

The petition of Jacob De Smet: A plea for reprisals against the English, 1403

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Recent studies of Anglo-Flemish relations during the reign of Philip the Bold, duke of Burgundy, have stressed the desire on the part of the Flemings to conclude a *trêve marchande* or commercial truce with England (1). Their motives are well-known. At the beginning of the fifteenth century, the cloth-manufacturing towns of Flanders still depended largely upon an uninterrupted supply of English wool for their prosperity, Bruges still retained something of its former greatness as an international market encouraging the trading of foreign merchants there (2), and English corsairs were taking a heavy toll on Flemish maritime com-

(1) See especially the very analytical and provocative essay of W. PREVENIER, *Les perturbations dans les relations commerciales anglo-flamandes entre 1379 et 1407* in *Économies et sociétés du Moyen Age: Mélanges offerts à Édouard Perroy* (Paris, 1973), pp. 477-497 and by the same author, *De Leden en de Staten van Vlaanderen, 1384-1405* (Brussels, 1961), pp. 168-187; MICHAEL NORDBERG, *Les ducs et la royauté: études sur la rivalité des ducs d'Orléans et de Bourgogne, 1392-1407* (Uppsala, 1964), pp. 131-149.

(2) W. BRULEZ, *Brugge en Antwerpen in de 15^e en 16^e eeuw: een Tegenstelling?*, TIJDSCHRIFT VOOR GESCHIEDENIS, LXXXIII (1970), pp. 15-37.

merce in the Channel (1). Just how much weight representatives from Bruges, Ghent, Ypres and the Franc of Bruges acting in concert as the Four Members placed upon English piracy as a reason for seeking a commercial accord is difficult to determine. As Professor Walter Prevenier has pointed out, however, Bruges and the small ports along the northern coast of Flanders suffered much greater losses at the hands of English sea-rovers than did Ghent, Ypres and other inland towns (2). Consequently an examination of the deliberations of the Four Members during 1402-1403 when English piracy reached its greatest degree of intensity reveals that Bruges was nearly always in the forefront of trying to convince the other Members to negotiate a commercial agreement with England (3). Indeed it was the Brugesois in the late Autumn of 1402 who ultimately persuaded Ypres and Ghent to join them and the Franc of Bruges in sending a diplomatic embassy directly to England in order to lodge an official protest against the illegal privateering. After all, Flemish shipping had been protected by treaty since 1396 when England and France signed the famous

(1) Several Memoranda (Archives Départementales du Nord B533/15031-3 and Public Record Office, Exchequer 30/1280, 30 1281) relate the complaints of numerous Flemish merchants who suffered heavy losses from the plundering of English pirates in the Narrow Seas at the beginning of the fifteenth century.

(2) PREVENIER, *Les perturbations dans les relations commerciales anglo-flamandes*, pp. 485-486.

(3) PRO, E30/1628, letter from the *loi* of Bruges to the English government, 2 September 1402; W. PREVENIER, *Handelingen van de Leden en van de Staten van Vlaanderen, 1384-1405* (Brussels, 1959), nos. 565-566, 570-579, 585 (9 July 1402-13 February 1403), pp. 236, 239-244, 250. THOMAS RYMER, *Foedera* (3rd ed., 10 vols., the Hague, 1739-1745), IV, pt. 1, pp. 34-35; E. SCOTT and L. GILLIODTS-VAN SEVEREN, *Le Cotton manuscrit Galba B. I: Documents pour servir à l'histoire des relations entre l'Angleterre et la Flandre de 1341 à 1473* (Brussels, 1896) pp. viii, 59.

Twenty-Eight-Year Truce (1). Henry IV, king of England, had confirmed that truce on 18 May 1400 (2) and two months later, in a letter to the Flemings clearly recognized them as being a party to the pact (3). The Four Members, therefore, had good legal grounds upon which to seek indemnification for damages in England.

