Mortem*, 13, p. 70. 3rd Lord Ferrers of Groby, 1333–71.
- ⁹⁸ *Calendar of Inquisitions Post Mortem*, 10, p. 552. The 7th earl of Oxford 1312–60, and *Calendar of Inquisitions Post Mortem*, 13, p. 102, the 8th earl of Oxford 1337–71.
- ⁹⁹ Morant, *History of Essex*, 2, p. 480.
- ¹⁰⁰ *Ibid.*
- ¹⁰¹ *Calendar of Close Rolls*, 1369–1374, p. 446.
- ¹⁰² *Ibid.*, p. 492.
- ¹⁰³ *Calendar of Patent Rolls*, 1370–1374, p. 314.
- ¹⁰⁴ Musson, *Medieval Law in Context*, p. 105.
- ¹⁰⁵ N.J.M. Kerling, ed., *Cartulary of St Bartholomew's Hospital* (London, 1973), p. 51.
- ¹⁰⁶ *Calendar of Fine Rolls*, 1374–1377, p. 198.
- ¹⁰⁷ Katharine Sutton was elected Abbess of the Benedictine Abbey of Barking in 1358, she died in 1377. One of her predecessors was Yolande Sutton, elected in 1329 and died in 1341: V.C.H. *Essex*, Vol. 2 (1907), p. 121. Katharine may have been the sister of Sir John and Sir Richard Sutton of Wivenhoe.
- ¹⁰⁸ Sir John (d. 1393) and Sir Richard (d. 1395) Sutton, apparently brothers and both of Wivenhoe.
- ¹⁰⁹ V.C.H. *Essex*, Vol. 2 (1907), p. 119.
- ¹¹⁰ *Essex Fines*, 3, p. 173.

Chapter 6: Commissioner

- ¹¹¹ *Calendar of Close Rolls*, 1374–1377, p. 198. Robert Buckskin was a member of an important aldermanic family of London.
- ¹¹² *Calendar of Close Rolls*, 1374–1377, p. 238. Sir John Gildesburgh (c.1331–89) of Wennington: Roskell et al., *House of Commons 1386–1421*, 3, pp. 185–7.
- ¹¹³ *Calendar of Patent Rolls*, 1374–1377, p. 158.
- ¹¹⁴ *Ibid.*, p. 158.
- ¹¹⁵ Musson, *Medieval Law in Context*, p. 105.
- ¹¹⁶ *Calendar of Close Rolls*, 1374–1377, p. 241. The various transactions undertaken jointly by Clement Spice and John Gildesburgh do not imply that they were necessarily friends, it is more likely that they were simply business associates.
- ¹¹⁷ *Calendar of Close Rolls*, 1374–1377, p. 267.
- ¹¹⁸ *Calendar of Fine Rolls*, 1369–1377, p. 358.
- ¹¹⁹ *Calendar of Patent Rolls*, 1374–1377, p. 489. For a brief account of the Fitzwalter family see C. Starr, O.D.N.B. (2004).
- ¹²⁰ *Calendar of Close Rolls*, 1377–1381, p. 99. In 1377 Lord Fitzwalter granted Clement Spice the manor of Fincham, Norfolk, for life: T.N.A., C143/392/2.
- ¹²¹ *Calendar of Patent Rolls*, 1374–1377, pp. 482–3.
- ¹²² *Calendar of Patent Rolls*, 1377–1381, p. 56.

- ¹²³ E.R.O., D/DK T233/1. By this time Clement may have obtained a grant of arms. Several examples of a seal inscribed SIGIL. CLEMENTIS SPICE have survived: T.N.A., E329/396 and E326/10697. They show a shield of arms party fesswise and a pale counter coloured. (This may have been an allusion to the particoloured clothes worn by lawyers). Robert Rikedon used the device of a Boar's head and the letters R.R. around the snout. An example of his seal is attached to a quitclaim of the manor of Sandon dated 20 December 1406, E.R.O., D/DP TI/12.
- ¹²⁴ *Calendar of Inquisitions Miscellaneous*, 4, No. 15, pp. 10–11.
- ¹²⁵ *Essex Fines*, 3, p. 186. Walter, 3rd baron Fitzwalter (1345–86), and his son Walter, 4th baron Fitzwalter who was only ten years old when appointed feoffee in 1378. Sir Thomas Percy (1343–1403) was the younger brother of Henry Percy, first earl of Northumberland.
- ¹²⁶ *Calendar of Close Rolls*, 1377–1381, pp. 131, 220.

