

SAINT MARTIN-LE-GRAND: COLLEGIATE CHURCH AND DEN OF INIQUITY

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In 1598, Stowe wrote that in the Ward of Aldersgate, in Saint Martin's Lane, there "was of old time a fair and large college of a dean and secular canons or priests, and was called St Martin's le Grand."¹ It existed from its foundation in 1056 until its surrender in 1548. In that year the great collegiate church was pulled down. In the east part a large wine tavern was built. In the west and throughout the precinct many houses were built and highly prized for the residents "claimed benefit of privileges granted to the canons serving God day and night" as they were described in the charter of William the Conqueror. John Noorthouck, writing in his *New History of London* in 1773 and in part relying on Stowe, says that St Martin-le-Grand "is a distinct liberty subject to the city of Westminster." This is probably due to the college passing to the Abbots of Westminster in Henry VII's reign. He too explains how the church was pulled down, and houses built in the room of it; which were let to strangers, who claimed the benefit of the privileges and exemptions the canons formerly enjoyed:

"many contests have arose from time to time concerning these pretensions; and the exemption claimed from the jurisdiction of the city, seems rather to be established by prescription than to have a good foundation under a religious establishment which was legally abolished."

He says that:

*"St. Martin's le Grand contains but one principal street, which bears that name...the several small courts and alleys on each side this street compose the liberty; where persons who are not free of the city follow their trades without obstruction, and vote for members of parliament to represent the city of Westminster."*²

The college, founded by Edward the Confessor occupied a site on the eastern side of the street. The precinct continued on the western side of the Lane until it reached the wall of the Friars' Garden at Greyfriars. It was from St Martin-le-

1 *A survey of London...written in the year 1598*, by John Stow, Citizen of London, edited by Henry Morley, London: 1890, pp. 294-5.

2 John Noorthouck, *A New History of London: Including Westminster and Southwark* (1773), Book 2, Ch. 4: Aldersgate Ward', pp. 543-545

Grand that the curfew bell sounded each night, signalling that the wickets left open when the city's gates were closed at sunset should also be closed.³

Stowe had rather an idealised view of the college and its canons, making them sound rather more devout than history suggests they were. St Martin's was a royal free chapel and as such exempt from the direct control of the Bishop of London (a position of which I am rather envious) and claiming exemption too from the jurisdiction of the Mayor and Aldermen. It was at St Martin's that the royal justices sat to hear appeals from the City. In 1330 the City insisted that:

*"all inquisitions to be taken before the Justices and other King's ministers touching men of the said City ought to be taken at St Martin-le-Grand, and not elsewhere"*⁴.

The King's rights with regard to his chapels were reinforced by the papacy, by the Avignon popes Clement V in 1306 and John XXII in 1317.

The constitution of 1158 provides for the dean and a number of canons, each enjoying the income of a prebend. Responding to the King's writ in May 1371 the City's representatives made answer under oath concerning the number of parish churches, chapels, and prebends existing within the liberty of the City: one hundred and six churches, thirty prebendaries in St Paul's Church, two other chapels, and "in the free chapel of the Lord the King of St Martin le Grand there were eleven prebendaries who held prebends outside the City."⁵

The constitution also provided for vicars—the clerks and chaplains, who served the church when the canons were absent, as they often were. The numbers varied but there were at least seven vicars in 1235, for they all witnessed a document, and eight, who were priests, in 1503, with a vicar deacon and a vicar sub-deacon, ten in all. There were also chantry chapels with chaplains. One of these, Richard Henney, was brought before the Mayor and Aldermen on 6 November 1424 having been:

"taken naked with Johanna, wife of Pascow Meneux, taillour, who was also naked, in the parish of St Stephen Colmanstrete, between the hours of 11 and 12, by the Constable and Beadle".

Such behaviour among the chaplains was not at all unusual, as the city records amply testify.

The Dean was appointed by the King and was normally a royal official, often

3 Letter Book E, p. 142

4 Letter Book E, p. 244. There were exceptions with regard to the Tower and Newgate.

5 Letter Book G, page 282

only in minor orders. The canons were appointed by the dean and they were, like him, clerks attached to the royal household who held many benefices beside their prebends. It was more a corporation of officials than a religious house and the spiritual side of the college was somewhat neglected. A visitation in 1323 found books and ornaments to be lacking; the officers and other ministers did not discharge the duties for which they received their stipends, they frequently quarrelled and gave rise to scandal, and some led dissolute lives elsewhere. The King's commissioners blamed the dean, Richard de Ellesfield, and he was removed. Richard de Tysshbury who succeeded him was no better; he was also removed. Things did not improve and there was a further inquiry in 1343, as a result of which John de Wodeford, dean for 15 years, resigned.

