



From B. LYON, A CONSTITUTIONAL AND LEGAL HISTORY OF MEDIEVAL ENGLAND 2d ed. (New York, 1980) 566

|C. MAP, CHRONOLOGY AND SHORT DOCUMENTS

Chronology

Kings: England

Henry IV — 1399–1413
 Henry V — 1413–1422 (age 35)
 Henry VI — 1422–1461, 1470–1471
 Edward IV — 1461–1470, 1471–1483
 Edward V — 1483
 Richard III — 1483–1485
 Henry VII — 1485–1509
 Henry VIII — 1509–1547

France

Charles VI — 1380–1422
 Charles VII — 1422–1461
 Louis XI — 1461–1483
 Charles VIII — 1483–1498
 Louis XII — 1498–1515
 Francis I — 1515–1547

Battles

Homildon Hill — 1402	St. Albans — 1455
Shrewesbury — 1403	Towton — 1461
Agincourt — 1415	Hexham — 1464
Treaty of Troyes — 1420	Barnet — 1471
Orléans — 1429	Tewkesbury — 1471
Treaty of Arras — 1435	Bosworth Field — 1485
Loss of France — 1449–53	

Cast of Characters

Henry Percy, earl of Northumberland (d. 1408 at battle of Branham Moor)
 Owain Glyn Dŵr (Owen Glendower) (d. 1417 (?))
 John, duke of Bedford (d. 1435)
 Humphrey, duke of Gloucester (d. 1447)
 Henry Beaufort, bishop of Winchester (d. 1447)
 William de la Pole, earl, marquis, duke of Suffolk (d. 1450)
 Edmund Beaufort, duke of Somerset (d. 1455 at battle of St. Albans)
 Richard, duke of York (d. 1460 at battle of Wakefield)
 Richard Neville, earl of Warwick (d. 1471 at battle of Barnet)
 Margaret of Anjou, queen of England (d. 1480)
 Henry Stafford, duke of Buckingham (d. 1485)
 Elizabeth Woodville, queen of England (d. 1492)

Henry IV and Henry V: Statute, Parliament, Council, Household

ROLL OF PARLIAMENT OF 1401

S&M, pp. 257–65 (No. 66(B))

It is to be remembered that, in the parliament held at Westminster on Thursday, the octave of St. Hilary, which was the twentieth day of January, in the second year of King Henry IV since the Conquest, the knights of the shires, the citizens of the cities, and the burgesses of the boroughs, who had come by virtue of summons to parliament, were proclaimed by their names in the chancery of the king within the hall of Westminster and in the presence of the chancellor of England and of the steward of the king's household And on their appearance the same parliament, for certain good reasons affecting the king, was adjourned until the next Friday. ... On Friday, January 21, Sir William Thirning, chief justice of the common bench, at the king's command declared the cause for the summoning of parliament, in the form that follows:¹—

¹ The chief cause was financial: the great expense of the government and the cost of restoring the kingdom, putting down rebellions, defending the frontiers. etc.

... And, finally, the king wills and commands that no lord knight of the shire, citizen, or burgess, who has come to parliament by virtue of summons, shall absent himself from the same parliament or depart from it out of the city until it is finished; and that they shall come on time every day to their places assigned for the parliament; and that forthwith the said commons shall among themselves effect the election of their common speaker and, according to custom, bring him into the [king's] presence on next Saturday at ten o'clock. ...

On Saturday, January 22, the commons of the realm presented to the king Sir Arnold Savage as their speaker and procurator in parliament, to whom the king well agreed. ...²

Item, on the same day³ the said commons set forth to our lord the king that, in connection with certain matters to be taken up among themselves, one of their number, in order to please the king and to advance himself, might perchance tell our lord the king of such matters before they had been determined and discussed, or agreed on by the same commons, whereby our same lord the king might be grievously moved against the said commons or some of them. Therefore they very humbly prayed our lord the king that he would not receive any such person for the relating of any such matters. ... To which it was responded on behalf of the king that he wished the same commons to have deliberation and advisement in treating all their affairs among themselves, in order at their convenience to arrive at the best end and conclusion for the welfare and honour of him and of all his kingdom; and that he would not listen to any such person or give him credence until such matters had been presented to the king by the advice and consent of all the commons, according to the purpose of their said petition. ...

Item, on the same Saturday the said commons prayed our lord the king that the business done and to be done in this parliament should be enacted and engrossed before the departure of the justices,⁴ and while they had it in their memory. To which it was replied that the clerk of parliament should, by the advice of the justices, do his duty in enacting and engrossing the substance of [the proceedings of] parliament, and then show it to the king and to the lords of parliament in order to know their opinion. ...

Item, on the same Saturday the said commons set forth to our said lord the king that in several parliaments during times past their common petitions had not been answered before they had made their grant to our lord the king of some aid or subsidy. And therefore they prayed our same lord the king that, for the great ease and comfort of the said commons, our lord the king might be pleased to grant to the same commons that they could have knowledge of the responses to their said petitions before any such grant had thus been made. To which it was replied that the king wished to confer on this matter with the lords of the parliament and thereupon do what seemed best to him by the advice of the said lords. And afterwards, that is to say, on the last day of the parliament, the response was given that such procedure had been unknown and unaccustomed in the time of any of his progenitors or predecessors—[namely] that they should have any answer to their petitions, or knowledge of it, before they had set forth and completed all their other business in parliament, whether it was the making of any grant or something else. And, in conclusion, the king wished in no way to change the good customs and usages of ancient times. ...⁵

(French) *Ibid.*, III, 454–58.

² The speaker then made his address and the commons voted tunnage and poundage for two years, together with a tenth and fifteenth.

³ Tuesday, January 25.

⁴ Notice the role of the justices as record-keepers.