Chapter 7: Justice of the Peace

- ¹²⁷ *Calendar of Close Rolls*, 1377–1381, p. 474.
- ¹²⁸ *Ibid.*, p. 514.
- ¹²⁹ *Ibid.*, pp. 367–8. See also C. Starr, 'John Hawkwood the elder of Gosfield, the other John Hawkwood,' *Essex Journal*, Vol. 37, No. 2 (2002), pp. 49–51.
- ¹³⁰ W.H. Liddell and R.G. Wood, eds, 'Gazetteer of places in Essex connected with the 1381 Revolt', in *Essex and the Great Revolt of 1381*, (E.R.O., Publication No. 84 (Chelmsford, 1982), p. 94.
- ¹³¹ Liddell and Wood eds, *Great Revolt*, p. 98.
- ¹³² R.G. Wood, 'Essex Manorial Records and the Revolt', in W.H. Liddell and R.G. Wood (eds), in *Essex and the Great Revolt of 1381*, E.R.O., Publication No. 84 (Chelmsford, 1982), pp. 67–84.
- ¹³³ In his request to the king for a replacement charter of exemption from public office, Clement Spice stated the original charter 'had been taken from his chamber in the Temple in the last rebellion.' T.N.A., SC8/253/12632.
- ¹³⁴ John Ewell of Kelvedon, the escheator, was decapitated in Coggeshall by the rebels: H.J. Prescott, 'Essex Rebel Bands in London', in W.H. Liddell and R.G. Wood (eds), *Essex and the Great Revolt of 1381*, E.R.O., Publication No. 84 (Chelmsford, 1982), p. 57.
- ¹³⁵ *Calendar of Patent Rolls*, 1381–1385, p. 83.
- ¹³⁶ *Ibid.*, p. 133.
- ¹³⁷ *Calendar of Inquisitions Miscellaneous*, 4, No. 174, pp. 99–100. Also in 1382, Sir Aubrey de Vere and Clement Spice granted land and the advowson of Elmstead church to the abbot of St Osyth's: T.N.A., C143/401/27.
- ¹³⁸ *Calendar of Patent Rolls*, 1381–1385, p. 139.
- ¹³⁹ *Calendar of Close Rolls*, 1381–1385, p. 123. Alice may then have been fifty years old.
- ¹⁴⁰ *Ibid.*, p. 385. On 8 July 1382 Clement Spice and others were enfeoffed with a third part of the manor of Flete in Lincolnshire by Walter Fitzwalter: T.N.A., CP 25/1/143/144.
- ¹⁴¹ *Calendar of Close Rolls*, 1381–1385, p. 292.
- ¹⁴² *Calendar of Patent Rolls*, 1381–1385, p. 231.
- ¹⁴³ *Ibid.*, p. 322, and T.N.A., SC8/253/12632 (1383).
- ¹⁴⁴ T.N.A., SC8/252/12589. John Forcham bishop of Durham, 1382–1388.
- ¹⁴⁵ *Calendar of Patent Rolls*, 1381–1385, p. 331.
- ¹⁴⁶ *Ibid.*, p. 420.
- ¹⁴⁷ *Ibid.*, p. 414.
- ¹⁴⁸ *Calendar of Patent Rolls*, 1385–1389, p. 2.
- ¹⁴⁹ *Ibid.*, p. 2.
- ¹⁵⁰ *Essex Fines*, 3, p. 203. Sir Thomas Coggeshall (d. 1402) of Boreham: Roskell et al., *History of Parliament 1386–1421*, 2, pp. 614–16. Sir Richard Waldgrave (c.1338–1410), of Bures, Suffolk: Roskell et al., *History of Parliament 1386–1421*, 3, pp. 735–9.
- ¹⁵¹ *Calendar of Patent Rolls*, 1385–1389, p. 256. Sir Walter Lee (c.1350–1395) of Albury, Hertfordshire: Roskell et al., *History of Parliament 1386–1421*, 3, pp. 577–9.
- ¹⁵² *Calendar of Patent Rolls*, 1385–1389, p. 257.
- ¹⁵³ British Library, Add. Charters 9660. Sir Walter Burgate (d. 1409) of Burgate, Suffolk: Roskell et al., *History of Parliament 1386–1421*, 3, pp. 416–17.
- ¹⁵⁴ Copinger, *Manors of Suffolk*, 6, p. 91.
- ¹⁵⁵ *Calendar of Close Rolls*, 1385–1389, p. 213.
- ¹⁵⁶ *Ibid.*, p. 422.