Ironically, while Flemish ambassadors hammered out a provisional agreement with Henry IV's council at Westminster on 7 March 1403 which guaranteed unrestricted commercial intercourse between the two countries (4), English privateers launched a new wave of piracy against trading vessels in the Narrow Seas. Incredible as it seems, twenty-six raids on Flemish shipping stand recorded for March and April of 1403 (5). On 29 March, for example, four Flemish merchantmen and a Dutch freighter laded with 457 large casks of wine, nearly all of which belonged to merchants of Flanders, were seized by " huit neifs d'Engleterre assavoir iii de Dertmude (6) appartenans à Jehan Auley, deux de Poele (7) appartenans à Henry Pay et trois de

(1) The Twenty-Eight-Year Truce, 9 March 1396 is printed in E. COSNEAU, *Les grands traités de la Guerre de Cent Ans* (Paris, 1889), pp. 69-99.

(2) *Foedera*, III, pt. 4, p. 183.

(3) ADN, B523/14900 bis (21 July 1400).

(4) ADN, B528/14994 bis published in W. SÖCHTING, *Die Beziehungen Zwischen Flandern und England am Ende des 14. Jahrhunderts*, HISTORISCHE VIERTELJAHRSSCHRIFT, XXIV (1927-1928), pp. 196-197. A copy of the agreement also appears in PRO, E30/1336, a notarial instrument setting forth the proceedings at a meeting of the English and Flemish commissioners, 20 July 1403.

(5) See PRO, E30/1281 which is essentially two separate enrollments of complaints dealing with English piracy that have been mixed. The first includes folios 10-11, and 1-6, registering twenty-five attacks on the Flemish maritime trade whereas the second folios 7-9) mentions only one English act of piracy.

(6) Dartmouth (England, Co. Devon).

(7) Poole (England, Co. Dorset).

Linde (1) appartenans à Jehan Branthon et cinq neifs de Baione (2).” John Hawley of Dartmouth, Henry Pay of Poole and John Brandon of King’s Lynn were all three notorious English privateers who had been already accused of various crimes on the high seas by the Flemings (3). In this particular case the English pirates had been anchored in the port of *Crasdun* (4), when the five unsuspecting ships mentioned above, seeking a secure harbor from the rough seas, came upon them and were captured. Although several Flemish merchants suffered heavy losses as a result of this

(1) King’s Lynn (England, Co. Norfolk).

(2) Bayonne (France, dép. Basses-Pyrénées). Each case of piracy is described in some detail in PRO, E30/1281 with a brief manifest of the cargo listing how much wine each merchant owned aboard the plundered vessel and giving his identifying marks which appeared on the stolen property. The document, however, has been damaged and must be analyzed in conjunction with ADN, B533/15031-3 in order to understand one entry which is partly missing.

(3) See PRO, E30/1280, a memorandum entitled “Memoire des dommages fais par les Engleis aux habitans de Flandres sur la mer, desqueix restitution ou amende n’est encore fait” in which Brandon, Hawley and Pay are named among others as being responsible for various acts of piracy against the Flemings from 1396 to 1402.

(4) This port has been very difficult to identify. It undoubtedly was located along the French coast between La Rochelle and Flanders. Professor J. de Sturler has been extremely helpful in suggesting a possible location for *Crasdun*. He maintains that Brittany can be excluded from consideration because of the unstable political situation existing there in 1403 and because the itinerary of another wine ship, leaving La Rochelle for Flanders at about the same time, avoided the northern coast of the principality which faced England. Professor de Sturler concludes that “on serait donc tenté de chercher ‘*Crasdun*’ à l’est de la côte normande.” He specifically proposes Le Crotoy sur Mer at the mouth of the Somme river as a possible site for *Crasdun* since its roadstead, near a small tongue of land jutting out from the northern shore of the estuary, would have been a favorable place for the English flotilla to seek shelter. The ancient name of this small port was “*Croptetum*”.

