

## COMMON CRIER AND SERJEANT-AT-ARMS

FROM earliest times certain esquires were attached to the Lord Mayor, to carry his sword and his mace, to make his proclamations, and to assist otherwise in his official duties. These officers were in no way peculiar to London, for York and other towns had esquires for similar purposes. To the Swordbearer and Common Crier and Serjeant-at-Arms were added the Common Hunt and the Water Bailiff. The Royal Commission of 1837 lists four esquires and 20 other officers as belonging to the Lord Mayor's Household. They included a number of Serjeant Carvers, Serjeants of the Chamber, Yeomen of the Waterside and various Young Men, who were deputies or servants of the other officers. The City Marshal did not join the Household till later, after he had ceased to be in charge of the marshal-men and the police forces of the City. However, in the City's Cash Accounts the salary of the City Marshal even today is debited under Magistracy while those of the Swordbearer and Common Crier are to be found under Civil Government. An earlier paper read to this Association surveyed the office of Swordbearer and the time seems appropriate now—a new Common Crier having recently been appointed—to give some account of the office of Common Crier and Serjeant-at-Arms. Furthermore, the significance of the mace which is carried by the Serjeant-at-Arms has been raised twice recently in Common Hall.

There is little doubt that the earliest mace of the City is that treasure known as the City Sceptre. We are told that its crystal shaft is of Anglo-Saxon workmanship. This date at once raises the question—whose mace was it? There was no mayor until 1189, nor was there any recognisable Corporation. Could it have belonged to the Portreeve or Bishop of the Conqueror's charter or to the Sheriff when nominated by the Crown? It seems unlikely.

We are also told that maces originated as weapons, weapons of defence. But the City's sceptre, with its early crystal shaft, could not have served such a purpose. From its inception it must have been an indication of dignity rather than an instrument of defence. One cannot imagine it as the predecessor of the policeman's truncheon. This symbol, described variously as the crystal mace, the best mace, or the mace usually carried before the King, does not appear to have been called a sceptre until late in the 16th century. The minutes of the Court of Aldermen of 28th October, 1524, record that "then was the best sword in the case, the best mace which is used to be borne by the Mayor before the King's grace within the City, and the seal of the mayoralty, all brought forth and laid ready upon the board to be borne into the Hall there to be delivered by the old mayor to the new according to the old custom." In 1604 the orders for the

admission of the Lord Mayor provided that the Chamberlain should deliver the "sceptre" to the new Lord Mayor. It seems strange that this term sceptre, with its regal and imperial significance, could have originated as late as the Tudor period. Certainly the City at that time was called our Royal City and our Royal Chamber. Shakespeare reminds us "His sceptre shows the force of temporal power, the attribute to awe and majesty." In the possession of such a mace the City is unique and the term sceptre may indicate the status and power of the City, considered by the citizens, if not by the Sovereign, to be only a little less than royal. It is interesting to note that the swords and other maces of the City are kept at the Mansion House but the Sceptre is still retained and carefully guarded by the Chamberlain. One remembers that the charters of the City used to be kept in the Treasury of the Guildhall, probably in company with the Sceptre.

The Sceptre is now used only at the admission of Lord Mayor in Guildhall and at the Coronation ceremony. Until the 17th century the Sceptre was carried by the Lord Mayor before the Sovereign when he visited the City; the sword, having been surrendered, was at that period retained by the Sovereign until he left the City limits. It is recorded that in 1503 the Lord Mayor carried the crystal mace in the funeral procession from the Tower to Westminster, of Elizabeth, Queen of Henry VII—next before the Queen's carriage rode the Mayor "which bare a mace of crystall garnysshid with gold." Likewise it is recorded that the Lord Mayor kissed the Sceptre before surrendering it to Queen Mary in 1553 and that he handed it to Elizabeth I at the City boundary in 1588.