What sort of person became dean? In October 1292 King Edward I told the Mayor that no plea in the Husting of London could be allowed against:

*“our beloved and trusty Master William de la Marche, Dean of St Martin le Grand, our Treasurer in the Exchequer, representing our presence and transacting our business there”.*⁶

William de Melton, was Lord Privy Seal, when he came dean, as well as being Archdeacon of Barnstaple and Provost of Beverley, and he went from St Martin's to be Archbishop of York in 1317. Thomas de Useflete was Clerk of the Wardrobe as was his successor, William de Cusancia, from a Burgundian family of clergy and lawyers, two of whose brothers were Cluniacs, who became Treasurer to the Exchequer under Edward III. William had acted as a marriage broker for the King's brother, John of Eltham, Earl of Cornwall, who died before he could marry Maria of Castile. On Cusancia's death in 1360, William of Wykeham became dean; clerk of works at Windsor, surveyor of Dover and the southern castles, Wykeham collected benefices, from York to St David's, before even being ordained as an acolyte, the first of the minor orders.

There are many more examples right up to the dissolution of the college. Thomas Bourchier, born in 1406, was a grandson of Edward III, his mother being Lady Anne Plantagenet. He got his first living, Colwich, Staffordshire, at 18, and became Dean of St Martin's on 1 December 1427, aged 21. He remained dean until 1435, getting round to receiving minor orders in 1429. He gave up the deanery on becoming Bishop of Worcester in 1435, having become Chancellor of the University of Oxford the previous year. He became Bishop of Ely, then Archbishop of Canterbury in 1454 and Lord Chancellor the same year; a cardinal in 1473, he crowned Edward IV, Richard III, and Henry VII and married the latter to Elizabeth of York, before dying in 1486, aged 80. St Martin-le-Grand was just an early stepping stone, a convenient source of income and patronage.

6 Letter Book C, page 9

Bourchier was succeeded by Richard Cawdray, of whom more in a moment, another royal servant who had been a prebendary of St Paul's since January 1423, was Archdeacon of Lincoln from 1431 and yet held St Martin's until his death in 1458. He was followed by that remarkable pluralist Robert Stillington, appointed to the deanery by Henry VI in 1458. He shed his huge collection of benefices—Archdeacon of Colchester, of Taunton, of Berkshire and Wells, with prebendal stalls in York, St David's and St Stephen's, Westminster—on becoming the absentee Bishop of Bath and Wells in 1466: he visited Somerset once, in 1476. Keeper of the Privy Seal in 1460, he became Lord Chancellor in 1467. He strongly supported Richard III and he played a prominent part in the coronation of Richard and Anne on 6 July 1483; this is not surprising because Anne Neville, as she had been before becoming Princess of Wales, was given sanctuary by Stillington at St Martin's on the death of her father and her husband in 1471. Some say that it was Stillington who persuaded Richard to take the crown himself. Henry VII issued a warrant for his arrest on the day of the battle of Bosworth, five days later he was in prison at York and deprived of St Martin's, though he kept his bishopric, was pardoned because of his great age.⁷

James Stanley, sixth son of the Earl of Derby, was the last dean before the college passed to Abbot Islip of Westminster as an endowment for the Henry VII chapel; he then became Bishop of Ely in 1506, surrendering the college. He was another dedicated pluralist, but he had other interests too; one commentator, noting his absence from Court, wrote:

"I blame not the Bishop for passing his summer with the Earl of Derby, but for living all the winter with one who was not his sister, and who wanted nothing to make her his wife save marriage".

The close doesn't appear to have been a very pleasant place to live. The canons had gained permission in 1268 to close the road running from Foster Lane to St Nicholas Shambles, as the traffic was inconvenient to them, but though the world was shut out, the dean and chapter complained in 1331 that their neighbours had raised dung-heaps so near the wall of the close that the air in the church and in their dwellings was corrupted. The buildings had been neglected, and the canons despaired of repairing them. They thought of abandoning them but that great builder William of Wykeham restored and beautified the church and cloister at his own expense and built a chapter-house. Things improved and by the late 14th century St Martin's was secure as a royal free chapel; its immunities increased rather than diminished, and it was these immunities that gave rise to serious concerns and led to conflict between the dean and canons of St Martin le Grand and the mayor and aldermen of the City of London. It

7 Robert Hicks in DNB

was not exactly a new conflict. In 1235 the dean and chapter complained to the King that the Mayor and Sheriffs obstructed their privileges and denied their jurisdiction; the King addressed a brief to the Mayor requiring him to respect the rights of his free chapel.