⁵ How the commons largely gained their point by voting subsidies on the last day of parliament is illustrated below, [S&M No. 66D].

STATUTE OF 3 HENRY IV: FOR THE BURNING OF HERETICS (1401)

S&M, pp. 272–73 (No. 69B)

15. ... With regard to which innovations and excesses,⁶ set forth above, the prelates and clergy aforesaid, and also the commons of the said realm assembled in the same parliament, prayed the said lord king that his royal highness would in the said parliament deign to make provision for a suitable remedy. The same lord king then ... by the assent of the magnates and other nobles of the said realm assembled in parliament, has granted, ordained, and established ... that no one within the said kingdom or the other dominions subject to his royal majesty shall presume to preach in public or in secret without having first sought and obtained the licence of the local diocesan,⁷ always excepting curates in their own churches, persons who have hitherto enjoyed the privilege, and others to whom it has been granted by canon law; and that henceforth no one either openly or secretly shall preach, hold, teach, or impart anything, or compose or write any book, contrary to the catholic faith or the decisions of Holy Church, or anywhere hold conventicles or in any way have or maintain schools for such a sect and its nefarious doctrines and opinions; and also that in the future no one shall favour anybody who thus preaches, holds such or similar conventicles, has or maintains such schools, composes or writes such a book, or in any such fashion teaches, instructs, or excites the people.⁸ ... And if any person within the said kingdom and dominions is formally convicted before the local diocesan or his commissioners of the said nefarious preachings, doctrines, opinions, [holding of] schools, and heretical and erroneous instruction, or any of them, and if he refuses properly to abjure the same ... , or, after abjuration has been made by the same person, he is declared by the local diocesan or his commissioners to have relapsed, so that according to the sacred canons he ought to be relinquished to the secular court ... , then the sheriff of the local county and the mayor and sheriffs or sheriff, or the mayor and bailiffs of the city, town, or borough of the same county nearest the said diocesan or his said commissioners ... , shall, after the pronouncement of such sentences, receive those persons and every one of them and shall have them burned before the people in some prominent place, so that such punishment shall inspire fear in the minds of others and prevent such nefarious doctrines and heretical and erroneous opinions, or their authors and protagonists in the said kingdom and dominions, from being supported or in any way tolerated against the catholic faith, the Christian religion, and the decisions of Holy Church—which God forbid! And in all and singular of the aforesaid matters regarding the said ordinance and statute, the sheriffs, mayors, and bailiffs of the counties, cities, towns, and boroughs aforesaid are to be attentive, helpful, and favourable to the said diocesans and their commissioners.

(Latin) *Ibid.*, II, 126–28.

COUNCIL: PETITION AND JUDGMENT (1401)

S&M, pp. 279–85 (No. 70A)

To the most wise council of our lord the king his poor chaplain, Nicholas Hogonona of the land of Ireland, humbly prays [as follows]:—

Since, by reason of certain vows that he had made, he recently decided to go on a pilgrimage to the court of Rome, he so came into England; and when he had come to Oxford, he took as companion an Austin friar, to whom he gave 40*d.* and expenses to conduct him to London; and he also delivered to the said friar 40*d.* to keep [for him]. And when they had come to London, the said poor chaplain asked for the delivery of his said money, and would have sued for his writ of passage;⁹ but in the meantime the said friar went to certain people of London and made a false allegation, stating that he was a “wild Irishman”¹⁰ and an enemy to our said lord

⁶ Of the Lollards, “a certain new sect,” accused in the long preamble of holding damnable opinions concerning the sacraments and the authority of the Church and of doing all the things which the statute proceeds to forbid.

⁷ That is to say, the bishop.

⁸ Such persons are to be subjected to canonical trial in the episcopal court and, if convicted, to imprisonment in ecclesiastical prison as well as to royal fine.

⁹ The license to cross the sea required of ordinary travellers.

¹⁰ Such persons, as distinguished from law-abiding subjects of the king, had been excluded from England by act of parliament.

the king—and this with the intent of having his said money and his book called a *porthous*,¹¹ which is still retained [by the said friar], together with part of his money. On account of which statement he was taken and committed to prison, and is there detained in great duress, trouble, and discomfort, although he is a loyal man and a supporter of our said lord the king, as he can well prove if he may come to answer [for himself]. [Accordingly] may it please the said most wise council to grant and command that the said poor chaplain may come before you to give answer to all that any one shall wish to charge against him; and afterwards [may it please you] to ordain concerning his liberation as in your wise discretion may seem demanded by reason and good faith, for the sake of God and as a work of charity.

[Endorsed:] August 25 of the second year, etc. It was agreed by the council—attended by my lords the chancellor, the bishops of Durham, Hereford, and Bangor, the earl of Northumberland, the treasurer, and Master John Prophet—that a writ should be issued to the sheriffs of London for the release from prison of the petitioner in the record, if he is therein detained for the cause here stated and for no other.

(French) Leadam and Baldwin, *Select Cases before the Council*, pp. 85 f.

ROLL OF PARLIAMENT OF 1404

S&M, pp. 257–65 (No. 66(C))

... Item, upon certain prayers and requests earlier made by the commons at various times regarding the removal of divers persons, as well aliens as others ... , it was in particular agreed by the said lords that four persons—namely, the king's confessor, the abbot of Dore, Master Richard Durham, and Crosby of the chamber—should be entirely ousted and removed from the king's household. Whereupon, on Saturday, February 9, the said confessor, Master Richard, and Crosby came before the king and the lords in parliament. And there the king, excusing the said four persons, said openly that, so far as he was concerned, he knew of no special reason or occasion why they should be removed from his household. Nevertheless, our same lord the king, well understanding that what the said lords or commons should do or ordain was for his good and that of the kingdom, and, finally, wishing to conform to their desires, he well agreed to the same ordinance and charged the said confessor Master Richard, and Crosby to leave his said household. And a similar charge would have been given to the said abbot if he had been present. And our same lord the king further said that he would act in the same way with regard to any one else near his royal person, should that one incur the hatred or indignation of his people. ...