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- ¹⁵⁷ *Ibid.*, p. 429. Thomas Bataille (d. c.1396) of High Laver: Roskell et al., *History of Parliament 1386–1421*, 2, pp. 144–5.
- ¹⁵⁸ N. Saul, *Scenes from Provincial Life* (Oxford, 1986), p. 1.
- ¹⁵⁹ For Lord Fitzwalter, see: Starr, ‘Fitzwalter family’ (2004).
- ¹⁶⁰ *Calendar of Close Rolls*, 1385–1389, p. 485.
- ¹⁶¹ *Calendar of Fine Rolls*, 1381–1391, p. 221.
- ¹⁶² *Calendar of Close Rolls*, 1385–1389, p. 633.
- ¹⁶³ *Essex Fines*, 3, p. 211. Sir Gerard Braybrooke II (c.1354–1429) of Colmworth, Bedfordshire: Roskell et al., *History of Parliament 1386–1421*, 2, pp. 346–9.
- ¹⁶⁴ *Calendar of Patent Rolls*, 1388–1392, p. 13. St Mary, Over. ‘A remarkably ornate church, perhaps because it belonged to Ramsey Abbey.’ N. Pevsner, *Buildings of England: Cambridgeshire* (2002), p. 446. See also T.N.A., C143/407/17.
- ¹⁶⁵ ‘... many lawyers put their money into religious devotion by founding perpetual chantries, either out of genuine spiritual concern or as a means of purchasing the respect of posterity.’ Musson, *Medieval Law in Context*, p. 64.
- ¹⁶⁶ *Calendar of Close Rolls*, 1385–1389, pp. 638, 645.
- ¹⁶⁷ *Calendar of Close Rolls*, 1389–1392, p. 71. See also grant by Sir John Gildesburgh, William Rickhill, Clement Spice and others to abbess and convent of Barking, 1389: T.N.A., C143/409/15.
- ¹⁶⁸ *Calendar of Patent Rolls*, 1388–1392, p. 135.
- ¹⁶⁹ *Ibid.*, p. 139.
- ¹⁷⁰ *Calendar of Close Rolls*, 1389–1392, p. 68. Alexander Walden (d. 1401), of Matching and Rickling: Roskell et al., *History of Parliament 1386–1421*, 3, pp. 739–40.
- ¹⁷¹ *Calendar of Patent Rolls*, 1389–1392, p. 341.
- ¹⁷² *Calendar of Close Rolls*, 1388–1392, p. 330.
- ¹⁷³ *Catalogue of Ancient Deeds*, 6, p. 129.
- ¹⁷⁴ *Calendar of Patent Rolls*, 1388–1392, p. 442. Edmund Brokesbourne (c.1340–1396/97) of Bradfield: Roskell et al., *History of Parliament 1386–1421*, 2, pp. 369–71.
- ¹⁷⁵ *Suffolk Fines*, p. 264.
- ¹⁷⁶ *Essex Fines*, 3, p. 217. Richard Waltham (d. 1428) was buried in Little Waltham church where a small monumental brass inscription plate remains in his memory: R. Phillips and R. Bazett, *Ages in the Making* (Chelmsford, 1974), p. 24. Symonds saw this brass on 7 March 1637 and noted that it was merely an ‘inscription without any picture or armes’ College of Arms, Symonds MS 3, fo.411 v. See also W. Lack, H.M. Stuchfield and P. Whittemore, *The Monumental Brasses of Essex* (London, 2003), p. 760.
- ¹⁷⁷ *Calendar of Patent Rolls*, 1388–1392, p. 441.
- ¹⁷⁸ *Ibid.*, p. 522.
- ¹⁷⁹ *Calendar of Close Rolls*, 1389–1392, p. 508. See also T.N.A., SC8/139/6947. Sir Thomas Swinburne (c.1357–1412) of Little Horkesley: Roskell et al., *History of Parliament 1386–1421*, 4, pp. 547–50.
- ¹⁸⁰ Lack, Stuchfield and Whittemore, *Brasses of Essex*, p. 362.
- ¹⁸¹ *Calendar of Close Rolls*, 1389–1392, p. 533.
- ¹⁸² *Ibid.*, p. 536.
- ¹⁸³ *Calendar of Patent Rolls*, 1391–1396, p. 59. The abbess of Barking was Maud Montague elected in 1377 died in 1393: V.C.H. Essex, Vol. 2 (London, 1907), p. 121.
- ¹⁸⁴ In May 1392, Clement obtained a judgement in favour of a debt owed to him and Oliver de Mendham deceased for £20, owed by John o’ the Cross and others: T.N.A., C241/193/15.
- ¹⁸⁵ *Calendar of Patent Rolls*, 1391–1396, p. 74; T.N.A., C143/415/5.
- ¹⁸⁶ *Calendar of Close Rolls*, 1392–1396, p. 109. The former seat of the Braham family is of the sixteenth century or earlier, a Grade I listed building. Thomas Tusser probably wrote *500 Points of Good Husbandrie* (1557) in this house.
- ¹⁸⁷ *Calendar of Fine Rolls*, 1383–1391, p. 68. The Mounteneys were an Essex gentry family of unusually long lineage in the county. With one or two exceptions they appear to have played little part in the political life of Essex between the twelfth and sixteenth centuries.
- ¹⁸⁸ *Suffolk Fines*, p. 267. The purchase of land and the loan of £300 were clearly connected in some way.
- ¹⁸⁹ *Calendar of Patent Rolls*, 1391–1396, p. 210.
- ¹⁹⁰ *Ibid.*, 1391–1396, p. 234. The abbot of the Benedictine abbey of Colchester was Geoffrey Story alias de Sancta Osithe, elected in 1380 and died 1405: V.C.H. Essex Vol. 2. (1907), p. 101. Sir Adam Francis (d. 1417)

