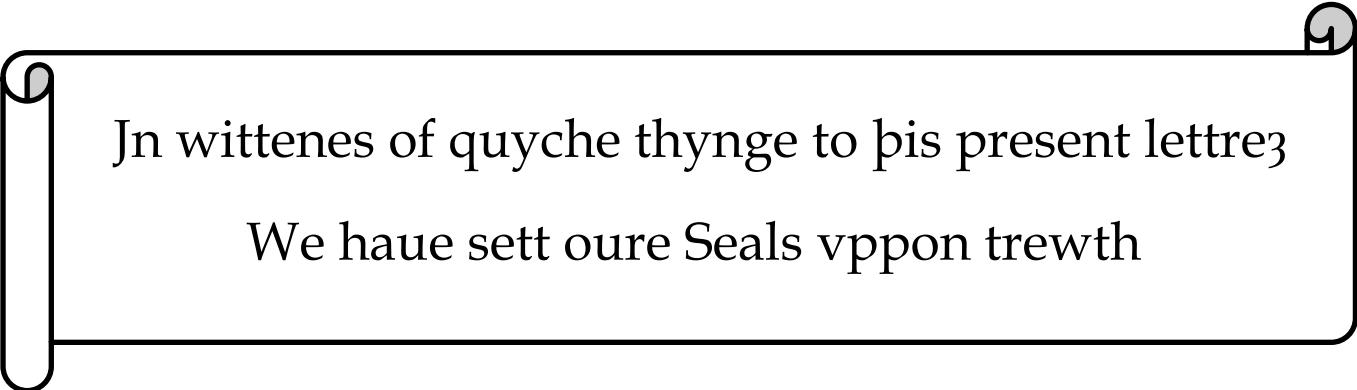


Gülen Diren Ulukaya



In wittenes of quyche thynges to þis present lettre;  
We haue sett oure Seals vppon trewth

A Study of Thirteen  
Late Middle English Attestations

MA in English and Literacy Studies

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## Abstract

This thesis presents an edition and study of a group of thirteen English attestations from the fifteenth and early sixteenth centuries. The texts are dated to the period 1427-1525, and will also form part of the Corpus of Middle English Local Documents (MELD) at the University of Stavanger. Each text is studied individually, and both a full diplomatic edition and a translation of the texts are provided.

The study highlights the importance of Late Middle English attestations as an early English administrative text type, written in English at a time when most administrative documents were still written in Latin or French. Furthermore, the sociolinguistic background of the texts is studied via the dates and the names of people and places they provide. The study also approaches Middle English attestations as a text type, focusing on their structure, their use of formulaic parts and their personal narratives. The texts are examined in terms of their similarities and differences, and related to the history of Late Middle English administrative documents.

The core of this study is a thorough analysis of each individual text. Starting with a physical description of the document, the analysis moves to the greeting clause and the opening formula respectively. Both the set phrases and unique components are studied. Next, the narrative part is examined, using Swales' (2006) model of moves and steps. The relationships between the moves and steps are analysed via linking words with the help of Fludernik's (2008) model of discourse markers. Finally, the closing formulae and dating clauses are examined and the variation found is related to the sociohistorical context of the texts.

The study argues that attestations are not made up of only formulaic parts; their language and textual structure, as well as their contents, are highly variable. In particular, the narrative parts may contain colloquial language representing the voices of the attestators. Additionally, even the formulaic parts vary greatly, illustrating the great amount of variation in the Middle English period.

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And I am grateful for my mother for believing in me. My dream came true and she is why.

## List of Abbreviations

MELD      Corpus of Middle English Local Documents

PDE      Present-Day English

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# Part I

## 1. Introduction

This thesis is an edition and study of thirteen English attestations from the fifteenth and sixteenth centuries, dated between 1427 and 1525. Six of these attestations had already been transcribed for the Corpus of Middle English Local Documents (MELD) at the University of Stavanger,<sup>1</sup> and seven of them have been transcribed by the present writer for this study. The study addresses Middle English attestations as a text type, with specific focus on the structure of personal narratives in these attestations as they are written in first person and include personal narratives apart from their formulaic parts. They are also examined in terms of their common elements such as the opening and closing formulae. The aim is to describe the typical structure and phrasing of attestations in this early period, with particular consideration of the question to what extent the attestations consist of set formulae, and to what extent the individual attestator's voice may be assumed to be heard.

Attestations have an important place in Middle English as they were often written in the vernacular despite the dominance of French and Latin in administrative writing in this period. They were produced by and for all kinds of people coming from various backgrounds, including the ordinary people who spoke only English. As they needed to understand the content of the texts, the documents had to be written in English. This also means that attestations show the early development of English administrative writing, which makes them interesting to study.

Attestations are one of the few types of pre-modern English texts that include first-person narratives. Simply put, attestators told what had or had not happened, and scribes wrote it down. Therefore, the narrative parts are where the voice of the attestator stands out. Even though it is not possible to know how far scribes may have composed or reworded the narrative parts, attestators must have had more authority and freedom in the narrative parts than in the formulaic parts.

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<sup>1</sup> The Middle English Local Documents Corpus was produced as part of a research project named 'The Language and Geography of Middle English Local Documents' (2012–2016). It was financed by the Research Council of Norway and the University of Stavanger. MELD consists of transcriptions of documents such as attestations, court records, letters, petitions and receipts. ([www.uis.no/meld](http://www.uis.no/meld))

Moreover, since attestations were produced by people from various backgrounds, from servants to mayors and knights, they may provide very interesting material for sociolinguistic study. As they provide dates, names of real people and places, a great deal of information about social background can also be gathered in addition to linguistic evidence.

Late medieval documents are generally composed with a formulaic structure. However, attestations (like letters) include unique narratives, because every story told by attestators is different. Although attestations deal with similar issues, typically wills and land rights, the precise reasons why they were needed varied. Therefore, when attestators told their stories, each narrative differed from one another.

The texts are approached through the qualitative method. The main goal of this study is to identify the formulaic and non-formulaic elements as well as the narrative structure in the chosen attestations. Each text is analysed individually, examining its greeting, opening formula, narrative, closing formula, and finally date and place. The formulaic parts are studied by comparing and contrasting them; highlighting similarities and differences. The narrative parts are analysed using Swales' (2006) model of moves and steps, and Fludernik's (2008) model of narrative structure, in particular with focus on the use of discourse markers. The narratives are divided into moves and steps to examine the development of the story. Also, the use of discourse markers is highlighted to point to their role in the flow of the narrative.

Although the study is limited in nature, it is believed to contribute to the research of attestations as a genre, as it provides detailed discussions of a wide range of attestations representing different events and people. It is also hoped that bringing the thirteen texts together as an edition will provide a useful resource.

The thesis is divided into seven main chapters, followed by the Edition. The structure is as follows. Chapter 2 presents the sociolinguistic situation in medieval England, with particular reference to official uses of language. In addition, it discusses the role of attestations and places them in relation to the overall history of Late Middle English administrative documents and the writing conventions of the time. Chapter 3 presents and discusses the theoretical approaches applied in the study, in particular the study of formulas, their connection with the concept of genre, and the study of narratives.

Chapter 4 introduces and describes the corpus. Also, it explains the methods of how these thirteen attestations have been studied. A thorough analysis of the documents is found in

Chapter 5. An individual description and discussion of each text is included, dealing with their content, greeting and opening formulas, narrative parts, and closing formulas. The physical descriptions of the texts are based on photographic images from the MELD archive; supplemented (mainly for the measurements) by the MELD team's archive notes which have been made available by the team. The images also form the basis of the edition.

The findings are discussed in Chapter 6, which is divided into five subsections dealing with the parts of the text: greeting, opening formula, narrative, closing formula, and dating clause. The similarities and differences are compared in detail and tentative conclusions are drawn about the formulaicness and variability of attestations as a genre. Chapter 7, finally, draws together the main conclusions of this study.

Part II contains the Edition, which includes a description of editorial conventions, the texts themselves and a set of notes on the content. Finally, the Appendix presents a translation of the same texts, into Present-Day English.

## **2. Late medieval documents as linguistic evidence**

### **2.1. The Middle English sociolinguistic situation**

Middle English is usually considered to begin with the Norman invasion in 1066, which led to Norman French being widely used in the country along with English (Burnley 1992: 63). In the Old English period, both English and Latin had been used as administrative languages in England. After the Norman Conquest, as the top positions in society had been taken over by French speakers, Latin became the only written language of the state. After some time, French also started to be used by the administrators. French was also the language of instruction at schools (Stenroos and Smith 2016: 126).

As a result of all these reasons, English lost its functions as a language for official and educational purposes. Considered to be prestigious languages, Latin and French took over the realm of English as a written language. English lost not only its prestige but also most of its functions as a written language, and became mostly a spoken language. This situation resulted in a great variety in spelling. Every scribe spelt words according to his own dialect (Burnley 1992: 64). What is more, in the first centuries after the Norman Conquest, very few English texts were produced. Only a few places, such as Peterborough and Worcester, continued to produce texts in the vernacular.

There is no doubt that English continued to be spoken by the majority of the population after the Norman Conquest (Jones 1972: 18). The situation is described by Berndt (1965: 378-379):

The rural population of England, the free and unfree peasantry, comprising more than 80% of the total population was undoubtedly strongly affected by the Norman Conquest so far as its living conditions were concerned... The changes actually brought about by the Conquest were, however, confined to the economic and social conditions of the peasantry... The Conquest itself did not create any conditions whatever to make the native peasants give up their own language and adopt the French language of the Conquerors as their new means of communication. There was not even the slightest chance of French becoming the second language of the peasantry... They might, of course, after some time take

over a certain number of French words into their own language. But this was certainly all that could be expected.

There was a flood of French loanwords into the English language after the Norman Conquest. However, most of these French loanwords were not used in daily language by ordinary people but rather belonged to the language of the upper class. In the period following the Conquest, England was ruled by the French-speaking elite who came from Normandy. Even though only 2% of the population was French, there was a huge effect on the English language because those French people were not only literate but also in power. As they held the major positions in church and court, French ended up being a language of law and administration as well as literature, and many of these loanwords represented specialized vocabulary. Speaking French and using French words in writing were also seen as an indication of status. The French borrowings during the Middle English period caused the loss of many Old English words and some of them changed their meanings.

Because of these developments, when English started to be used commonly in writing again in the late fourteenth century, it differed enormously from Old English in spelling, vocabulary, grammar and pronunciation. Middle English texts also present the greatest diversity in the history of the English written language due to the lack of standardization.

In terms of the Latin language in medieval England, Schendl (2017:167) writes, 'Latin dominated as the written language of religion, scholarship, and literature as well as of the majority of official and legal documents'. Therefore, Latin and literacy had a strong relationship. On the other hand, despite the dominance of Latin and French in the state, English continued to be the main way of communication between the church and the local people. Bishops and the administration knew Latin; however, local parish priests were not powerful people and their Latin was often very poor. Also, nuns usually did not speak Latin. As ordinary local people did not speak Latin, either, both teaching and preaching were done in the vernacular so that locals could understand. Also, the role of the church was about more than teaching people religion, but had an important social dimension: for instance, hospitals, which provided for the sick, old, and travellers, were run by monks and nuns (Parkes 2008: 38). Therefore, English was normally used between the clergy and locals. As Schendl (2017: 165-166) emphasizes, not all speakers of Middle English experienced multilingualism to the same extent:

Latin and French were the prestigious High languages during most of the period; the former was particularly used in religion, scholarship, education, literature, and administration, while the latter started as the language of the politically and socially dominant group... English, on the other hand, began as the Low vernacular mainly spoken by the illiterate majority, but increasingly extended its functions, becoming the dominant language in most domains by late Middle English.

Therefore, Middle English speakers' interaction with English, Latin or French depended on their status in the society. Latin had already, before the Conquest, been the language of the church and law, and the normal language of writing in general. After the invasion and occupation in 1066, French became the language of the state in addition to Latin. Therefore, both of these languages were used to keep records. Literate people knew Latin and the aristocracy, mostly of Norman origin, spoke French. That is to say, Latin was a sign of literacy and education while French was an indication of status. Accordingly, language varied according to user and use. Whether a person was a member of royalty, nobility, clergy or peasantry affected their spoken and written language choice. It depended on class, prestige, and aim of the speakers, the context of their speech as well as their target audience.

Linguistic variation relates to gender as well as class and context. Women in medieval England were mostly illiterate because they did not have as much access to education as men. Very few women could read, and few could sign the documents made for them. For those few who did read, as Johansen (2019: 13-15) explains, religious books and personal letters were the dominant types of texts in their lives. However, this does not mean that they did not have a role in matters such as inheritance. Women did own and inherit property. Therefore, when they needed to make relevant documents, they asked literate men to assist them.

Middle English has been called the period of written dialects. That is to say, dialectal variation appeared not only in speech but also in the written format. Smith (2005: 91) points out that '[i]n a sense, every ME [Middle English] text has its own grammar'. Therefore, a standardised form of Middle English did not exist. Smith (2005: 118) divides Middle English dialects in four main categories following traditional practice: Northern, West Midland, East Midland, and Southern. The Northern dialect is the one showing the most Scandinavian effect whereas the Southern dialect was slower to change, and more conservative. Each dialect has its own distinctive characteristics.

To sum up, medieval England was a multilingual society where Latin and French dominated in the written word. The use of English, Latin and French depended on the status and gender of the speaker. As English had lost its function as a written language, there was no standard form of it, which resulted in much dialectal variation even in official documents, once they began to appear in English in the fifteenth century.

## **2.2. The languages of administration**

After some centuries of mainly spoken use, English began to emerge from the fourteenth century onward ‘as the principal language of literature and ultimately of record’ (Clanchy, 2013: 203). The early fifteenth century marks the time when the use of English in administrative writing started to rise whereas the use of French and Latin started to decline. There were several reasons for this gradual shift. Firstly, the loss of Normandy contributed to the rise of the vernacular. Kretzschmar (2018: 92) emphasizes that the English nobility had to choose sides following this loss; they could be loyal either to the French king and keep their French property or to the English king and keep their lands in England. The families who chose the English side gradually became English speakers due to their interaction with English speakers.

Moreover, in 1362, Edward III (1327-1377) became the first king to speak English to address the Parliament (Kretzschmar 2018: 100). English kings were French-speakers after the Norman Conquest until Henry IV (1399-1413) who learned English as his first and native language (Kretzschmar 2018: 100).

Another significant step that contributed to the vernacularisation of English was in the field of law. A law called The Statute of Pleading was passed in 1362 during the reign of Edward III (1327-1377) (Bevan 2013: 182). The reason why this law was needed was a major problem of communication. The spoken language of the court was French, while the written language was Latin (Bevan 2013: 183). However, not everyone was fluent in French. The language of the court was changed to English to avoid communication problems and possible misunderstandings, and to make justice accessible for everyone (Bevan 2013: 182).

Furthermore, Kretzschmar (2018: 101) draws attention to how the Black Death (1348-1349) changed the demographic patterns of the English society. He writes that it is estimated that half of the population died in the pandemic, most of whom were peasants. As the

population of the peasants decreased, the feudal system collapsed. People started to move especially to London to search for jobs (Kretzschmar 2018: 102). As people depended on the labour of these peasants, many of whom moved to bigger cities, the language of the lower class, English, gradually started to be considered as the main way of communication.

During the thirteenth and fourteenth centuries, the number of royal family members, feudal aristocracy, and higher church officials who spoke French decreased (Berndt 1965: 388). By the fifteenth century, as people holding official positions were increasingly English-speaking, the language of the documents started to shift from French to English as well. Even if Latin continued to be the internal language of professional administrators, when lay people needed documents, scribes wrote in English so that ordinary people could read and understand what they signed or sealed. This contributed to the gradual dominance of English as French-speakers diminished in number. The formulaic parts of the documents could still be Latin; however, that did not require a special education in Latin. Understanding names, dates and numericals would be enough to know what the Latin formula mentioned (Stenroos, Bergström and Thengs 2020: 58-59).

Finally, the roles of Henry V and Henry VI are to be considered in the rise of English. Henry V (1413-1422) had some of his signet letters written in English; therefore, he had a limited but symbolically important effect on the vernacularisation of English (Dodd 2011: 143). He did not contribute to a big change in the languages of administration, but provided the cultural backdrop for new perceptions about the value of the English and French languages (Dodd 2011: 144). Henry VI, however, had a greater impact. He was the king from 1422 to 1661, and also from 1470 to 1471. Dodd (2011: 140-141) underlines the relationship between Henry VI and the rise of English:

The link between the choice of language and the involvement of the king suggests a distinction in parliamentary procedure, where petitions answered in English signaled that they had been personally considered by the king, while those answered in French or Latin had been considered more widely, by the king's councillors and advisers and perhaps the parliamentary community as a whole. It may be significant in this respect that English responses to common petitions first appear in 1435, which is when Henry VI is considered to have first involved himself in the affairs of state and when English was about to take off as the main language used for drafting bills and petitions.



It was the choice of Henry VI to answer petitions in English. The reason why he preferred English was not that he could not understand French; his mother was a French princess and he was fluent in French (Dodd 2011: 144). Dodd (2011: 144) emphasizes: ‘The shift to English instead indicates that the practical and utilitarian traits of this language had finally come to outweigh the strength of tradition that had surrounded the use of French.’ Furthermore, Dodd (2011: 144) writes that the rise of English was also the consequence of a whole set of cultural, social, and institutional forces. That is to say, England was at war with France, which contributed to build a more patriotic atmosphere in the country.

To sum up, there was a decrease in the number of French-speakers that may be related to forces such as the loss of Normandy and the Black Death. This led to English taking over first from French, then from Latin. The spoken and written practices of Edward III, Henry V, and especially Henry VI also contributed to the vernacularisation of English from the late thirteenth century onwards.

### **2.3. Legal/administrative documents as linguistic evidence**

The study of a historical language poses numerous limitations compared to that of present-day languages. First of all, there are not any native speakers of the language. In Fleischman’s (1990: 24) terms, Middle English is a text language; in other words, it survives only in written texts. That is why Present-Day English speakers cannot exactly know how Middle English was pronounced by its native speakers.

Next, there are more issues to consider when it comes to the written language. First of all, even though the surviving material is made up of various genres such as chronicles, cookery books and letters, some scholars claim that the texts that have survived are completely random. On the contrary, Stenroos and Thengs (2020: 7) argue that the survival is not random, as some text types are more likely to survive than others. In other words, there are reasons why the texts we have today were kept and protected. As an example, a great number of land rights and wills have survived because families and anyone involved or related wanted to keep these records safe for their own benefit.

Moreover, a great number of texts are anonymous in terms of their author and scribe. As Stenroos and Thengs (2020: 4) put it, there are only a few Middle English authors that are

known by name; however, even about them there is little biographical information. Furthermore, many texts lack information about their date and place. Stenroos and Thengs (2020: 4) also note that most literary manuscripts were copied from exemplars; therefore, they might have been transformed during the process of transmission.

Middle English texts may be divided into two main groups: literary texts and documentary texts (Stenroos 2020: 101). Literary texts do not relate to a specific situation. They include genres such as sermons, saints' lives, romances, poems, fiction, medical texts and cookery books, and are typically produced in multiple copies. Documentary texts, on the other hand, include both administrative and private documents, such as receipts and letters. Unlike literary texts, they relate to a specific situation and involve specific people, and they are usually produced in only one or two copies. They do not have an aesthetic or didactic purpose, but rather convey a specific message about an event or events at a specific place and time. The term 'local documents' refers to texts that are related to particular geographical locations or areas, rather than documents produced centrally by government.

Even though most scholars have focussed on studying Middle English literary documents, since they are longer texts and easier to gain access to as editions, Middle English local documents provide researchers with particular assets. To begin with, as Stenroos and Thengs (2020: 5) put it, local documents are directly related to specific historical contexts and connected to real people, communities and places in addition to mostly being accurately dated. What is more, although they contain formulaic elements, they often include narrative parts in which the reader comes across colloquial language, recorded in order to document a real event rather than composed by a literary author. This unique characteristic of documentary texts is almost impossible to encounter in literary texts. Also, as the Middle English period is the period of variation, even formulas tend to present great variety of linguistic forms. Stenroos and Thengs (2020: 6) have suggested that documents in fact resist standardisation and reflect local language until a fairly late date, so that traces of dialects in terms of spelling and vocabulary are exhibited in rich amounts.

All in all, although Middle English local documents have not received as much attention and interest as literary documents, they may be considered of great interest as sources for linguistic study.

## 2.4. Attestations

According to the *Oxford English Dictionary Online*, an attestation is a formal testimony or confirmation by signature; especially the verification of the execution of a deed or will by the signature of the testator in the presence of witnesses. It is used as an official statement as proof. Stenroos, Bergstrøm and Thengs (2020: 51) list attestations under the category of statements, which are usually written in first person; attestations confirm ‘that a recorded transaction actually occurred (or did not occur)’ (MELD working manual). Attestations are therefore legal documents that link to real people who attested to and witnessed events.

One reason why Late Middle English attestations are of great interest today is that they were to a large extent written in English, in the vernacular, beginning from the late fourteenth century, while most legal and administrative documents were in this period written either in French or Latin. Attestations were one of the first types of documents that began to appear in English since they were produced by all kinds of people coming from various backgrounds, including the ordinary people that made up the largest part of the population.

An attestation could not be considered valid unless it was understood by a person who made it (Britnell 2013: 87). Since the majority of people only spoke English, attestations had to be in English so that the actual people giving them, regardless of their social background, could understand, attest to and stand for the content of the document.

As Stenroos and Thengs (2020: 57) write, texts produced by and for professionals were still in Latin whereas texts used by lay people were increasingly in English. Therefore, there was a distinction between the languages of the documents just as the languages of the people. The choice of language could, however, also have to do with the content. Some documents, such as receipts or bonds, could be completely formulaic. Therefore, all the writing could be in Latin except for the names, places and amounts of money, as it would not require much Latin knowledge to produce or read (Stenroos, Bergstrøm and Thengs 2020: 58-59). In contrast, other types of documents could contain fewer formulaic parts and more unique parts with free narratives or messages. Attestations are one of these texts that give the author more freedom. They usually have opening and closing formulas which are set phrases. However, the main part which conveys the reason why it was needed consists of free elements that vary in each attestation. Therefore, attestations are among the less formulaic documents which would be one reason for them to be written in the vernacular instead of Latin.

Stenroos and Schipor (2020: 275) write that official documents found in registers from the fifteenth and early sixteenth centuries show the use of Latin as the framing language even in the English texts. That is to say, the formulaic parts that are in the beginning and end of texts are often in Latin. This does not require a vast knowledge of Latin, but simply a basic knowledge of Latin formulas to be able to comprehend the whole text. However, even the formulaic parts of attestations are in English. The greeting clauses and opening and closing formulas appear in the vernacular in addition to their narrative part. Therefore, anyone who could read English could read and understand a whole attestation.

The people who produced, copied or transcribed texts are generally referred to as scribes. The scribes who produced administrative documents could be lawyers with professional training or clerks with basic writing skills and formula knowledge. Most gentlemen were also literate in this period so they could read and write their own letters; however, administrative documents would normally be produced by scribes who had the specific competence required for these. They would know the conventions of each kind of text, such as receipts and testimonies, and followed the particular structure expected of a particular type of text. Simply put, they had knowledge of the characteristics of genres that help identify a text.

It was extremely rare for a woman to write documentary texts. Some of them signed with their own hand after dictating a text; however, very few were literate, and even if they could read they would have no training in writing. Hence there was a big gap of literacy between men and women in Medieval England.

Texts were mostly composed and written by a scribe. However, they could also be composed and dictated by a person and written down by a scribe. It is almost impossible to distinguish between the author's own words and the scribe's contribution. Attestations would at least in principle require that some parts were dictated by an attestator and written down by a scribe, and as a result often contain narrative parts which are colloquial and non-formulaic. It is still highly challenging to tell how much of the attestator's and how much of the scribe's language is presented; however, it may be assumed that at least these unique narrative parts are made up of the attestator's word to some extent, as it is that person's knowledge and experience of the actual event that is described and forms the entire point of the document.

## 3. Theoretical background

### 3.1 Formulas and genres

According to the *Oxford English Dictionary Online*, a formula is a set form of words in which something is defined, stated, or declared, or which is prescribed by authority or custom to be used on some ceremonial occasion. Most definitions of formulas presume ‘a set form of words’. However, this kind of strict definition does not necessarily make sense in Middle English, because of the extreme variation at all levels of language. Even formulas can vary greatly in form while still expressing the same thing; therefore, they are of much interest in the study of Middle English language.

One of the main functions of formulas is to help identify a genre or topic: formulas ‘define, state and declare’ to the audience that they are about to hear or see a particular kind of text. To explain, one of the reasons why administrative documents were formulaic was to assure their legality (Stenroos and Thengs 2020: 8). By checking the formulaic opening, it is usually possible to tell what kind of legal document a text is. For instance, a typical attestation text starts with the use of an opening formula that emphasizes how important it is for a Christian man to be a witness of truth. These formulas usually include the words ‘meritory and medeful’ or some variant of them in their opening formulas (see p. 68). Such phrases help us find out the purpose of the text and recognize its genre. As Taavitsainen (1997: 53) points out, conventionalised opening phrases work as signals and help the audience set their expectations. That is to say, when the readers spot such phrases in an opening formula, they know what kind of a text they have in front of them and what will probably follow in the next lines.

Finally, the *Oxford English Dictionary Online* definition suggests that formulas are ‘prescribed by authority or custom to be used on some ceremonial occasion’. That is to say, they do not belong to colloquial language. One would not hear any opening or closing formulas in daily conversations: according to this definition, a phrase such as ‘how are you doing’ is not a formula, even if it may be formulaic in the sense of being a ‘ready-made’ unit. For instance, when one hears the words ‘for better, for worse, for richer, for poorer, in sickness and in health, to love and to cherish, till death do us part’, they are recognized as a

set of words from a wedding vow at a wedding ceremony. When it comes to Middle English, phrases such as ‘Be it known to all men that believe in Christ, for as much as it is a good deed and meritorious to bear witness of truth’ are found in legal documents copied by scribes and do not form part of daily language.