In the early fifteenth century the balance of power between Crown and City had shifted. The City was more conscious of itself as a corporate body and was jealous and resentful of those who, within the City, claimed exemption from its authority. The right of sanctuary at St Martin's caused the City authorities much inconvenience, as prisoners on their way from Newgate to the Guildhall were being seized en route and taken into the exempt precinct. In 1405 the City petitioned Henry IV to have this right annulled. He expressed sympathy with them but was unable to help.

In the reign of Edward II there was, it seems, before the College a "solar" or "halpace," that is to say a large airy room, or chamber, somewhat like the galleries in great houses, used as places of entertainment and pleasure. The halpace — Letter Book I says there were two — was toward the street, and projected outwards over the highway. It was so low that it annoyed the people passing along, and, according to the writ of the King, Henry V, dated Westminster, 28 July 1414, was "frequented by felons who used them for the purpose of taking sanctuary." It is possible that, hanging over the street they could be used to lift into sanctuary those passing from Newgate to Guildhall for trial. The halpaces were removed on 7 August.

The major row began in 1430 when two canons of the Augustinian Monastery Waltham Holy Cross, "who were wandering at large to the discredit of their Order" were arrested, on a writ to the Mayor, signed by Humphrey, Duke of Gloucester. The "aforesaid apostate Canons" were arrested, according to the record in Letter Book K, "within the precinct of St Martin, in the house of John Belle, the Warden of the precinct, where they were secretly living in the hope that the place was privileged, which it was not". The King's writ maintained the rights of his free chapel in this matter.

Commissioners were appointed to hear and determine the claims of the Dean and Chapter to be exempt from the jurisdiction and liberty of the City. The claim was based on royal charters; the Mayor and citizens not only denied that a charter of Henry III could prejudice the City's jurisdiction but further alleged that:

"the City has been from time immemorial the chief city of the whole realm of England, as well in honours as in liberties and free customs, for it was founded after the manner, and in memory of ancient Troy!"

Passing on from the City's foundation in the mists of time, the Mayor and citizens, renowned then as now for careful record keeping, cited every charter, writ and brief, that supported their position and every occasion on which the Dean and Chapter had accepted the City's jurisdiction. They came armed with documentation and were ready to cite in addition to the dozen or so cases now presented, a further 500. Folios 120-123 of Letter-Book K set out the case.

Let me give you just one example. It was more than a century old, dating from January 1331:

*"Also, on Wednesday before the Feast of the Conversion of St. Paul, 4 Edward III., information was given to Robert de Ely and Thomas de Harewode, the Sheriffs, and John Shirborne, the King's Coroner in the City, that a certain Thomas le Longe of Derby lay dead of a death other than his rightful death within the close of the Dean of St. Martin le Grand, in the Ward of Aldrichesgate. Thereupon the Coroner and Sheriffs went there, and having summoned good men of that Ward and of the three nearest Wards, viz., Farndon Within, Castle Baynard, and "Crepoulgate," they diligently inquired how it happened, viz., by oath, &c. The jurors say that on the preceding Tuesday, after the hour of curfew, the aforesaid Thomas le Longe and a certain Thomas de Harburgh, servants of Sir Richard de Bury, Clerk of the lord the King, were quarrelling in the said close, and that the said Thomas de Harburgh struck the said Thomas le Longe with a knife on the breast, inflicting a wound an inch long and 7 inches deep, so that he immediately died. The said Thomas de Harburgh was forthwith arrested, and taken to the house of Robert de Ely, the Sheriff. No one else was present, and nobody was suspected of the death except the said Thomas de Harburgh. The corpse was viewed, on which appeared the wound. Precept to the Sheriff to attach the four nearest neighbours."*⁸

This was not the end of the row, for it flared up again early in September 1440, when some prisoners, on their way from Newgate, were snatched and taken into the precinct. The Sheriffs with a great crowd of people violated the sanctuary to reclaim them. The Dean complained to the King. Letter-Book K records "On the 14th September, the lord the Mayor [this appears to be the first time he is called *dominus Maior*] received royal letters, severe enough, and also a royal writ".

So serious was the matter that the Mayor and eight Aldermen went at once to see the King at Waltham and to defend themselves against the charges brought against them. The King said the matter should be determined at common law and that he would be gracious to the City. The prisoners were in due course returned to St Martin's. There was a further incident, concerning five soldiers, in 1442, and more letters from the King in 1455 but it was not until 1457 that definite rules were laid down for sanctuary but even then the dean was not

compelled to deliver up a felon but only to confine him to the precinct.⁹ Many took refuge at St Martin's during the Wars of the Roses; in addition to Anne Neville, we find, according to a letter of John Paston to his mother in 1470, that the Bishop of Ely and other bishops are in St Martin's¹⁰—this was the scholar William Grey and not his successor John Morton, Henry VII's archbishop, who might also have taken refuge there in 1483, according to the testimony of Canon John Smith of St Paul's in 1536, when the right of sanctuary was reviewed.