The Sceptre is 1 foot 6 inches in length and the gold coronet, of four crosses and four fleurs-de-lis each carrying four pearls, rises from a moulding set alternately with three rubies, three sapphires and six pearls. It is of 15th century design and workmanship. The royal arms within the coronet, those of France and England quartered, cannot be before 1365 and could be as late as Elizabeth. The crystal shaft is in two lengths and is deeply cut into spiral grooves into which are inserted narrow bands of gold. At both ends of each portion of the shaft are wide bands of gold edged by rings of pearls. The central knob of glass is modern and probably replaced an earlier gold threaded knob similar to the crystal grooved foot-knob which matches the shaft.

How soon the crystal mace was supplemented by a silver or silver-gilt mace is not known. An order of 1518 that the Serjeant-at-Arms shall at all times carry his mace cannot have reference to the Sceptre. A few years later in 1524 there is a reference to the best mace, indicating more than one. In 1559 the Chamberlain was instructed to pay for the new mace that Christopher Foulkes, Common Crier and Serjeant-at-Arms, bears before the Lord Mayor so that it might always remain to the use of the City and to no other use. In 1600 the Chamberlain was instructed to mend the silver mace that was usually carried before the Lord Mayor by the Serjeant-at-Arms. William Smith, writing in 1575, refers to the Common Crier with his great mace on his shoulder all gilt. In 1604

the mace was made greater and longer, and we shall note that it was the fashion for civic maces to get larger and larger as the centuries passed. This mace was stolen from the Lord Keeper's house in 1627 while, for some reason, it was on loan to Serjeant Lee, one of the Royal serjeants. In a report on the theft it is stated that it cost the City £60 4s. in 1604 at the rate of 8s. 4d. the ounce. The Aldermen were content to accept £40 from the said Lee in full satisfaction of the mace. From this report it appears the mace weighed 144½ ounces. It was replaced by a silver gilt mace weighing 174½ ounces provided by Richard Clay, goldsmith, at a cost of £74 3s. 3d. This mace was in use for only 21 years. On 6th June, 1649, the House of Commons ordered that all great maces should be of the form and pattern of that made for the House by Thomas Maundy of London, goldsmith, and that he should have the exclusive right to make such maces. The City acquired a new Maundy mace weighing 219 ounces at a cost of £131 13s., the old mace being sold to Alderman Nowell for £49 6s. At the restoration Sir Thomas Vyner, alderman, provided a new mace and accepted the old one in part payment. This mace with a few repairs served from 1661 till 1735 when it was reported as worn out and decayed. A new mace, that at present in use, was supplied by John White, silversmith, in 1735. From his bill of £219 15s. 10d. was deducted £76 8s. allowance for the old mace, and he was eventually satisfied with £150. It weighed 388 ounces, contains 304 ounces of silver, and is 5 feet 3 inches long. It exceeded in length by the Oxford mace of 5 feet 4½ inches, which dates from 1660 and by two royal maces of the reigns of William and Mary and George I, which are 5 feet 5½ inches long.

The City of London has never had an officer by the title of Macebearer, the esquire who carried the mace was the Serjeant-at-Arms and, be it noted, not the Serjeant-at-Mace. The Serjeant-at-Arms has also always performed the duties of Common Crier, and at the earliest period he is described, perhaps loosely, in the City's books as Common Serjeant, and then as Common Serjeant Crier. Thus it is difficult to distinguish in the early records the modern Common Serjeant or Pleader from the Serjeant-at-Arms. Thomas Juvenal, 1291-1309, although described as Common Serjeant is recorded as making public proclamations, the task of the Common Crier. In 1309 Thomas de Kent was admitted Serjeant of the Mayor and Commonalty loco Juvenal. Robert Flamberd, described as Common Serjeant in 1328 appears as Serjeant-at-Arms in 1338, when he was relieved of the duties of his office as macebearer because, as a Serjeant of the King, his services were required abroad. As was the custom of the time he appears to have held several offices, for he was also Bailiff of Southwark. John Bevyn, another royal serjeant, was admitted to serve the office until Flamberd returned. In 1343 Nicholas de Abyndone was admitted Common Serjeant Crier, and thereafter it is possible to compile a fairly complete list of Common Criers.