Wray (2012: 3), on the other hand, provides a purely linguistic approach. Wray states that people express themselves by using lexical units. A lexical unit can be one word or a chain of words. These units might combine with others and become larger lexical units. Wray (2012: 3) writes, ‘[f]ormulaic language’ is a term used by many researchers to refer to the large units of processing – that is, lexical units that are more than one word long’. In other words, formulaic language is made up of large lexical units. Wray (2012: 9) continues that certain words have a stronger relationship than others. For instance, if something occurs unexpectedly, it can be referred to as ‘out of the blue’. However, it cannot be rephrased as ‘from the blue’. Therefore, having a strong relationship is more important than having a similar meaning. Similarly, when readers see the phrase ‘for as much as it is meritory and medeful’, they know that they are about to read an attestation. That is to say, these words together define the genre of a written text, which highlights Wray’s emphasis on the strength of using some specific words together. It becomes a custom to include specific formulas in specific genres.

Lexical units may also turn into idioms, and entirely detach from their literal meaning (Wray 2012: 10). For example, if someone says ‘You are the apple of my eye’, the addressee knows that they are important, valuable, and much loved. The lexical unit does not refer to an apple or an eye literally. In a similar way, formulaic language does not always refer to the literal meaning. The set phrases of formulaic language set the context and the readers’ expectation.

It is highly relevant to study Swales’ working definitions of genre at this point. In one of them, Swales (2006: 45) argues that ‘[a] genre is a class of communicative events’, a communicative event being ‘one in which language (and/or paralanguage) plays both a significant and an indispensable role’. What Swales suggests is that a text is made up of a number of communicative events and its genre is one of the first elements that starts the communication between the text and the reader. In Swales’ (2006: 46) view, ‘[g]enres are communicative vehicles for the achievement of goals’. Genres help texts convey their message as they are chosen according to the goal of the communication. In other words, they

start the journey during which the passengers' expectations are set up: as soon as the readers have defined the genre, they have an idea about the kind of matters the text will communicate.

Moreover, according to Swales (2006: 47), 'it is not uncommon to find genres that have *sets* of communicative purposes'. To put it another way, he observes that genres usually have more than one communicative purpose; therefore, they pave the way for succeeding more than one aim. Swales (2006: 47) gives the example of news, arguing they can be used not only for keeping people up to date but also for controlling their opinion.

The choice of formulas within a genre is often significant. Taavitsainen (1997: 60) notes that conventionalised codes in medieval documents indicate the sociohistorical context, helping linguists and historians get a better understanding of the time they were written and of the social and pragmatic uses of language. Perhaps the most obvious example has to do with the greeting formulas of letters, which vary according to the recipient's status and the social relationship between the sender and addressee. Such choices may exist in other types of documents as well. To set an example, whereas one attestation might have lay people such as servants as witnesses, another one might have witnesses that are regarded as high class people such as doctors, bishops and mayors, and this may lead to different linguistic choices.

In this study, the identification of formulas will be based on content and communicative purpose rather than word-for-word identity, allowing for the variation in Middle English. The definition used here will also restrict formulas to the 'ceremonial and custom-based' as stated in the *Oxford English Dictionary Online* definition. That is, any lexical unit that is longer than a word is not necessarily considered a formula in this context, unless it has a specific relevance for the genre of attestations.

### **3.2 Narratives**

The study of narratives is of particular interest for the genre of attestations. Documentary texts relate to a specific situation. In attestations, this specific situation is explained in the narrative part which generally follows either the greeting clause or the opening formula. Narratives exhibit the voices of people involved, here mainly the attestators and witnesses, but attestations may also cite direct utterances by other individuals. Meanwhile, historical and social context is provided through references to real people, events and places. The narrative

is generally interspersed with argument, claiming and justifying the truth of what is being told.

Although attestations' opening formulas can be similar to each other up to a point, the narrative parts are unique because they present the reason why an attestation is needed. Even though attestations cover similar issues in terms of wills or land rights, they all have different reasons and solutions in their narratives. Furthermore, when the formulaic and narrative parts are compared, there may be a considerable difference in formality. Producing an attestation was a public way of writing that virtually always involved several voices and levels of conventionality: attestators told what they knew, scribes wrote it down and, while this was taking place, people witnessed it.

The narratives were not necessarily formal in the same sense as the formulas, which were based on convention. They may also be expected to form a part of the text where the dominance of the attestator is more than that of the scribe. There is less use of set phrases; therefore, the voice of the attestator is more likely to appear. Whereas the scribe has more authority while writing the opening formula, it is the attestator's turn in the narrative part as he or she is the one who witnessed and knew what had or had not happened. From this point of view, it is possible to see a change of authority in the narrative part.

Another reason why the narrative part provides the attestator with more freedom is that attestations are among the genres that are not constrained to Latin pretexts as Fludernik (2008: 243) puts it. Attestations were written in the vernacular, which gave the attestators a great chance to be more free and genuine in their speech. The structure could stay close to a conversation, creating a communication between the attestator and the reader via a written text. Furthermore, the fact that the document was in the vernacular meant that the scribe did not need to interfere with the dictation as much as he would do while writing a Latin text.

Fludernik's model of narrative structure is highly useful when studying and examining narratives. Fludernik (2008: 245) divides the narrative into episodes, and these episodes into incidences, incipits, reactions, and result points. She intends her model to be flexible, to cater for the fact that the number and kind of events changes from one narrative to another. She illustrates a typical narrative episode of the early sixteenth century with an example from a letter by Dr. Nicholas West, later Archbishop of Ely, to Henry VIII (Fludernik 2008: 246). Here, she draws attention to how a pattern is constructed via the use of discourse markers:



**and then** he toke me by the arm and went in to a chamber, incipit

**and** I said to hym Sir, sithe your Grace wol aunswer nor doo incidence  
non otherwise then ye have said, and I that have no farther  
charge I beseche you gif me licence to depart,

**and** he said with good wyll, reaction

Fludernik puts emphasis on linking words such as *and*, *and then*, *but*, *and afterwards*, *so that*, and *suddenly*. Her findings show that the distribution of discourse markers depends on the *genre* rather than chronology (Fludernik 2008: 257). There is an abundant use of *and*, *but* and *then* in all kinds of incipits whereas *so* appears as a result marker (Fludernik 2008: 256).

Swales' 'model of Moves' is another effective model for analysing and discussing the structure of texts. While this model is designed to study the introductions of research papers, its main principles are useful for dealing with other kinds of text as well. The general idea is that an argumentative or narrative text may be divided into *Moves* that each bring in a new point or perspective.

Concerning research paper introductions, Swales (2006: 142) states, 'Move 1 is coterminous with *goal* and *current capacity*, Move 2 with *problem* and Move 3 with *solution of criteria of evaluation*.' In other words, Move 1 introduces the topic and explains the current situation. Next, Move 2 demonstrates the problem, counter-claims, and questions. Finally, Move 3 evaluates the situation and offers possible solutions. In longer arguments, or narratives, each move can be divided into *Steps* to analyse the author's points in a more clear way. To set an example, when analysing an introduction chapter of a research article, Move 1 can be divided into three steps: Step 1 as claiming centrality, Step 2 as making topic generalizations, and Step 3 as reviewing items of previous research (Swales 2006: 140). Therefore, Swales' structure of Moves and Steps is convenient and functional in terms of comprehending how a text or a narrative is built.

The different models of narrative structure have been developed on the basis of different text types. Whereas Fludernik's model is usually used to analyse narratives in letters, Swales' model is usually identified with an argumentative text type, the academic research paper. However, both models can be applied to analysing other text types, with modifications

as necessary. For the present purpose, a combination of the two is particularly useful, as attestations generally combine both narrative and argumentative elements.

## 4. Materials and methods

Thirteen Middle English attestations from the period 1427-1525 are included in this study. Seven of them were transcribed from digital images especially for this study. The remaining six had already been transcribed by the MELD team, but have been prepared for edition and translated by the present writer. The edited texts are produced on the basis of the ‘readable’ format used in MELD, which corresponds to the traditional format of diplomatic editions. All the transcriptions were, finally, translated to Present-Day English (PDE), and the translations are provided in an Appendix.

Table 1 presents a chronological list of all the attestations studied. The same order is used throughout the study.

|   | <b>MELD Code</b> | <b>County</b>             | <b>Place</b>          | <b>Date</b> | <b>Title</b>   |
|---|------------------|---------------------------|-----------------------|-------------|--|
| 1 | D2561            | Lancashire                | Melling-cum-Cunscough | 1427        | Attestation concerning the will of Jankin of Ives                        |
| 2 | D0784            | Yorkshire<br>North Riding | Wycliffe              | 1446        | Attestation by John Wycliffe of Wycliffe, esquire                        |
| 3 | L1140            | Staffordshire             | Wolverhampton         | 1446        | Attestation by John Knight, servant to John Meverell, esquire            |
| 4 | L0090            | Warwickshire              | Coleshill-in-Arden    | 1450        | Attestation by Laurence Chirk, servant to John Meverell, esquire         |
| 5 | D2434            | Oxfordshire               | Banbury               | 1453        | Attestation by John Estby, vicar, on a land dispute                      |
| 6 | D0035            | Cheshire                  | Chester               | 1458-1459   | Attestation concerning the statement of Jonet Malpas about her daughters |

|    |       |                  |           |           |   |
|----|-------|------------------|-----------|-----------|---|
| 7  | D2569 | Lancashire       | Bolton    | 1461      | Attestation concerning the House of Madursay                                  |
| 8  | D0192 | Cheshire         | Chester   | 1461-1462 | Attestation by David Ferrour concerning the next heir of Fylot Sharp          |
| 9  | D2048 | Cheshire         | Agden     | 1471      | Attestation concerning the names of Roger Acton's grandparents                |
| 10 | D2701 | Surrey           | Mitcham   | 1476      | Attestation of enfeoffment by father to son                                   |
| 11 | D0126 | Cheshire         | Wistaston | 1508      | Attestation by William Kayfes concerning the inheritance of Wood Ridings      |
| 12 | D4132 | Bedfordshire     | Amphill   | 1524      | Attestation by Nicholas Teder concerning the will of George, Earl of Kent     |
| 13 | D2605 | York East Riding | York      | 1525      | Attestation by Elizabeth Talbot, that she is the rightful heir of her husband |

*Table 1. The corpus of attestations in chronological order*

The corpus includes documents from various parts of England such as Yorkshire in the north, Oxfordshire in the south, Staffordshire in the west midlands, and Bedfordshire in the east. Therefore, it does not focus on one particular area or dialect, but reflects a good deal of variety. The place where a document was produced is usually given at the end of the document, after the closing formula (see p.79). Nine of the attestations in this corpus state the place explicitly. In order to find out the probable place of production of the other four, the information given about the attestators has been studied. Also, some documents include place names, which have also been used to find out the provenance of the document.

All the texts are explicitly dated. However, dating conventions in medieval documents differ from those of today. Even though the present-day practice of referring to months and years was used, it was more common to relate dates to the accession date of a king and his regnal years. In most of the attestations in this corpus, regnal years are given, calculated from the official date of a king's accession. For example, the year of D2561 is written as *the 3ere of the Regnyng of our lord the kyng harr the sext the sevent* 'the seventh year of the Reign of our Lord King Harry the sixth'. The phrase 'after the Conquest of England' is also sometimes used, pointing to the Norman Conquest which took place in 1066.

New Year begins on 1 January based on the modern calendar used today. However, 25 March marked the first day of the year in Medieval England. If a date is from 1 January to 24 March, both years are therefore written with a dash between them in the descriptions of the documents. For instance, the year of D0192 is noted down as 1461-1462 since its date is stated as *thursday next aftir seint Patrik day in the secunde yere of kyng Edward the iiijte* 'the Thursday next following after Saint Patrick's Day in the second year of King Edward IV'. Saint Patrick's Day is celebrated on 17 March every year, which is before the New Year, 25 March. Therefore, according to the medieval system the year would have been 1461, while it is 1462 according to modern calculation.

As well as reflecting geographical variety, the corpus shows a large variety in the social backgrounds of the people involved. The attestators include lay people and servants as well as knights and esquires. Witnesses vary in a similar way, including priests, mayors, doctors, and also people without a title. Next, even though male attestators form the majority in the present corpus, there are two female attestators, even if the attestation of one of them is reported at a remove (D0192). Stenroos and Thengs (2020: 13) note that '[w]omen play a not inconsiderable role as parties to legal documents, whether on their own (in the case of widows) or as part of a married couple'.

It might be noted that, even though the corpus is variable in terms of geography, date and social context, the physical format of the texts is uniform. All documents in this corpus are single sheet ones, of the format described as a deed poll (Stenroos, Bergstrøm and Thengs 2020: 64). That is, they all have straight top edges rather than indented ones, as attestations were mostly produced in one copy; also, all of them have had seals attached.

Stenroos and Thengs (2020: 6) argue that the survival of late medieval texts is limited and uneven, which makes generalisation a problem. In the present study, each text is analysed

separately in Chapter 5, providing an individual description and discussion of every text in the corpus, including a short description of the physical text and its content as well as a discussion focusing on the narrative, and formulas. In other words, their greeting clauses, opening formulas, narratives, and closing formulas are analysed, and the way they state their place and time is examined. Where relevant, the texts are examined to find out to what extent a distinction between the scribes' and attestators' language can be made, and where two texts are similar to each other, the handwriting is examined to assess whether they were written by the same scribe.

The structure of the texts is then analysed making use of a combination of the models by Fludernik (2008) and Swales (2006) that were discussed in 3.2. As noted above (see p.17), Swales' Model of Moves and Steps was developed for a different text type: the introduction chapter of academic research papers. Naturally, the structure of an Introduction chapter is different from the narrative part of an attestation. However, because of the largely argumentative framework of the attestations, Swales' model, applied in a very general way, provides a good starting point for the analysis in this study. The main arguments and narrated events are identified as Moves and their constituent components are termed Steps. The Moves and Steps are given descriptive labels and explained briefly.

A further discussion of the narrative parts makes use of Fludernik's (see p.16) analytical approach. As Fludernik's model was developed for the study of letters, it also cannot be applied in its entirety; however, her terminology is used where relevant, and the study will trace in detail the use of discourse markers in shaping the narrative. In addition to introducing incidents, discourse markers act as signs of each phase the narrative develops into. The analysis will focus on how these discourse markers contribute to the flow of the text, affect readers' expectation of the new Move or Step, and to what extent they may have particular functions.

In Chapter 6, the findings of the individual discussions are brought together in order to compare the different texts and draw some tentative conclusions about attestations as a text type. Their formulas are compared and the variation is discussed in relation to the attestators' status, including social rank and gender, and the contexts of the different texts.

## 5. Analysis

### 5.1. Attestation concerning the will of Jankin of Ives (1427)

**D2561, Preston, Lancashire Archives: DDX/63/1**

The earliest attestation in the corpus, D2561, was written in 1427. The size of the document is 29.5 x 14 cm, with the written area measuring 27.5 x 11 cm. The text consists of eighteen lines and is written in light brown ink on medium parchment. The format is a deed poll, with three pendant seal tags and six intact red seals.

The purpose of the document is to clear conflicts about the estates of a person, Jankin of Ives, after his death, through his tenants' statements. It has a short opening clause which states *Knawen be hit to alle men þ<sup>t</sup> leven in crist* 'Be it known to all men who believe in Christ'. It addresses everyone by saying 'to all men' like a letter does. After this greeting formula, an opening formula follows: *for als myche as hit is almes & meritore to bere trwe wetnes in trawthe* 'for as much as it is a good deed and meritorious to bear true witness in truth'. This is a very common phrase used in attestations, and puts emphasis on the importance of bearing witness by defining it as meritorious or a good deed.

After its brief greeting and opening formulas, D2561 continues with the first part of its narration in which the audience is told the reason why the attestation was required and who the attestators were. Firstly, the attestation was written due to a disagreement between two parties after the death of Jankin of Ives, who had lands in the county of Lancaster. After his death, some people claimed that he had produced written deeds stating that the estates had to be returned to his heir after his death. However, others opposed that they were not returned and that their term lasted before and after Jankin's death. Because of this disagreement, Jankin's cousin and heir, Roger of Aughton, asked a few people to carry out an enquiry to hear the attestations of the actual tenants to the fact that the tenant contracts of the estates continued after Jankin's death as well. The names of the people who carried out the enquiry, and who appear here as the direct attestators, altogether six men although there is a reference to 'many others', are listed as: *John of Stanley, Richard the molyneux knyghtes Thomas of Stanley john warenn harr' Blundelle Thomlyn of lathum & mony other* 'John of Stanley, Richard Molineux, knights, Thomas of Stanley, John Warren, Harry Blundell, Tomlin of

Latham and many others'. It may be noted that the titles of only two of them are mentioned, who are knights.

The first part of the narrative can be considered as Move 1 in Swales' (2006: 142) terms, and be divided into three steps:

Move 1: the reason why an attestation is needed

- Step 1 – cause: death of Jankin of Ives
- Step 2 – conflict: disagreement between the heirs and tenants
- Step 3 – consequence and intention to solve the problem: Roger of Aughton as the heir of Jankin of Ives asked witnesses to attest.

When the structure is examined using Fludernik's (2008: 256) approach, it is useful to spot discourse markers that point to the beginning of each narrative episode or step. The close relationship between steps and conjunctions is examined below:

- Step 1 – cause: ***And for als myche as hit was said after the dethe of Jankyn of Jues þ' the said Jankyn shuld have made certan astates*** 'and because it was said after the death of Jankin of Ives that the said Jankin should have made certain estates'
- Step 2 – conflict: ***& other mony dyverce persouns saidyn opon trwthe hit was not so*** 'and many other various persons said upon their truth that it was not so'
- Step 3 – consequence and intention to solve the problem: ***and opon þ' Roger of Aghton cussyn & heir to the said John prayet vs... þ/t we wolde her' the recorde of the tenantz*** 'and because of that, Roger of Aughton, cousin and heir to the said John, asked us...that we would hear the record of the tenants'

The discourse markers in bold indicate that a new point of view will be added to the narrative. Three of the discourse markers above start with 'and', which means that a new piece of information will be added. However, the statement continues in a different way in each of



them. There are two options that shape how the text continues after ‘and’. Firstly, it can be followed with a ‘because’ (*for als myche* or *opon þ<sup>t</sup>*), which tells the reader that a reason might follow; alternatively, as in Step 2 above, it may simply add a point of view, either corroborating or (as here) opposing the previous one.

After the first narrative part, the date and place are given. The attestation was written on the Wednesday before the Feast of Pentecost, which is celebrated seven weeks after Easter. After the day, the year is stated via the regnal year of King Harry the Sixth, *the 3ere of the Regnyng of owr’ lord the kyng harr’ the sext the sevent* ‘the seventh year of the Reign of our Lord King Harry the sixth’, followed by the place, Conscough. Conscough is in the country of Lancashire in North West England. Next, the reader comes across the second narrative part of the attestation, which introduces one of the tenants, John Tyrehar. He met the attestators at the More Hall in Aughton at the date given and swore on the Bible that, as a tenant of a large piece of land, he had never known of any delivery of seisin and none of the tenants had had their term discontinued. He also swore that Jankin wanted him to tell Roger to look for the deeds for the lands in Lancashire, as Jankin himself lived elsewhere and Roger was his next heir if Jankin did not have a legal child. Finally, in addition to Tyrehar’s statement, eight other tenants of Jankin swore that their term continued after Jankin passed away.

This second part of the narrative, Move 2, therefore consists of the actual evidence given and attested to. It may be divided into four Steps, with the discourse markers marked in bold:

- Step 1 – introducing John Tyrehar: ***and opon þ<sup>t</sup>... there come one john Tyrehar*** ‘**And thereupon**, ...there came a certain John Tyrehar’
- Step 2 – oath 1: John Tyrehar swears that none of the tenants returned a termer. ***and ther befor vs he swar on a boke þ<sup>t</sup> he neuer knewe none siche astate made***. ‘**and** there before us he swore that he never knew any such estate made’
- Step 3 – oath 2: He also attests to Jankin of Ives identifying Roger as his heir and conveying a message to him. ***and also the said John Tyrehar’ sware on a boke þ<sup>t</sup> the said Jankyn of Jues charget hym...*** ‘**And also** the said John Tyrehar swore on a book that the said Jankin of Ives charged him...’

- Step 4 – oath 3: The attestations of the other tenants are summarized. *and also the said day... þ<sup>t</sup> wer tenantz termers & arn tenantz of the same tenementz þ<sup>t</sup> wer’ the said Jankyns of Jues sweren on the boke þ<sup>t</sup> thay neuer knewe none astate* ‘**And also** on the same day, ... who were tenants termers and still are tenants of the same tenements that were the said Jankin’s of Ives, swore on the book that they never knew of any estate’

Interestingly, the final step ends in what seems to be a direct quote: *zet duret ovr terme vnto the dethe of the said Jankyn of Jues & after* ‘our term still continues to the death of the said Jankin of Ives, and after (it)’.

It may be noted that, in D2561, when the witnesses swear, they always swear ‘on the Book’:

*he swar on a boke* ‘he swore on the Book’

*John Tyrehar’ sware on a boke* ‘John Tyrehar swore on the Book’

*sweren on the boke* ‘swore on the Book’

The first two oaths are taken by John Tyrehar and the last one by the eight tenants, including Tyrehar himself. It is either the scribes or the attestators that chose to record ‘swore on the Book’ instead of ‘swore’ only. The Bible here appears as an authority, making the audience consider the witnesses’ words more sincere and credible, in much the same way as asking an authority for a signature to make a document legal.

The text contains two levels of attestation. The six attestators who were mentioned in the beginning, John of Stanley, Richard the Molyneux, Thomas of Stanley, John Warenn, Harry Blundelle and Thomlyn of Lathum, here act as impartial witnesses who heard and attested to the statements of Jankin’s tenants. The tenants were the witnesses of the events whereas the attestators were the witnesses of the tenants’ words. The attestation thus consists of embedded narratives; the tenants’ narrative and the attestator’s narrative. As the discourse markers in Move 2 demonstrate, the audience is generally informed each time there is a new announcement or introduction.

At the end, however, the perspective seems to change rather abruptly. D2561 ends with a common closing formula: *In witnesse of the quyche thyng to this present script we han*

*set ovr' seals the day & zere & place afor' said* 'in witness of which thing we have set our seals to this present writing the day, year and place aforesaid'. Here, the attestors witness the tenants' statements and set their seals to the attestation. The date and place are not repeated again as they were provided before. This formula, referring to the main attestators in first person (*ovr seals*) follows directly after the direct quote where the tenants are referred to in first person (*ovr terme*). The only indication of the change of perspective is the formal and formulaic nature of the final statement itself, which presumably is enough to separate it from the preceding portion of text.

## **5.2. Attestation by John Wycliffe of Wycliffe, esquire (1446)**

### **D0784, Northallerton: North Yorkshire RO: ZAZ/25**

Attestation D0784 was written in 1446. The size of the document is 3.5 x 10.25 cm. The text consists of nine lines, written in dark brown ink on parchment. The seal-tongue is torn off. The transcription was provided by the MELD team.

The attestator of D0784 is John Wycliffe of Wycliffe, esquire. His purpose is to witness that the transfer of the lands and tenements of Alice Nunwick after her death to John of Newton and his wife Agnes was legal and carried out properly. The attestation starts with the conventional greeting to everyone, invoking God: *to all pais that his letters heres or sees...sendis gretyng in oure lord* 'to all those who hear or see these letters... sends a greeting in our Lord'. There is a short opening formula: *And be it notified and knawenn þat J euermore wittenesse and recorde at* 'And be it notified and known that I evermore witness and record that'. The 'medeful and meritorious' formula that appears in most of the attestations is not used here, but instead a shorter formulation going straight to the matter at hand.

Next, Wycliffe provides the main narrative where he explains the reason for the attestation. According to his story, a woman called Alice Nunwick of Darnton passed away. After that, John of Newton and his wife, Agnes, entered the late Alice's lands and tenements in Walburn, as Agnes was the legal heir of Alice. They then resided on those lands for some years 'in peaceable possession', always documenting their right to the land properly. Finally, Wycliffe also notes that many others knew what he attested to: *as it is well knawen to me and to many moo* 'as it is well known to myself and to many others'.

The narrative part of the attestation may be divided into two Moves based on the information it provides:

Move 1 – the past: stating what happened after Alice Nunwick passed away

- Step 1 – incident: John of Newton and Agnes entered the lands.
- Step 2 – justification: It was their right as Agnes was Alice’s heir.

Move 2 – the present: stating what happened after John and Agnes had entered

- Step 1 – incident: John of Newton and Agnes resided on the lands and tenements.
- Step 2 – justification: Everything was legal and was done as it should be.
- Step 3 – support: The attestator and many others knew that everything was done properly.

The narrative part basically tells the audience what happened to Alice Nunwick’s property after her death and later throughout the years during which her heirs lived there. The text does not state that there were conflicts and an attestation was needed to solve them. Therefore, the reason for attesting could be just to have the document at hand for future reference or in the case of a disagreement between Alice Nunwick’s heirs and other relatives. The reference to John of Newton as ‘late of Walburn’ might indicate that John had died and that the document was drawn up in order to secure the claims of his heirs.

