

Nova Statuta Angliae [New Statutes of England]
In Anglo-Norman and Latin, illuminated manuscript on parchment
England, probably London, c. 1450

ii (parchment) + 181 + ii (parchment) folios on parchment (probably sheepskin), foliated in modern pencil usually every tenth leaf, but with "100a" immediately after 100, two leaves missing, else complete (collation i-iv^s v^s [-5; leaf lacking with loss of text from 2 Edward III] vi-xviii^s xix^s [-2; leaf lacking with loss of text from 3-4 Henry VI] xx-xxii^s xxiii^s [+1, singleton added between 5 and 6]), occasional traces of catchwords and leaf signatures, frame-ruled (justification, index 220 x 110-115 mm.; main text, 210-225 x 130-140 mm.), written in multiple anglicana hands in various shades of brown ink, typically on thirty-six long lines, headings in a larger more formal script, running headings consist of the name of the ruler and the regnal year, chapter numbers are in the side margins, headings, running headings, chapter divisions within the text, and chapter numbers in the margins all marked by paraphs in red or blue, three-line blue initials with red penwork flourishing at the beginning of all but the first statute, ILLUMINATED INITIAL of four lines in colors on a brightly burnished gold ground, extending into a THREE-SIDED FOLIATE BORDER of stylized acanthus and other leaves, pen-sprays, partially entwined around a vertical gold bar at the beginning of the first statute, various spots and stains, not affecting legibility, but causing some corrosion of the parchment in the gutter margin of f. 140, overall in good condition. Bound in eighteenth-century speckled brown leather over pasteboard, covers framed with a double gilt fillet and a flower tool at each corner, sewn on five bands, spine with a red leather title-piece lettered in gilt capitals "ACTA / PARLIAMEN/TO / M. S." and other compartments tooled in gilt, edges of leaves speckled red and blue, marbled pastedowns, impressions of lacing channels from original medieval binding on f. 180v, somewhat scuffed and bumped at the corners, some cracking at the front joint, but generally very sound. Dimensions 285 x 200 mm.

Beauty and utility come together in this handsome English legal manuscript. Produced in London at a time when copies of English royal statutes were in high demand, this fine copy of the so-called New Statutes of England is carefully written and attractively illuminated. It was probably made for an educated member of the gentry, eager to protect his legal interests during a period of national tumult. Compared to other extant manuscripts of the Statutes, this one is relatively deluxe, illuminated and on parchment, and it has a distinguished later provenance.

PROVENANCE

1. Written and illuminated in London around the middle of the fifteenth century, c. 1450, judging from the style of major decoration. The style of the initial and border on f. 34 is extremely similar to that of a manuscript dated 1450 and produced in London for St. Paul's Cathedral (Scott, 2002, pp. 68-69).

Though the text ends in 1445 with the statute of 23 Henry VI, this cannot be taken as precise indication of the date it was written, as at least fifteen other copies (including Cambridge, Fitzwilliam Museum, MS 140; London, British Library, Harley MS 644 and Lansdowne MS 470; and Oxford, Bodleian Library, MS Douce 312) all end at the same point. As Skemer has observed, "with these copies, an apparent lack of concern about the scant new legislation in the 1447-77 period led stationers to use non-current exemplars that enjoyed special authority" (1999, pp. 129-130). Skemer goes on to suggest that "the high point in *Nova statuta* production was probably the third quarter of

the fifteenth century" (1999, p. 130), which would place this manuscript's creation at the beginning of this period of increased production.

2. Belonged to one or more unidentified English collectors in the seventeenth and eighteenth centuries, responsible for the binding and for the number "(23)" on f. i recto.
3. Belonged to Charles William Hamilton Sotheby (1820-1887), whose library incorporated that of his ancestor James Sotheby (1655/6-1720), and who in 1881 inherited Ecton Hall, Northamptonshire: his bookplate with arms, crest, helm, motto ("OU BIEN, OU RIEN"), and "C. W. H. Sotheby" on the front pastedown, inscribed in a distinctive hand often found on this bookplate "Acts of Parliament from the first year of Edward III (1327) to the third [sic] of Henry VI (1453) [sic]."
4. The book then passed to Sotheby's half-brother, Major-General Frederick Edward Sotheby (1837-1909) and on to Lieutenant-Colonel Herbert George Sotheby (1871-1954); sold in his 1955 Sotheby's sale (see *The Sotheby Heirlooms Part VII: Catalogue of the Final Portion of the Valuable Library Removed from Ecton Hall, Northampton, 22 November 1955, lot 443 [illustrated]*). Purchased in that sale by Robinson.
5. Offered for sale in 1986 by Sotheby's, London; lot 72 in *Western Manuscripts and Miniatures*, 24 June 1986.
6. Offered for sale by Heribert Tenschert in 1989: lot 23 in *Leuchtendes Mittelalter 21: 89 libri manuscripti 89 illuminati vom 10. bis zum 16. Jahrhundert*, 1989.
7. Private USA Collection.