John Carpenter, Town Clerk, in his *Liber Albus*, 1419, wrote:—

The Common Serjeant-at-Arms of the City, who is other-

wise called the Common Crier, shall be always of the household of the Mayor for the time being, and ready at his commands, as the other serjeants are, and he shall receive from the Chamber 60s. each year, and a further sum, if it shall seem reasonable to the auditors of the Chamberlain's account, in consideration of his good behaviour; and he shall receive from each of the Aldermen for his fee, the entire robes or cloaks in which they are sworn, or 6s. 8d. at their pleasure; and he shall further receive from the Sheriffs 12d. for every cry that he makes throughout the City, to enable him to do which they shall find him a sufficient horse for the honour of the City.

It was also usual to permit the Common Crier to occupy one of the gates of the City, generally Aldersgate, rent free, to allow him fees from the Court of Hustings and certain liveries. William Nicolson, the Common Crier in 1524, petitioned the Common Council that in view of the improvements he had executed at Aldersgate, by making a parlour, bay windows and houses of office at a cost of 100 marks, that he and his wife (with their poor children) might enjoy the house and garden rent free for his life and the life of his wife should she survive him. The Court agreed, and confirmed the grant in 1527 when he took a second wife. In 1584 John Northage, Common Crier, received £3 for his year's fee, a reward of £3 6s. 8d. at the audit, and a winter and summer livery of 53s. 4d. each.

The reward at the audit and a payment in lieu of livery was continued till 1825, when he also received £40 in lieu of dining at the Mansion House, £50 in lieu of a house and £75 for three freedoms which he was allowed to sell. All fees were finally abolished in 1853 when his salary was established at £550 p.a. Previously he had received £1 1s. on the admission of every officer, £2 3s. on the election of an Alderman, 4s. on every City lease, 4s. on the admission of each broker, 2s. on the admission of each freeman, 16s. 8d. on the election of Lord Mayors and Sheriffs, and 10s. 6d. for a proclamation. This is a typical example of the manner in which City Officers were rewarded for their services until quite modern times. In 1936 the salary was £546 p.a., a little less than in 1853. In 1958 it is in the range £1,025-£1,275.

Now to consider the use of the mace, a subject raised in Common Hall in June, 1957, and again in 1958, and which has been pursued rather one-sidedly in the correspondence columns of *The Times* newspaper.

The controversy arose originally from a failure to distinguish between Serjeants-at-Mace and the Serjeant-at-Arms, and between the small maces of the former, perhaps 9 inches long, and the great mace borne by the latter. As early as 1244 the Royal Justices at the Tower ordered that the Mayor and Sheriffs should have their serjeants with their maces and no serjeants of the King should interfere with anything pertaining to the office of a City serjeant. In 1344 the Commons petitioned King Edward III, that only the King's serjeants should be permitted to carry silver maces and that

the serjeants of cities and boroughs should carry copper maces or wooden staves. In his agreement Edward III excepted the serjeants of the City of London. Ten years later, in 1354, Edward granted the City a charter which provided that the serjeants appointed to bear the maces of the City, should carry them of gold, or silver, or silvered, or garnished with the royal arms, everywhere in the City and in the county of Middlesex and also outside the City to meet the Sovereign or the Royal Family, and in going to foreign places, as the royal serjeants carried their maces in the King's presence. The City may have enjoyed a special privilege in 1344 and 1354 but it was not long before other cities were granted similar privileges. The serjeants of York were authorised to carry gilt or silver maces in 1396 and a Norwich charter of 1404 provided that the Serjeants-at-Mace of the Mayor and Sheriffs might carry gilt or silver maces with the King's arms even before the King within the City. Thereafter many towns were granted a like privilege and London cannot possibly claim any unique right under its 1354 charter. At one time 12 Serjeants-at-Mace served the Mayor, at least 24 executed the orders of the Sheriffs and several more were attached to the Chamberlain. Today they survive as the Serjeant-at-Mace in the Mayor's Court and one Serjeant-at-Mace of the Sheriffs, neither of whom, I believe, has a mace. There is no doubt that the proceedings in Parliament and the charter had reference to the Serjeants-at-Mace. It is true that for many centuries Serjeants-at-Mace accompanied the Mayor and Sheriffs on ceremonial occasions, much as the pikemen do today, but they must not be confused with the Serjeant-at-Arms, an office already firmly established prior to the charter.