of London and Edmonton: Roskell et al, *History of Parliament 1386–1421*, 2, pp. 118–20; Sir William Coggeshall (1358–1426) of Wethersfield: Roskell et al, *History of Parliament 1386–1421*, 2, pp. 616–18.

¹⁹¹ *Calendar of Patent Rolls*, 1391–1396, p. 436.

¹⁹² *Essex Fines*, 3, p. 220. Sir George Felbrigg of Playford, Suffolk (d. c.1400); Sir Thomas Erpingham K.G. (c.1355–1428).

¹⁹³ *Essex Fines*, 3, p. 218.

¹⁹⁴ *Calendar of Close Rolls*, 1392–1396, p. 252.

¹⁹⁵ S. Bentley ed., *Excerpta Historica* (London, 1833), pp. 424–6.

Chapter 8: Escheator

¹⁹⁶ Other long-serving escheators in the fourteenth century were John Coggeshall, 4 November 1351–10 November 1354; John Welde, 15 November 1369–11 November 1371; Roger Ketterich, 12 December 1372–13 November 1375; and 26 November 1377–13 November 1379; John Clerk, 12 December 1379–10 June 1381; and Henry English, 12 December 1390–21 January 1392.

¹⁹⁷ Clement was described as ‘Clementius Spice Armig.’ on the tomb of his son Roger who died in 1459 and was buried at Black Notley: College of Arms. Symonds MS1, fo.120 r.

¹⁹⁸ *Calendar of Close Rolls*, 1392–1396, p. 350.

¹⁹⁹ *Ibid.*, p. 448.

²⁰⁰ E.R.O., D/DCw T46/10, T46/12, T46/13, T46/15 and T46/16.