The discourse markers used to signal the different elements of the narrative are marked in the following:

Move 1 – the past

- Step 1 – incident: ***And be it notified... at John’ of Newton’ late of walburn’ and Agnes his wife entrid eftur’ þe deth of Alys Nunwyk*** ‘**And be it notified... that** John of Newton, late of Walburn, and Agnes his wife entered after the death of Alice Nunwick’

- Step 2 – justification: *as in þe right of þe said Agnes* ‘as it was the right of the said Agnes’

Move 2 – the present:

- Step 1 – incident: *and efter þat þe said John’ and Agnes his wyfe wer dwelling* ‘**And after that**, the said John and his wife Agnes were dwelling’
- Step 2 – justification: *as in þe right of þe said Agnes... þe tytill and þe right therof to be in þe same Agnes* ‘as it was the right of the said Agnes... the same Agnes as the legal heir held the title and the right thereto’
- Step 3 – support: *as it is well knawen’ to me and to many moo* ‘as it is well known to myself and to many others’

In Move 1, the first step starts with *And be it notified*, marking the beginning of a main event in the attestation. Next, the second step provides the justification, signalling this with the use of *as*. The second Move introduces the starts with *and efter þat* because it is the beginning of the second main event of the narrative, bringing it forward in time to give information about the current situation of the heirs, lands, and tenements. In both Moves, the attestator legally justifies his argument; at the end of Move 2, he also makes it stronger by stating that there are several people, including himself, who know that everything is how it should be. These justification and support elements are each time introduced with ‘as’.

It may be noted that, unlike D2561, this attestation does not include any religious element apart from the formulaic ‘greeting in our Lord’ at the beginning. When John Wycliffe argues his point, he refers to documented legal rights as well as to common knowledge; he does not swear on the Book or mention God’s name. Throughout, his base for his claims is legal rights, not oaths on the Bible; there is also no indication that other witnesses might be called in, even though he mentions that there are others who can also attest. This presumably reflects the fact that his justification is strong enough to prove that Agnes holds the rights.

The attestation has the usual closing formula, stating that the attestator has attached his seal. The place is stated as Wycliffe, which is situated in North Yorkshire in the north of England, and which is also given as the place of residence (and the surname) of the attestator. As Wycliffe lies some twenty-five kilometres north of Walburn, where the lands concerned

were situated, it would seem likely that John Wyliffe was giving the attestation as a local person of some rank.

### **5.3. Attestation by John Knight, servant to John Meverell, esquire (1446)**

#### **L1140, Göttingen University Library, Cod. MS Jurid. 822/1/5**

Two of the attestations, L1140 and L0090, deal with the same event, a forgery of documents using the seal of John Meverell, esquire, during his illness. The earlier of these, L1140, was written in 1446. The writing is made up of nine lines, written in black ink on parchment. The seal-tongue is torn off. The transcription of L1140 was provided by the MELD team.

The attestator of L1140 is a servant called John Knight and his purpose is to attest to an event which happened during his master's sickness. The text has a brief opening which simply says *Be hyt knowen' to all men' that thys present wrytynge shal come to* 'May it be known to all men to whom this present writing will come'. The fact that it does not say Christian men or men who believe in Christ draws attention. Also, the name of God or the Lord is not mentioned. There is also no opening formula including the phrase 'meritory and medeful', even though it is commonly written in attestations.

As L1140 does not have an opening formula, it continues with the narrative right after the brief greeting. John Knight identifies himself as the sometime servant to John Meverell, esquire and states that he was accompanying his master in Cheshire, in the house of John Rope, when his master was taken ill. At that time, John Rope took the master's seal and brought it back when the master recovered. The seal looked like it had been used. As John Meverell may have suspected that they had sealed a deed with his own seal without his knowledge, he told his servant several times that nothing was ever sealed between him and John Rope except for one fixed-term indenture. It is implied that John Meverell has now died, and the attestation is clearly produced in order to counter any claims by John Rope.

The Moves and Steps of the narration may be identified as follows:

Move 1 – setting

- Step 1 – place: John Meverell and his servant John Knight were at John Rope's house.

- Step 2 – illness: John Meverell was so ill that he was at the point of death.

#### Move 2 – incidents

- Step 1 – removal of purse: John Rope took John Meverell’s purse without permission. John Meverell’s seal with his coat of arms was in the purse.
- Step 2 – recovery: John Meverell recovered.
- Step 3 – return: The seal was brought back but it was stained with red wax.

#### Move 3 – need for a statement

- Step 1 – statement: John Meverell states that no document was ever made between him and John Rope.
- Step 2 – exception: except for an indenture for a fixed term of one year

The narrative is told from the perspective of John Meverell and his household. Nothing else is stated about John Rope except for his visible actions relating to the implied crime. Also, the audience does not know why John Meverell was at John Rope’s house, how long his illness lasted or when the seal was brought back. Therefore, the focus of the story is completely on the incident of the removal of the seal. It may be noted that every time John Knight talks about John Meverell, he calls him ‘my master’, a phrasing that continuously justifies his position as an attestator.

When it comes to the discourse markers of the narrative, the Steps of Move 1 are divided by an ‘and’: *in the house of John’ Rope Squyer’ and ther’ my seyde Mastyr was... in poynte of deth* ‘in the house of John Rope, esquire, **and** there my said master was... at the point of death’. The second step of Move 2 is marked with a ‘when’: *the wheche purse and Seal when’ that my Mastyr was reuerted / was broughte to hym* ‘**When** my master recovered, the purse and seal were brought to him’. The third step is marked with an ‘and’ as it is additional information about the seal: *and the Seal was enbrowed w<sup>t</sup> reed wax* ‘**and** the seal was stained with red wax’. Finally, Move 3 which contains the master’s statement starts with *and more-over* ‘And moreover’. Only ‘and’ might not have been considered enough for such an important statement; therefore, ‘moreover’ follows it. Each step does not start with a discourse marker in L1140; however, each main event does.

Even though the attestation does not have an opening formula, it has a proper closing formula in which the attestator states that he attached his seal. After that, the place and time are stated. On the whole, however, L1140 is a brief attestation that explains one event to the point.

#### **5.4. Attestation by Laurence Chirk, servant to John Meverell, esquire (1450)**

**L0090, Göttingen University Library: Cod. MS Jurid. 822 1/8**

L0090 is the second of the two attestations that deal with the possible forgery using John Meverell's seal. It was produced four years later than L1140, in 1450. The text consists of fourteen lines and is written with black ink on parchment. The seal is torn off. The transcription was provided by the MELD team.

The story told in the narrative part is the same as in attestation L1140: a servant attesting to the removal and later return of the seal of his master, the same John Meverell with whom L1140 was concerned, as he was taken ill when staying at the house of John Rope in Stapeley in Cheshire. The name of the servant is Laurence Chirk. The two documents were produced within the same area in the West Midlands: L1140 was written in 1446 in Wolverhampton, Staffordshire, while L0090 was recorded in 1450 in Colshill, Warwickshire, the two places being only thirty kilometres apart, and some sixty kilometres south of the Meverell family home near Calton.

It seems fairly certain that L0090 and L1140 were written by different scribes, even though the same event was attested to. First of all, the letter shapes are different. For instance, the letter <w> in L1140 has the shape of a modern <w> which looks like two <v>s. However, the same letter in L0090 looks like a capital <x> as if it had an ascender. The differences are also visible when other letters are studied, such as <v>. Secondly, there are numerous differences in spelling and word forms. The scribe of L1140 chooses to write the king's name as *kyng<sup>e</sup> harry the vj<sup>te</sup>* while the one of L0090 prefers *kyng'henr'ye sext*. That is to say, both the king's name and number are written in different ways. A list of differences in the spelling of individual words is given in Table 2.



| L1140         | L0090         | PDE      |
|---------------|---------------|----------|
| y             | J             | I        |
| hyt           | it            | it       |
| they          | yai           | they     |
| the           | ye            | the      |
| wrytynge      | wryttyng      | writing  |
| Chestyr-Shyre | Chestur-shire | Cheshire |
| wheche        | woche         | which    |
| Mastyr        | Maistre       | Master   |
| a-geyn        | agayn         | again    |
| witnes        | wittnese      | witness  |

Table 2. Differences in spelling between L1140 and L0090

Smith (2005: 119) notes that both <y> and the letter thorn, or <þ>, were written as <y> in the Northern dialect of Middle English. The spelling differences in Table 2 might suggest that L0090 shows a slightly more northern usage. For example, ‘the’ is spelled as ‘ye’, and ‘they’ as ‘yai’ in L0090. In addition, the <ai> and <ay> spellings in *yai*, *agayn* also suggest a somewhat more northern usage (see e.g. Stenroos 2020: 114). Both texts show the typically West Midland feature of <o> spellings for Old English short *a* when followed by a nasal (Smith 2005: 119):

- *as y shal onswere by-fore god & man’ mony tymes* (L1140)
- *ose <sup>J</sup> shal onswere be-for god and mon mony tymes* (L0090)

‘as I shall answer before God and man many times’

Accordingly, both texts seem to exemplify West Midland dialect, with L0090 showing somewhat more northern forms.

There is also a slight difference in the choice of greeting. Whereas L1140 starts as *Be hyt knowen’ to all men’ that thys present wrytynge shal come to* ‘Be it known to all men who this present writing shall come to’, L0090 starts as *Be it knowen to al men yat  $\Lambda^{yis}$  present wryttyng’ shal see or here* ‘May it be known to all men who shall see or hear this present

writing'. After the greeting, the usual opening formula is left out in both texts; instead, the attestator introduces himself and continues with his narrative.

As in L1140, John Meverell is always referred to as 'my master' in L0090. When the servant, John Knight, introduces himself in L1140, he says *y John' knyght sumtyme seruant to John' Meverell Squyer'*, where he does not refer to him as his master. On the contrary, when the servant introduces himself in L0090, he says *J laurence Chirke Sum-tyme seruant to my Maistre John meuerell Squier*.

The narrative part of L0090 tells the same story as in L1140. The master and the servant were at John Rope's house when the master fell ill. John Rope took the seal and gave it back when John Meverell recovered. However, the seal looked like it had been used when it was taken from its owner. Therefore, Meverell told the servant that no document was sealed between him and John Rope except for only one. The Moves, Steps and discourse markers of L0090 are exactly the same as L1140 (see p.30). Only two differences in lexical choice appear in the whole narrative part:

| L1140  | L0090   | PDE  |
|--|---|--|
| ...and more-over' y herd my seyde Mastyr sey <b>in hys good lyve</b> as y shal onswere by-fore god & man'... | ...and more-ouer J herd my said maistre say <b>in his prosperite &amp; wil-faire</b> and ose <sup>J</sup> shal onswere be-for god <b>and</b> mon... | And moreover, I heard my said master say <b>in his good life / prosperity and welfare</b> , and as I shall answer before God <b>and</b> man... |
| ...neuer' seled dede ny non <b>odyr thyng</b> to the seyde John' Rope...                                     | ...neuer seled deed ne <b>nothir scrit'</b> to ye said John Rope...   | ...never sealed a deed nor <b>any other thing / anything written</b> to the said John Rope...  |

Table 3. Differences in lexical choice between L1140 and L0090

The words in bold show the differences between the narratives of the two texts. The rest of the story makes use of the same words; therefore, the narratives of L1140 and L0090 are almost the same. More notable differences appear in the closing formula and dating clause:

- *Jn-to witnes her-of y the seyde John' knyght' haue put to my Seal* 'In witness of this record, I, the said John Knight have attached my seal' (L1140)
- *Jn-to wittnese of yis record J ye said laurence to yis present record J haue sett to my seal* 'In witness of this record, I, the said Laurence, have set my seal to this present record' (L0090)
- *wreton' at woluerehampton' the thursday in the fest of seynt Edward the yere of the Reigne of kyng herry the vj<sup>te</sup> xxv<sup>ti</sup> . / .* 'Written at Wolverhampton on the Thursday in the Feast of Saint Edward in the 25<sup>th</sup> year of the reign of King Henry VI' (L1140)
- *wrytonn at Colsill in arderne ye seturday next be-fore ye fest of ye Natiuite of our lady in zere of our lord ye kyng'henr'ye sext xxix* 'Written at Coleshill in Arderne on the next Saturday before the Feast of the Nativity of Our Lady in the 29<sup>th</sup> year of Our Lord King Henry the Sixth' (L0090)

As there are only very few differences in the main part of the text, it is possible that the narrative part of L0090 was copied from that of L1140. Interestingly, the formulaic parts of the texts exhibit more differences; therefore, the scribe probably copied the narrative part only, and wrote the opening and closing formulas he usually used for attestations.

### **5.5. Attestation by John Estby, vicar, on a land dispute (1453)**

#### **D2434, Oxford, Magdalen College Archives: Clifton & Deddington 8**

D2434 was written in 1453. The size of the document is 28 x 13.5 cm, with the written area measuring 24 x 7 cm. The text consists of twelve lines written in dark brown ink. The format is a deed poll, with an incised tag and one red seal.

D2434 is an attestation by John Estby, vicar, regarding a release of lands made by Sir Roger Stratford, priest, to John Phipps. It opens both with a greeting clause and an opening formula. To begin with, the greeting part is longer and more conventional than those used in the first four attestations:

*To alle Cristen' men that this present letteres shullen here or see Sir John Estby vicar of the parysshe chirche of Bannebury sendethe gretynge in God*

‘To all Christian men who shall hear or see this present letter, Sir John Estby, vicar of the Parish Church of Banbury, sends a greeting in God’.

The greeting contains all conventional parts of the usual greeting formula, including a full identification of the attestator, with his name and title as well as the church to which he is connected. Secondly, the phrase ‘all Christian men’ is preferred rather than ‘all men’. It might be argued that the phrases ‘*Christian men*’ and ‘sends a greeting *in God*’ are preferred because the attestator is a vicar; however, these religious phrases are highly common in documents involving lay people as well. Next, a very common opening formula is presented: *and for that hit is meritorie & medefulle to bere witnessse to trouthe* ‘And because it is meritorious and necessary to bear witness of truth’. This attestation differs from the previous ones in its use of punctuation: there is a *punctus elevatus* after this formula (rendered as a semicolon in the edition), separating the greeting clause and opening formula from the following narrative.

In the narrative part, it is stated that there was a disagreement between Sir Roger Stratford, priest, and John Phipps. Stratford had held lands and tenements in Clifton and Deddington, which he had transferred to Phipps. Estby attests that Sir Roger had made a release of the lands to Phipps on an occasion where they both were present in Estby’s own house, with several witnesses present. He also attests that Sir Roger had received payment for the release:

*the seid sir Rogger ensealed acquitaunce of a Resseite of the same John Phippes and .  
C . s<sup>s</sup> withe the same seal ensealed to the seid John Phippes*

‘the said Sir Roger sealed an acquittance of a receipt from the same John Phipps of 100 shillings, sealed with the same seal, to the said John Phipps’.

The Moves and Steps may be identified as follows:

Move 1 – reason: ongoing conflicts between Sir Roger Stratford and John Phipps

Move 2 – incident 1: Sir John Estby witnessed the making of a release.

Move 3 – incident 2: Sir John Estby witnessed the making of a receipt.

The narrative uses relatively few discourse markers:

Move 1 – reason: **For that** *J here meved stryffes & contrauersye by-twixt Sir Rogger Stratford Prest and John Phippes* ‘**because** I hear that there are ongoing conflicts and controversy between Sir Roger Stratford, priest, and John Phipps’.

Move 2 – incident 1: *J . the said sir John Estby witnesse by this my wrytyng that J sawe in myn howse the seid Sir Rogger... enseale a relese* ‘I, the said Sir John Estby, witness by this writing of mine, that I saw the said Sir Roger in my own house... seal a release’

Move 3 – incident 2: **Also** *J the said Sir John Estby witnesse that I sawe... that the seid sir Rogger ensealed acquitaunce of a Resseite* ‘**Also**, I, the said Sir John Estby, witness that I saw that the said Sir Roger sealed a receipt’

Move 1 is clearly marked with *for that*, as it provides the reader with the reason why the attestation was produced. Move 2 does not make use of a discourse marker; instead, it introduces a new Move by the use of the verb *witness*, stating ‘I...witness...that’. The readers know that they are to read about the incident after that phrase. Finally, in Move 3 the verb *witness* is repeated, and the repetition is marked with another discourse marker, ‘also’, which signals that new information is to be added in the text. The text includes fewer discourse markers compared to the previous four attestations; however, the incidents are clearly stated in a simple order. Therefore, neither the meaning nor the flow of the text is affected.

The place is not mentioned in the document via any explicit statement such as ‘Given at’ or ‘Written at’. There are, however, signs that indicate Banbury in Oxfordshire. First, the attestator Sir John Estby’s title is vicar of the Parish Church in Banbury, and the transactions that he attested to took place at the vicarage. Secondly, Sir Roger Stratford’s lands and tenements are noted to be in Clifton and Deddington, which are very close to Banbury, also in Oxfordshire.

D2434 ends with a closing formula in which attaching the seal and the date are mentioned whereas the place is not included.

## 5.6. Attestation concerning the statement of Jonet Malpas about her daughters (1458-1459)

**D0035, London PRO: C 146/4166**

D0035 was written in 1458 according to the medieval system and in 1459 according to modern calculation. Unfortunately, the image of the document was not available, and the physical description here is therefore based entirely on notes produced by Kjetil Vikhamar Thengs for MELD. It is a small vellum document, with a seal tag and three intact seals. Written with dark brown ink, all the handwriting is clearly legible. There is faint writing in a different hand on the dorse, but it is not legible. The transcription of D0035 was provided by the MELD team.

The attestation is made by three attestators, attesting to a statement by a man called Richard Pleymundestowe who in his turn attests to the truthfulness of a document produced by him and recording a deathbed statement by a woman called Jonet, wife of John Malpas. The text starts with the conventional opening by greeting all true Christian men. After that, the names of the three attestators are given: John Maynwaringe, Johannes Bromley, knights, and John Dutton of Hatton. They send their greeting in ‘almighty God’. After identifying the speakers, the genre is identified via the opening formula, here given as: *For As’ muche As hit is almes & meritory to bere witnessse of truth’ namely betwen’ parties That ben in Trouble & aduersite* ‘For as much as it is a good deed and meritorious to bear witness of truth, especially between parties who are in trouble and adversity’. The addition about parties who are *in Trouble & aduersite* is the only indication in the document of the context of the attestation, which presumably will have been an inheritance dispute.

In the narrative part, the audience learns that the three attestators are witnessing what Richard Pleymundestowe has told them. Therefore, they did not see an event in action; they only witness Pleymundestowe’s words. Pleymundestowe himself has sworn that the instrument annexed to the attestation is genuine and made by himself without any compelling by another person: *That the Instrument to this Certificate anexet was by hym made by any person not compellet*. Pleymundestowe also swears that it tells the truth. The message conveyed by the document is then repeated: it conveys what Jonet, wife of John Malpas, uttered on her deathbed. She swore that her daughters, Ellyn and Catherine, were not the daughters of her husband, but of another man: *geten in A-voutre by an othir person* ‘begotten by another person in adultery’. In short, the three attestators attest to what Pleymundestowe

said; Pleymundstowe swears that what the document said was the truth, and the document is claimed to tell the truth of what Jonet said. Therefore, D0035 is made up of two embedded narratives.

The Moves and Steps of the narrative can be analysed as below:

Move 1 – incident 1

- Step 1 – statement 1: John Maynwaring, John Bromley and John Dutton attest to having heard Richard Pleymundstowe’s statement.

Move 2 – incident 2

- Step 1 – statement 2: Richard Pleymundstowe attests that the annexed document was produced by himself voluntarily.
- Step 2 – statement 3: He attests that the contents of the document are truthful.

Move 3 – incident 3

- Step 1 – source: The content of the document was based on what Jonet Malpas told on her deathbed.
- Step 2 – statement 4: Jonet Malpas confessed that the father of her two daughters was not John Malpas, but that they were begotten in adultery.

Each Move focuses on the act of giving a statement, so that the statement in the first Move vouches for the second one (also recorded in a separate written document), which again vouches for the third one, which is the original statement that clearly lies at the core of the dispute. Whereas Move 1 focuses on the fact that Richard Pleymundstowe wants to attest, Move 2 focuses on the content on his attestation. Also, Move 2 informs the reader that there is a document annexed to D0035. Then Move 3 explains what this annexed document is about.

The discourse markers that help analyse Moves and Steps are explained below:

### Move 1 – incident 1

- Step 1 – statement 1: *We certifiēn . & recorden... that there Came before vs the day of the makynge of thes present at Chester Maister Richard Pleymundestowe and there before vs toke upon his Charge* ‘we certify and record that there came before us at Chester on the day of making these letters Master Richard Pleymundestowe, and there before us swore’

### Move 2 – incident 2

- Step 1 – statement 2: **And** *there before vs toke upon his Charge on his awne propur Conscience...That the Instrument to this Certificate anexet was by hym made by any person not compellet* ‘**and** there before us he swore upon his own conscience...that the instrument annexed to this certificate was made by him without being compelled by any person’
- Step 2 – statement 3: **And** *that the mater therin contenet is iuste & true* ‘**and** that the matter written in the mentioned document is rightful and true’

### Move 3 – incident 3

- Step 1 – source: *as Jonet wyfe to John Malpas... when sho lay in poynte of deth toke upon hir Charge* ‘**as** Jonet, wife of John Malpas... **when** she lay on the point of death, swore’
- Step 2 – statement 4: *That Elyn & katelyne of hir body borne were not the doghturs of the said John Malpas hir husband but geten in A-voutre by an othir person* ‘that Ellyn and Catherine, born of her body, were not the daughters of her husband John Malpas **but** begotten by another person in adultery’

Move 1 Step 1 does not start with a discourse marker. As it is the first statement after the opening formula, the lack of a discourse marker does not affect the meaning or the flow of the text. Instead, the beginning of the narrative part is signalled by attestation formula: *We certifiēn . & recorden by thes oure said letturs That* ‘we certify and record by these our said letters, that’. Both steps in Move 2 are marked with ‘and’ as the main attestators are adding new parts to their account of Pleymundestow’s statement. Here, Move 2 Step 2, again marked with an ‘and’, functions as the introduction to the second narrative. In Move 3 Step 1, the



attestator explains how he gained access to the following piece of information; here the introduction of the actual event brings in a more clearly narrative tone as it starts with ‘when’, and describes a woman’s last words on her deathbed. The final piece of information – that of adultery – is marked with ‘but’, signalling a contrast to the expected truth (that her husband was the father of her children) rather than simply additional information. This use of ‘but’ than ‘and’ highlights the fact that the final part of the narrative contains striking news.

The attestation ends with a closing formula. The names of the attestators and witnesses are not repeated. Instead, the first person plural pronoun ‘we’ is used: *We haue sett oure Seals*. The place is, however, stated twice: *there Came before vs the day of the makynge of thes presentz at Chester* ‘there came before us at Chester on the day of making these letters’ highlighting that the attestation was written in Chester, and *Gyven at Chester* ‘Given at Chester’. Finally, the date is stated, using the regnal year style and including the phrase, *aftur the Conquest of Englund*.

### **5.7. Attestation concerning the House of Madursay (1461)**

#### **D2569, Preston, Lancashire Archives: DDIN/26/2**

D2569 was written in 1461. The size of the document is 24.5 x 23 cm, with the written area measuring 21 x 13 cm. Consisting of twenty-two lines, D2569 has the largest number of lines in the corpus. Dark brown ink is used on dirty medium parchment. The document is a deed poll, with three incised seal tags, two of which appear to be missing. There are remnants of three red seals and some residue of four more. There are two holes in the middle vertical fold, with minor loss of text. Both of them appeared after the document was written, probably as a result of the fold. The first hole is a small one that is on the first and second lines, but it does not cause a problem on the second line, only slightly affecting the first minim of the letter <m> of the word ‘men’. The second hole is bigger and it is on four lines from twelfth to fifteenth. It makes one word illegible in each line; however, the lost meanings can be fairly easily reconstructed by studying the whole context and meaning of the document.

D2569 is about a customary corrody, or allowance, from the priory of Madursay, claimed by the Heaton family. The purpose is to clarify the recent history of the corrody, and to record an agreement whereby the current holder of the right to the corrody gives up this right for his lifetime.

The greeting formula starts with a triple emphasis on religion *To alle trwe crysten' men' in cryste thys present wrytinge [...] seyng' or vnderstondyng hele in owr' lorde euerlastyng'* 'To all true Christian men in Christ, (hearing), seeing or understanding this present writing, greeting in our everlasting Lord'. The repeated references to Christianity make this a markedly religious greeting. The text then continues with a conventional opening formula: *sen that yt ys meritorye ande medefulle to euery trwe crysten' mon' in cryste to ber' wytnesse & recorde to the truthe* 'since it is meritorious and necessary for every true Christian man in Christ to bear witness of and record the truth'. Next, the audience is presented with the names of twelve attestators and their titles: an esquire, four gentlemen, six yeomen and one vicar. A polite introduction leads to the names: *knaweȝ vs* 'may you know us'.

The narrative part first outlines the recent history of the corrody from the House of Madursay that was 'due and accustomed of old time' to the heirs of Heaton. The first name mentioned is Richard Heaton who gave the corrody to his cousin William Entwisell for the term of his life. After William Entwisell's death, Richard gave the corrody to another cousin of his, Oliver Entwisell and after Oliver died, Richard's son, William, gave it to his uncle, Robert Heaton. After the death of Robert Heaton, the prior of Madursay brought about an agreement with the Heatons that Sir John Coventry should be made vicar of the Church of Bolton and, in exchange, William Heaton should not claim any corrody from the House of Madursay during this lifetime.

The Moves and Steps of the narrative part are identified as follows:

Move 1 – The previous history of the corrody

- Step 1 – first transaction: Richard Heaton gave the corrody to his cousin William Entwisell.
- Step 2 – second transaction: William Entwisell died and Richard Heaton gave the corrody to his cousin, Oliver Entwisell.
- Step 3 – third transaction: Oliver Entwisell died and William, Richard Heaton's son, gave the corrody to his uncle, Robert Heaton.