Item, on the same Saturday the said commons prayed our said lord the king that, in the ordinance to be drawn up for the household of our same lord the king, nomination and appointment should be made of honest, virtuous, and reputable persons, concerning whom notice might be given to the said lords and commons in this parliament; and that such an ordinance should be made as might be pleasing to God and be of honour and advantage to the estate of the king and of his kingdom. ...

Item, it should be remembered that, on March 1, it was granted by the king and the lords spiritual and temporal in parliament that certain farms, revenues, issues, profits, and emoluments, specified in the enrolment of the letters patent below, should be devoted to and spent for the expenses of the king's household. ...¹²

Item, on Saturday, March 1, in the presence of the king and the lords of parliament, the archbishop of Canterbury at the king's command explained to the said lords our same lord the king's intention regarding his government. ... He told them that it was our said lord the king's desire that the laws should be kept and observed; that equal right and justice should be administered to poor and rich alike; that, on account of any letters under the secret seal¹³ or the privy seal, or on account of any command or signed instruction whatsoever, the common law should not be disturbed, or the people in any way delayed in their pursuit [of justice]. And besides, our same lord the king, wishing that good administration should be maintained in his household,

¹¹ A portable breviary.

¹² The total amount was £12,100, drawn from seven specified sources.

¹³ Normally used for the king's personal correspondence. One form of the secret seal became known as the signet in the fifteenth century; see Tout, *Chapters in Mediaeval Administrative History*, V, 195 f.

prayed the said lords that they would give their aid and care to placing it under good and satisfactory government, and one by a suitable number [of persons]; so that the people could be paid for their victuals and for the [other] expenses of his said household. ... And it was furthermore our same lord the king's will that, with regard to the grant to be made in this present parliament by the lords and commons for the wars and for the defence of the kingdom, certain treasurers for the same grant should be appointed by the advice of the said lords and commons, so that the money thence arising should be expended for the wars and for nothing else. ...

Item, for the sake of good and just government and of a remedy to be provided for the numerous complaints, grievances, and mischiefs shown to our lord the king in this parliament, our same lord the king, in reverence to God and in response to the very insistent and especial requests brought to him at various times in this parliament by the commons of his realm, for the ease and comfort of all his people has appointed certain lords and other persons, hereinunder written, to be of his great and continual council: namely, the archbishop of Canterbury; the bishop of Lincoln, chancellor of England; the bishop of Rochester, the bishop of Worcester, the bishop of Bath, the bishop of Bangor, the duke of York, the earl of Somerset, the earl of Westmorland; the lord of Roos, treasurer of England; the keeper of the privy seal, the lord of Berkeley, the lord of Willoughby, the lord of Furnivall, the lord of Lovell, Sir Piers Courteney, Sir Hugh Waterton, Sir John Cheyne, Sir Arnold Savage, John Northbury, John Durward, John Curson.¹⁴

(French) *Ibid.*, III, 523–42.

STATUTE OF 7 HENRY IV: ON SUCCESSION TO THE THRONE AND ELECTIONS TO PARLIAMENT (1406)
S&M, pp. 272–73 (No. 69C)

2. Item, it is ordained and established in the said parliament at the request and by the assent of the said lords and commons that the inheritance of the crown and of the kingdoms of England and France and of all the other dominions of our said lord the king beyond the sea, together with all their appurtenances, shall be settled upon and shall remain with the person of our same lord the king and the heirs of his body. And at the request and by the assent aforesaid it is especially ordained, established, pronounced, decreed, and declared that my lord Prince Henry, eldest son of our said Lord the king, is to be heir apparent of our same lord the king to succeed him in [the possession of] the aforesaid crown, kingdoms, and dominions, and, after the death of our said lord the king, to have them with all their appurtenances for himself and the heirs of his body. And if he dies without heir of his body, then the aforesaid crown, kingdoms, and dominions, together with their appurtenances, shall all remain to my lord Thomas, second son of our said lord the king, and to the heirs of his body. And if he dies without heir of his body, then the aforesaid crown, kingdoms, and dominions, together with their appurtenances, shall all remain to my lord John, third son of our same lord the king, and the heirs of his body. And if he dies without heir of his body, then the aforesaid crown, kingdoms, and dominions, together with their appurtenances, shall all remain to my lord Humphrey, fourth son of our said lord the king, and to the heirs of his body. ...

15. Item, on the grievous complaint of the commons regarding improper election to parliament of knights of the shires, which, to the great scandal of the counties and to the retardation of the business of the community in the said courts, is sometimes made through the favouritism of the sheriffs or in other ways contrary to the writs directed to the said sheriffs, our sovereign lord the king, wishing to provide a remedy for these [abuses], by the assent of the lords spiritual and temporal and of all the commons in this present parliament, has ordained and established that henceforth elections of such knights shall be carried out according to the form that follows. That is to say, at the next county [court] to be held after the delivery of the writ for [elections to] parliament, proclamation shall be made in the full county [court] of the day and the place of the parliament; and all who are there present, as well suitors duly summoned for this purpose as others, shall attend to the election of their knights for the parliament, then freely and impartially proceeding with that election, any command or request to the contrary notwithstanding. And after the election has been held, whether the persons elected are present or absent, their names are to be written in an indenture under the seals of all who elected them, and [this

¹⁴ Whether the 'great and continual council' should be regarded as any different from 'the council' is a matter of some doubt.

indenture is to be] attached to the said writ for parliament. Which indenture, thus sealed and attached, shall be kept [by the sheriff] for return of the said writ when it comes to [certifying] the knights of the shire.¹⁵ ...