²⁰¹ *Calendar of Patent Rolls*, 1391–1396, p. 701.

²⁰² *Calendar of Close Rolls*, 1396–1399, p. 79. Richard, 4th Lord Talbot, died a few weeks after these events on 7 September, 1396.

²⁰³ E.R.O., D/DL/TI/248. William Geldrich and John Kempe of Finchingfield; John, 3rd Lord Cobham (of Kent) (d. 1407).

²⁰⁴ *Calendar of Patent Rolls*, 1396–1399, p. 26.

²⁰⁵ *Essex Fines*, 3, p. 227.

²⁰⁶ *Calendar of Close Rolls*, 1396–1399, p. 79. Sir Bartholomew Bouchier, 3rd Lord Bouchier (c.1364–1409): Sir William Bouchier (c.1374–1420) of Little Easton: Roskell et al., *History of Parliament 1386–1421*, 2, pp. 315–17; John, son of Sir William Langham.

²⁰⁷ *Calendar of Patent Rolls*, 1396–1399, p. 111.

²⁰⁸ *Calendar of Close Rolls*, 1396–1399, p. 202.

²⁰⁹ *Ibid.*, p. 60.

²¹⁰ T.N.A., E136/77/4. The inventory is written on a long roll in French and commences with the heading translated as follows: ‘This indenture of six pieces fastened together made between the Treasurer of England and the Chamberlains of the Exchequer of our lord the King on the one part and Clement Spice Escheator of our said lord the King in the counties of Essex and Hertford on the other part...’ For the complete inventory see P.W. Dillon and W.H. St John Hope, ‘Inventory of the goods and chattels belonging to Thomas, Duke of Gloucester,’ *Archaeological Journal*, Vol. LIV (1897), pp. 275–308.

²¹¹ F. Devon ed., *Issues of the Exchequer Henry III – Henry IV* (London, 1837), p. 264, and *Calendar of Inquisitions Miscellaneous*, Vol. 6, 1392–1399, pp. 117–22.

²¹² *Calendar of Patent Rolls*, 1396–1399, p. 232. Robert Newport of Hertfordshire (d. 1428), son-in-law of Sir Walter Lee (of Albury).

²¹³ *Calendar of Patent Rolls*, 1396–1399, p. 309.

²¹⁴ *Calendar of Close Rolls*, 1396–1399, p. 228.

²¹⁵ *Calendar of Patent Rolls*, 1396–1399, p. 311.

²¹⁶ *Calendar of Close Rolls*, 1396–1399, p. 253.

²¹⁷ *Ibid.*, 304, *Calendar of Patent Rolls*, 1396–1399, p. 335.

²¹⁸ *Ibid.*, p. 371. In 1398 Clement Spice and others acted on behalf of the prior of Leighs to grant land and rent in Halstead and Felsted. T.N.A., C143/429/26.

²¹⁹ *Calendar of Close Rolls*, 1396–1399, p. 386.

²²⁰ *Calendar of Ancient Deeds*, 1, p. 231.

²²¹ Bentley, *Excerpta Historica*, pp. 424–26. John Chertsey was clearly a man of some importance as Humphrey Bohun, earl of Hereford and Essex (d. 1361) left him 40 marks ‘if he be aiding to our executors’.

²²² *Calendar of Close Rolls*, 1396–1399, p. 429.

²²³ *List of Escheators for Essex*, List & Index Society 72 (1932).