## Move 2 – The present

- Step 1 – action taken: After Robert Heaton died, the prior of Madursay, with the help of Ellis Entwisel, made an agreement with the Heatons to make Sir John Coventry the vicar of the Church of Bolton.
- Step 2 – conclusion: William Heaton should not claim any corrody rights during his lifetime.

Move 1 summarizes the previous history of the corrody, which was granted by Richard Heaton and his son William to a succession of relatives. Move 2 relates the change in the situation, seemingly made as an agreement whereby the priory grants the position of vicar of Bolton in exchange for William Heaton waiving his corrody right.

The discourse markers of the narrative are marked in bold below:

## Move 1 – The previous history of the corrody

- Step 1 – first transaction: *Ric' heton' heyr' of heton' gafe to wille Entwyselle hys cosyn' A corody* 'Richard Heaton, heir of Heaton, gave to William Entwissell, his cousin, a corrody'
- Step 2 – second transaction: **ande after** *the deceesse of the saide wille the saide Ric' gafe yt to Olyuer Entwysell his cosyn'* '**And after** the death of the said William, the said Richard gave it to Oliver Entwysell, his cousin'
- Step 3 – third transaction: **ande after** *the deceesse of the sayde [...] heton son of the sayde Ric' heton gafe it to robert heton hys Eame* '**And after** the death of the said (Oliver), William Heaton, son of the said Richard Heaton, gave it to Robert Heaton, his uncle'

## Move 2 – The present

- Step 1 – action taken: **ande after** *[...] deceesse of the saide robert come the Pryour of Madursay to Bolton... ande ther thay were acordet & agreyd that sir John Couentr' now vicar' of the kyrke of Bolton' shulde hafe the vicarye of the kyrke of Bolton'*

‘**And after** (the) death of the said Robert, the Prior of Madursay came to Bolton... **And** there they accorded and agreed that Sir John Coventry, now vicar of the Church of Bolton, should have the vicary of the Church of Bolton’

- Step 2 – conclusion: *so that the saide wille heton shulde clayme no corodye*  
‘**so that** the said William Heaton should claim no corrody’

As in the previous attestation, D0035, the first Step of the first Move does not have a discourse marker in its beginning. The beginning of the narrative is, rather, introduced by the initial directive given by attestators: *knaweȝ vs... to ber’ wytnesse of truthe & consience that* ‘may you know us... to bear witness of truth and conscience that’. The following three steps are all marked with ‘and after’, indicating the consecutive points of time in the narrative. Also, Move 2 Step 1 includes another ‘and’ as it introduces a second piece of information (the agreement made by the parties). Finally, Move 2 Step 2 starts with ‘so that’ indicating the relationship of the following statement (William Heaton not claiming a corrody) to the previous one (granting the vicary to Sir John Coventry), and at the same time marking it as the main point made in the document: the end result of the historical narrative.

D2569 ends with a closing formula followed by the place and date, which are given explicitly. The attestation was written in Bolton which is in the county of Lancashire. The text presents a unique closing formula which dwells on the importance of truth and conscience by way of repetition: *ande to this our’ present recorde of truthe & consience as we verrele knawen’ for travthe by waye of consience to these presentmentez we hauen sett our’ Sealx* ‘And to this present record of ours of truth & conscience, as we truly know to be true by way of conscience, we have set our seals to these presentments’.

### **5.8. Attestation by David Ferrour concerning the next heir of Fylot Sharp (1461-1462) D0192, Manchester, John Ryland's Library RYCH/1619**

D0192 was written in 1461 according to the medieval system and in 1462 according to modern calculation. The text consists of twelve lines written in dark brown ink on parchment. The document is in good condition and the handwriting is legible. There is one red seal, some parts of which have been lost. The transcription of D0192 was provided by the MELD team.

The attestator is David Ferrour, who is the Mayor of the city of Chester. He attests at the request of a woman called Isabel, former wife of Jankin Richardson, concerning the will of a woman called Fylot. The attestation is an embedded one: the Mayor attests to a formal statement made by Isabel in the presence of witnesses.

The attestation starts with the usual greeting and opening formula. The narrative begins by stating the date and place when Isabel had appeared to give her statement. The date is given with reference to a saint's day: *opon' thursday next aftir seint Patrik day in the secunde yere of kyng Edward the iii<sup>j</sup>e* 'on the Thursday next following after Saint Patrick's Day in the second year of King Edward IV'. The mentioned feast is celebrated on 17 March. Next, the names of four men who were witnesses with the Mayor on that day are given, and the place is identified as *the counsell hous atte the Pendice of Chestre* 'the council house at the Pendice (or City Hall) of Chester'.

What the Mayor and witnesses attest to is the making of the statement; it is Isabel who actually witnessed an event. According to Isabel's story, she had been present during the illness of a woman called Fylot, who had passed away. Before she died, when she was on her deathbed, a man called Richard Hokenhill had visited her, wishing to know who was going to inherit her land at Church Shotwick. She answered that it was a woman called Anell, who was her closest relative. Hokenhill had then insisted on having the mentioned land, which Fylot strongly opposed, declaring that she would never disinherit the rightful heir. As Isabel had witnessed this conversation between Fylot and Hokenhill, she wished to have it recorded in writing by the Mayor.

The Moves and Steps of the narrative part are analysed as follows:

Move 1 – incident 1: Isabel came before the Mayor and made a statement.

Move 2 – incident 2

- Step 1 – situation: Isabel sat with Fylot Sharp before she passed away.
- Step 2 – enquiry: Richard Hokenhill arrived and wanted to know her heir.
- Step 3 – answer: Fylot Sharp named Anell as her heir.
- Step 4 – reason: Because she was her closest blood relative.

- Step 5 – opposition: Richard Hokenhill wanted to be the heir.
- Step 6 – final answer: Fylot Sharp did not change her mind.
- Step 7 – departure: Richard Hokenhill left.

Move 3 – incident 3: Isabel wanted the Mayor to record what she witnessed.

Moves 1 and 3 form the framework of the story told in Move 2, relating to the present situation: the production of the document in Chester. Move 2 tells the story that is being witnessed and may be divided up into seven steps, each of which introduces a new phase of the incident at Fylot Sharp's house.

The discourse markers of the narrative part are as follows:

Move 1 – incident 1: *there came afore me one Jsabell... And there she said as she shuld vnsware afore god atte the dredefull day of Dome . that 'there came before me a certain Isabel... and there she said, as she would answer before God at the dreadful Day of Judgment... that'*

Move 2 – incident 2

- Step 1 – situation: ***And there** she said... that she sate vndir on' Fylot wyf of Richard Sharp **when** she was seke 'and there she said...that she was sitting with a certain Fylot, wife of Richard Sharp, **when** she was sick'*
- Step 2 – enquiry: ***And then** thedir came vnto . the seid Fylot on' Richard hokenhyll & askyd hir howe she ferd **and** she vnswaryd saying' that she was right seke **And so then** he askyd hir who shuld be hir heire 'And then there came to the said Fylot a certain Richard Hokenhill, **and** asked her how she was doing, **and** she answered saying that she was very sick. **And so then** he asked her who should be her heir'*
- Step 3 – answer: ***and** she vnswaryd **and** said that hir next heire shuld haue hit **and** that was Anell Trunkynswyf of hawardyn' 'and she answered and*

said that her closest heir should have it, **and** that was Anell, Trunkin's wife of Hawardin'

- Step 4 – reason: *for she was next of blode to hir* '**because** she was her closest blood relative'
- Step 5 – opposition: *And then the seid Richard hokenhyll seid vnto the seid Fylot that he emposyd that he shuld haue hade . that lond* '**And then** the said Richard Hockenhill said to the said Fylot that he imposed that he should have that land'
- Step 6 – final answer: *and she said nay* '**and** she said: no'
- Step 7 – departure: *And thus they departyd then* '**And thus** they parted then'

Move 3 – incident 3: *And this saying the seid Jsabell desyred me to record in writing* '**And** the said Isabel wanted me to record this statement in writing'

Except for Move 1, all Moves and Steps start with a discourse marker. The dominant one is 'and', placed in the beginning of all except one of the rest of the Moves: only Move 2 Step 5 begins with 'because' as it provides a reason.

The place is indicated three times. Firstly, the attestator is the Mayor of the city of Chester. Secondly, Isabel is said to visit him at the City Hall of Chester where she tells her story about Fylot Sharp. Thirdly, Fylot Sharp's land is said to be at Church Shotwick, which is also in Cheshire. The attestation ends with a closing formula which states that it was sealed with the Mayor's seal, referring to the date given at the beginning.

### **5.9. Attestation concerning the names of Roger Acton's grandparents (1471)**

**D2048, Matlock, Derbyshire RO: D5236/13/2**

D2048 was written in 1471. The size of the document is 34 x 7 cm, with the written area measuring 32 x 3.5 cm. Consisting of six lines, the text of D2048 is the shortest attestation of the corpus. Dark brown ink is used on medium parchment. There is one incised seal tag with one red seal which is completely intact. Nothing is written on the dorse.

The purpose of giving the attestation is to certify that a man called Roger Acton was the son and grandson of specific people, whose names are confirmed, and that he has a rightful claim to 'half of Acton'. D2048 starts with an opening formula *For as much as þ<sup>t</sup> is merytori & medefulle for euery treve cristen' mon' to ber' treve recorde* 'For as much as it is meritorious and necessary for every true Christian person to bear true record'. It helps identify the genre by the phrase *merytori & medefulle* and emphasizes the importance of bearing witness. Then the audience is presented with the attestator's name, Thomas Duckworth, which is not followed with a title.

The narrative part of the attestation lists a small family pedigree: Roger Acton's grandparents Robert Acton and Janet as grandparents, and his father William Acton. Thomas Duckworth states that these names are the real names of the people mentioned, and that they had never been called with different names. The reason why these names matter is that there is an issue regarding land. Therefore, the attestator states *he hasse ver' trewe ryght & tytylle as fer forth as I knowe or euer herd tell* 'he truly has a true right and title, as far I know or ever heard tell'.

The Moves, Steps and discourse markers of the narrative part are analysed below:

#### Move 1 – the pedigree

- Step 1 – names of grandparents: Roger Acton's grandparents Robert and Janet Acton were always called by these names.

*I neuer kneue nyff herd telle þ<sup>t</sup> euer þ<sup>e</sup> gronsir' nor grondame of Roger actonn þ<sup>t</sup> now is heght... & those wer their veraye names* 'I never knew nor heard tell that the grandfather or grandmother of the present Roger Acton... **and** those were their actual names'

- Step 2 – name of the father: Roger Acton's father William Acton was always called by this name.

*& that thar' son fadur to þ<sup>e</sup> sayd Roger was calld wylyam actonn þ<sup>e</sup> quech wylyam hade issue Roger Actonn þ<sup>t</sup> now is* '**and** that their son, father to the said Roger, was called William Acton, who had issue, the present Roger Acton'



Move 2 – the present situation: Roger Acton claims an inheritance.

*y<sup>e</sup> queche claymes þ<sup>e</sup> haluendelle of Actonn* ‘who claims half of Acton’

Move 3 – conclusion: Roger Acton has the right to half of Acton as he is their rightful heir.

*to þ<sup>e</sup> quech he hasse ver’ trewe ryght & tytylle as fer forth as I knowe or euer herd tell in wyttenes quer-of* ‘to which he truly has a true right and title, as far I know or ever heard tell’

The structure of the attestation is very simple: Move 1 provides the background to the claim noted in Move 2, confirming the mentioned three people’s names. Based upon Move 1, Move 3 concludes that Roger Acton is their true heir. The text is very concise, with the discourse marker ‘and’ only used in Move 1, and the remaining Moves consisting of relative clauses connected with ‘the which’.

Finally, the reader is informed that the attestator set his seal, and the date is given. The name of the place is not given explicitly. As Acton is mentioned to be beside Millington, it can be concluded that the county is Cheshire. The day and month are written explicitly as *x<sup>th</sup> daye of juylle* ‘the 10<sup>th</sup> day of July’, not indicated by the date of a feast.

### **5.10. Attestation of enfeoffment by father to son (1476)**

#### **D2701, Chelmsford, Essex RO: D/DP T386**

D2701 was written in 1476. The size of the document is 25.5 x 13.5 cm, with the written area measuring 22 x 9 cm. The text consists of fifteen lines. The handwriting is slightly stiff. Brown ink is used on medium parchment. The document is a deed poll, with four pendant seal tags and four intact seals, three of which are brown and one of which is red. Nothing is written on the dorse.

The purpose of D2701 is to attest to an enfeoffment by father to son. The *Oxford English Dictionary Online* defines an *enfeoffment* as the deed or instrument by which a person is enfeoffed. It also defines the verb *enfeoff* as putting a person in possession of the fee-simple or fee-tail of lands, tenements, etc. Therefore, D2701 can be considered as a document of

delivery of property from father to son. The attestation starts with an elegant greeting formula that greets all and each Christian people: *To vniuerselle and singuler trewe Cristen' peple that thes present Lettres schalle see or heir* 'To all and each true Christian people who shall see or hear these present letters'. The fact that the word 'people' is preferred instead of 'men' calls attention. The names of four attestators, John Woneham, John Parker, Thomas Brown and John Fennewere, are provided, *gretyng with dwe reuerence in our lord god euerelastyng* 'greeting with due reverence, in our everlasting Lord God'. Next, the opening formula defines the genre by the phrase it includes *forasmuche as hit is right meritorius and a dede of chairte* <sup>Λ</sup> *to bere wittnesse of trowth* 'for as much as it is very meritorious and a deed of charity to bear witness of the truth'.

The narrative begins by the statement that the four attestators, whose names are again repeated, were called by John Palmer the Elder, late of Camberwell, to witness an enfeoffment. The date at which this took place is provided in both ways; making use of a feast, *the twisday next a-fore seint andrews day* 'the Tuesday immediately before Saint Andrew's Day', and also writing down the day and month, *that was the xxviiij day of Nouembr* 'that was the 18<sup>th</sup> day of November'. Next, the details of the enfeoffment are given. John Palmer delivered seisin of a tenement with its appurtenances, previously called Tydiis, to his son, William Palmer. The geographical extent of the estate is given in detail: *sett in the Chirche strete at Micheham aboue-said by-twene the landes of John Dymmok towardis the East and northe and a Ten of þe said John Palmere towardes the west and the kinges hey way towardes the southe* 'lying in the Church Street in the abovementioned Mickleham between the lands of John Dimmok towards the east and north, and a tenement of the said John Palmer towards the west, and the King's Highway towards the south'.

The Moves and Steps of the narrative part are analysed as below:

Move 1 – call for witnesses: John Palmer the Elder invited four witnesses to see him deliver a tenement with the appurtenances to his son, William Palmer.

*hit is soo that we... were callid and desired by John Palmere... to wittnesse & to see the said John Palmere delivere a fulle playn and peesible astate possession and seesyng* 'it is the case that we... were called by John Palmer to witness him deliver a complete and peaceful estate'

Move 2 – delivery: John Palmer delievered the mentioned property to his son before the witnesses.

*the whiche he a-fore vs deliuered to his sone Willam Palmer’ to him his heires and assignes for euermore of and in a Tenemet’ withe th apertinances*

‘which he delivered before us to his son William Palmer, to him, his heirs and assignees forever, of and in a tenement with the appurtenances’

Unlike most of the documents in the corpus, D2701 does not include any discourse markers such as *and*, *after that*, *so* or *then* in its narrative part. The text is not short; however, it consists of only two main events, here identified as Moves 1 and 2. The remainder describe. Also, most of the text gives the details of the land that is delievered from John Palmer to his son. Instead of using parataxis, as most late medieval vernacular narratives do, the Moves are here connected with a relative marker. This hypotactic construction indicates a more formal, perhaps Latin-based, style than that found in most of the other narratives, something that perhaps may be related to the fact that this attestation relates to an essentially Latin document type, the enfeoffment.

The place is not given in the closing formula along with the date as it is the case in some attestations. There are, however, two references to Mickleham in Surrey, which suggest that the document was produced in that area. First, one of the attestators is referred to as *John woneham of Micheham in the Counte of surr* ‘John Woneham of Mickleham in the county of Surrey’. Next, Mickleham is given as a location for the land that is delievered: *sett in the Chirche strete at Micheham aboue-said* ‘lying in the Church Street in the abovementioned Mickleham’.

D2701 ends with a closing formula which tells that the attestators affixed their seals and gives the date of the attestation which is five months after the day John Palmer met the witnesses. The phrase *the last day of Aprille* is used to refer to the 30<sup>th</sup> of April.

### 5.11. Attestation by William Kayfes concerning the inheritance of Wood Ridings (1508) D0126, Keele University Library CH 168

D0126 is one of the three latest attestations in the corpus, belonging to the sixteenth century. Having been written in 1508, the text consists of thirteen lines. Brown ink is used on parchment. An abundant use of full stops (*punctus*) draws attention. The date is written on the dorse. There is a pendant seal tag and a seal, wrapped in for preservation. The transcription of D0126 was provided by the MELD team.

The attestation starts with a brief greeting clause: *To all true in Cryst to whome this present wryting shall her' or see* 'To all true people in Christ who shall hear or see this present writing'. Then it identifies the genre by providing the phrase *meritory and medefull* in its opening formula. The attestator identifies himself as William Kayfes, stating that he is blind and 83 years old, and that he lives in the parish of Wistaston. The text refers to the cause of his blindness as *by the visitation of God* indicating that it happened through an illness, not an accident.

After identifying himself, William Kayfes introduces his attestation with the formulation *J... testefye & take on my charge being in my holl mynd* 'I... testify and swear, being whole of mind', the reference to his mental powers presumably being felt necessary because of his age. The narrative part begins by identifying a specific land holding in a field called Wood Ridings. To prove his trustworthiness as an attestator, he says that he knows this piece of land but he cannot point to it because of his blindness. He adds that he would be able to show it if he had his sight, *whiche grounde J coube haue gon strezt vnto if hit had pleased god to haue lant me my syzt* 'which land I could have gone straight to if it had pleased God to give me my sight'. His blindness is clearly mentioned at the beginning because it is relevant here. He provides much detail in describing the land as *in old tyme... belonging by enheritaunce to Thomas Dawson lying in Churche Copenhall in A feld called the wode ryddinge3* 'in old time... belonging to Thomas Dawson by inheritance, lying in Church Copenhall in a field called the Wood Ridings'. The mentioned place was inherited by Thomas Dawson. A woman called Marion Cliffe held this land from Thomas Dawson. After her death, her heir, Richard Bannister, took over the lands and became the tenant of will, that is, a tenant holding the land without any document of lease. After Thomas Dawson died, his son and heir, John Dawson, inherited the land and Richard Bannister became his tenant. Here it is noted that Bannister wanted to make more use of the land, but *þ<sup>e</sup> said John' wold not set the said*

*londez . but to herbage to th'entent þ<sup>t</sup> hit shuld not in tyme to cum . groo out of knowledge*  
‘the said John did not wish to have the said lands used for other than pasture, so that the land arrangement would not, in time to come, become forgotten’. Presumably there was a worry here that, if the land would be put to more profitable use, disputes might arise as to its ownership. As the attestation was made after the death of Richard Bannister, its purpose is probably precisely to testify to the principal tenancy of John Dawson.

The Moves and Steps of the text may be defined as follows:

Move 1 – setting: The attestator introduces himself and defines the land concerned.

Move 2 – the previous landholding arrangements

- Step 1 – principal tenant 1 and subtenant 1: Thomas Dawson inherited Wood Ridings and Marion Cliffe held the land from him.
- Step 2 – subtenant 2: After the death of Marion Cliffe, her heir, Richard Bannister, became the tenant of will.
- Step 3 – principal tenant 2: Thomas Dawson died and his son, John Dawson, inherited the land; therefore, Richard Bannister became his tenant.
- Step 4 – condition: John Dawson wanted the land to be used for pasture only as he did not want the agreement between him and his tenant to be forgotten.

Move 3 – the present situation: At the death of Richard Bannister, the land rights remain with John Dawson.

Move 1 introduces the attestator and the land, justifying why the attestator is in the position to provide some information: although blind, he has lived in Wistaston for 83 years. Move 2 describes the successive arrangements concerning the land, with changing landholders, and Move 3 concludes with stating the landholding rights of John Dawson.

The narrative is organized using discourse markers as follows:

Move 1 – setting: *J willm' kayfes whiche by þ<sup>e</sup> visitacoun of god haue my syzt taken fro me & at the full age of lxxiiij... testefye & take on my charge... as towching such londez þ<sup>t</sup> in old tyme wer' belonging by enheritaunce to Thomas Dawson* ‘I, William

Kayfes, who by the visitation of God has had my sight taken from me **and** at the full age of 83 years’

Move 2 – the previous landholding arrangements

- Step 1 – principal tenant 1 and subtenant 1: **And** *their’ was oon Marion Clyffe þ<sup>t</sup> held þ<sup>e</sup> forsaid grounde of the forsaid Thomas Dawson ‘And there was a certain Marion Cliffe who held the foresaid ground from the aforesaid Thomas Dawson’*
- Step 2 – subtenant 2: **&** at the depe of the forsaid Maryon . the said Thomas had a *princepall* . **& aftr’** the dethe of the said Maryon . oon Ric’ Bannastr’ heir’ to the said Marion . toke the said londez of the said Thomas **&** became tenant of will ‘**and** at the death of the foresaid Marion, the said Thomas had a principal, **and after** the death of the said Marion, a certain Richard Bannister, heir to the said Marion, took the said lands from the said Thomas **and** became the tenant of will’
- Step 3 – principal tenant 2: **And aftr’** *þ<sup>e</sup> depe of þ<sup>e</sup> said Thomas . þ<sup>e</sup> said Ric’ Bannastr’ became tenant of will to John’ Dawson son... & wold haue takyn the said londez to all profettez* ‘**And after** the death of the said Thomas, the said Richard Bannister became the tenant of will to John Dawson... **and** would have taken all profits of the said lands’
- Step 4 – condition: **And** *þ<sup>e</sup> said John’ wold not set the said londez . but to herbage to th’entent þ<sup>t</sup> hit shuld not in tyme to cum . groo out of knowlege . ‘And the said John did not wish to have the said lands used for other than pasture, so that the land arrangement would not, in time to come, become forgotten’*

Move 3 – the present situation: **And** *at the dethe of the said Ric’ Bannastr’ the said John’ Dawson had a princepall* ‘**and** after the death of the said Richard Bannister, the said John Dawson held the land as principal tenant’

Move 1 makes no use of discourse markers, apart from a single ‘and’ used to add information about William Kayfes. The following Moves make use of a succession of ‘and’ and ‘and

after' marking each new incident. Finally, the intention of the condition placed in Move 2 Step 4, is marked with 'so that', a marker that also highlights what presumably is the reason for the attestation itself.

William Kayfes ends his attestation by swearing upon truth 'before his spiritual Father', identified in the list of witnesses as Sir Andrew Roode, parson of Wistaston. To make his words even stronger, he also adds *as I shall Answer' at the dredefull day of Jugement* 'as I shall answer on the dreadful Day of Judgment'. The document is sealed before eight named witnesses, including the parson of Wistaston 'and others'.

The document is clearly connected to Wistaston, Cheshire. The dating clause specifies where the document was given: *Yeupon' at wistaston aforesaid* 'Given at the aforesaid Wistaston'. The same place is also mentioned elsewhere in the text: William Kayfes introduces himself as *dwelling in the peroche of wistastonn* 'living in the parish of Wistaston'. Also, two witnesses are connected to Wistaston: *Sir' Andrew Roode parson of wistaston' my said gostly Fadr' Thomas Mascye of wistaston'* 'Sir Andrew Rode, parson of Wistaston, my said spiritual Father, Thomas Mascye of Wistaston'. Finally, the date is given. After stating the regnal year, the phrase *aftr' the conquest* is used referring to the Norman Conquest.

#### **5.12. Attestation by Nicholas Teder concerning the will of George, Earl of Kent (1524) D4132, Bedfordshire and Luton Archives: L/Jeayes 230**

D4132 was written in 1524. The size of the document is 35 x 18 cm, with the written area measuring 31 x 14 cm. Consisting of nineteen lines, the text is one of the longest attestations of the corpus. Brown ink is used on medium parchment which is slightly stained. The document is a deed poll, with a pendant seal tag, but without a seal.

The attestator is Nicholas Teder. He used to work as a yeoman at the house of George, late Earl of Kent. As his title is given as yeoman, he was one of the servants with a higher grade. His purpose is to confirm and repeat his earlier attestations of the will of his late master. To begin with, D4132 starts with a greeting clause which tells the name and title of the attestator. An opening formula that helps define the genre is not included. After the greeting part, the narrative part begins by noting that the attestator and several other household servants have already earlier attested to the facts that follow. The attestator tells

then where and what he witnessed, adding that there were other witnesses, & *dyuerse other*', without providing any other names, all being present in a room at Ampthill, where their master, George, late Earl of Kent, made his will when he was sick. He wanted his wife, Lady Catherine, to inherit everything he owned. After her death, he wanted his son, Richard, and his legal heirs to inherit everything his parents owned, including Lady Catherine's jointure.

At this point, the document notes that Richard has passed away: *now lately decessid*, and continues to detail the next arrangements for inheritance as stated in the will. The will continues by stating that in case Richard had no heirs, the inheritance would go to George's second son Henry Grey, and his legal heirs. If Henry also had died without issue, the inheritance would go first to George Grey and his heirs, and failing even that, to Anthony Grey and his heirs.

This summary of the will is followed by a long explanation of various ways in which the attestator had already testified to its truthfulness and a confirmation that he would do so at any time required. First, he informs that he had set his seal on another document with a similar content approximately ten years ago, on 6 February 1514-1515. What is more, he declares that he had also sworn on his oath before a notary and others to strengthen the same statement of his concerning his master's will as his last will. He then gives a general declaration that everything he has said before on the matter is true. Finally, he asserts that he would always be ready to testify the truth in terms of this issue: *more ouer J the seid Nicholas for the farther openyng of the truithe in this behalf wyl be redy at all tyme3 when' so euer J shal be therto requyrid to recorde & also to depose vpon' my othe* 'moreover, I, the said Nicholas, in order to further clarify the truth in this matter, will be ready at all times whenever I shall be required thereto, to record and also to testify on my oath'.