Jewitt and Hope in their great work on Corporation plate and regalia draw a clear distinction between the maces carried by the Serjeants-at-Mace in the execution of their duty as officers of the Mayor and Sheriffs and the great maces carried before the Mayor as a representative of the Sovereign and chief magistrate of a municipality. In London a mace of dignity is borne before the Mayor by prescription and matches the prescriptive right to have a sword and swordbearer. No grant of either can be found. In York, Richard II gave the City a mace to be borne before the Mayor in 1393. During the 15th century the carrying of a special or great mace before the Mayor of ancient towns became common and was sometimes authorised by charter. The character and significance of such a mace is entirely different from the maces indicating the authority of the serjeants. It forms part of the Mayor's regalia and, like the sword, is indicative of the mayor's authority derived from, or only subject to, the Crown. In the absence of a sword, the possession of which was a very special privilege, it was the mace alone that indicated the mayor's authority and it was the mace that was surrendered to the Sovereign. There is a record of the delivery of the mayor's mace to the King at Coventry in 1450. In London a chronicler records in 1554 that the Mayor kneeling delivered the mace to the Queen "which signified his power and authority within the City". At Lincoln in 1540, at the entry of Henry VIII, the mayor kissed the

mace and delivered it to the King, who then immediately returned it to be carried by the mayor before him. There is evidence that the mace of Oxford was surrendered to the Sovereign in 1566, 1636 and 1687. Examples could be multiplied confirming that the surrender of a mace was customary throughout the country. This year the City mace was reversed in the presence of the Sovereign, both at York and Lincoln. The significance is clear, the authority of the mayor in his own domain is supreme subject only to the Sovereign; at the entry of the Sovereign he surrenders the token of his power, whether that token be a sword or mace or both. The Sovereign then indicates confidence in the mayor by returning the emblem for him to bear, but obeisance has been rendered and the carrying of the emblem in the Sovereign's presence is only with the Sovereign's permission, sometimes actually expressed, at other times implied.

In the City of London, now that the Lord Mayor surrenders the sword and receives it back, the mace has no vital part in the ceremony. As the mace was surrendered in the earlier centuries, it ought to be reversed at the same time as the sword and held aloft as soon as the sword is carried erect: both sword and mace indicating the Lord Mayor's authority. The customary method of bearing a great mace is conditioned partly by its size. In movement it is placed upon the shoulder, when stationary the mace bearer places it before him crown uppermost. To reverse at the halt is to point the crown downwards. To reverse while moving is to cradle the crown in the left arm, the mace being almost horizontal. The following comes from a description of the admission of Lord Mayor at the Tower of London in 1741—"The Lord Mayor being come up the steps the sword in his right hand erect, the mace on the left. When the Lord Mayor comes to the Bar the sword is there reversed and the mace then rested on the macebearer's arm."

The method of carrying the mace at the Royal Courts of Justice was also questioned in Common Hall. The Law Courts replaced the Palace of Westminster as the venue for the declaration of the Lord Mayor. The Courts are not within the limits of the City and are outside the jurisdiction of the Lord Mayor. It was ancient custom that the Sovereign was deemed to be present in his castles, courts of law and similar places. It may well be considered that at the declaration made by the Lord Mayor the Sovereign is present in the person of the Justices who, under the City's charter, are acting for the Sovereign. We have seen how the Lord Mayor lowered both sword and mace when he crossed the boundary of the Tower in 1741. In 1582 the Lord Mayor stated that on the visit to Westminster Hall it was customary to carry the sword before him until he came to the bar of Her Majesty's Courts, where it was reversed as in the presence of Her Majesty. Doubtless there, too, the mace was lowered in unison with the sword. The grant of the privilege of a sword was made to cities upon the express condition that it should be carried erect *except* in the presence of the Sovereign and the evidence of early custom is conclusive that the practice everywhere has been to surrender the sword on the approach of the Sovereign. The evidence

is equally conclusive that a similar custom prevailed in respect of a great mace.