Another area for serious concern for the City and livery was the fraudulent goldsmith's work produced in the precinct in large quantities, in the form of chains, brooches, rings, cups, and spoons, made of inferior metal gilded or silvered, and intended to be sold as the real article, until "St Martin's beads" became notorious.¹¹ At times the Masters of the Goldsmiths' Company were enabled to go there to inspect the shops of their members, but only by the courtesy and with the special permission of the Dean. Indeed, so potent was the authority of their ancient charters, that when in Edward IV's reign a statute against makers of fraudulent goldsmith's work was passed, the precinct of St Martin's was deliberately excepted from its operation.¹² This exception was still in force when the Goldsmith's Company came to address the influx of Huguenot workers in precious metals, for they gathered within the precinct.

Fraudulent goldsmiths could do many things. On 12 September 1441, John Pattesley, the mayor, with other notable and trustworthy citizens, assembled at St Martin le Grand in order to examine a certain Thomas Parker as to the fabrication of a seal. Under oath he said that a certain Thomas Petilidsen, aged 26, whom he knew well from the time he attended the grammar school at St Martin's, came to him and asked him to fabricate and cut a seal. He showed him a deed and the impression in wax hanging from it; he claimed it was his own seal. Parker, for 20d made the seal which differed only very slightly from the original, in that the cutting was rather deeper. The seal and the model were delivered to Petilidsen in accordance with the agreement. And this brings me to the story with which I conclude.

9 See Charles Pendrill, *London Life in the 14th Century*, London: George Allen & Unwin, 1925, p. 235.

10 "The Qwen that was, and the Dwchess of Bedford, be in seyntuary at Westmestyr; the Byshep of Ely with othyr Bysheopys ar in Seynt Martyns. When I here more, I shall send yow more. I prey God send yow all your desyrs. Wretyn at London on Seynt Edwards Evyn. Your sone and humbyll servant, J. P."

11 See Charles Pendrill, *London Life in the 14th Century*, London: George Allen & Unwin, 1925, p. 234f.

12 See The History of the Goldsmiths' Company from their records www.thegoldsmiths.co.uk/pdf/gs_history.pdf

On 19 February 1449 Reginald Colyer, prior of St Bartholomew in West Smithfield, came before Stephen Broun, mayor, and the aldermen. He complained that he had levied a plaint of debt, in the court of William Cantelowe, sheriff, against William West, a founder. West produced a forged release that purported to free him from the Prior's claims. Prior Colyer asked that the court should examine the release and also examine William West, who was in custody, under oath. The release was found to be dated 18 January 1448 and appeared to be signed "Clon". West appeared and declared, under oath, that the document was in the Prior's handwriting and had been sealed by him in his chamber before Christmas 1447, and was delivered to William West after Christmas in the presence of a certain Roger Welles, renter. He said this was the prior's true writing. West was remitted to custody.

On 28 February he was again examined and confessed that his previous evidence was untrue. He declared that it was through ignorance that he had asserted it to be true. He admitted that he had written the release and shown it, unsealed, to Roger Welles, begging him to approach the prior, to intercede with him to seal it, and promising to pay him well for doing so. About the feast of St. Bartholomew Roger brought the sealed document to the house and handed it to West's wife and as a reward he received a blue woollen gown and a chafing-dish.

Roger Welles was now summoned and examined on oath. He confessed that for more than two years William West and his wife had been urging him to seal the document with the prior's seal and without his knowledge; he promised to conceal his action. He finally agreed and received the parchment with red wax attached to it. He surreptitiously removed an old wax seal from an acquittance formerly sealed by the prior and with a confederate, one Thomas Hult, had gone (on Hult's advice) to a goldsmith, whose name he did not know, who was then living at the close of St Martin le Grand, and had arranged that he should fabricate a seal on the model of the old seal of the prior. The goldsmith did this and was rewarded. Sometime before Michaelmas Welles sealed the document and gave it to West's wife and received his reward and he had then thrown the seal into the Thames. He said that he had not sealed any other false deeds and afterwards repented of his action. I guess that the mayor and alderman knew exactly who was skilled in fabricating seals and dwelt in the close at St Martin le Grand; they also knew they couldn't easily go and get him out of that den of iniquity.