The Moves and Steps of the narrative may be defined as follows:

Move 1 – setting: The attestator and other servants were present at Ampthill.

Move 2 – recital of the will

- Step 1 – heir 1: George, Earl of Kent made his will on his deathbed and appointed his wife, Lady Catherine, as his heir.
- Step 2 – heir 2: After the death of Lady Catherine, their son, Richard, and Richard's legal heirs, were appointed as the heirs.



- Step 3 – heir 3: In case of the death of Richard and lack of legal heirs, Henry Grey and his heirs would be the heirs.
- Step 4 – heir 4: If Henry Grey left no heirs, George Grey would inherit.
- Step 5 – heir 5: If George Grey left no heirs, Anthony Grey would inherit.

Move 3 – reference to other attestation 1: The attestator refers to another document with others concerning the same issue.

Move 4 – reference to other attestation 2:

- Step 1 – oath: The attestator refers to an oath made together with other servants.
- Step 2 – added information: The attestator summarizes the points of the oath, including added information, having heard George confirm that this will, and no other, was his last will.
- Step 3 – support: This and the other oaths were recorded in a written document.

Move 5 – declaration: Nicholas Teder confirms everything said so far.

Move 6 – promise: Nicholas Teder states that he would be ready to testify on this matter whenever it was needed.

The attestation is a complex one, consisting of several parts with different functions. Moves 1 and 2 provide the ‘narrative’ that is attested, giving the setting (which justifies the attestator’s claim to knowledge) and detailing the main information attested to, the contents of a will. The remaining Moves deal with the actual process of attesting to the content of Move 2 and supporting its truthfulness.

The discourse markers of the narrative part are analysed below:

Move 1 – setting: *we were present in a chamber’ at ampthylle ther as the seid George lay seke* ‘we were present in a room at Ampthill as the said George lay sick’

Move 2 – recital of the will

- Step 1 – heir 1: *when*’ he wylled that Dame kateryn’ then’ his wyffe shuld haue & peasibly enioye duryng hyr lyffe alle suche Maners landes & tentes ‘George lay sick, **when** he made his will, stating that Lady Catherine, then his wife, should have & peaceably enjoy during her life all such manors, lands and tenants’
- Step 2 – heir 2: **And** that after the decesse of the seid Dame kateryn... shuld remayn’ to Richard then’ his Son’ ‘**and** that after the death of the said Lady Catherine... should remain to Richard, then his son’
- Step 3 – heir 3: & for lacke of suche issue to remayn’ to henry Grey ‘**and in case of** the lack of such issue to remain to Henry Grey’
- Step 4 – heir 4: **And** for lacke of suche issue to remayn’ to George Grey ‘**and in case of** the lack of such issue to remain to George Grey’
- Step 5 – heir 5: **and** for lacke of suche issue to remayn’ to Antony Grey

Move 3 – reference to other attestation 1: *In wytnes & affirmance of whiche wylle J the seid Nicholas with other before this tyme haue made a certein’ wrytyng* ‘in witness & affirmation of which will, I, the said Nicholas, with others have earlier made a certain document’

Move 4 – reference to other attestation 2:

- Step 1 – oath: **and ouer that** for the more strenkyth & proue of the seid wyll haue also before this tyme deposed ‘**and in addition to that**, to strengthen and prove the said will, have also earlier deposed’
- Step 2 – added information: *that the said George made the seid will... and that J was present.... & that the same daye before his deth J hard the seid George afferme the seid wyll to be hys last wyll & non’ other*’ ‘that the said George made the said will... and that I was present... and that on the same day before his death I heard the said George affirm the said will to be his last will, and no other’

- Step 3 – *as by an instrument... which was also made in wytnes of my deposiciouns & of the deposicouns of dyuerse other*’ in this behalf apperith ‘**as** it appears in an instrument which was also made in witness of my depositions and those of several others’

Move 5 – declaration: *knowe ye me the seid Nicholas to advowe ratyfye and conferme alle that J haue before seid & wytnessid in the seid wrytynges concernyng the seid wylle to be good & true in euery article therof* ‘may it be known to you that I, the said Nicholas, acknowledge, approve and confirm all that I have said before and witnessed in the said writings concerning the said will as being good and true in every part of it’

Move 6 – promise: *and more ouer J the seid Nicholas for the farther openyng of the truihte in this behalf wyl be redy at all tyme3* ‘**And moreover**, I, the said Nicholas, in order to further clarify the truth in this matter, will be ready at all times’

Move 1 makes no use of discourse markers, except for a single ‘as’, after which the condition of George is described. Move 2 Step 1 begins with a ‘when’, introducing George making his will and stating his first heir. Step 2 begins with an ‘and’, adding the information about the second heir after the first heir’s death. Steps 3, 4, and 5 continue with ‘and in case of’ since they pass information about who the next heir will be in case the previously identified heirs are not available.

Next, Move 3 marks the introduction of a new stage of the narrative, the making of an earlier attestation, by connecting it to the previous with ‘in witness and affirmation of which’. Following, Move 4 gives details about the previous document. Move 4 Step 1 begins with ‘and in addition to that’, as the attestator highlights one more issue to prove his point. Both Steps 2 and 3 add information to support Step 1. Next, instead of a discourse marker, Move 5 begins with the phrase ‘may it be known to you’ as the attestator declares the truthfulness of his statements. The final Move ends with ‘and moreover’ as Nicholas Teder adds his final comment that he will always be ready for a statement on the matter.

The place where the document was given is not provided in the document. The attestator is described as *Nicholas Teder Late of Bedford in the countie of Bed*’, indicating that he no longer stayed in Bedford, even if he had done so earlier. The place where George, Earl of Kent announced his will is stated three times as Ampthill, which is a town in Bedfordshire.

As the document is also stored in the Bedfordshire archives, it is likely that it was produced in this area.

Finally, the attestation ends with a closing formula stating the setting of the seal and the date. The date is given in the regnal year style, giving the full title of Henry VIII as *kyng of Englonde & of Fraunce defender' of the feithe and lord of Ireland* 'by the grace of God, King of England and of France, Defender of the Faith and Lord of Ireland'.

### **5.13. Attestation by Elizabeth Talbot, that she is the rightful heir of her husband (1525) D2605, Preston, Lancashire Archives: DDPT/5/100**

The latest document of the corpus, D2605, was written, in 1525. The size of the document is 33.5 x 11.5 cm, with the written area measuring 30 x 8 cm. The writing is in faded brown ink on thick parchment which is slightly rubbed, but the text is all legible. The document is a deed poll, with an incised seal tag and three slightly defective seals present.

The attestator is a woman called Elizabeth Talbot, who is confirming her status as the legal heir of her husband. It is an interesting document as it represents the voice of a woman acting in her own interest.

The attestation begins with a greeting formula in which the attestator introduces herself as *Elizabeth Talboot wydowe leyt wyff of Thomas Talbott gent* 'Elizabeth Talbot, the widow and lately wife of Thomas Talbot, gentleman'. Her husband had passed away recently, and she is therefore defined both as the widow and late wife of his. Following the greeting clause, an opening formula is included, which describes testifying upon truth as *meritorious requisite and medefulle* 'meritorious, appropriate and necessary'. After that, she introduces her statement.

In the first part of her narrative, she claims that her husband did not legally marry a woman called Isabel Crabtree, but that she used to be his lover only. Accordingly, there was a relationship between Thomas Talbot and Isabel Crabtree, but they never got married and she never became his lawful wife. Elizabeth adds that Thomas and herself never got divorced, or planned to be divorced, and she was his lawful wife when he died.

The reason why Elizabeth repeats that she was his only lawful wife is that this makes her the heir of her husband and therefore entitled to deal with the property and rights held by him. The attestation is, in fact, written as a preliminary statement to the transaction recorded in the same document.

The remainder of the document is made up of a release, whereby Elizabeth Talbot releases to Robert Cuncliffe all her husband's titles and interests in lands that form part of Robert's inheritance from his father. Robert Cuncliffe is the son and heir of the parson at York, who was also called Robert Cuncliffe.

The Moves and Steps of the narrative part can be divided as below:

Move 1 – attestation to legality of marriage

- Step 1 – attestation of illegality: Isabel Crabtree was not legally married to Thomas Talbot, but a concubine.
- Step 2 – attestation of legality: Elizabeth and Thomas Talbot had never got divorced.

Move 2 – release: Elizabeth Talbot released all her property to Robert Cuncliff the son, his heirs and assignees forever.

While Move 1 focuses on the point that Elizabeth was the only lawful wife of her late husband, Move 2 reveals that the reason for the attestation is to show that she was the only lawful heir and therefore had the right to carry out the release.

The discourse markers of the narrative part are as follows:

Move 1 – attestation to legality of marriage

- Step 1: *my seid layt husband neuer dyd mary laufully oon' Issabelle crabtre otherwise calleyd Morton' **bot** dyd kepe hyr' As hys concubine 'my said late husband never married lawfully a woman called Isabel Crabtree, also called Morton, **but** kept her as his lover'*
- Step 2: ***for** in truth my said husband and I were never divorced nor intended to be divorced 'for in truth my said husband and I were never divorced nor intended to be divorced'*

Move 2 – release: *And furthermore be it knawen to alle men that J the seid Elyzabeth Talbot haue releaseyd* ‘**Furthermore**, be it known to everyone that I, the said Elizabeth Talbot, have released’

The use of ‘but’ in Step 1 draws attention for the fact that significant and striking information is given after it, contrasting it with the idea of ‘married lawfully’. Step 2 provides a reason for the statement; therefore, it starts with ‘for’. Finally, Move 2 introduces an entirely different action, the release of land rights, starting with ‘furthermore’ and continuing with a new opening formula introducing conveyances of land, *be it knawen to alle men* ‘may it be known to all men’.

In the closing formula, it is stated that, in addition to Elizabeth Talbot, her father, George Lorimer, and a gentleman called Hugh Lorimer set their seals. The added authority of the two men, including her father, would reflect the low authority of women in late medieval England, even if she did possess her own seal. What is more, there is a separate list of witnesses, consisting of what seem to be the most powerful people in the city: *The right honorable doctour higden’ lorde deyn’ of yorke M<sup>r</sup>er Doctour Clyfton’ hys comissarie the right honoerable lord Mare of yerke William wryght alderman’ John Drawswerd alderman’* ‘the right honourable Doctor Higden, Lord Dean of York, Master Doctor Clifton, his commissary, the right honourable Lord Mayor of York, William Wright, alderman, John Drawsword, alderman’.

The extra witnesses do not themselves attest to the facts stated, but they witness both the attestation and the release given by Elizabeth. There may be three reasons for having extra witnesses for this document. Firstly, the attestator is a woman, which means that her testimony needed to be certified by men in order to gain authority. Secondly, most probably, she was not able to read and write. Therefore, witnesses were there to assure that what she said and what was written in the document were the same, witnessing that the attestation was done properly. Thirdly, as the transaction presumably involved considerable values, and its legality was dependent on the truth of the attestation, special care was presumably taken to avoid later disputes.

Finally, date and place of the attestation are given, using the modern date format: *yevyn at yorke xvij<sup>th</sup> day of Juine in the yer of our lord good M<sup>simo</sup> cccc<sup>mo</sup> xxiiij* ‘Given at York on the 18<sup>th</sup> day of June in the year of our Lord God 1524’.

## 6. Discussion

Stenroos and Thengs (2020: 16) state that every local text presents its own challenges, which needs to be taken into account when one is compared to another. The following discussion comparing the documents here studied therefore draws on the individual studies in Chapter 5. In what follows, the documents are discussed and compared in respect to their greeting clause, opening formula, narrative parts, closing formula and date. Even though the corpus is too small for any firm generalizations, it is hoped that the comparison will allow for some tentative conclusions about attestations as a genre.

### 6.1. Greeting

Twelve out of the thirteen attestations in this corpus start with a greeting clause. Each one of them is different, even if they consist of elements that may be considered formulaic. Their great variety shows very well how Middle English varies at all levels, even when it comes to legal formulas. They may be divided into two basic types on the basis of their beginning, one including some version of ‘be it known’ as in ‘Be it known to all men’ and ‘Be it known to all Christian men’, and another that begins with the address ‘to all (true/Christian) men’, usually followed by some version of ‘X sends a greeting’. Another way of categorizing them is into greetings that include the name of the attestator and ones that do not, the former being typically much shorter; the discussion below deals with these two categories in turn. Only one attestation, D2048, does not have a greeting.

#### 6.1.1 Simple greeting clauses without the name of the attestator(s)

The following greeting clauses do not state the name and title of the attestator:

- (1) *Knawen be hit to alle men þ<sup>t</sup> leven in crist* (D2561)
- (2) *Be hyt knowen’ to all men’ that thys present wrytynge shal come to* (L1140)
- (3) *Be it knowen to al men yat A<sup>yis</sup> present wrytting’ shal see or here* (L0090)

(4) *To alle trwe crysten' men' in cryste thys present wrytinge [..]ryng seyng' or vnderstandyng hele in owr' lorde euerlastyng'* (D2569)

(5) *To all true in Cryst to whome this present wryting shall her' or see* (D0126)

The first three examples are of the 'be it known' type, and are very brief, while examples (4) and (5) are slightly more elaborate but still relatively short. They are simply addressed to anyone who comes across these texts, without presenting the attestator. Two of them, (2) and (3), are written without any reference to Christianity, simply addressing all men; together with example (11) below, they are the only greeting clauses that contain no religious reference. These two attestations are the ones that deal with the same issue: servants attesting to John Rope taking their master's coat of arms. In addition to presenting this short greeting formula, neither of them has a following opening formula of the 'medeful and meritory' type (see 6.2). Furthermore, neither of the texts contains any reference to Christianity or God, making them stand out in the present material. Therefore, there is a strong possibility that the scribe of L0090 might have used L1140 as a model sentence by sentence including the formulas.

On the contrary, the other three examples, (1), (4) and (5) address all Christian men, using three different formulations: *alle men þ<sup>t</sup> leven in crist*, *To alle trwe crysten' men' in cryste* and *To all true in Cryst* respectively. It may be noted that even these short and simple religious parts of the greetings present the reader with much diversity. D2569 contains the most elaborately religious opening among these five attestations. It is not addressed to any Christian men, but to all 'true' Christian men. It is also the only one among these five attestations which includes a further elaboration in the form of a greeting phrase that includes a third religious element: *hele in owr' lorde euerlastyng'* 'health/greeting in our everlasting Lord'. Both D2569 and D0126 contain a large number of religious references that continue after the greeting formula; D2569 continues with a religious opening formula while, in D0126, the attestator swears as he shall answer 'on the dreadful Day of Judgment'.

Four of these greetings (2-5) specify how people might come across the written document. Whereas L1140 states 'who this present writing shall come to', both L0090 and D0126 address those 'who shall see or hear this present writing'. With a similar phrase, but in a different order, D0126 has 'who shall hear or see this present writing'. Finally, D2569 addresses the people '(hea)ring, seeing or understanding this present writing'. The options



how a person may come across a piece of writing are therefore described differently in each of these four examples.

To sum up, these five short attestations vary greatly in terms of who they address, what type of Christian men they address, how their audience may come across them, and how many religious phrases they contain.

### 6.1.2 Elaborate greeting clauses with the name of the attestator(s)

The remaining seven greeting clauses all include the name and sometimes title of the attestator, which makes them on the whole considerably longer:

- (6) *To all pais that his letters heres or sees John' wyclyff of wyclyff Squyer' sendis gretyng in oure lord* (D0784)
- (7) *To alle Cristen' men that this present letteres shullen here or see Sir John Estby vicar of the parysshe chirche of Bannebury sendethe gretyng in God* (D2434)
- (8) *To all the true men' of Crist That thes present lettrez patentz shall here or see We John Maynwaringe Johannis Bromley knyghtes & John Dutton of hatton Senden gretynge in god almyghti* (D0035)
- (9) *To all trewe men in Crist this wrytyng seyng of hering' Daudid Ferrour Maire of the cite of Chestre sendith gretyng in oure lord Jhesu euer lastyng'* (D0192)
- (10) *To vniuerselle and singuler trewe Cristen' peple that thes present Lettres schalle see or heir John woneham of Micheham in the Couete of surr' John Parker Thomas Broun' and john Fenne of the same gretyng with dwe reuerence in our lord god euerelastyng* (D2701)
- (11) *To alle men' to whom' this present wrytyng shalle comme Nicholas Teder Late of Bedford in the countie of Bed yoman' sendythe gretyng* (D4132)
- (12) *To alle men to whom thys present wrytting schalle come her' se or Reyde Elizabeth Talboot wydowe leyt wyff of Thomas Talbott gent' laytely decessed gretyng in our lord good euerlestyng* (D2605)

All seven greeting clauses include the word 'greeting' unlike the five attestations discussed above, usually in the phrase 'sends greeting' following the name of the attestator. All of them begin with a version of the 'to all men' formula, which again shows great variation.

Four of the examples specify Christian men or people, while three, (6), (11) and (12) contain no Christian reference in the beginning formula. Among these three, D0784 is the only one that does not specify men but simply greets *To all pais* ‘all those’. It is notable that, in its narrative part, it mentions a woman, Agnes, as the heir of another woman, Alice. The fact that its matter includes both men and women might be the reason why it addresses everyone, not only men. On the other hand, three of the four attestations that address Christians, greet ‘men’ while one greets ‘people’. D2701, which greets Christian people, does not include a female attestator or witness. There is therefore not any clear link between the word choice of the greeting and women mentioned in the text.

Next, D4132 draws attention because it does not greet ‘Christian’ men or send a greeting ‘in God’. Even though it is a long text, it does not refer to God until its end when King Henry 8<sup>th</sup> is mentioned while providing the date. Like L1140 and L0090 in the previous chapter, D4132 does not have a religious opening and include religious phrases in the rest. D4132 refers to another document and provides powerful witnesses such as a doctor and notary to prove its argument. The fact that it bases its matter on strong proof and witnesses might be the reason why it does not include phrases such as swearing on the Book.

Moreover, the four attestations that greet Christians send a greeting in God, three of which also include the adjectives almighty or everlasting. Therefore, the greetings that start with a religious phrase also end with one.

Of the seven greetings that include the name of their attestator(s), six also state the title:

- (13) *John’ wyclyff of wyclyff Squyer’* (D0784)
- (14) *Sir John Estby vicar of the parysshe chirche of Bannebury* (D2434)
- (15) *We John Maynwaringe Johannis Bromley knyghtes & John Dutton of hatton*  
(D0035)
- (16) *Dauid Ferrour Maire of the cite of Chestre* (D0192)
- (17) *Nicholas Teder Late of Bedford in the countie of Bed yoman’* (D4132)
- (18) *Elizabeth Talboot wydowe leyt wyff of Thomas Talbott gent’ laytely*  
*decessed* (D2605)

The male attestators’ titles are esquire, vicar, knight, mayor and yeoman. Of these, *knight* and to some extent *esquire* represent a high social class, *vicar* and *maire* indicate positions of

authority, while yeoman represents a somewhat lower rank. The attestator of D2605, finally, is female, and is identified through her marital status, as widow, as well as by the name and title of her late husband, providing her social class (gentry).

D0035 presents three attestators: *We John Maynwaringe Johannis Bromley knyghtes & John Dutton of hatton*. The first two are knights; however, the title of the last person is not given, making the reader assume that he is of a lower rank. Also, the names of the attestators in D2701 are stated without a title, simply giving their geographical origins: *John woneham of Micheham in the Couete of surr' John Parker Thomas Broun' and john Fenne of the same*. As there are not any titles stated, it can be concluded that they were lay people such as farmers as most of the population was in medieval England.

It might be asked whether the inclusion of the title of attestators in a greeting clause might have to do with their rank. When greeting clauses with and without the title of the attestators are compared, the lists are, however, very similar:

- titles of the attestators that are not stated in the greeting clause but later in the attestation: knight, esquire, vicar, yeoman, gentleman, servant
- titles of the attestators that are stated in the greeting clause: knight, esquire, vicar, yeoman, mayor, widow and late wife

In addition, both groups of texts include names of people whose title is not given throughout the text. As titles such as knight, esquire and vicar appear in texts with both kinds of greeting, the rank of the attestator does not have an effect on the choice of greeting.

Stenroos and Thengs (2020: 54) write that the people engaged in local texts were highly heterogeneous. Considering the attestators and witnesses examined above, a large variety is indeed present. Anyone with or without a title might need to have an attestation written or appear as a witness regardless of their status or gender.

## 6.2. Opening Formula

Even though it is very common for attestations to include the phrase ‘meritory and medeful’ in their opening, not all attestations have an opening formula. Of the attestations in the present corpus, ten out of thirteen have one. The forms are as follows:

- (19) *for als myche as hit is **almes & meritore** to bere trwe wetnes in trawthe* (D2561)
- (20) *And be it notified and knowenn þat J euermore wittenesse and recorde* (D0784)
- (21) *and for that hit is **meritorie & medefulle** to bere witnessse to trouthe* (D2434)
- (22) *For As'muche As hit is **almes & meritory** to bere witnessse of truth' namely betwen' parties That ben in Trouble & aduersite We certifien . & recorden' by thes oure said letturs* (D0035)
- (23) *yt ys **meritorye ande medefulle** to euery trwe crysten' mon' in cryste to ber' wytnesse & recorde to the truthe knowez vs... to ber' wytnesse of truthe & conscience* (D2569)
- (24) *for as' moche as it is **meritorie** to certifie and beer witnessse of truth J certifie by this writing* (D0192)
- (25) *For as much as þ<sup>t</sup> is **merytori & medefulle** for euery treve cristen' mon' to ber' treve recorde* (D2048)
- (26) *and forasmuche as hit is **right meritorius and a dede of chairte** <sup>to bere wittenesse of</sup> *trouth* (D2701)*
- (27) *And wher as hit is **meritory and medefull** to certefie þe trothe* (D0126)
- (28) *and for asmuche as yt is **meritorious requisite and medefulle** for euer true crysten person to testyfy and recorde the trovse in euery mater and cause* (D2605)

Nine out of ten of these formulas appear after the greeting clause. Only one of them (25) is the first sentence of an attestation. All ten of them certify that the attestators bear true record or witness of truth. However, all examples are different from each other, highlighting the intensity of variety in Middle English local documents. Nine of them include the phrase ‘meritory and medeful’, preceded either by ‘for as much as it is’ or only ‘it is’. Only one of them, D0784, does not include this phrase but simply states that the attestator records what he witnessed.

Whereas ‘meritory and medeful’ helps define the genre, its lack does not affect the function of an attestation. Stenroos and Thengs (2020: 44-45) highlight the importance of distinguishing between genre and function, emphasizing that the characteristics of a genre might vary, but the basic function of a text does not. The purpose of D0784 is to bear witness of truth and record what happened. Therefore, it still serves as an attestation although its opening formula does not include the conventional formula marking the genre.

The phrase typically given as ‘meritory and medeful’ also varies greatly, consisting of precisely the same words in only four texts, which still demonstrate different spellings:

- (29) *meritorie & medefulle* (D2434)
- (30) *meritorye ande medefulle* (D2569)
- (31) *merytori & medefulle* (D2048)
- (32) *meritory and medefull* (D0126)

That is to say, similarity in wording does not lead to similarity in spelling.

Other than ‘meritory and medeful’, the different words and phrases used are *almes and meritory* (in two texts), simply *meritorie*, *right meritorius and a dede of chairte* and *meritoryous requisyte and medefulle*. The terms *almes* and *a dede of chairte* basically have the same meaning, referring to good deeds. *Requisite* refers to something necessary. Therefore, bearing witness of truth is described as meritorious, necessary and a good deed for a true Cristian person, but using varying terms.

Wray (2012: 9), writes that ‘[u]nderpinning the notion of formulaic language is the sense that certain words have an especially strong relationship with each other in creating their meaning – usually because only that particular combination, and not synonyms, can be used.’ The use of Late Middle English formulas differs from the notion of formulaic language described in Wray’s terms. Firstly, the examples above (19-28) show that there is not only one particular combination used in the opening formula of an attestation. Secondly, contrary to Wray’s argument, synonyms are also made use of as mentioned above. Therefore, Middle English formulas cannot be defined using the criteria that Wray defines.

The opening formula may include the names of the attestators, in which case it may be very long. D2569 presents such a much longer opening formula as it includes the names and titles of a long list of attestators:

- (33) *yt ys meritorye ande medefulle to euery trwe crysten' mon' in cryste to ber' wytnesse & recorde to the truthe knawe3 vs John Bradshagh Esquier Ric' prestolle Elder Jentylman' Ric' warde Jentylman' Rayfe Warton' Jentylman' Dakyn' heton' Jentylman' Ric' Mersshe yoman' Roger penulbur' yoman' Elys penulbur' yoman' Thomas Crithlawe yoman' Elys Bothe yoman' Elys Drapor yoman' . & John Coventre Vicare of the kyrke of Bolton' to ber' wytnesse of truthe & conscience*

In the beginning of the formula, the importance of bearing witness of truth is stated *to ber' wytnesse & recorde to the truthe* 'to bear witness of and record the truth'. Before the names of twelve attestators are given, a polite introduction appears *knawe3 vs* 'may you know us'. After that, all names are presented with their titles: one esquire, four gentlemen, six yeomen and one vicar. Additionally, it is again written that they bear witness of truth *to ber' wytnesse of truthe & conscience* 'to bear witness of truth & conscience'.