TEXT

ff. 1-32, Alphabetical index of subject headings, from "Accusacions" to "Wursted"; [f. 32v, ruled but blank; f. 33rv, blank];

ff. 34-180, [English royal statutes, beginning with 1-50 Edward III] incipit, "*Anno primo E. tercii. Come Hugh le Dispenser le pier & Hugh le Dispenser le fitz nadgairs a le suite Thomas Adounges Count de Lancastre seneschal d'Engleterre ...* [f. 77v, 1-21 Richard II; f. 108, 1-13 Henry IV; f. 126v, 1-9 Henry V; f. 140, 1-23 Henry VI] ... *pur le roi voet suer en cell' partie*"; [f. 180v, ruled but blank].

The *Nova Statuta*, English royal statutes from the first year of the reign of Edward III (reigned 1327-1377) to 25 February in the twenty-third year of the reign of Henry VI (1445; he reigned 1422-1461, 1470-1471). The statutes for the reign of Edward III begin with a confirmation of the banishment of Hugh Le Despenser and his son, also Hugh Le Despenser.

By the fifteenth century, books of statutes, made primarily but not exclusively for the use of lawyers, were of two types. The first type, the *Vetera Statuta* (or *Statuta Antiqua*), also known as the Old Statutes of England, contain treatises or statutes enrolled from the Magna Carta to the end of the reign of Edward II. The second type, the *Nova Statuta*, or New Statutes of England, contain legislation from the beginning of the reign of Edward III onwards (sometimes, but not

always, giving an indication of the date of the manuscript copy). There was a good reason for this division: the statutes and charters enacted up to the end of Edward II's reign laid down the fundamental principles upon which Common Law was based and could not be revoked by any subsequent Act of Parliament. With a few exceptions, the same did not hold true of the legislation enacted by Edward III and his successors (see Pronay and Taylor, 1980). Whereas *Vetera Statuta* manuscripts are usually arranged, at least in part, around particular subjects, *Nova Statuta* manuscripts follow a chronological order, organized by reign and regnal year.

This manuscript copy of the *Nova Statuta* was produced during a period of high demand. Henry VI's long minority and troubled reign resulted in a period of weak central government, compelling aristocratic landowners to resort to their own legal knowledge to defend their interests. In these cases, lawyers and landowners would have turned to statute books like this one. Their legal education and literacy (more extensive than that of their fourteenth-century forebears), as well as the political turmoil of the period, were no doubt driving forces behind the increased production of *Nova Statuta* manuscripts in the third quarter of the fifteenth century.

The *Nova Statuta* survive in 125 manuscripts (see Skemer, 1999, p. 129), and manuscript copies continued to be made after the Middle Ages, as late as the reign of Henry VIII (reigned 1509-1547), since lawyers had a constant need for copies with the latest legislation. The first imprint of the complete (at that date) *Nova Statuta* (from Edward III to Edward IV) was produced in 1484 by William de Machlinia, who was principle printer of law books in London at that time, and John Lettou. Just fifteen years later, c. 1500, Richard Pynson printed a newly updated *Nova Statuta* (from Edward III to Henry VII). The combined statutes of the *Vetera Statuta* and *Nova Statuta* were printed in 1587, during the reign of Elizabeth I (reigned 1558-1603). The language of the common law was French, and law French continued to be used for reports and learning exercises until the English Civil War (1642-1651).

LITERATURE

Pronay, Nicholas and John Taylor. *Parliamentary Texts of the Later Middle Ages*, Oxford, Clarendon Press, 1980.

Scott, Kathleen L. *Dated and Datable English Manuscript Borders c. 1395-1499*, London, The Bibliographical Society, 2002.

Skemer, Don. "Reading the Law: Statute Books and the Private Transmission of Legal Knowledge in Late Medieval England," in *Learning the Law: Teaching and the Transmission of English Law, 1150-1900*, ed. Jonathan A. Bush and Alain Wijffels, London, Hambledon Press, 1999, pp. 113-131.

Statuta Angliae: Nova statuta, London, William de Machlinia, 1484.

Statutes of England. The whole volume of statutes at large, which at anie time heeretofore have bene extant in print, since Magna Carta, untill the XXIX yeere of the reigne of our most gracious sovereigne ladie Elizabeth, by the grace of God, Queene of England, France and Ireland, defender of the Faith, London, printed for Christopher Barker, 1587.

ONLINE RESOURCES

The Statutes of the Realm, Printed by Command of His Majesty King George the Third in Pursuance of an Address of the House of Commons of Great Britain, 9 vols., London, Dawsons, 1810-1822
<http://catalog.hathitrust.org/Record/012297566>

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