(French) *Ibid.*, II, 151–56.

COUNCIL: MINUTES OF DECEMBER 8, 1406¹⁶
S&M, pp. 279–85 (No. 70B)

On December 8 of the eighth year, etc., in the afternoon, assembled in council at Westminster my lord the honorable Prince [Henry] and my lords the archbishop of Canterbury, the bishop of Durham, chancellor, the duke of York, and the earl of Somerset; also the treasurer, and the steward, chamberlain, and treasurer of the household—where they had certain ordinances drawn up.

And in the first place, with regard to the good government of our lord the king's household, it seemed to the council most expedient that good and loyal officers should be placed and ordained in the said household; and especially that there should be a good comptroller, and for that [office] were named Sir Thomas Bromflete and Sir Arnold Savage, one of whom, if it pleased the king, should be comptroller. And since the said council lacked advice for the nomination of other fit persons to be appointed to other offices in the said household according as there might be need for them, the said steward and treasurer were requested to advise them of such fit persons, whose names could be presented to our said lord the king and his said council.

Item, [it was decided] that provision should be made of a certain sum appropriate for the expenses of the said household against the approaching feast of Christmas.

Item, it seemed necessary that, after the said feast, the king should be pleased to withdraw to some convenient place where, by the advice and deliberation of himself and his council and his officials, such moderate government could be ordained for the said household as should henceforth continue to the pleasure of God and of the people.

(French) Nicolas, *Proceedings of the Privy Council*, I, 295 f.

COUNCIL: MINUTES OF AUGUST 18, 1409
S&M, pp. 279–85 (No. 70C)

Matters to be considered by the council: First, regarding the response to be given to the messages from Prussia.¹⁷

Item, regarding the conference to be held with the king of Castile and the sending of commissioners and deputies on the part of our lord the king to the said conference; also the estates of the great commissioners, etc.—that is to say, a bishop, a baron, a knight, and a clerk, if it please the king.

Item, regarding the land of Ireland.

Item, regarding my lord John, son of the king, and the state of the east march against Scotland.

Item, regarding the truces lately established between our lord the king and the Scots.

Item, regarding the regions of Guienne.

Item, regarding the steward of Guienne.

Item, regarding the dispute between the said steward and the man of La Motte.

Item, regarding Master John Bordin in connection with his office as lieutenant of the constable of Bordeaux and as chancellor of the regions of Guienne.

¹⁵ Cf. no. 72D. [That elections to Parliament were a matter of continual concern is suggested by the fact that it was the subject of legislation in 1 Hen. 5 (1413) (S&M 69D), 8 Hen. 6 (1429) (S&M 69E), and 23 Hen. 6 (1445) (S&M 69F).]

¹⁶ Cf. no. 66D.

¹⁷ Having to do with prizes unjustly taken from Prussian merchants—as appears from subsequent minutes.

Item, regarding the Sire de Barde, whose petition has been granted by the advice of the council.

Item, regarding William Brewer, captain of Trawe Castle.

Item, regarding the finding of proper security by the Scot, Richard Maughlyn, who desires to be English; to whom the king has granted for this purpose 20*m.* a year, to be taken from the issues of the county of York, in case he will agree to it.

Item, regarding charters of pardon for murder.

(French) *Ibid.*, I, 319 f.

COUNCIL: MEMORANDUM OF MAY 6, 1421¹⁸
S&M, pp. 279–85 (No. 70D)

Sum of all the custom, subsidy, and revenue aforesaid, £55,743. 10*s.* 10*d.*; out of which [the following expenditures must be made] for annual upkeep, to wit:—

For guarding the kingdom of England, annually 8000*m.*

Item, for Calais and the march of the same in wartime, £19,119. 5*s.* 10*d.*

Item, for guarding the east march and the west march of Scotland, together with Roxburgh Castle in wartime, £19,500.

Item, for guarding the land of Ireland, 2500*m.*

Item, for guarding Fronsac Castle, 1000*m.*

Item, for the fees of the treasurer, the keeper of the privy seal, the justices of both benches, the barons of the exchequer, and other officials of the king's court, £3002. 17*s.* 6*d.*

Item, to the collectors and comptrollers of the king's customs and subsidies in the various ports of England, for their annual rewards enjoyed by virtue of their offices and received at the exchequer, £547.

Item, to divers dukes, earls, knights, and squires, to the abbess of Shene, and to divers other persons for their annuities enjoyed yearly and received at the exchequer, £772. 12*s.* 7½*d.*

Item, to divers persons for their annuities yearly enjoyed from divers customs in the various ports of England, £4374. 4*s.* 3*d.*

Item, for the fees of the collectors and comptrollers of customs in the various ports of England yearly allocated to them at the exchequer on account of their offices, £274. 3*s.* 4*d.*

Sum of the total annual obligation, £52,235. 165*s.* 10½*d.* And so the sum of the aforesaid income exceeds the aforesaid obligation [by] £3700. 13*s.* 11¾*d.* From which amount provision must be made [for the following needs] to wit:—

For the chamber of the king and the queen.

Item, for the household of the king and the queen.

Item, for the wardrobe of the king and the queen.

Item, for the king's works.

Item, for the construction of a new tower at Portsmouth.

Item, for the office of clerk of the king's ships.

Item, for keeping the king's lions and the fee of the constable of the Tower of London.

Item, for artillery and divers other matters ordained for the king's wars.

¹⁸ Submitted on this date to the king and his council. Only a fragment remains of the itemized statement of receipts.

Item, for the custody and support of the king's prisoners.

Item, for the king's embassies.

Item, for divers messengers, parchments, and other expenses and necessities.

Item, for the expenses of the duchess of Holland.

And provision has as yet been made [for the following matters], to wit:—

For the old debts of the city of Harfleur.