It may well be that customary procedure has not been followed in every case, owing to lack of knowledge and precisely written ceremonial. Even City Swordbearers, Common Criers and Lord Mayor's Secretaries have been known to make their own precedents in time of doubt. On one occasion the Serjeant-at-Arms is said to have walked the whole length of St. Paul's with the mace in reverse, although the sword was erect, a most contradictory procedure. The pictorial evidences referred to in Common Hall may or may not relate to those few minutes when the mace should have stood reversed. Nor has the cradled mace been recognised as a method of reversal. The references to the Oxford mace being carried erect before the Sovereign overlooked the fact that in the first instance it had been surrendered and when later carried erect was so borne with the actual or implied consent of the Sovereign.

On this subject a clear and logical line of thought is to be preferred to scraps of inconclusive evidence. If the sword and mace represent the authority of the mayor and that authority is subject to the Sovereign, then the emblems of that authority should be lowered or surrendered in the presence, actual or notional, of the Sovereign. If the Sovereign is satisfied that the mayor can be entrusted with authority in the royal presence then the emblems are returned and displayed in authority.

One point follows, which seems to have been overlooked in modern times. The Lord Mayor has no authority outside the City, and the bearing of sword or mace elsewhere, except perhaps to go to Westminster or to meet the sovereign, is difficult to justify. One well remembers how the sword was forcibly lowered by the students of the Temple in 1669, although the Lord Mayor had been invited to dine there. They maintained that the Lord Mayor had no jurisdiction within the Temple and the sword was a symbol of jurisdiction. Now that the sword and mace, or their replicas, travel far and wide, do we look upon them as emblems of dignity only, and no longer as signs of authority or jurisdiction. In this country ceremonial, like the constitution which it embellishes, is capable both of development and amendment.

#### COMMON CRIER AND SERJEANT-AT-ARMS

Thomas Juvenal	1291-1309
Thomas de Kent	1309-
Robert Flambard	1328-1338
Nicholas de Abyndone	1343-1365
John de Watlyngtone	1370-1390
Hugh Battisford	1390-1408
John Pichard	1408-1417
John Combe	1417-1460
John Ash (Aisshe)	1460-1485
Thomas Cambry	1485-1489
Thomas Say	1489-

Richard White	-1516
William Nicolson	1516-1534
John Holiday	1534-1540
John Green, mercer	1540-1559
Christopher Fowlk	1559-1583
John Northage	1583-1594
Edward Ap John	1594-1620
Henry Lovell	1620-1630
Herbert Finch	1630-1644
Henry Hodges	1644-1658 (resigned)
(Elected Alderman, Cripplegate 1657, paid fine of £200)	
John Burt	1658 (23rd March-8th April, resigned)
Henry Hodges	1658-1660
John Burt	1660 (died)
Richard Alexander	1661-1666
John Wells	1666-1685
Lovett Goring	1685-1697
John Wells	1697-1699
Isaac Grevill, mercer	1700-1722
John Elderton, pewterer	1722-1745
Peter Roberts	1745-1773
William Bishop	1773-1791
George Nelson	1791-1797
James Renat Syms	1797-1825
Samuel Beddome	1825-1866
John Alexander Beddome	1867-1872
George James Winzar	1872-1874
William Henry Russell	1874-1885
William Richard Bagallay	1885-1889
Lt.-Col. Eustace Beaumont Burnaby	1889-1901
Major John Charles Ker-Fox, M.A.	1901-1907
Col. Thomas Joseph Kearns	1907-1920
Capt. Claude Brotherton Maxted	1920-1927
William Thomas Boston	1927-1938
Commander John Roberts Poland	1938-1958
Col. Bruce J. D. Lumsden	1958-