NOTES

- ²²⁴ *Calendar of Close Rolls*, 1399–1401, p. 501. The prior of Leighs was John Burden, elected 1396, alive in 1400: V.C.H. *Essex*, Vol 2. (1907), p. 156.
- ²²⁵ *Calendar of Patent Rolls*, 1399–1401, p. 559.
- ²²⁶ *Ibid.*, p. 195.
- ²²⁷ *Ibid.*, pp. 414–5.
- ²²⁸ *Ibid.*, pp. 426, 559. Thomas Walden (1346–1420) brother of the bishop of London.
- ²²⁹ *Ibid.*, p. 307.
- ²³⁰ *Ibid.*, pp. 401, 472–3. There is also a record of a debt owed by Richard Spice, Clement’s son, of £53 6s. 8d. to John Boys and Thomas Lampet, gentlemen of Essex: T.N.A., C241/193/106.
- ²³¹ Hertfordshire Archives and Local Studies, DE/M/128 Grant dated Thursday before Palm Sunday 1401. Also in 1402 Clement Spice acted as feoffee for land in Boxford, Suffolk. T.N.A., C146/1140.
- ²³² *Calendar of Close Rolls*, 1399–1401, p. 479. See also J. Stratford ‘Hende, John (d. 1418)’, *O.D.N.B.* (2004).
- ²³³ *Calendar of Patent Rolls*, 1401–1405, pp. 188–89.
- ²³⁴ Stratford, ‘Hende, John. (d. 1418)’, *O.D.N.B.* (2004).
- ²³⁵ *Calendar of Patent Rolls*, 1401–1405, p. 124.
- ²³⁶ *Calendar of Close Rolls*, 1402–1407, pp. 165–6.
- ²³⁷ *Calendar of Patent Rolls*, 1401–1405, p. 198.
- ²³⁸ *Essex Fines*, 3, p. 238.
- ²³⁹ An explanation for this apparent longevity is that there may have been two Clement Spices, in the fourteenth century father and son (or even two brothers with the same name). There is no evidence for this, no mention of two Clements in the same document or reference to an elder/younger or senior/junior Clement Spice in the fourteenth century.
- ²⁴⁰ *Calendar of Patent Rolls*, 1401–1405, p. 290. Sir Robert Litton (d. c.1415) of Wennington: Roskell et al., *History of Parliament 1386–1421*, 3, pp. 614–15; Helming Leget of Black Notley (d. 1412), pp. 587–9.
- ²⁴¹ *Calendar of Close Rolls*, 1402–1405, pp. 297–8.
- ²⁴² *Calendar of Fine Rolls*, 1399–1405, p. 257. Richard Torrell of Willingale Doe (1354–1404).
- ²⁴³ *Calendar of Patent Rolls*, 1401–1405, p. 514.
- ²⁴⁴ *Calendar of Close Rolls*, 1405–1409, p. 240.
- ²⁴⁵ *Calendar of Patent Rolls*, 1405–1408, p. 151. William Clopton of Suffolk (d. 1416).
- ²⁴⁶ *Calendar of Close Rolls*, 1405–1409, p. 277.

Chapter 9: Retirement

- ²⁴⁷ E.R.O., D/DB/TI/324.
- ²⁴⁸ E.R.O., D/DI/TI/314.
- ²⁴⁹ *Calendar of Close Rolls*, 1409–1413, p. 78. John Basset of Great Chishall.
- ²⁵⁰ *Ibid.*, p. 314.
- ²⁵¹ *Ibid.*, p. 335.
- ²⁵² *Calendar of Patent Rolls*, 1408–1413, p. 411; T.N.A., C143/443/6.
- ²⁵³ *Feudal Aids*, 1285–1431, 6, p. 440.
- ²⁵⁴ H.L. Gray, ‘Incomes from land in England in 1436’, *E.H.R.*, 49 (1934), p. 633.
- ²⁵⁵ *Calendar of Close Rolls*, 1409–1413, p. 417.
- ²⁵⁶ ‘Upon another flat stone adjoining Hic jacet Tiffania qui fuit uxor Rog.Spyce Armig’: College of Arms, Symonds MS 1, fo.120v.
- ²⁵⁷ E.R.O., D/DPo T56/10.
- ²⁵⁸ *Essex Fines*, 3, p. 266.
- ²⁵⁹ E.R.O., D/DCw T46/26.
- ²⁶⁰ E.R.O., D/DK T233/2.
- ²⁶¹ College of Arms, Symonds MS 1 fo.120v. [Black Notley, 1640] ‘Upon a flat stone of blew Marble in ye Church are these 3 Coates [Spice, Mandeville and Fitzwalter] & inscription inlayd wth brasse, sans pictures. Hic jacet Rogus Spyce Armig. filius & heres Clementius (sic) Spice Armig qui obyt XI die Martii Anno dm Milesima XXXLIX & Alicia uxor eius filia & heres Thome Mandevile militis’.
- ²⁶² An unnamed member of the Spice family of Essex is rather fancifully portrayed as a knight in full armour on horseback in B.L. Harl. MS 4205 fo.20v. of c.1476–93. Other leading Essex families are similarly depicted in the same manuscript.
- ²⁶³ J.H. Round, ‘The descent of Faulkebourne’, *Transactions of the Essex Archaeological Society*, Vol. XV, Part I, New Series (1921), pp. 1–25.