The four texts that do not include the 'meritory and medeful' formula are as follows:

- (34) *To all pais that pis letters heres or sees John' wyclyff of wyclyff Squyer' sendis gretyng in oure lord And be it notified and knawenn þat J euermore wittenesse and recorde (D0784)*
- (35) *Be hyt knowen' to all men' that thys present wrytyng shal come to that y John' knyght sumtyme seruant to John' Meverell Squyer' was with my seyde Mastyr (L1140)*
- (36) *Be it knowen to al men yat A<sup>vis</sup> present wrytyng' shal see or here yat J laurence Chirke Sum-tyme seruant to my Maistre (L0090)*
- (37) *To alle men' to whom' this present wrytyng shalle comme Nicholas Teder Late of Bedford in the countie of Bed yoman' sendythe gretyng (D4132)*

Of these, the last three (35)-(37) contain no opening formula at all, but move straight from the greeting to the narrative. It could be significant that all three of these texts are attestations made by servants, attesting to their masters' wills and arrangements after their deaths. Perhaps interestingly, the lack of the 'meritory and medeful' formula here appears in the attestations by the people with highest and lowest status (the knight and the three servants).

In summary, opening formulas show a great variety not only in their phrases but also in their structure. At the same time, they are very clearly formulaic in the sense that most of them include a distinctive phrase that indicates the genre of the text. This illustrates well the point that Middle English local documents do not show any standardisation with regard to set phrases in their formulas. Therefore, the formulas used cannot be defined with the same kind of criteria that may be used for PDE.

### **6.3. Narrative**

The narrative part of an attestation is the one that varies the most. It does not usually contain formulas, even loose ones, nor does it have a certain structure or pattern. The attestators simply tell their story, sometimes in fairly colloquial language in the vernacular. As there is not a particular structure, it is not easy to compare the texts as it is done in the previous two chapters. However, the aim of this chapter is to find out as many similarities and differences as possible as well.

The attestations in this corpus all basically deal with issues of land, property and inheritance, even if the actual events or facts attested to show a great variety, from a stolen seal to a confession of adultery. The majority of the texts present one attestator (9) while four attestations have more than one. The largest number of named attestators is twelve (D2569); however, in terms of attestators and witnesses, the exact number of people can actually be more than the names given, as, in some cases the text states ‘and many more’.

With regard to gender, twelve out of thirteen attestations are attested by men; however, one of those twelve, D0192, is given on behalf of and by request of a woman, Isabel. Therefore, it may be considered that two of the attestations are by women and eleven are by men. In all probability, the reason why Isabel did not attest by herself was that a woman’s attestation was not considered to be as reliable as that of a man in medieval England. Hence she asked a man, the Mayor of Chester, in fact a man with great authority, to attest to what she had witnessed. What is more, in addition to the Mayor attesting, there were four other male witnesses, two of whom were the sheriffs of Chester.

Another text, D2605 has a female attestator who is attesting for herself, Elizabeth Talbot. However, she does not attest alone; her father, George Lorimer, and a gentleman

called Hugh Lorimer set their seals in addition to Elizabeth Talbot setting her own seal. She has a long list of witnesses of considerable authority (see p.62) presumably for the same reason as Isabel. Even though two documents are not enough to generalize from, it is notable that both of the present documents involving a female attestator are either officially attested or witnessed by several powerful men. The seal and signature of a mayor, doctor, priest or lawyer appear to be needed to make a woman's statement official and give it credibility.

There are two main types of narratives in the texts: simple and embedded. While nine attestations in this corpus consist of one simple story, four of them are made of embedded stories, with two or more layers of attestation. An overview of the simple and embedded narratives is shown in Tables 4 and 5.

|   |       |   |
|---|-------|---|
| 1 | D0784 | John Wycliffe of Wycliffe attests that the will of late Alice Nunwick of Darnton had been done properly.  |
| 2 | L1140 | John Knight attests that John Meverell's seal was taken without his permission and that Meverell never made a document in favour of John Rope.    |
| 3 | L0090 | Laurence Chirk attests that John Meverell's seal was taken without his permission and that Meverell never made a document in favour of John Rope. |
| 4 | D2434 | Sir John Estby attests to what he had witnessed between Sir Roger Stratford and John Phipps.  |
| 5 | D2569 | Twelve attestators attest to an agreement between the Prior of Madursay and the Heaton family.  |
| 6 | D2048 | Thomas Duckworth attests that Roger Acton has the right to Acton as the legal heir of the Actons.   |
| 7 | D2701 | John Woneham, John Parker, Thomas Brown, and John Fenne attest to an enfeoffment by father to son.  |



|   |       |   |
|---|-------|---|
| 8 | D0126 | William Kayfes attests to the tenancy agreement of Wood Ridings.  |
| 9 | D2605 | Elizabeth Talbot attests that she was the only lawful wife of her late husband, and releases her rights to Robert Cuncliff the son. |

*Table 4. Attestations that consist of one simple story*

|   |       |   |
|---|-------|---|
| 1 | D2561 | Roger of Aughton asks six men to attest to the statements of some tenants.  |
| 2 | D0035 | John Maynwaringe, Johannes Bromley, and John Dutton of Hatton attest to the statement and document made by Richard Pleymundestowe, which themselves attest to the confession of Jonet Malpas on her deathbed. |
| 3 | D0192 | David Ferrour attests to Isabel's attestation of what happened at Fylot Sharp's deathbed.   |
| 4 | D4132 | Nicholas Teder attests to the truthfulness of his previous attestations regarding the will of George, Earl of Kent.   |

*Table 5. Attestations that consist of embedded stories*

The attestations listed in Table 4 each contain a single level of narrative: the person or persons attesting have themselves witnessed, or have direct knowledge of the incident or fact attested to. The attestations listed in Table 5, on the other hand, are more complex, in that the documents do not attest directly to the events with which they are concerned, but rather to an earlier statement about them, whether produced by the attestator himself, as in D4132, or by another person or persons, as in the three other documents. Whether the narratives are simple or embedded, it is not possible to describe them in terms of a fixed structure: rather, each narrative follows its own model.

As shown in Chapter 5, most of the narratives are organized using discourse markers. The following discourse markers appear in this corpus:

*also, and, and after, and after that, and also, and because, and because of that, and in case of, and moreover, and so then, and then, and thereupon, and thus, as, because, if, since, so that, when*

A great majority of the markers contains *and*, agreeing with Fludernik’s statement (2008: 256) that *and* is the most common discourse marker. Also, both *moreover* and *also* have a great importance when a new piece of information is added. Virtually all discourse markers consist of coordinating conjunctions, showing the essentially oral style of the narratives. Only one document forms an exception: D2701, which attests to an enfeoffment, is written in a Latinate style with hypotactic constructions.

What draws attention is the use of the coordinating conjunction *but*. Even though Fludernik (2008: 256) writes that the use of *but* is frequent, it is very rare in the present corpus, being used only three times. Each time *but* is used, it seems to signal that a significant piece of information appears. The three examples are listed in Table 6.

| Attestation | Text   | PDE   |
|-------------|--|---|
| D0035       | <i>when' sho lay in poynte of deth toke<br/>apon' hir Charge That Elyn' &amp;<br/>kateryne of hir body borne were not<br/>the doghturs of the said John Malpas<br/>hir husband <b>but</b> geten' in A-voutre by<br/>an othir person'</i> | when she lay on the point of death,<br>that Ellyn and Catherine, born of her<br>body, were not the daughters of her<br>husband John Malpas, <b>but</b> begotten<br>by another person in adultery. |
| D2605       | <i>my seid layt husband neuer dyd mary<br/>laufully oon' Issabelle crabtre<br/>otherwise calleyd Morton' <b>bot</b> dyd<br/>kepe hyr' As hys concubyne</i>   | my said late husband never married<br>lawfully a woman called Isabel<br>Crabtree, also called Morton, <b>but</b> kept<br>her as his lover   |
| D0126       | <i>And þ<sup>e</sup> said John' wold not set the<br/>said londes . <b>but</b> to herbage to<br/>th' entent þ<sup>t</sup> hit shuld not in tyme to<br/>cum . groo out of knowlege .</i>   | And the said John did not wish to<br>have the said lands used for <b>other</b><br><b>than</b> pasture, so that the land<br>arrangement would not, in time to<br>come, become forgotten.           |

Table 6. The three appearances of 'but' throughout the corpus

D0035 is concerned with a woman's, Jonet Malpas', confession on her deathbed. She first states that the father of her daughters is not her husband, and then makes the point that they were begotten in adultery. The last part of the statement is not strictly needed: in fact, if the father is not the husband, it obviously means that the daughters were begotten by another person in another relationship. However, the use of *but* contrasting the two parts of the statement makes the effect striking, while serving to make the content absolutely clear.

Interestingly, D2605 reflects a very similar use of *but*. The attestator is a woman, Elizabeth Talbot. The part of the narrative where *but* is used is when she talks about her late husband's, Thomas Talbot's, love affair or cohabitation. Here, she is contrasting the statement that the other woman, Isabel Crabtree was never her husband's legal wife with her definition as his husband's *concubine*. Again, *but* is used to contrast two statements that essentially mean the same thing, but where the second 'spells out' a morally questionable truth. Even though both statements mean that Isabel Crabtree and Thomas Talbot were never married, the second is highlighted by the use of *but*, making the meaning both clear and striking.

Finally, D0126 is attested by a blind man, William Kayfes. His aim is to clear disagreements about a land, the Wood Ridings. In the second part of his argument, he points to the fact that the tenant of will, John Dawson, did not want his land to be used anything other than pasture. This part marks a significant point of his argument, and William Kayfes knows it very well. He keeps this information until the end of his narrative to highlight its importance right before he finishes his attestation.

To conclude, certain differences and similarities may be noticed among the narratives. On the one hand, they vary greatly in terms of the number of their attestators and witnesses. On the other hand, the issues they deal with are broadly similar, being mostly about inheritance, even if the actual events attested to vary greatly. Also, the narratives differ with regard to their complexity. Finally, gender seems to play a role in the present material, as attestations by women tend to require more complexity and validation by men.

## 6.4. Closing Formula

The closing formula of an attestation is, again, a conventional part of the text, generally presenting some variant of the statement ‘In witness of which, the attestators set their seal’. It may or may not also state their names once again. Even though closing formulas are similar in each attestation, they still present some differences.

All thirteen attestations in the present corpus have a closing formula. Ten of them begin with some version of ‘in witness of’; these examples may be divided into three subgroups as follows:

### i) In witness of which thing

- (38) *In wittenesse of the quyche thyng to this present script we han set ovr’ seals the day & zere & place afor’ said* (D2561)
- (39) *In witnessyng of this J haue put to my seale to this present writing* (D2434)
- (40) *In wittenes of which thyng to this present lettrez patentz We haue sett oure Seals* (D0035)

### ii) In witness of whereof/hereof

- (41) *In wittenes . wherof to his . my present . wrytyng / vppon’ trewth . J sett my seall* (D0784)
- (42) *In-to witnes her-of y the seyd John’ knyght’ haue put to my Seal* (L1140)
- (43) *in wyttenes quer-of A<sup>o</sup> thys wrytyng’ I sette to my seale* (D2048)
- (44) *In-to wittenesse wheroff J the said willm’ keyfes take this opon my charge before my gostely Fadr’ as J shall Answer’ at the dredefull day of Jugement . & therto haue put to my Seale* (D0126)
- (45) *In wytnes wherof J the seid Nicholas to this present wrytyng haue sett my Sealle* (D4132)
- (46) *In witnes wheroff J the seid Elizabeth Talbot to this presentes haue seytt my sealle and also my fayther George Lorymergentylman hewe lorymer gent’* (D2605)

### iii) Into witness of this record

(47) *In-to wittnese of yis record J ye said laurence to yis present record J haue sett to my seal .* (L0090)

Only three texts show other constructions:

(48) *ande to this our' present recorde of truthe & conscience as we verrele knawen' for travthe by waye of conscience to these presentmentez we hauen sett our' Sealx .* (D2569)

(49) *And this saying the seid Jsabell desyred me to record in wrytyng / And so J do by this presentz ensealyd w<sup>t</sup> the seall of th'office of Mairalte of the seid Cite* (D0192)

(50) *we testefie by thes presentes withe th apposition' of our' Sealle* (D2701)

It is clear that the typical usage here involves the term *witness*; the most common phrase is 'in witness whereof/hereof' (41)-(46) with the variants 'in witness of this thing' (38)-(40) and 'in witness of this record' (47). The remaining three examples, (48)-(50) have similar phrases, making use of the verbs *record* (48-49) and *testify* (50).

Secondly, five of the thirteen examples, (42) and (44)-(47), include the name of the attestator. It may be noted that, in four of the cases, the attestators are not of a high social rank, and three of them are servants who are attesting to their masters' wills. It may be because of their general anonymity, as people who are not well known, that their name is repeated, although it may also be coincidental.

Example (46) draws attention for the fact that it states the names of three people who have set their seals. Even though there is only one attestator, Elizabeth Talbot, two men in addition to her set their seals on the document. One of them is her father and a gentleman, George Lorimer, and the second one is Hugh Lorimer, gentleman. As noted before, this infers that a woman's attestation may need men's seals in addition to her own to make her document verified. The five examples where the name is repeated all represent attestations given by one attestator, even if, in Elizabeth Talbot's case (D2605), two more names do appear in the closing formula.

Finally, D0192 does not repeat the name of the attestator but states whose seal is being used: *And so I do by this presentz ensealyd w<sup>t</sup> the seall of th'office of Mairalte of the seid Cite* 'And so I do by this document sealed with the seal of the Office of the Mayor of the said city'. The attestator here is the Mayor, David Ferroure, but his name is not repeated in the closing formula; as he is not attesting as a private person but as a representative of his office, it is the official seal that is relevant here.

The eight closing formulas that do not state the name of the attestator use the first person singular or first person plural pronoun depending on the number of the attestators. The verbs 'set' and 'put' are mostly used in connection with the seal to describe the process. 'Enseal' (49) also appears once. One other phrase that describes the process is 'with the affixation of our seal' (50).

Only one of the examples (44) refers to religion: *In-to witnesse wheroff J the said willm' keyfes take this opon my charge before my gostely Fadr' as J shall Answer' at the dredefull day of Jugement . & therto haue put to my Seale* 'In witness of this, I, the said William Keyfes, swear upon my truth before my spiritual Father **as I shall answer on the dreadful Day of Judgment**, and have put my seal to (this document). William Kayfes refers to the Day of Judgment to swear that he told the truth. Also, he swears 'before his spiritual Father'. It could be that these extra references, which are not used in any of the other attestations, were considered to be required because of his blindness, which might have made his identification of the land concerned, and therefore his reliability, slightly more questionable than in the case of other attestators.

Finally, two attestations in the present corpus have a separate list of witnesses given after their closing formula:

(51) *These beyng witnesse Sir' Andrew Roode parson of wistaston' my said gostly Fadr' Thomas Mascye of wistaston' willm' Mascye willmm Bryndley of wolston wode henry sparke Roger' Tailour Ric' kendwardey Thomas Tochett And other'* (D0126)

(52) *Thes persons beyryng witenez The right honorable doctour higden' lorde deyn' of yorke M<sup>ter</sup> Doctour Clyfton' hys comissarie the right honoer- able lord Mare of yerke William wryght alderman' John Drawswerd alderman' and mony other* (D2605)

Again, the list of witnesses in D0126 might have to do with the blindness of the attestator, William Kayfes. The second one is the attestation by Elizabeth Talbot. It has been noted above that a woman's testimony was not considered to be as trustworthy as men's, which could be considered a reason for the witnesses; however, there are also other considerations. Firstly, Elizabeth, unlike all other attestators, is attesting in a matter directly concerning herself, where she is the beneficiary of the attestation. Secondly, her document is not only an attestation but also a conveyance of land – a release – which would have required witnesses, especially if there was a risk that it might be contested.

To sum up, even though closing formulas include similar set phrases, none of the thirteen closing formulas in this present corpus is the same. Two attestations include a list of witnesses; however, both appear to have specific reasons for this, and a witness list does not seem to be a normally expected feature of attestations.

## 6.5. Place and Date

All attestations in the present corpus end with a dating clause, placed after the closing formula. The dating clauses may be divided into two subsections according to their content: the first group states both place and date, while the second only gives the date.

Seven out of the thirteen attestations state both the place and date at the end of the document:

- (53) *wreton' at woluerehampton' the thursday in the fest of seynt Edward the yere of the Reigne of kyng hary the vj<sup>te</sup> xxv<sup>ti</sup> . / . (L1140)*
- (54) *wrytonn at Colsill in arderne ye seturday next be-fore ye fest of ye Natiuite of our lady in zere of our lord ye kyng' henr' ye sext xxix (L0090)*
- (55) *Gyven at Chester the last day of May In the yere of the Regne of kyng henry the sixt aftur the Conquest of Englond the xxxvij<sup>th</sup> (D0035)*
- (56) *Gyfen at Bolton' the xxij<sup>te</sup> daye of the Mone of Marc' in the reigne of kyng' Edwarde the furthe . the fyrste . zere (D2569)*

- (57) *Yeun' at wistaston aforesaid the xxvj day of May in the yere of the reigne of kyng henry the vij afr' the conquest the xxiiij<sup>ti</sup> . / (D0126)*
- (58) *yevyn at yorke xviiij<sup>th</sup> day of Juine in the yer of our lord good M<sup>simo</sup>cccc<sup>mo</sup>.xxiiij (D2605)*
- (59) *J sett my seall at . wyclyff / the xv . day . of Septembr' the yere of þ<sup>e</sup> reyng of kyng / henry the sext eftir' . the . Conquest of yngland . xxv . ~ . (D0784)*

Most commonly, the place is given with the formula 'written/given at X', making the closing formula clearly separated from the place and date. Only one text uses a different phrase, blending the place and date with the closing formula: 'I set my seal at X' (D0784).

In two of the attestations, the place is not explicitly stated at the end, but is given earlier in the document and then referred to at the end:

- (60) *...opon þ/t the wedenysday next before the fest of pentecost the zere of the Regnyng of ovr' lord the kyng harr' the sext the sevent at **Conscoghe** there come one john Tyrehar' ...*  
*... the day & zere & place afor' said (D2561)*
- (61) *opon' thurseday next aftir seint Patrik day in the secunde yere of kyng Edward the iiijte ...**in the counsell hous ate the Pendice of Chestre***  
*... made the thurseday and yere aforesaid (D0192)*

Four attestations in the corpus, finally, state the date without mentioning the place:

- (62) *xiiij day of aprelle in the reignyng of our' Souereyn kyng now the xxxj (D2434)*
- (63) *geven' &e' þ<sup>e</sup> x<sup>th</sup> daye of juylle þ<sup>e</sup> her' of ovr lorde M<sup>l</sup>cccclxxj (D2048)*
- (64) *withe th apposition' of our' Sealle the last day of Aprille The Sextenythe yer' of the regne of king Edward the fourth (D2701)*



(65) *J ...haue sett my Sealle the xv daie of June in the yere of the reign' of henry the viij<sup>th</sup> by the grace of god kyng of Englonde & of Fraunce defender' of the feithe and lord of Ireland the xvj<sup>th</sup> (D4132)*

It may be noted that only one of these examples, (63), includes the usual 'given at X' formula, and even in this case there seems to have been a correction in the text; accordingly, the conventional formula seems to require the place being included. The first one (62) appears after a full stop after the closing formula on its own, while the last two (64)-(65) are part of the closing formula as they are written as part of setting the seal. In most cases, as noted in the individual studies in Chapter 5, the place or area where the document was produced can be worked out from the people and places mentioned.

As the examples demonstrate, there are various ways of giving the date. The day might be given referring to a Christian holiday as in (53), (54) (60) and (61). It can also be stated referring to the day and month as it is done in the modern calendar:

(66) *the last day of May (D0035)*

(67) *the xxvj day of May (D0126)*

(68) *xviiij<sup>th</sup> day of Juine (D2605)*

When it comes to stating the year, the most common convention is using the regnal year as most of the attestations in the corpus demonstrate. Also, three of the examples (55), (57) and (59), include the phrase 'after the Conquest of England'. However, the last two attestations, D4132 and D2605, draw attention due to the difference in how they state the date. Having been produced later than the rest, they both reflect changes over time.

(69) *an' jnstrument beryng date A<sup>n</sup> the yere of our lord god **MD xv** (D4132)*

(70) *xviiij<sup>th</sup> day of Juine in the yer of our lord good **M<sup>simo</sup> cccc<sup>mo</sup> xxiiij** (D2605)*

D4132 and D2605 were produced in 1524 and 1525 respectively. Example (69) does not reflect the date of the attestation, but refers to another document that was produced in 1515, approximately ten years before D4132 was written. Its year is given in years A.D., using Roman numerals whereas the date of D4132 is given using the regnal year. At the same time, it does show the use of Roman numerals to show the date by the scribe of D4132. Example

(70) is the date of D2605. There is only one earlier attestation in the corpus that gives the year in Roman numerals: D2048, written in the year 1471 (example (63)). This practice was still relatively rare in the fifteenth century but is becoming common in the sixteenth, as is shown by its use in the two latest texts in the corpus.

To sum up, both place and date are stated in various ways. The place might be given in the beginning or at the end of an attestation. If it is not provided, it can be found out by studying names of places, titles of people, or geographical directions. The year is mostly stated using regnal years. However, three of the attestations, D2048, D4132 and D2605, show examples of the use of years A.D., marking a period of change.

## 7. Conclusion

This thesis has examined thirteen attestations from the Late Middle English period. Its main aims have been to describe the characteristics of early English attestations, and address the questions how far they can be said to be formulaic, and to what extent they represent individual voices. The following conclusions may be drawn:

1. All attestations consist of a relatively fixed set of elements, with a central narrative that is preceded and followed by formulaic opening and closing parts
2. Even though the formulaic parts of the attestations contain set phrases in a loose sense, they still demonstrate a great variety in terms of spelling, grammar and lexicon
3. The narrative parts of attestations vary considerably in both style and structure, and may be assumed to reflect the attestators' voices more than that of the scribes, making each one unique.

The attestations studied here follow a certain structure and a similar order, and contain formulas as well as conventional phrases. Most of them deal with wills and land rights. The situations in which they were needed show a great variety; however, inheritance issues arising from contested or oral wills are among the most common ones.

Five main parts of the attestations were identified: greeting, opening formula, narrative, closing formula and dating clause. The greeting clauses vary greatly with regard to several respects: length, choice of phrasing, whether they greet 'men' or 'everyone', whether they include religious references, and whether they present the name of the attestator or not. No particular pattern relating to social rank or content could be found in the present material.

The opening formula is the main part that identifies the attestations as a genre. By far most of the texts include the common phrase 'meritory and medeful' or some version of it. As four of the texts lack the formula but show all other characteristics of attestations, it is clearly not required for the text to be identifiable as an attestation. However, there may be a social significance in the choice of its use, as the three of the texts lacking it are all given by servants attesting about their masters after their death.

The narrative parts form the longest and most variable part of the text. In the study, they were divided into Moves and Steps to work out their structure and the relations between

each step of the story. Their use of discourse markers was also discussed. It was found that, while most narratives were told as simple stories by the attestator(s), four of them consist of embedded stories, the attestator(s) witnessing another person's statement rather than the event itself. In two of these cases, the original statement was made by a woman. With regard to style, most narratives use paratactic structures, linking clauses mainly with *and*. Only one text, D2701, which attests to an enfeoffment, shows a different, Latinate, style. This suggests a largely oral style, making it likely that the scribes are at least to some extent recording statements as they are given.

Finally, the closing and dating formulas have been compared. Again, by far most attestations included a similar closing phrase ('in witness of which') but their actual forms varied greatly. Three texts, again, did not include the closing phrase; however, these were not the same texts that differed in other respects. All texts provide the date and most state the place where the document was given; however, the place was not given in all cases.

The present corpus demonstrates very clearly the extent of variety in this period. Although the general structure of attestations is conventional, there is no evidence of standardisation even of the most common formulas. Not only the spelling is variable, but no two documents agree in the exact phrasing of any of the elements studied.

Attestations as a text type are a rich source of linguistic and historical material. They contain both formulaic and non-formulaic parts woven with the creativity of the attestators and scribes. In terms of the social background of people, the documents present the reader with attestators and witnesses from servants to vicars. No very clear social patterns have been found here, but it is of interest that all three attestations made by servants lack the opening 'meritory and medeful' phrase that signals the genre. Regarding gender, the present material suggests that there may be differences in the ways in which women's attestations work compared to those of men's; however, a much larger corpus would be needed to draw any conclusions.

In general, even though the study allows for some interesting suggestions with regard to social and gender patterns, it is important to note that it does not allow for generalisations to be made due to its limited number of documents, and the nature of the period it deals with. However, it is certainly possible to apply the same theories and approaches to larger numbers of Middle English attestations, and the present material suggests that this would be a very interesting line of study. Studying Middle English local documents is an endless journey full

of discoveries. As the material is so variable, and so little studied, there is always a high chance of coming up with a new perspective on texts that might look formulaic, but turn out to be unique.

## Part II: The Edition

### Editorial Conventions

This diplomatic edition is based on a transcription following the conventions of *A Corpus of Middle English Local Documents* (MELD). It retains the spelling, capitalization, punctuation, abbreviations and word and line divisions of the manuscript. The following description of the conventions focuses in particular on the treatment of special letters, abbreviations and punctuation.

*Litterae notabiliores*, or notable letters, are letters that mark the first letter of a significant part or chapter. In the attestations, the first letter of the text is usually a notable letter which is larger than all the others. Therefore, it takes up more space than a regular letter does. It is often decorative; in literary manuscripts such letters can also be colourful or golden, but this is seldom the case in administrative texts. The first letter of each attestation is given as a capital letter in the present study.

The texts contain a large number of abbreviations. Suspensions are kind of abbreviation where the last letter or letters of a word are omitted and indicated with a sign. For instance, the name ‘Harry’ in D2561 is written as *harr’*, in which the last letter <y> is omitted and replaced with a flourish. Such flourishes are marked with an apostrophe <’> in the edition.