Item, for the old debts of the city of Calais.

Item, for the old debts of the king's wardrobe.

Item, for the old debts of the king's household.

Item, for the old debts pertaining to the office of clerk of the king's ships.

Item, for the old debts pertaining to the office of clerk of the king's works.

Item, for arrears of annual fees.

Item, for executing the will of King Henry IV with regard to the debts of the same king.

Item, for the debts of the king while he was prince.

(French) *Ibid.*, II, 312 f.

COUNCIL: MINUTES, MARCH TO JUNE, 1422

S&M, pp. 279–85 (No. 70E)

On March 9 in the ninth year, it was advised and agreed by the council that the keeper of the king's great wardrobe¹⁹ should provide for the clothing of all those crossing with the lady queen to the king in the parts of France. ...

Memorandum that, on March 1 in the ninth year of our sovereign lord Henry V after the Conquest, Ralph, son of Nicholas of Langford, knight, set forth to the lords of the council of our said lord the king how Margaret of Langford ... , mother of the said Ralph, had, as well by indenture as otherwise, given and delivered to the prior of Gisburn divers things, goods, and jewels to keep for the use and profit of the said Ralph; which prior was unwilling to deliver the said things, goods, and jewels to the said Ralph, according to his allegation; wherefore he prayed the said lords for remedy.²⁰ ...

On March 30 in the tenth year,²¹ it was agreed by the council that the persons designated below should have, in the name of reward for their crossing to France with the lady queen, the following sums: namely, Lady Margaret of Roos, 100*m.*; Elizabeth Fitz-Hugh, £20; Catherine Chideok, 40*m.* And on the same day £10 were also granted to Friar Walden, newly elected confessor, for his crossing to the king.

On May 6 in the tenth year, the lord of Willoughby, [appearing] in person before the lords of the council at Westminster, promised that, by indenture between the king and himself, he would retain for a year's service thirty men-at-arms with the usual quota of archers, that is to say, three to the lance. ...

On the same day Robert Scot, esquire, undertook to be lieutenant keeper of the Tower of London and of all the prisoners therein contained, for the faithful performance of which [duty] he was personally sworn on holy things at Westminster, and the aforesaid custody was straitly committed to him. ...

¹⁹ See above, [no. 52C], n. 8.

²⁰ The prior was summoned to appear before the council and to bring with him the articles in question. He did so through an attorney. The articles were delivered to Ralph in return for his copy of the indenture.

²¹ Henry V's regnal year ended on March 20, the day of his father's death.

On May 16, in the presence of the lords at Westminster, certain dies (*ferra*) for making the king's coinage in his town of Calais were delivered to a certain William Latchford, servant of Richard Buckland, the treasurer of Calais: namely, one die for the gold noble, another for the half-noble, and another for the gold farthing, as well as a die for coining the silver groat, another for the half-groat, another for the penny, another for the halfpenny, and another for the silver farthing—[placed] in divers sealed bags, which in the same place the same [William] promised to convey with all possible haste to the said town of Calais.

On May 17 it was agreed by the lords that the seigneur de Gaucourt should be transferred to Pontefract Castle ... in the custody of Robert of Waterton, esquire.

Item, on the same day it was ordained that John Mortimer, knight, should be committed to the king's castle of Pevensey in the custody of John Pelham, knight. ...

On May 25, in the presence of the lord [duke] of Gloucester and the other lords at Westminster, John, bishop of Hereford, took the oath of fealty that he owed to the king. ...

On May 28 in the tenth year, in the case [pending] before the lords between John Middlemore, plaintiff, and Richard Clodeshale, defendant, concerning the manor of Edgebaston with its appurtenances in the county of Warwick ... , the aforesaid parties were dismissed by the lords to prosecute [their case] at common law if they saw fit.²²

On the same day the case between the mayor and community of the city of York, plaintiffs, and the lord archbishop of York, defendant, was continued *in status quo* until the quinzime of Michaelmas next. ...

On June 29, in the aforesaid year, it seemed to all the lords, being individually examined and making individual responses with regard to the fine that should be paid to the king by Lady Clarence for the demesne of Holderness, once belonging to the lord duke of Clarence, her husband, that one year's income from the said demesne would be sufficient as fine therefrom to be paid by the said Lady Clarence.

On June 30, William Wynart presented before the lords an indenture with an attached schedule, containing the names of the king's prisoners taken in the market of Meaux in France and sent by the king ... to England for safekeeping there—who, according to what is stated in the said indenture ... , are to the number of 151. ...

(Latin and French) *Ibid.*, II, 328–35.

Henry VI: Statute, Parliament, Council, Household

ROLL OF PARLIAMENT OF 1422

S&M, pp. 265–72 (No. 67(A))

... It is to be remembered that, on the twenty-seventh day of this parliament, in consideration of the tender age of our most honoured lord, King Henry VI after the Conquest—on which account he could not for the time being personally see to the protection and defence of his kingdom of England and of the English Church—the same lord king, fully trusting in the wisdom and industry of his dearest uncles, John, duke of Bedford, and Humphrey, duke of Gloucester, by the advice and consent of the lords both spiritual and temporal assembled in the present parliament, and also by the assent of the commons of the English realm assembled in the same, ordained and constituted his said uncle, the duke of Bedford, now absent in foreign parts, as protector and defender of his kingdom and the English Church aforesaid, and as chief councillor of the said lord king; and [he ordered] that the said duke, when he returned to England and came into the king's presence, and for so long a time as he there remained and it was pleasing to our same lord the king, should be and should be styled protector and defender of the same kingdom and chief councillor of the said king. And furthermore the same lord king, by the advice and consent aforesaid, in the absence of his aforesaid uncle, the duke of Bedford, ordained and constituted his aforesaid uncle, the duke of Gloucester, who was then present in his said kingdom of England, as protector and defender of his said kingdom of England and the English Church,

²² This agreement was reached after the defendant, a tenant of the duke of Bedford, had promised not to allege the king's special protection or to make any other "frivolous or exorbitant" claim by which the case should be excluded from the ordinary courts.

and as chief councillor of the said lord king; and [he ordered] that the same duke of Gloucester should be and should be styled protector and defender of the same kingdom of England and the Church aforesaid during the king's pleasure, and besides that letters patent of the said lord king should be drawn up in the form here following. ...