raid, one victim deserves special attention. He was Jacob De Smet, a wine merchant from Bergues-Sint Winnoc, who had purchased a large quantity of wine at La Rochelle where it was loaded aboard three freighters bound for Flanders (1). Two of these were involved in the incident at *Crasdun*. One, a crayer (2) called the *Sainte Christofle* from Zierikzee in Zeeland, was commanded by Willem Stantfort who was bringing twenty-seven large casks of wine to Dunkirk for De Smet. Jacop Lipsonne was the captain of the other crayer, the *Sainte Katherine*, which carried on board eighty-one tuns of wine destined for Sluis of which thirty-two belonged to De Smet. The capture of the *Sainte Christofle* and the *Sainte Katherine* at *Crasdun* by the English, consequently meant a serious loss of fifty-nine large casks of wine to the merchant from Bergues-Sint Winnoc, and this was not all. The third merchantman, the *Gabriel*, which De Smet had contracted to deliver forty-two tuns and one pipe of wine to Dunkirk was seized by another pirate ship from Poole on 7 April while sailing between England and the Isle of Guernsey on the way to Flanders.

When De Smet's losses are added up, they amount to over one hundred large casks of wine being stolen by the English privateers. His only recourse other than pleading directly to Henry IV for the restitution of his goods was to seek the help of the count of Flanders, Philip the Bold. In a lengthy petition, De Smet beseeched the duke of Burgundy to take reprisals against English merchants trading in Flanders because of the staggering financial losses which he had incurred at the hands of such English corsairs as Henry Pay

(1) For what follows, see the document printed at the end of the introduction.

(2) A crayer was a small three-masted trading sloop of the Baltic type.

of Poole and John Brandon of King's Lynn (1). It had been Philip the Bold's belief that the solution to the problem of English piracy lay in the law of reprisals rather than in trusting Henry IV and his officials to adjudicate Flemish claims for damages on the high seas fairly (2). On 13 April 1403, the duke's representative, the maritime bailiff, seized English goods worth 10,000 pounds out of ships anchored in the harbor at Sluis (3). In the following months, Philip the Bold simply refused to make restitution of the impounded goods, and they became a major stumbling block in subsequent negotiations (4). At least one Flemish merchant — Jacob De Smet agreed with his lord's decision, and he may

(1) The petition of Jacob De Smet which is printed at the end of this paper is a nineteenth century copy (ca. 1845) of a document originally preserved at Lille. Archives générales du Royaume, Bruxelles, Manuscrits divers no. 382. See also P. BONENFANT, *Actes concernant les rapports entre les Pays-Bas et la Grand Bretagne de 1293 à 1468 conservés au Château de Mariemont*, BULLETIN DE LA COMMISSION ROYALE D'HISTOIRE, CIX (1944), p. 60. A thorough examination of the relevant parts of *Inventaire sommaire des archives départementales du Nord, série B*, ed. A. LE GLAY etc. (10 vols., Lille, 1863-1906) and M. BRUCHET and E. LANCIEN, *Table du Tome I : Articles B 1 à 1560* (Lille 1931) reveal that the document under consideration is not cataloged in those inventories. Mr. René Robinet, Director of the Archives Départementales du Nord, has confirmed the disappearance of De Smet's plea.

(2) *Handelingen*, no. 564d (5 July 1402), p. 235.

(3) PRO, E30/1245, letter from Henry V to Flemish conservators of the truce, 27 July 1413; Letter from Henry V to John the Fearless, duke of Burgundy, 29 June 1414 published in ERNEST VAN BRUYSSSEL, *Documents tirés des archives et des bibliothèques d'Angleterre*, BCRH, 3, III (1862), pp. 175-177. Van Bruyssel originally dated the latter document as 29 June 1404 but J. H. WYLIE, *History of England under Henry IV* (4 vols.; London, 1884-1898), IV, p. 305 corrects that date as stated above.

(4) PREVENIER, *De Leden en de Staten van Vlaanderen*, pp. 180-183.

have been one of several voices clamoring for Burgundian authorities to retaliate against the English.