Contractions are abbreviations where one or more letters are omitted in the middle of a word. They are also indicated with a sign in Middle English documents. For example, *meritore* ‘meritorious’ in D2561 is spelled as ‘mitore’ with a superscript sign place above the line after the letter <m>. This word is transcribed as *meritore* in the edition, showing the omitted letters in italics. While the kind of flourishes found in *harr’* are almost always suspensions, many abbreviation marks are used both as contractions and suspensions. The conventions for transcribing the abbreviations here follow the MELD practice, which is in itself based on Hector (1966).

Superscripts consist of the omission of one or more letters, indicated by inserting one or more of them above the regular line. As an example, *with* is commonly written as w<sup>t</sup>; here the superscript <t> replaces the last three letters of the word.

Finally, the ampersand is commonly used as an abbreviation of *and*, and is transcribed as &.

The punctuation signs used in the present documents include the *punctus*, the *punctus elevatus*, the *colon* and the *virgule*. The *punctus* is transcribed as a full stop. The *punctus elevatus*, which looks like an inverted semicolon, is transcribed as a semicolon. The *colon* looks the same as a colon in PDE, and is transcribed as such; only one appears in the present study. Finally, the *virgule* is copied as a slash </>.

Dashes or slashes are sometimes used at the end of lines to separate words, and are transcribed as dashes. The following combinations of signs, or *positurae*, mark the end of a text: < ./>, < ./ .> and < . ~ .>.

When working with medieval documents, it is common to come across documents that have holes or tears on them. On the one hand, they might appear while turning animal skin into parchment. In that case, the scribe would write around the hole; therefore, the legibility of the document would not be affected. On the other hand, they might appear throughout time as the document might not be kept in a good condition or as it is folded firmly. This situation affects legibility since some words may vanish. Besides, handwriting shows a lot of variation depending on the hand and duct, and may be unclear or stiff. Part of the function of an edition is to try to help the reader make sense of unclear parts. Therefore, an attempt has been made to try to figure out what illegible words actually are; however, all uncertain readings are recorded in footnotes.

On the whole, the spelling of the texts is produced as it is. Clear misspellings and scribal errors, as well as corrections in the texts, are reproduced as they are, so that the edition reflects the original as closely as possible.

Each document is referred by its MELD code, e.g. D2561. The dates and full archive references of each attestation are provided in the headers, and the texts follow the chronological order listed in Chapter 4 (see p.19). Notes on the transcription are provided as numbered footnotes, while notes on the content are provided as endnotes and marked with asterisks in the text.

## The Texts

### 1. Attestation concerning the will of Jankin of Ives (1427)

D2561, Preston, Lancashire Archives: DDX/63/1

Knawen be hit to alle men þ<sup>t</sup> leven in crist for als myche as hit is almes & meritore to bere  
trwe wetnes in trawthe And for als myche as  
hit was said after the dethe of Jankyn of Jues þ<sup>t</sup> the said Jankyn shuld have made certain  
astates be dedes writen & sesyn delueryt  
& the tenant<sup>3</sup> retournet of his lond the quyche he hade in the Countte of Lancaster & other  
mony dyverce *persouns* saidyn opon trwthe hit  
was not so and opon þ<sup>t</sup> Roger of Aghton cussyn & heir to the said John prayet vs John of  
Stanley Richard the molyneux knyghtes  
Thomas of Stanley john warenn harr' Blundelle Thomlyn of lathum & mony other þ/t we  
wolde her' the recorde of the tenant<sup>3</sup>  
termors þ<sup>t</sup> weren þ<sup>t</sup> tyme of the same londes þ<sup>t</sup> the said astates & feffementes shuld haue ben'  
made of & also of the tenant<sup>3</sup>  
befor' & sithen and opon þ<sup>t</sup> the wedenysday next before the fest of pentecost\* the 3ere of the  
Regnyng of owr' lord the kyng harr'  
the sext the sevent at Conscothe there come one john Tyrehar' the quyche had ben tenant of  
gret *percelle* of the lond of the  
said john of Jues the quyche is calde the More halle in Aghton and ther befor vs he swar on a  
boke þ<sup>t</sup> he neuer knewe  
none siche astate made ne no lyuere of sesyn ne he þ<sup>t</sup> was tenant *termer* ther of neuer  
retournyt ne none other þ<sup>t</sup> euer he knewe  
of and also the said John Tyrehar' sware on a boke þ<sup>t</sup> the said Jankyn of Jues charget hym þ<sup>t</sup>  
he shuld say to the said Roger  
of Aghtoun þ<sup>t</sup> he shuld herkyn after hys dedes of hys lond for thay wer' in thys contre & the  
said Jankyn of Jues wonyd owt in  
a fer contre for the said Roger was his next heyr yf he hade no childe of his body lawfully\*\*  
getyn and also the said day  
Thomas Tyrehar Richard of Kyrkeby John the Waynwryght Ric' of Longley Jankyn  
Wynmenske John of Dykyrstathe Jankyn



the long & symkyn the kyng þ<sup>t</sup> wer tenant3 *termers* & arn tenant3 of the same tenement3 þ<sup>t</sup> wer' the said Jankyns of  
 Jues sweren on the boke þ<sup>t</sup> thay neuer knewe none astate ne lyuere of possession ne neuer tenant3 *termers* þ<sup>t</sup> euer retournet before  
 of anny feffement<sup>2</sup> made be the said Jankyn of Jues & 3et duret owr *terme* vnto the dethe of the said Jankyn of Jues & after  
 Jn witesse of the quyche thyng to this *present* script we han set owr' seals the day & 3ere & place afor' said

## 2. Attestation by John Wycliffe of Wycliffe, esquire (1446)

**D0784, Northallerton: North Yorkshire RO: ZAZ/25**

To all þais that þis letters heres or sees John' wyclyff of wyclyff Squyer' sendis gretyng ín oure lord And be it notified and knawem þat J euermore wíttensse and recorde at John' of Newton' late of walburn' and Agnes his wyfe entrid eftur' þe deth of Alys Nunwyk of Darneton' ín<sup>10</sup> all þe landis and tenementz þat wer' þe said Alys ín walburn' as ín þe right of þe said Agnes . and efter þat þe said John' and Agnes his wyfe wer dwellyng and conuersand on þe said landis and tenementz . certeyn' yeres and ín peíseable possession' as ín þe right of þe said Agnes always . disclosyng and shewyng / ín comonícación' þe tyill and þe right therof to be ín þe same Agnes . as . enheritour . therto . as it is well knawen' to me and to many moo . Jn wittenes . wherof to þis . my *present* . wrítyng / vppon' trewth . J sett my seall at . wyclyff / the xv . day . of Septembr' the yere of þ<sup>e</sup> reyng of kyng / henry the sext eftir' . the . Conquest of yngland . xxv . ~ .

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<sup>2</sup> It is difficult to distinguish whether the last two letters of the word are 'nt' or 'tt'.

### 3. Attestation by John Knight, servant to John Meverell, esquire (1446)

L1140, Göttingen University Library, Cod. MS Jurid. 822/1/5

Be hyt knowen' to all men' that thys present writynge shal come to that y John' knyght  
sumtyme *seruant* to John' Meverell Squyer'  
was with my seyde Mastyr at Stapeley in Chestyr Shyre in the house of John' Rope Squyer'  
and ther' my seyde Mastyr was so  
visited w<sup>t</sup> goddis visitacion' that he was in poynte of deth // at wheche tyme the seyde John'  
Rope take fro my seyde  $\wedge$ <sup>Mastyr</sup> in hys sekene  
hys purse in the wheche purse was the Seal of my Mastyr's Armes / the wheche purse and Seal  
when' that my Mastyr was  
reuerted / was broughte to hym a-geyn' by the seyde John' Rope and the Seal was enbrowed w<sup>t</sup>  
reed wax as they had seled ther'  
w<sup>t</sup> // and more-over' y herd my seyde Mastyr sey in hys good lyve as y shal onswere by-fore  
god & man' mony tymes and ofte / that  
he neuer' seled dede ny non odyr thyng to the seyde John' Rope / save only an endentur'  
made betwen' hem *terme* of yeres //  
Jn-to witnes her-of y the seyde John' knyght' haue put to my Seal wretton' at woluuerehampton'  
the thursday in the fest of  
seynt Edward the yere of the Reigne of kynge harry the vj<sup>te</sup> xxv<sup>ti</sup> . / .

### 4. Attestation by Laurence Chirk, servant to John Meverell, esquire

L0090, Göttingen University Library: Cod. MS Jurid. 822 1/8

Be it knowen to al men yat  $\wedge$ <sup>vis</sup> present wrytting' shal see or here yat J laurence Chirke  
Sum-tyme *seruant* to my Maistre John meuerell Squier was w<sup>t</sup> my said Maistre  $\wedge$ <sup>at</sup> Staplay  
in Chestur shire in ye house of John Rope Squier and yere My said Maistre Meuerell  
was so visett w<sup>t</sup> goddis visitacomm\* yat was  $\wedge$ <sup>he</sup> in point  $\wedge$ <sup>of</sup> deth at ye woche tyme ye said  
John Rope towke fro my said maistre John Meuerell in his secnesse his purse in ye  
woche purse was his Seal of my said maistr'armes ye woche purse and seal  
wen my maistre reuerted was broght to hym agayn be ye said John Rope and ye  
seal was enbrowed w<sup>t</sup> red wax ase yai had seled yerwhith and more-ouer J

herd my said maistre say in his *prosperite* & wil-faire and ose<sup>J</sup> shal onswere be-for god  
and mon mony tymes and oft yat my said maistre neuer seled deed ne nothir scrit'  
to ye said John Rope saue onle a-n' endentre mad be-twen hem *terme* of 3ere' Jn-to  
wittnese of yis record J ye said laurence to yis *present* record J haue sett to my seal .  
wrytomn at Colsill in arderne ye seturday next be-fore ye fest of ye Natiuite of our  
lady\*\* in 3ere of our lord ye kyng' henr' ye sext xxix

##### **5. Attestation by John Estby, vicar, on a land dispute (1453)**

###### **D2434, Oxford, Magdalen College Archives: Clifton & Deddington 8**

To alle Cristen' men that this present letteres shullen here or see Sir John Estby vicar of the  
parysshe chirche of  
Bannebury sendethe gretyng in God and for that hit is meritorie & medefulle to bere witnessse  
to trouthe ; For that J  
here meved stryffes & contrauersye by-twixt Sir Rogger Stratford Prest and John Phippes of a  
relese maked  
of alle thoo londes & tenementes the whiche the seid *sir* Rogger hadde in Clyfton' &  
Dadyngton' J . the said *sir*  
John Estby witnessse by this my wrytyng that J sawe in myn howse the seid Sir Rogger in the  
Vicarage  
in *presens* of Thomas Dene Rogger of Stratford John Dawes & moo other enseale a relese  
withhe his owne  
hande maked to John Phippes of Bannebury with his owne seal ensealed the seid relese  
beryng date of  
our kyng now xxix yere the furst day of aprelle Also J the said Sir John Estby witnessse that I  
sawe  
the same day in the *presens* of the same Thomas Dene Rogger of Stratford & John Dawes that  
the seid *sir*  
Rogger ensealed acquitaunce of a Resseite of the same John Phippes and . C . s<sup>s</sup> withhe the  
same seal ensealed  
to the seid John Phippes the same day & yere a-boue wryten' Jn witnessyng of this J haue put  
to my

seale to this present writyng . xiiij day of aprelle in the reinyng of our' Souereyn kyng now  
the xxxj

**6. Attestation concerning the statement of Jonet Malpas about her daughters (1458-1459)**

**D0035, London PRO: C 146/4166**

To all the true men' of Crist That thes present lettres patentz shall here or see We John  
Maynwaringe *Johannis* Bromley knyghtes & John  
Dutton of hatton Senden gretyng in god almyghti For As' mucche As hit is almes & meritory  
to bere witnessse of truth' namely  
between' parties That ben in Trouble & aduersite We certifiem . & recorden' by thes oure said  
letturs That there Came before  
vs the day of the makynge of thes presentz at Chester Maister Richard Pleymundestowe in his  
propur person' And there before vs  
toke upon his Charge on his awne propur' Conscience withoute Compulsion' of any mon As  
he shuld ~~shuld~~ vnsquare before  
god at the day of dome That the Instrument\* to this Certificate anexet was by hym made by  
any person' not compellet  
And that the mater therin contenet is iuste & true as Jonet wyfe to John Malpas in the said  
Instrument namet when'  
sho lay in poynte of deth toke upon' hir Charge That Elyn' & kateryne of hir body borne were  
not the doghturs of the  
said John Malpas hir husband but geten' in A-voutre by an othir person' In wittenes of which  
thyng to this present *lettres*  
patentz We haue sett oure Seals Gyven at Chester the last day of May In the yere of the Regne  
of kyng henry the sixt  
aftur the Conquest of Englonde the xxxviij<sup>tu</sup>

## 7. Attestation concerning the House of Madursay (1461)

D2569, Preston, Lancashire Archives: DDIN/26/2

To alle trwe crysten' men' in cryste thys *present* wrytinge [...] <sup>3</sup>seyng' or vnderstondyng hele\*  
in owr' lorde euerlastyng' sen' that  
yt ys meritorye ande medefulle to euery trwe crysten' mon' <sup>4</sup>in cryste to ber' wytnesse &  
recorde to the truthe knawe3 vs  
John Bradshagh Esquier Ric' *prestolle* Elder Jentylman' Ric' warde Jentylman' Ravfe  
Warton' Jentylman' Dakyn' heton'  
Jentylman' Ric' Mersshe yoman' Roger penulbur' yoman' Elys penulbur' yoman' Thomas  
Crithlawe yoman Elys  
Bothe yoman' Elys Drapor yoman'. & John Coventre Vicare of the kyrke of Bolton' to ber'  
wytnesse of  
truthe & consience that Ric' heton' heyr' of heton' gafe to wille Entwyselle hys cosyn' A  
corody *other*-wyse calde  
a lyuer' in the hovse of Madursay the which corodye *other*-wyse calde a lyuere was dwe &  
Acustomed of  
olde tyme to the heyre3 of heton' Patroners somtyme of the chirch of Bolton' of auncyent  
tyme the  
which wille was seaset *therin* for terme of lyfe by the gyfte of the saide Ric' cosyn to the  
saide will & he  
benele & peasble occupyet the saide corrodye *other*-wayez calde a lyuer' w<sup>l</sup>outen' any  
interrupcon' or lettyng'  
ande *after* the decesse of the saide wille the saide Ric' gafe yt to Olyuer Entwyselle his cosyn'  
for terme of  
lyfe & he benle & peasble occupiet the saide [...] <sup>5</sup>*other*-wayez calde a lyuer' w<sup>l</sup>outen any  
interrupcon'  
or lettyng' ande *after* the decesse of the sayde [...] <sup>6</sup>will<sup>7</sup> heton son of the sayde Ric' heton gafe

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<sup>3</sup> This word is partly illegible due to the first and smaller hole on the document. Taking greeting clauses into account, it is probably 'hearing'. The last four letters *ryng* are actually legible.

<sup>4</sup> The first minim of the letter <m> of the word 'men' is slightly affected due to the hole, but it is legible.

<sup>5</sup> This word is the first partly illegible one due to the second and bigger hole on the document. Considering the context, it is probably 'corrody'. The last five letters *rodye* can actually be seen.

<sup>6</sup> The whole word is almost illegible due to the bigger hole on the document. Considering the context, it is probably 'Oliver'. Only a very little part of a stroke of the first letter can be seen.

<sup>7</sup> The first letter <w> is very slightly affected, but it is completely legible.

yt to  
 robert heton hys Eame & he benele & peasble [...] <sup>8</sup> the saide corodye other-wyse calde a  
 lyuere  
 w<sup>t</sup>outen any interrupcon' or lettyng ande after [...] <sup>9</sup> decesse of the saide robert come the  
 Pryour of Madursay  
 to Bolton & labourde to Elys Entwyselle to go w<sup>t</sup> hym to heton ande ther thay were acordet &  
 agreyd  
 that *sir* John Couentr' now vicar' of the kyrke of Bolton' shulde hafe the vicarye of the kyrke  
 of  
 Bolton' so that the saide wille heton shulde clayme no corodye other-wyse calde a lyuer' w<sup>t</sup>in  
 the  
 house of Madursay aforsaide duryng the lyfe of the saide will heton' . ande to this our'  
 present recorde  
 of truthe & conscience as we verrele knawen' for travthe by waye of conscience to these  
 presentmentez  
 we hauen sett our' Sealx . Gyfen at Bolton' the xxij<sup>te</sup> daye of the Mone of Marc' in the reigne  
 of  
 kyng' Edwarde the furthe . the fyrste . zere

**8. Attestation by David Ferrour concerning the next heir of Fylot Sharp (1461-1462)  
 D0192, Manchester, John Ryland's Library RYCH/1619**

To all trewe men in Crist this writyng seyng of hering' Dauid Ferrour Maire of the cite of  
 Chestre sendith gretyng in oure lord Jhesu euer lastyng' for as' moche  
 as it is meritorie to certifie and beer witnessse of truth J certifie by this writyng that opon'  
 thursday next aftir seint Patrik day in the secunde yere of kyng Edward  
 the iiij<sup>te</sup> . in presence of Thomas Cotyngham & John Chaumbour thenn Shirefs of the seid  
 Cite John Sotheworth and Thomas Godefelowe . in the counsell hous atte

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<sup>8</sup> This word is partly illegible due to the same hole on the document. It is probably 'occupied'. The last five letters *upied* are legible.

<sup>9</sup> This word is the last one that is affected by the bigger hole. It is most probably 'the'. The first two letters *th* are completely legible whereas the last letter <e> cannot be seen at all.

the Pendice of Chestre / there came afore me one Jsabell late wyf to Jankyn' Richardsonn of  
 litell Salghall And there she said as she shuld vnsware  
 afore god atte the dredefull day of Dome . that she sate vndir on' Fylot wyf of Richard Sharp  
 when she was seke oponn hir deth bedde opon' a sonday .  
 and decesyd oponn thurseday thenn next foloyng' atte Chirche Shotwyk And then thedir  
 came vnto . the seid Fylot on' Richard hokenhyll &  
 askyd hir howe she ferd and she vnsuaryd saying' that she was right seke . And so then he  
 askyd hir who shuld be hir heire and haue hir lond  
 in Chirche Shotwyk aftir hir deth and she vnsuaryd and said that hir next heire shuld haue hit  
 and that was Anell Trunkyns wyf of  
 hawardyn' for she was next of blode to hir and that she shuld haue hit And then the seid  
 Richard hokenhyll seid vnto the seid Fylot  
 that he emposyd that he shuld haue hade . that lond aftir hir dethe and she said nay . for sothe  
 J wil neuer disherit the right heire therof  
 And thus they departyd then / And this saying the seid Jsabell desyred me to record in writyng  
 / And so J do by this *presentz* ensealyd  
 w<sup>t</sup> the seall of th' office of Mairalte of the seid Cite made the thurseday and yere aforesaid

## 9. Attestation concerning the names of Roger Acton's grandparents (1471)

**D2048, Matlock, Derbyshire RO: D5236/13/2**

For as much as þ<sup>t</sup> is merytori & medefulle for euery treve *cristen'* mon' to ber' treve recorde  
 þ<sup>t</sup> J thomas duckwurth<sup>10</sup> ber' recorde as J wyll  
 a-byde by at all Ovres be-for' god þ<sup>t</sup> J neuer kneue nyff herd telle þ<sup>t</sup> euer þ<sup>e</sup> gronsir' nor  
 grondame of Roger actonn þ<sup>t</sup> now is heght other  
 wayes nor other wayes wer' called þen Robert Actonn & Janet hys wyfe & those wer theire  
 veraye names & that thar' son fadur to þ<sup>e</sup>  
 sayd Roger was calld wylyam actonn þ<sup>e</sup> quech wylyam hade issue Roger Actonn þ<sup>t</sup> now is y<sup>e</sup>  
 queche claymes þ<sup>e</sup> haluendelle of Actonn be-  
 syde Mylyntonn to þ<sup>e</sup> quech he hasse ver' trewe ryght & tytylle as fer forth as I knowe or euer

<sup>10</sup> There is a black ink stain on the upper part of the last two letters of this word; however, they are both legible.

herd tell in wyttenes quer-of  $\Lambda^{10}$  thys

wrytyng' I sette to my seale geven' &e' p<sup>e</sup> x<sup>th</sup> daye of juyllle p<sup>e</sup> her' of owr lorde M<sup>1</sup> cccc lxxj

## 10. Attestation of enfeoffment by father to son (1476)

**D2701, Chelmsford, Essex RO: D/DP T386**

To vniuerselle and singuler trewe Cristen' peple that thes *present* Lettres schalle see or heir  
John wonham

of Micheham in the Counte of surr' John Parker Thomas Broun' and John Fenne of the same  
gretyng

with dwe reuerence in our lord god euerelastyng and forasmuche as hit is right meritorius and  
a dede

of chairte  $\Lambda$  <sup>to bere wittensse of trowth</sup> hit is soo that we said John wonham John Parker Thomas

Broun' and John Fenne the twisday next

a-fore Seint Andrews day that was the xxvij day of Nouembr' in the . xv . <sup>th</sup> yer' of the regne  
of king

Edward the fourthe were callid and desirid by John Palmere the Eldir late of camberwelle to  
wittensse &

to see the said John Palmere delivere a fulle playn'\* and pesible astate possession' and  
seesyng the whiche

he a-fore vs deliuered to his sone Willam Palmer' to him his heires and assignes for euermore  
of and in a

Tenemet' withe th *apertinances*\*\* of old time callyd Tydijs sett in the Chirche strete at  
Micheham aboue-

said by-twene the landes of John Dymmok towards the East and northe and a Ten' of þe said  
John Palmere towards the west and the kinges hey way towards the southe To haue and to  
holde

the said Tenete withe th *apertinances* to him his heires and assign' foreuermore of the Cheff  
lord of the

Fee by seruisse ther' of dwe and accustumid withowt any other condicion a fore vs rehersid



whiche said *premissis* we testefie by thes *presentes* with the apposition' of our' Sealle the last day of Aprille The Sixtenythe yer' of the regne of king Edward the fourth

**11. Attestation by William Kayfes concerning the inheritance of Wood Ridings (1508)  
D0126, Keele University Library CH 168**

To all true in Cryst to whome this *present* wryting shall her' or see . And wher as hit is meritory and medefull to *certefie* þ<sup>e</sup> trothe . J willm' kayfes whiche by þ<sup>e</sup> visitacoun of god\* haue my syzt taken fro me & at the full age of lxxxiiij yere3 dwelling in the *peroche* of wistastonn . Testefye & take on my charge being in my holl mynd . as towching such londe3 þ<sup>t</sup> in old tyme wer' belonging by enheritaunce to Thomas Dawson lying in Church Copenhall in Afeld called the wode ryddinge3 . And their' was oon Marion Clyffe þ<sup>t</sup> held þ<sup>e</sup> forsaid grounde of the forsaid Thomas Dawson . whiche grounde J coupe haue gon strezt vnto if hit had pleased god to haue lant me my syzt . & at the depe of the forsaid Maryon . the said Thomas had a *princepall* . & afr' the dethe of the said Maryon . oon Ric' Bannastr' heir' to the said Marion . toke the said londe3 of the said Thomas & became tenant of will . And afr' þ<sup>e</sup> depe of þ<sup>e</sup> said Thomas . þ<sup>e</sup> said Ric' Bannastr' became tenant of will to John' Dawson son & heir' of þ<sup>e</sup> said Thomas Dawson . & wold haue takyn the said londe3 to all *profette3* . And þ<sup>e</sup> said John' wold not set the said londe3 . but to herbage to th'entent þ<sup>t</sup> hit shuld not in tyme to *cum* . groo out of knowlege . And at the dethe of the said Ric' Bannastr' . the said John' Dawson had a *princepall* . In-to witness wheroff J the said willm' keyfes take this upon my charge before my gostely Fadr' as J shall Answer' at the dredefull day of Jugement . & therto haue put to my Seale These beyng witness Sir' Andrew Roode *parson* of wistaston' my said gostly Fadr' Thomas Mascye of wistaston' willm' Mascye willmm Bryndley of wolston wode henry sparke Roger' Tailour Ric' kendwardey Thomas Tochet And other'. Yeun' at wistaston aforesaid the xxvj day of May in the yere of the reigne of kyng henry the vij afr' the conquest the xxiiij<sup>ti</sup> . /

**12. Attestation by Nicholas Teder concerning the will of George, Earl of Kent (1524)**  
**D4132, Bedfordshire and Luton Archives: L/Jeayes 230**

To alle men' to whom' this *present* wrytyng shalle *comme* Nicholas Teder Late of Bedford in the countie of Bed' yoman' sendythe gretynge where J the seid Nicholas & dyuerse other' late household *seruantes* with the right noble lorde George late Erle of Kent haue among other' wytnessyd & testified before this tyme that we were *present* in a chamber' at amphylle ther as the seid George lay seke when' he wyllid that Dame *kateryn'* then' his wyffe shuld haue & peasibly enioye duryng hyr lyffe alle suche Maners landes & tentes as were gyven' to hyr' for hyr joyntour\* w<sup>t</sup>out vexacon' or puttyng owte of hys heirs . And that after the decesse of the seid Dame *kateryn'* alle the seid Maners londes & tentes that the seid Dame *kateryn'* hade in joyntour and also alle other' his Castelx Maners londes & tentes & hereditamentes shuld remayn' to Richard then' his Son' & heir apparaunt now lately decessid & to the heirs of his body lafully begoten' & for lacke of suche issue to remayn' to henry Grey his seconde Son' & to the heirs of his body lafully begoten' And for lacke of suche issue to remayn' to George Grey & to the heirs of his body lafully begoten' and for lacke of suche issue to remayn' to Antony Grey & to the heirs of his body lafully begoten' In wytnes & affirmance of whiche wyllid J the seid Nicholas with other before this tyme haue made a certain' wrytyng beryng date the vj daye of Februarye in the vj yere of the reign' of oure souereign' lord kyng henry the viij<sup>th</sup> wherto J the seid Nicholas haue set my sealle and ouer that for the more strenkyth & *proue* of the seid wyllid haue also before this tyme deposed vpon' myn' othe before William wyttur doctor of lawe & Richard halame notary & dyuerse other that the said George made the seid wyllid as before apperithe and that J was *present* at amphylle the tyme of the dethe of the seid George & that the same daye before his dethe J hard the seid George afferme the seid wyllid to be hys last wyllid<sup>11</sup> &<sup>12</sup> non' other' as by an' jnstrument beryng date  $\Lambda$ <sup>in</sup> the yere of our lord god M d xv which was also made in wytnes of my deposicouns & of the deposicouns of dyuerse<sup>13</sup> other'<sup>14</sup> in this behalf apperith : knowe ye me the seid Nicholas to advowe ratyfye and conferme alle that J haue before seid & wytnessid in the seid wrytynges concernyng the seid wyllid to be good & true in euery article therof and more ouer J the seid Nicholas for the farther openyng of the truithe in this behalf

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<sup>11</sup> This word is covered in light brown stain, but its legibility is not affected at all.