Now when this act had thus been drawn up and the commission had been secured, and after their contents had been read and recited in the presence of the said lord duke of Gloucester, as well as of the aforesaid lords spiritual and temporal, the same lord duke of Gloucester, having thereupon deliberated, agreed to assume, in so far as pertained to him, the obligation and exercise of such office for the honour of God, for the benefit of the king and the kingdom aforesaid, and at the request of the aforesaid lords; and he then and there did assume it according to the form of the act aforesaid—protesting, nevertheless, that such assumption of his, or consent in this matter, should in no way serve to the prejudice of his aforesaid brother, but that the same brother might freely deliberate and decide for himself whether or not to assume such responsibility. ...¹

Be it known that afterwards ... , on the request of the said commons, and by the advice and consent of all the lords aforesaid, certain persons of rank, both spiritual and temporal, were named and elected as councillors to assist in the government, whose names, written in a small schedule and publicly read in this parliament, here follow: the duke of Gloucester, the archbishop of Canterbury, the bishop of London, the bishop of Winchester, the bishop of Norwich, the bishop of Worcester, the duke of Exeter, the earl of March, the earl of Warwick, the earl marshal, the earl of Northumberland, the earl of Westmorland, Lord Fitz-Hugh, Sir Ralph Cromwell, Sir Walter Hungerford, Sir John Tiptoft, Sir Walter Beauchamp.

And be it known also that the same persons, thus named and elected as assistant councillors, after this nomination and election, agreed to accept such assistance in the government in the manner and form set forth in a schedule written in English on paper, containing not only all their names, but also five special articles presented in this same parliament by the same persons named as assistant councillors; of which schedule the tenor is as follows. ...²

(Latin and French) *Ibid.*, IV, 174–76.

ROLL OF PARLIAMENT OF 1427

S&M, pp. 265–72 (No. 67(B))

Item, on March 25, which was the last day of this present parliament, another petition was presented to our lord the king in the said parliament by the commons of the same, the tenor of which petition here follows:—

May it please our sovereign lord the king, considering how, in order to obtain suitable remedies, numerous petitions have been introduced and presented to your most noble highness by the commons of this present parliament, and how they have not as yet been settled, to ordain by the advice of the lords spiritual and temporal, and by the consent of the aforesaid commons, that the said petitions may be delivered to the lords of your most wise council, who, calling unto themselves, if need be, the justices and other persons skilled in your law, shall have power through the authority of the said parliament between now and the coming feast of the Nativity of St. John the Baptist to hear and determine the said petitions; and that the latter, thus determined by the advice and consent aforesaid, may be enacted, enrolled, and placed as of record in the roll of your same parliament.

Response: *Le roi le voet.*³

¹ Here follows a memorandum limiting the discretionary authority of the protector to minor appointments in church and state; all important offices were to be filled only by the advice of the council.

² These articles specify that the council is to have control of appointments to financial offices and the leasing of wardships, marriage rights, etc. A record is to be kept of the councillors present each day and nothing is to be done without the agreement of at least four of them; a majority is required for important matters. A new election was made in the parliament of the next year and eight additional articles were passed, further defining the necessary procedure of the council.

³ The king so wills—the form still used for the royal assent to an act of parliament.

Afterwards, that is to say, on June 15 next following, in the presence of divers lords of our lord the king's council⁴ ... assembled in the Star Chamber⁵ at Westminster, a number of the said petitions ... were read and heard; and by virtue of the authority given to the said lords, as aforesaid, they were answered and determined, as is more clearly set forth in the endorsement of the same petitions. ...

(Latin, French, English) *Ibid.*, IV, 326–34.

LORD CROMWELL'S ESTIMATES OF REVENUE AND EXPENSES, 1433

(Rot. Parl. IV, pp. 432–3 [English preamble, Latin accounts])
in EHD IV no. 326, pp. 516–17

Memorandum, that Ralph Cromwell, the treasurer of England, showed to the lord our king in the present parliament, 18th October, 12 Henry VI, a certain petition, the tenor of which follows below:—

First, that it may please your highness to consider ... thae all the revenues and profits, ordinary and extraordinary, certain or casual ... are not sufficient to the maintenance and satisfaction of your ordinary yearly charges, by the sum of £35,000 a year and more. And therefore to the intent to put the said lords and commons in full certainty and knowledge of the said matter, and out of all scruple and doubt therein, may it please you to persuade my said lords to give orders for the sight and diligent inspeceion of certain books and records of your Exchequer, made by your sworn officers of the same place, whereby they shall be able to understand clearly and conceive ... the charges and necessities which rest upon you and the realm ... and to ordain such labour and diligence to be done that in this parliament provision of goods be made, such as shall be needed for the keeping of your noble estate and household, for the governance of your land internally, for the defence of your land against your external enemies, and for the payment of your debts. Unless this thing is done and carried out, I neither can, may, nor dare take upon me, to carry on in occupation of the said office.

The State of the Annual Revenues of the Realm, made by the officers of the exchequer, in Michaelmas term, in the 12th year of King Henry VI.