GLOSSARY

Advowson	The right of presentation of a priest to a benefice.
Affinity	Supporters of a lord on the basis of his/her personal standing.
Amortise	To transfer land into the inalienable ownership of an ecclesiastical body such as an abbey or priory.
Capital manor	Manor held directly from the Crown.
Chantry	Chapel endowed for maintenance of a priest to sing masses for the soul of the founder.
Commission	Group of individuals tasked to perform special duties on behalf of the king.
Common Pleas	Court of common law, mainly concerned with land and debt matters.
Corrody	Pension paid to a religious house for maintenance of an individual.
Enfeoff	To put an individual in possession of land on trust for others.
Escheator	Royal official appointed on a yearly basis to administer revenues of the Crown, investigate estates of deceased tenants who held land from the king and to take forfeited estates into the king's hands.
Esquire	Order of gentry ranking immediately below a knight.
Feet of fines	Tripartite record of fictitious lawsuit in Court of Common Pleas which provided title to land following a change of ownership.
Feoffee	An individual (usually one of several) holding land on trust for another.
Hundred	Administrative subdivision of a county.
Inquisition post mortem	An investigation into the inheritance of land following the death of the man or woman holding land from the Crown.
Mainpignor	A person who stands surety for a person charged with appearance in court.
Mark	Unit of account representing 160 pence or 13s. 4d.
Messuage	Portion of land occupied by the site of a dwelling house and its appurtenances.
Mortmain	Inalienable ownership of land or other property by an ecclesiastical or other corporation.
Poll Tax	A tax levied on every person in an eligible category.
Proof of age inquest	An investigation to establish the age of an heir subsequent to the death of a landowner holding land from the Crown.
Quitclaim	Discharge, release or renunciation of a claim to land.
Seisin	Freehold possession of land.
Sheriff's tourn	Visit of his jurisdiction made twice yearly.
Subsidy	A tax granted by parliament to meet special needs of the king.
Worship	Esteem or respect in which a lord was held by others.

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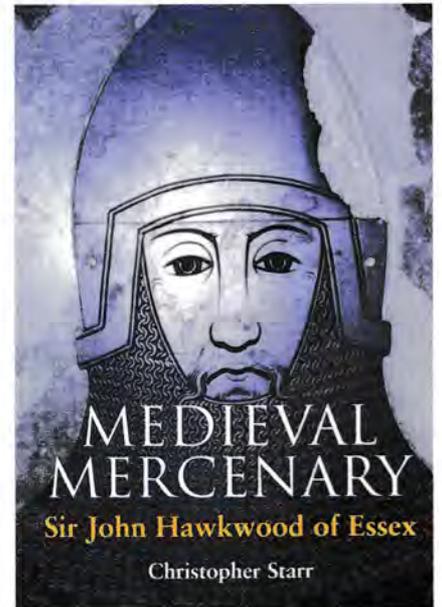
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MEDIEVAL LAWYER

Clement Spice of Essex

Medieval Lawyer is the second volume of Dr Starr's Medieval Essex trilogy which began with *Medieval Mercenary* (2007) and will conclude with *Medieval Merchant* (forthcoming).

Medieval Lawyer is the first full length study of an Essex lawyer in the fourteenth century and charts the rise of Clement Spice from humble beginnings to his role as indispensable counsel to the Black Prince, as well as the Essex aristocracy and gentry. Clement's steady accumulation of wealth is described, as is his acquisition of gentry status and the foundation of his Essex dynasty. This is the story of a hitherto little-known man who had enormous influence in the county of Essex at the time of King Edward III and King Richard II.



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