At the conclusion of this brief introduction, the full text of De Smet's petition appears. It is an important document which gives us the rare testimony of a Flemish merchant who was gravely injured by English piracy and whose complaint along with many others may have persuaded the duke of Burgundy in taking the action which he did on 13 April. In the petition, De Smet relates in some detail how the *Sainte Katherine* and the *Sainte Christofle* were taken as prizes by the English privateers at *Crasdun* and how the *Gabriel* was seized while on its voyage to Flanders. His version of what happened at *Crasdun* differs in one aspect from other accounts of the same incident (1). They note that ships belonging to John Hawley of Dartmouth were included in the English flotilla that seized the *Sainte Katherine* and the *Sainte Christofle*. De Smet says nothing about Hawley or his vessels from Dartmouth, but, nevertheless, adds the important information not found elsewhere that John Brandon of King's Lynn and Henry Pay of Poole personally took part in the attack. He even states that Brandon was the "admiral" of the expedition which would suggest that the raid was officially sanctioned by the English government. Such was not the case because Brandon never held the rank of Admiral in the English navy. De Smet undoubtedly meant that Brandon was simply the leader of the English privateers at *Crasdun*. Although never commissioned by Henry IV to engage in this attack, Brandon probably was prepared to justify his actions to the English king if called upon to do so. As De Smet points out, the

(1) See ADN, B533/15031-3 and PRO, E30/1281. These memoranda date the attack at *Crasdun* as 29 March 1403 and the capture of the *Gabriel* as 7 April 1403. It can be stated definitely, therefore, that De Smet's petition was composed in 1403.

English corsairs often seized Flemish goods on the high seas "soubz umbre de la guerre d'entre France et Angleterre ou autrement indeuement." That is, the Anglo-French conflict had served as a pretext for attacking Flemish shipping in the Channel (1). Despite the great increase in such piracy recently, De Smet observed that English goods still remained unmolested in Flanders. Therefore his plea can be dated after 7 April 1403 when the attack on the *Gabriel* occurred but before he knew of Philip the Bold's confiscation of English merchandise at Sluis. What follows is the remarkable statement of a wine merchant who may have influenced the duke of Burgundy in a decision which profoundly affected subsequent Anglo-Flemish relations.

[1403 after 7 april]

Supplie humblement Jaquemart le Smet dit le Fevre marchand demourant à Bergues en Flandres chargé de femme et de pluseurs enfans que comme nagaires lui et pluseurs autres du pays de Flandres, eussent en la ville de La Rochelle affecté une nef de l'Escluse en Flandres, appelée le craier *Sainte Katherine* de Jacop Lipsonne qui en estoit maitre après Dieu, pour lui et ses compaignons et chargé en icelle nef pour deschargier au port de Lescluse VII^{xx}XI tonneaux de vin, dont ledit suppliant en avoit pour sa part et marquiez de sa marque jusques à XXXII tonneaux. Item pareillement, lui et pluseurs autres marchans eussent comme dessus affecté audit lieu de La Rochelle une aultre

(1) Anglo-French relations had deteriorated badly by 1403. The truce proved so fragile that it had to be renewed again and again. *Foedera*, IV, pt. 1, pp. 13, 34-35, 46-47. Various memoranda preserved at the Archives Nationales, J645/18, J645/28, J645/35, J645/36, J645/48 complain of numerous infractions of the truce by both sides on land and sea during this period.

nef ou vaissel appellé le craier *Saint Christofle* de Serice (1) en Zeelande et Guillaume Stantfort qui en estoit maistre après Dieu, comme dessus et chargé en icelle nef cent et quinze tonneaux de vin, dont ledit suppliant en y avoit à sa part et marquez de sa marque XXVII tonneaulx à deschargier au port de Dunkerque en Flandres. Et semblablement eust ledit Jaque le Fevre affrettié avec pluseurs autres du pais de Flandres comme dessus en ladite ville de La Rochelle une nef et craier de Lescluse appellée *Gabriel* de Jaques Pietressone dudit lieu de Lescluse et chargiez en icelle nef pour deschargier au port de Dunkerque LXXV tonneaux et une pipe de vin dont ledit suppliant en avoit à sa part marquez de sa marque XLII tonneaux et une pipe comme par trois copies de trois cirographes faites desdits affretemens cy attachées, peut plus à plain apparoir et ja soit ce qu'il n'avoit aucune guerre entre Engleterre et ceulx du pays de Flandres, parquoy marchandise peust ou deust estre empeschiée ne retardée, ou que les marchans de Flandres ne peussent ou deussent leurs denrées et marchandises mener franchement par terre et par mer pour leur plus grant prouffit en la manière que raison donne, senz estre prins ne arreztez par lesdiz Englois ne autres; mesmement que lesdits Englois ont tousjours maintenu qu'ilz ne demandoient riens aux Flamens et que en Flandres eulz, leurs biens, denrées et marchandises ont tousjours paravant et depuis ceste dernière esmeute desdis d'Engleterre sur la mer, esté frans et en saueté; et pareillement deussent les biens et marchandises des Flamens estre frans ou pover des Engles tant sur la mer comme ailleurs soubz confidence desquelles choses les maistres desdites deux nefes premières se feussent à tout icelles et les vins estans en icelles le XXIX^e jour de Mars derrain passé qui fu le jeudy après *letare Jherusalem* retrais ou port de Crasdun pour leur saueté ainsi