	<i>Revenues</i>
1. From farms of the shires and other small farms	Net.
From the green wax, per annum	£4,476 10s 8¼d.
less allowances, fees, and annuities	£1,200
	£3,773 2s 5¼d.
	£1,903 8s 3d
2. Estimate of escheats, apart from wardships and marriages	£500
3. Fee-farms of various towns and manors	£3,612 11s 3d.
less annuities	£2,978 1s 0d.
	£634 10s 3d.
4. Farms of lands in the king's hands owing to the minorities of various heirs, except the lands of the Duke of Norfolk, and certain other farms less the mainenance of the heir of Robert de la Mare	£1,604 19s 11d.
	£6 13s 4d.
	£1,598 6s 7d.
5. Farm of lands of the Duke of Norfolk	£1,333 6s 8d
6. Various other farms in the king's hands, exceeding 40s a Year	£983 7s 5¾d.

⁴ Seven bishops, five lay peers, the justices of both benches, the chief baron and two other barons of the exchequer.

⁵ Cf. no. 70G.

<i>less annuities.</i>	£79 10s 0d. £903 17s 5¾d.
7. Farm of subsidy and ulnage of cloth <i>less annuities</i>	£720 10s 1d. £542 6s 0d £178 4s 1d
8. Issues of the hanaper, 1 September 1431–2 <i>less chancery wages, etc., and annuities</i>	£1,668 3s 4d. £1,530 10s 8½d. £137 12s 7½d.
9. Issues of the royal mint, 31 March 1430–29 September 1431 <i>less fees, wages, and payments</i>	£465 19s 9¼d £378 11s 5d. £87 8s 4¼d. £66 13s 4d
10. Issues of the exchange in London	£66 13s 4d
11. Issues of the exchange for the Roman Curia, for one year, from every noble 11d.	by estimation as Stopyngdon says £13 6s 8d.
12. Issues of the odice of the coroner of the marshalsea of the royal household, 29 Sept., 1430–1431 <i>less assignment to John Norfolk</i>	£26 5s 0d. £8 0s 0d. £18 5s 0d.
13. Issues of alien priories in the king's hands <i>less annuities</i>	£277 5s 0d £72 0s 0d. £205 5s 0d.
14. Customs of wine, paid by aliens, 30 September 1429–1431, for 2 years	£153 14s 0d. £76 17s 0d. for one year
15. Issues and profits of the Duchy of Cornwall <i>less fees, wages, annuities, repairs</i>	£2,788 13s 3¾d. £2,637 12s 6½d. £151 0s 9¼d.
16. Issues and profits of Carmarthenshire and Cardiganshire <i>less fees, wages, annuities, repairs</i>	£1,139 13s 11d. £669 8s 6½d. £470 5s 4½d.
17. Issues and profits of Caernarvonshire and Merionethshire <i>less fees, wages, annuities, repairs, etc.</i>	£1,097 17s 3d. £506 18s 11½d. £590 18s 4d. [sic]
Md. Next year additional deductions will have to be made for the wages of two captains, at 8d a day, and 54 soldiers, at 4d a day. Md. £7,029 7s 1½d is assigned to John Radclyf by letters patent.	
18. Issues and profits of the Earldom of Chester <i>less fees, wages, annuities, repairs, etc.</i>	£764 10s 11¾d. £719 19s 6¾d. £44 10s 8d.

Md. Sir William Porter has the manor of Shotwick, valued at 50 marks a year.	
19. Issues and profits of Ireland	£2,339 18s 6d.
<i>less</i> fees, wages, annuities, repairs, etc.	Deficit of £2,358 15s 11½d. £18 17s 5½d.
20. Issues and profits of the Duchy of Lancaster	£4,952 13s 3¼d.
<i>less</i> annual expenses £586 11s 6 ⁵ / ₈ d.	
ministers' fees and wages £671 13s 11½d.	
annuities £866 1s 1d.	
repairs £326 11s 7¾d.	
Queen Catherine £78 4s 6d.	
justices of the peace £15 2s 0d.	£2,544 4s 8 ⁷ / ₈ d. £2,408 8s 6 ³ / ₈ d.
21. Issues of the Duchy of Aquitaine	£808 2s 2¼d.
<i>less</i> fees, wages, annuities, repairs, etc.	£731 1s 5½d. £77 0s 8¾d.
22. Revenues of the town and manor of Calais	£2,866 1s 0¾d.
<i>less</i> wages, fees, rewards, annuities, repairs, etc.	Deficit of £11,930 16s 7¼d. £9,064 15s 6½d
23. Fines, reliefs, and amercements in the exchequer	£100
24. Issues and revenues of Windsor castle	£207 17s 5¼d.
<i>less</i> wages, fees, repairs, etc.	Deficit of £280 5s 10¼d. £72 8s 5d.
Total of the above revenues, apart from those of the Duchy of Lancaster and the manor of Shotwick	£8,990 17s 6d
<i>less</i> £590 18s 4d from the revenues of North Wales, assigned to John Radclyff, by royal letters patent per annum until he is paid £7,029 7s 1½d.	£8,399 19s 2d.
Memorandum of Chirk and Chirk lands, vacancies in bishoprics, searchers, reliefs, and fines.	
25. Customs and subsidies, Michaelmas 1430 to Michaelmas 1433	
1430–31 Wool custom and parve custuma	£7,780 3s 1½d.
Subsidy on wool	£20,151 13s 3¼d.
Tunnage and poundage	£6,920 14s 5d. £34,852 10s 9¾d.
1431–32 Wool custom and parva custuma	£6,996 16s 0¾d.
Subsidy on wool	£16,808 7s 9¼d.

Tonnage and poundage	£6,998 17s 10d.
	£30,804 1s 8¼d.
1431–33 Wool custom and parva custuma	£6,048 0s 8d.
Subsidy on wool	£14,259 2s ¾d.
Tonnage and poundage	£6,203 1s 6d.
	£26,510 4s 5¼d.
(except Newcastle)	
Average annual total	£30,722 5s 7¾d.
less fees, costs, annuities, etc.	£3,756 2s 9¼d.
	£26,966 2s 10½d.