<sup>12</sup> The ampersand is covered by the stain. Its legibility is not affected.

<sup>13</sup> The light brown stain is on *uerse*. The legibility is not affected.

<sup>14</sup> The stain affects the first two letters. They are slightly blurry, especially <t>. However, the word can be read.

wyl be redy at all tyme3 when' so euer J shal be therto requyrid to recorde & also to depose vpon' my othe that the seid George late Erle of kent in a Chamber' at amphylle wher he lay seke as is afore rehercyd made his wylle of alle his Castelx Maners londes tentes & hereditamentes of suche vertue as before apperith & of the same effect as before apperithe and that he neuer after' alteryd ne renouncyd the same ne any perte therof to my knowlege Jn wytnes wherof J the seid Nicholas to this present wrytyng haue sett my Sealle the xv daie of June in the yere of the reign' of henry the viij<sup>th</sup> by the *grace* of god kyng of Englund & of Fraunce defender' of the feithe and lord of Ireland the xvj<sup>th</sup>

**13. Attestation by Elizabeth Talbot, that she is the rightful heir of her husband (1525)  
D2605, Lancashire Archives: DDPT/5/100**

To alle men to whom thys present wrytting schalle come her' se or Reyde Elizabeth Talboot wydowe leyt wyff of Thomas Talbott gent' laytely decessed gretyng in *our* lord good euerlestyng and for asmuche as yt is meritoryous requisyte and medefulle for euer true crysten *person* to testyfy and recorde the trovse<sup>15</sup> in euery mater and cause Therfor I the seyde Elizabeth do testyfy and recorde opone my trowth and consyens that my seid layt husband neuer dyd mary laufully oon' Issabelle crabtre otherwise calleyd Morton' bot dyd kepe hyr' As hys concubyne\* for of trouthe my seyde husband and J wer neuer deforcyd ne abowtward to be deforcyd And that he dyed my lafulle husband and then J hys lawfulle wyff And forthermore be it knawen to alle men that J the seid Elyzabeth Talbot haue releaseyd gyffyn and *grauntyd* by thys my present wrytyng<sup>16</sup> Robert Cunclyffes sone and heyr of Robert Cunclyff nowe *person*' at yerke<sup>17</sup> All Maner of ryght tittle and interest whyche my layt husband hade and nowe restythe in me of and in alle & euery of the landes or tenates of th enheritaunce of the seid Robert Cunclyff the father To haue and to hold alle the *premyssez* to the seid Robert the sone and hys heyrez and assigne3 for euer Jn witnes wheroff J the seid Elizabeth Talbot to this *presentes* haue seytt my sealle and also my fayther George Lorymer

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<sup>15</sup> This is clearly the manuscript reading. The form *trowth* appears in the next line.

<sup>16</sup> Parchment was folded here. The word *wrytyng* is slightly illegible.

<sup>17</sup> The meaning is clearly *York*, but the manuscript has <e> both here and in the second last line.

gentylnan hewe lorymer gent' Thes *persons* beyryng witene3 The right honerable  
doctour higden' lorde deyn' of yorke M<sup>ter</sup> Doctour Clyfton' hys comissarie the right honoer-  
able lord Mare of yerke William wryght alderman' John Drawswerd alderman' and mony  
other yevyn at yorke xvij<sup>th</sup> day of Juine in the yer of *our* lord good M<sup>simo</sup> ccccc<sup>mo</sup> xxiiij

## Endnotes

### 1. D2561

\* *the fest of pentecost* (page 88)

Pentecost is a Christian holiday celebrated fifty days after Easter.

\*\* *lawfully* (page 88)

A lawfully gotten child is a child born within marriage.

### 4. L0090

\* *goddis visitaconn* (page 90)

God's visitation is a kind of euphemism used for illness or sickness.

\*\* *ye fest of ye Natiuite of our lady* (page 91)

The Feast of Nativity of our Lady marks the birth of the Virgin Mary, which is celebrated on 8 September.

### 6. D0035

\* *Instrument* (page 92)

A legal instrument is a document that transfers land rights; however, the term is often used for other types of legal documents as well.

### 7. D2569

\* *hele* (page 93)

Hail 'health' is commonly used as a greeting.

## 10. D2701

\* *fulle playn* (page 96)

The words *fulle* and *playn* have the same meaning: complete.

\*\* *withe th apertinances* (page 96)

The ‘appurtenances’ signify everything that belongs to the tenement, such as the buildings on it.

## 11. D0126

\* *by p<sup>e</sup> visitacoun of god* (page 97)

This phrase means ‘by the visitation of God’, simply referring to an illness, as in *goddis visitacoun* ‘God’s visitation’ in L0090 (see p.101).

## 12. D4132

\* *joyntour* (page 98)

Jointure is the property that was given by the bride’s parents when she got married. It remained legally hers even though the husband was in charge of it when he was alive. He could not bequeath it as he wished; it had to go to her.

## 13. D2605

\* *concubyne* (page 99)

The word concubine here refers to a lover, or a kept woman; a woman in an unmarried relationship. Therefore, she does not have any legal rights.

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## **Appendix: Translations to Present-Day English**

The translations of the MELD transcriptions to PDE were carried out to make the content more easily available for all readers. The translations aim to reproduce the text in ordinary PDE, but without unnecessary changes of idiom. The organisation of the texts follows the same order in the edition and elsewhere in the thesis (see list on p.19).

### **1. Attestation concerning the will of Jankin of Ives (1427)**

**D2561, Preston, Lancashire Archives: DDX/63/1**

Be it known to all men who believe in Christ, for as much as it is a good deed and meritorious to bear true witness, and because it was said after the death of Jankin of Ives that the said Jankin should have made certain estates by written deeds and delivered seisin, and that the tenants of his land which he had in the county of Lancaster had been returned, and many other various persons said upon their truth that it was not so, and because of that, Roger of Aughton, cousin and heir to the said John, asked us, John of Stanley, Richard Molineux, knights, Thomas of Stanley, John Warren, Harry Blundell, Tomlin of Latham and many others that we would hear the record of the tenants termers who held at that time the same lands of which the said estates and enfeoffments should have been made, and also of the tenants before and after.

And thereupon, on the following Wednesday, before the Feast of Pentecost, the seventh year of the Reign of our Lord King Harry the sixth, at Consough, there came a certain John Tyrehar, who had been the tenant of a great part of the land of the said John of Ives, called the More Hall in Aughton, and there before us he swore on the Book that he never knew of any such estate made nor of any delivery of seisin, nor had he, who was tenant termers thereof, never returned, nor had anyone else that he ever knew of.

And also the said John Tyrehar swore on the Book that the said Jankin of Ives charged him that he should say to the said Roger of Aughton that he should get hold of his deeds of his land because they were in this county, and the said Jankin of Ives lived out in a far country, because the said Roger was his next heir if he had no child of his body lawfully begotten.

And also on the said day Thomas Tyrehar, Richard of Kirkeby, John the Wainwright, Richard of Longley, Jankin Winmenske, John of Dickerstathe, Jankin the Tall & Simkin the King, who were tenants termers, and are tenants of the same tenements that were the said Jankyn's of Ives, swore on the Book that they never knew of any estate or delivery of possession and never of any tenants termers that ever had returned because of any enfeoffment made by the said Jankin of Ives, 'and our term still lasts until the death of the said Jankin of Ives and after'.

In witness of which thing we have set our seals to this present writing, the day, year and place aforesaid.

## **2. Attestation by John Wycliffe of Wycliffe, esquire (1446)**

**D0784, Northallerton: North Yorkshire RO: ZAZ/25**

To all those who hear or see these letters, John Wycliffe of Wycliffe, esquire, sends a greeting in our Lord.

And be it notified and known that I evermore witness and record that John of Newton, late of Walburn, and Agnes his wife, entered after the death of Alice Nunwick of Darnton into all the lands and tenements that were the said Alice's in Walburn, as it was the right of the said Agnes. And after that, the said John and his wife Agnes were dwelling and residing on the said lands and tenements for a certain number of years, in peaceful possession as it was the right of the said Agnes, always documenting and showing in communication that the same Agnes, as the legal heir, held the title and the right thereto, as it is well known to myself and to many others.

In witness of which, upon truth, I set my seal to this my present writing, at Wycliffe on the 15<sup>th</sup> day of September in the 25<sup>th</sup> year of the reign of King Henry VI after the Conquest of England.

**3. Attestation by John Knight, servant to John Meverell, esquire (1446)**

**L1140, Göttingen University Library, Cod. MS Jurid. 822/1/5**

Be it known to all men who this present writing shall come to that I, John Knight, sometime servant to John Meverell, esquire, was with my said master at Stapeley in Cheshire in the house of John Rope, esquire, and there my said master was so afflicted by God's visitation that he was at the point of death, at which time the said John Rope took from my said master, in his sickness, his purse, in which purse was his seal of his coat of arms. When my master recovered, the purse and seal were brought to him again by the said John Rope, and the seal was stained with red wax as if they had sealed with it.

And moreover, I heard my said master say in his prosperity and welfare, as I shall answer before God and man many times and often, that he never sealed a deed nor anything written to the said John Rope, except for only an indenture made between them for a term of a year.

In witness of this record, I, the said John Knight, have attached my seal. Written at Wolverhampton on the Thursday in the Feast of Saint Edward in the 25<sup>th</sup> year of the reign of King Henry VI.

**4. Attestation by Laurence Chirk, servant to John Meverell, esquire (1450)**

**L0090, Göttingen University Library: Cod. MS Jurid. 822 1/8**

May it be known to all men who shall see or hear this present writing that I, Laurence Chirk, sometime servant to my master John Meverell, esquire, was with my said master at Stapeley in Cheshire in the house of John Rope, esquire, and there my said master Meverell was so afflicted by God's visitation that he was at the point of death, at which time the said John Rope took from my said master John Meverell, in his sickness, his purse, in which purse was his seal of his coat of arms. When my master recovered, the purse and seal were brought to him again by the said John Rope, and the seal was stained with red wax as if they had sealed with it.

And moreover, I heard my said master say in his prosperity and welfare, and as I shall answer before God and man many times and often, that my said master never sealed a deed nor

anything written to the said John Rope, except for only an indenture made between them for a term of a year.

In witness of this record, I, the said Laurence, have set my seal to this present record. Written at Coleshill in Arderne on the next Saturday before the Feast of the Nativity of Our Lady in the 29<sup>th</sup> year of Our Lord King Henry the Sixth.

**5. Attestation by John Estby, vicar, on a land dispute (1453)**

**D2434, Oxford, Magdalen College Archives: Clifton & Deddington 8**

To all Christian men who shall hear or see this present letter, Sir John Estby, vicar of the Parish Church of Banbury, sends a greeting in God.

And because it is meritorious and necessary to bear witness of truth, because I hear that there are ongoing conflicts and controversy between Sir Roger Stratford, priest, and John Phipps, concerning a release made of all those lands and tenements, which the said Sir Roger had in Clifton and Deddington, I, the said Sir John Estby, witness by this writing of mine, that I saw the said Sir Roger in my house, at the vicarage, in the presence of Thomas Dene, Roger of Stratford, John Dawes and many others, seal a release with his own hand, made for John Phipps of Banbury and sealed with his own seal, the said release bearing the date of the first day of April in the 29<sup>th</sup> year of our present king. Also, I, the said Sir John Estby, witness that I saw, on the same day, in the presence of the same Thomas Dene, Roger of Stratford and John Dawes, that the said Sir Roger sealed an acquittance of a receipt from the same John Phipps of 100 shillings, sealed with the same seal, to the said John Phipps on the same day and year as written above.

In witness of this, I have attached my seal to this present writing, on the 14<sup>th</sup> day of April in the 31<sup>st</sup> (year) of the reign of our present sovereign King.

**6. Attestation concerning the statement of Jonet Malpas about her daughters (1458-59)**  
**D0035, London PRO: C 146/4166**

To all the true Christian men who shall hear or see these present letters patent, We, John Maynwaringe and Johannes Bromley, knights, and John Dutton of Hatton, send our greetings in almighty God.

For as much as it is a good deed and meritorious to bear witness of truth, especially between parties who are in trouble and adversity, we certify and record by these our said letters, that there came before us at Chester on the day of making these letters, Master Richard Pleymundestowe in person, and there before us he swore upon his own conscience without the compulsion of anyone, as he should answer before God on Judgment Day, that the instrument annexed to this certificate was made by him, not being compelled by anyone, and that the matter written in the mentioned document is rightful and true, as Jonet, wife of John Malpas, named in the said document, swore when she lay on the point of death, that Ellyn and Catherine, born of her body, were not the daughters of her husband John Malpas, but begotten by another person in adultery.

In witness of which thing, we have set our seals to these present letters patent. Given at Chester on the last day of May in the 37<sup>th</sup> year of the reign of King Henry the Sixth after the Conquest of England.

**7. Attestation concerning the House of Madursay (1461)**  
**D2569, Preston, Lancashire Archives: DDIN/26/2**

To all true Christian men in Christ, (hearing), seeing or understanding this present writing, greeting in our everlasting Lord.

Since it is meritorious and necessary for every true Christian man in Christ to bear witness of and record the truth, may you know us, John Bradshagh, esquire, Richard Prestoll the Elder, gentleman, Richard Warde, gentleman, Ralph Warton, gentleman, Dakin Heaton, gentleman, Richard Mershe, yeoman, Roger Penulbur, yeoman, Ellis Penulbur, yeoman, Thomas Crithlaw, yeoman, Ellis Booth, yeoman, Ellis Draper, yeoman and John Coventry, vicar of the Church of Bolton, to bear witness of truth & conscience, that Richard Heaton, heir of Heaton,

gave to William Entwisell, his cousin, a corrody, also called a livery, in the house of Madursay, which corrody, also called a livery, was due and accustomed of old time to the heirs of Heaton, sometime patrons of the Church of Bolton of ancient time, which William was seized thereof for his lifetime as a gift from the said Richard, cousin to the said William, and he occupied the said corrody, also called a livery, properly and peaceably, without any interruption or hindrance. And after the death of the said William, the said Richard gave it to Oliver Entwisell, his cousin, for a lifetime, and he occupied the said (corrody), also called a livery, without any interruption or hindrance. And after the death of the said (Oliver), William Heaton, son of the said Richard Heaton gave it to Robert Heaton his uncle, and he (occupied) the said corrody, also called a livery, properly and peaceably without any interruption or hindrance. And after (the) death of the said Robert, the prior of Madursay came to Bolton and talked Ellis Entwisell into going to Heaton with him. And there they accorded and agreed that Sir John Coventry, now vicar of the Church of Bolton, should have the vicary of the Church of Bolton so that the said William Heaton should claim no corrody, also called a livery, within the aforesaid House of Madursay, during the life of the said William Heaton.

And to this our present record of truth and conscience, as we truly know to be true by way of conscience, we have set our seals to these presentments. Given at Bolton on the 13<sup>th</sup> day of the month of March in the first year of the reign of King Edward the fourth.

#### **8. Attestation by David Ferrour concerning the next heir of Fylot Sharp (1461-62)**

**D0192, Manchester, John Ryland's Library RYCH/1619**

To all true men in Christ who see or hear this writing, David Ferrour, Mayor of the city of Chester, sends a greeting in our everlasting Lord Jesus.

For as much as it is meritorious to certify and bear witness of truth, I certify by this writing that on the Thursday next following after Saint Patrick's Day in the second year of King Edward IV, in the presence of Thomas Cottingham and John Chamber, then sheriffs of the said city, John Sotheworth and Thomas Godfellow, in the council house at the City Hall of Chester, there came before me a certain Isabel, former wife of Jankin Richardson of Little Saughall and there she said, as she should answer before God on the dreadful Day of Judgment, that she was sitting with a certain Fylot, wife of Richard Sharp, when she was sick

on her deathbed on a Sunday, and died on the following Thursday, at Church Shotwick. And then there came to the said Fylot a certain Richard Hokenhill, and asked her how she was doing, and she answered saying that she was very sick. And so then he asked her who should be her heir and have her land at Church Shotwick after her death, and she answered and said that her closest heir should have it, and that was Anell, Trunkin's wife of Hawardin, because she was her closest blood relative, and that she should have it. And then the said Richard Hokenhill said to the said Fylot that he imposed that he should have that land after her death, and she said: 'no, truly I will never disinherit the right heir of it'. And thus they parted then. And the said Isabel wanted me to record this statement in writing.

And so I do by this document, sealed with the seal of the Office of the Mayor of the said city, made on the aforesaid Thursday and year.

**9. Attestation concerning the names of Roger Acton's grandparents (1471)**

**D2048, Matlock, Derbyshire RO: D5236/13/2**

For as much as it is meritorious and necessary for every true Christian person to bear true record, I, Thomas Duckworth, bear record, as I will abide by at all hours before God, that I never knew nor heard tell that the grandfather or grandmother of the present Roger Acton were ever called or had any other names than Robert Acton and Janet, his wife, and those were their actual names, and that their son, father to the said Roger, was called William Acton, which William had issue, the present Roger Acton, who now claims the half of Acton that is beside Millington, to which he truly has a true right and title, as far I know or ever heard tell, in witness whereof I set my seal to this writing. Given on the 10<sup>th</sup> day of July the year of our Lord 1471.



**10. Attestation of enfeoffment by father to son (1476)**

**D2701, Chelmsford, Essex RO: D/DP T386**

To all and each true Christian people who shall see or hear these present letters, John Woneham of Mickleham in the county of Surrey, John Parker, Thomas Brown and John Fenne of the same place, greeting with due reverence in our everlasting Lord God;

and for as much as it is very meritorious and a deed of charity to bear witness of the truth, it is the case that we, the said John Woneham, John Parker, Thomas Brown and John Fenne, were called and wanted by John Palmer the Elder, late of Camberwell, on the Tuesday immediately before Saint Andrew's Day, that was the 18<sup>th</sup> day of November in the 15<sup>th</sup> year of the reign of King Edward the fourth, to witness and to see the said John Palmer deliver a full, complete and peaceable estate, possession and seisin, which he, before us, delivered to his son William Palmer, to him and his heirs and assignees forevermore, concerning a tenement with the appurtenances that is of old time called the Tydiis, lying in the Church Street in the abovementioned Mickleham between the lands of John Dimmok towards the east and north, and a tenement of the said John Palmer towards the west, and the King's Highway towards the south; to have and to hold the said tenement with the appurtenances to him, his heirs and assignees forevermore, of the Chief Lord of the fee, with the service that is due and accustomed for it, without any other condition mentioned before us.

We testify to the said premises by this present document, with the affixation of our seal on the last day of April in the sixteenth year of the reign of King Edward the fourth.

**11. Attestation by William Kayfes concerning the inheritance of Wood Ridings (1508)**

**D0126, Keele University Library CH 168**

To all true in Christ who shall hear or see this present writing,

and since it is meritory and beneficial to declare the truth, I, William Kayfes, who by the visitation of God has had my sight taken from me and at the full age of 83 years am living in the parish of Wistaston, testify and swear, being of whole mind, concerning such lands that in old time belonged to Thomas Dawson by inheritance, lying in Church Copenhall in a field

called the Wood Ridings. And there was a certain Marion Cliffe who held the foresaid ground from the said Thomas Dawson, which ground I could have gone straight onto if it had pleased God to give me my sight, and at the death of the foresaid Marion, the said Thomas had a principal, and after the death of the said Marion, a certain Richard Bannister, heir to the said Marion, received the said lands from the said Thomas and became the tenant of will.

And after the death of the said Thomas, the said Richard Bannister became a tenant of will to John Dawson, the son and heir of the said Thomas Dawson, and wanted to use the said lands to full profit. And the said John did not wish to have the said lands used for other than pasture, so that the land arrangement would not, in time to come, become forgotten. And at the death of the said Richard Bannister, the said John Dawson had a principal.

In witness of this, I, the said William Keyfes, swear upon my truth before my spiritual Father as I shall answer on the dreadful Day of Judgment, and have put my seal to (this document). These people bear witness: Sir Andrew Rode, parson of Wistaston, my said spiritual Father, Thomas Mascye of Wistaston, William Mascye, William Brindley of Wolstonwood, Henry Spark, Roger Tailor, Richard Kendwardey, Thomas Tochetti and others. Given at the aforesaid Wistaston on the 26<sup>th</sup> day of May in the 23<sup>rd</sup> year of the reign of King Henry the XII after the Conquest.

## **12. Attestation by Nicholas Teder concerning the will of George, Earl of Kent (1524) D4132, Bedfordshire and Luton Archives: L/Jeayes 230**

To all men to whom this present writing shall come, Nicholas Teder, formerly of Bedford in the county of Bedfordshire, yeoman, sends greetings.

As I, the said Nicholas, and many other former household servants of the right noble lord George, late Earl of Kent, have, among others, witnessed and testified at an earlier occasion that we were present in a chamber at Ampthill where the said George lay sick, when he made his will, stating that Lady Catherine, then his wife, should have and peaceably enjoy during her life all such manors, lands and tenants as were given to her for her jointure without any disturbance or removal by his heirs; and that after the death of the said Lady Catherine, all the said manors, lands and tenements that the said Lady Catherine had in jointure, and also all his

other castles, manors, lands and tenements and inherited properties should remain to Richard, then his son and heir apparent, now lately deceased, and to the heirs of his body lawfully begotten, and in case of the lack of such issue to remain to Henry Grey, his second son, and to the heirs of his body lawfully begotten, and in case of the lack of such issue to remain to George Grey, and to the heirs of his body lawfully begotten, and in case of the lack of such issue to remain to Anthony Grey and to the heirs of his body lawfully begotten;

in witness & affirmation of which will, I, the said Nicholas, with others have earlier made a certain document, bearing the date of the 6<sup>th</sup> day of February in the sixth year of the reign of our sovereign lord King Henry VIII, to which document I, the said Nicholas, have set my seal;

and in addition to that, to strengthen and prove the said will further, I have also before this time sworn on my oath before William Witter, Doctor of Law, Richard Halame, Notary and many others that the said George made the said will as is stated above, and that I was present at Ampthill at the time of the death of the said George and that on the same day, before his death, I heard the said George affirm the said will to be his last will and no other, as it appears in an instrument dated in the year of our Lord God 1515, which was also made in witness of my testimony and of the testimonies of many others: may it be known to you that I, the said Nicholas, acknowledge, approve and confirm all that I have said before and witnessed in the said writings concerning the said will as being good and true in every part of it.

And moreover, I, the said Nicholas, in order to further clarify the truth in this matter, will be ready at all times, whenever I shall be required thereto, to record and also to testify on my oath that the said George, late Earl of Kent, in a chamber at Ampthill where he laid sick as told before, made his will of all his castles, manors, lands, tenements and inherited properties of the same force and of the same effect as has been stated above, and that he never afterwards changed nor renounced the same nor any part thereof, to my knowledge.

In witness of this, I, the said Nicholas, have set my seal to this present writing on the 15<sup>th</sup> day of June in the 16<sup>th</sup> year of the reign of Henry VIII, by the grace of God, King of England and of France, Defender of the Faith and Lord of Ireland.

**13. Attestation by Elizabeth Talbot, that she is the rightful heir of her husband (1525)**

**D2605, Preston, Lancashire Archives: DDPT/5/100**

To everyone to whom this present writing shall come, (to) hear, see or read, Elizabeth Talbot, the widow and lately wife of Thomas Talbot, gentleman, who passed away recently, greeting in our everlasting Lord God.

And for as much as it is meritorious, appropriate and necessary for every true Christian person to testify and record the truth in every matter and cause, therefore, I, the said Elizabeth do testify and record upon my truth and conscience that my said late husband never married lawfully a woman called Isabel Crabtree, also called Morton, but kept her as his lover, for in truth my said husband and I were never divorced nor intended to be divorced and that he died my lawful husband and I his lawful wife.

Furthermore, be it known to everyone that I, the said Elizabeth Talbot, have released, given and granted by this my present writing to Robert Cuncliff, son and heir of Robert Cuncliff who is now parson at York, all manner of right, title and interest which my late husband had and which now rests with me, of and in all and each of the lands or tenancies of the inheritance of the said Robert Cuncliffe the father, to have and hold all the premises for the said Robert the son and for his heirs and assignees forever.

In witness of which, I, the said Elizabeth Talbot, have set my seal to this present writing, and also my father George Lorimer, gentleman and Hugh Lorimer, gentleman. These people bear witness: the right honourable Doctor Higden, Lord Dean of York, Master Doctor Clifton, his commissary, the right honourable Lord Mayor of York, William Wright, alderman, John Drawsword, alderman and many other. Given at York on the 18th day of June in the year of our Lord God 1524.