(1) Zierikzee (Zeeland).

qu'ilz deussent avoir esté considéré ce que dit est et la tierce se feust retraits en autre lieu. Néanmoins ilz trouverent en icellui port plusieurs nefes d'Engleterre de Baionne (1) barges et balengiers escoffez [sic] (2) de gens d'armes de Linde (3) en Angleterre et de le Poele (4) en la zundooste [sic] (5) d'Engleterre, et fu l'admiral d'icelles nefes, si comme on dist, dudit lieu de Linde et d'une barge de le Poele, fu maistre un Henry Baye ; lesquelz admiral et Henry (6) avec leurs complices ont pris entr'autres lesdites deux nefes ensemble tous lesdiz vins qui estoient en iceulx et mirent aucuns des marchans et maronniers à terre. Et en après ont lesdites nefes et vins menez ou il leur a pleu comme à eulx acquis, soubz ombre de la guerre d'entre France et Angleterre ou autrement indeuement ; et pareillement ont lesdiz Englois prins ladite tierche nef et vins estans en icelle sur la mer, en venant vers Flandres entre Garenzee (7) et Engleterre, et iceulx menez ou port de le Poele en Angleterre dès le samedi VII^e jour d'Avril, derrain passé, veille de Pasques fleuries, qui est ou très grant grief, préjudice et dommage dudit suppliant et des autres marchans dudit pays de Flandres, et encores seroit plus, se sur ce ne leur estoit par vous pourveu de remède convenable pour recouvrer leurs diz vins et nefes, et mesmement que autrement il seroient et demourroient

(1) Bayonne (Basses Pyrénées).

(2) estofféz.

(3) King's Lynn (Norfolk).

(4) Poole (Dorset). De Smet does not mention the ships from Dartmouth which are included in other reports of the incident.

(5) zuud coste.

(6) John Brandon of King's Lynn was the "admiral" of the English fleet and Henry Pay was the captain of the ship from Poole. For these corsairs, see my study, *Henry IV and the English Privateers*, *ENGLISH HISTORICAL REVIEW*, XC (April, 1975), pp. 322-330 and C. L. KINGSFORD, *Prejudice and Promise in Fifteenth Century England* (Oxford, 1928), pp. 78-85.

(7) Ile of Guernsey.

désers, et leur faudroit ensemble leurs femmes et enfans délaissier vostre dit pais de Flandres et aler mendier en estrange contrée que ces choses considérées et que depuis ladite prinse desdiz vins, lesdiz Englois se sont porté par fixation ou autrement comme non vouloir guerre aux Flamens ainsi que devant, taisant de la prinse desdites nefs, vins et denrées des Flamens, il vous plaise faire prendre et arrester les corps et les biens des Englois qui pourront estre trouvez en Flandres, senz en faire aucune délivrance jusques à ce que sur iceulx ledit suppliant aura recouvré ladite perte de ses diz vins qui sont en somme C. I tonneaux et une pipe, ensemble tous frais, dommages et intérêts et autrement lui pourveoir à la mesmes fin, soit par voie de marque ou autre raisonnable, ene considéracion au fait qu'il puisse estre recouvrez et demourez en vostre dit pais senz estre désert, lui sa femme et enfans, et sur ce lui baillier vos lettres convenables; et vous ferez bien, raison et justice et ledit suppliant priera Dieu pour vous.