Expenses

A. Household, Chamber, Wardrobe, Royal Works, and Repairs at Windsor

1. Estimate by the treasurer of the household of the expenses of the household—except choice wine, estimated at at £95	£10,978 12s 11d.
2. King's chamber	£666 13s 4d.
3. King's wardrobe	£1,300 0s 0d.
4. King's works	£666 13s 4d.
5. Repairs at Windsor Castle	£66 13s 4d.
	£13,678 12s 11d

B. Annuities, fees, rewards of lords and others paid at the Exchequer

1. Queen Katherine £2,124 18s 1½d; Queen Joanna, £333 6s 8d; John, Duke of Bedford, £666 13s 4d; Humphrey, Duke of Gloucester, £333 6s 8d; Richard, Duke of York, £104 19s 4½d; the Duke of Bavaria, £666 13s 4d; Margaret, Duchess of Clarence, £615 11s 1½d; Joan, Duchess of York, £94 8s 10½d; John, Earl of Somerset, £333 6s 8d; John, Earl of Huntingdon, £123 6s 8d; the Earl of Suffolk and Alice his wife, £100; and other various persons, having annuities at the exchequer, £2,059 12s 1d.	£7,556 2s 11d.
2. Rewards to customers and controllers	£582 6s 8d.
3. Fee of the Earl of Huntingdon as constable of the Tower	£100 0s 0d.
4. Wages of the treasurer of England, the keeper of the privy seal, justices, barons of the exchequer, and other officers	£2,914 2s 5d
	Total £11,152 12s 0d.

C. Ireland, Scotland, Aquitaine, and Fronsac

1. Ireland	£2,666 13s 4d.
2. East March of Scotland, in peace— double in wartime	£2,566 13s 4d
3. West March of Scotland, in peace— double in wartime	£1,250 0s 0d.

4. Roxburgh, in peace-time, double in war-time	£1,000
5. Seneschal of Aquitaine, at 4 <i>s</i> a day, and wages of 200 archers, at 20 marks each a year	£2,739 13 <i>s</i> 4 <i>d</i> .
6. Castle of Fronsac	£666 13 <i>s</i> 4 <i>d</i> .
Total	£10,889 13 <i>s</i> 4 <i>d</i>

D. Rewards, etc.

1. Humphrey, Duke of Gloucester	£333 6 <i>s</i> 8 <i>d</i>
2. Royal counsellors, for attendances— Archbishops of Canterbury & York and chancellor, £200 each; Bishops of Lincoln, Ely, Rochester, Earls of Stafford, Suffolk, and treasurer of England, 200 marks each; lords Scrope, Hungerford, Tiptoft, and William Philip, £100 each	£1,800 0 <i>s</i> 0 <i>d</i> .
3. Giles, son of the Duke of Brietany	£166 13 <i>s</i> 4 <i>d</i> .
4. John, Earl of Warwick, attending the king's person	£166 13 <i>s</i> 4 <i>d</i>
5. Three lions (6 <i>d</i> a day) and their keepers (6 <i>d</i> a day)	£36 10 <i>s</i> 0 <i>d</i> .
Total	£5,503 3 <i>s</i> 4 <i>d</i> .

E. Prisoners, naval repairs, wages of royal household servants and of ambassadors

1. Custody and repair of king's ships	£100
2. Dukes of Orléans, Bourbon, and Eu	£670
3. Grooms and pages of royal household	£100
4. Ambassadors to and from the king	£2,626 13 <i>s</i> 4 <i>d</i> .
5. Messengers	£200
6. Grooms and pages of the king's chamber	£26 13 <i>s</i> 4 <i>d</i> .
Total	£3,723 6 <i>s</i> 8 <i>d</i> .

F. Calais and the March.

Memorandum, provision still to be made for the kingdom of France, Aquitaine, the keeping of the sea, and the repair of Newnham bridge.

Total expenditure £56,878 4*s* 10¼*d*.

Expenditure thus exceeds revenue by £47,887 7*s* 4¼*d*.

Provision has still to be made for the following debts:

1. Debts of the household, wardrobe, and clerk of works of the king	£11,101 0 <i>s</i> 7 <i>d</i> .
2. Annuities and fees	£19,224 11 <i>s</i> 9½ <i>d</i> .
3. Loans	£19,861 6 <i>s</i> 5½ <i>d</i> .
4. Rewards and grants	£2,889 5 <i>s</i> 0 <i>d</i> .
5. Costs and expenses of prisoners	£1,154 4 <i>s</i> 9½ <i>d</i> .
6. Ancient debts, i.e. for Calais, the Marches of Scotland, Aquitaine, Fronsac, and Ireland	£110,584 2 <i>s</i> 6 <i>d</i> .
Total	£164,814 11 <i>s</i> 1½ <i>d</i> .

Memorandum of £400 and more due to the Bishop of Rochester for his embassy, £2,119 14s 2d due to the Duke of Bedford by ancient tallies of the reigns of Kings Henry IV and V, and £1,102 6s 6¼d due to the Duchess of Clarence for a journey of the third year of Henry V.

COUNCIL: MINUTES OF NOVEMBER 12, 1437

S&M, pp. 279–85 (No. 70F)

November 12 in the sixteenth year, etc., in the presence of the king at the hospital of St. John near Clerkenwell, [the following persons] being in attendance: the lord duke of Gloucester, the lord cardinal [Beaufort], the archbishop of York; the bishops of London, Lincoln, Salisbury, Norwich, and Worcester; the earls of Huntingdon, Stafford, Northumberland, Salisbury, and Suffolk; the lords of Hungerford, Tiptoft, and Fanhope; the chancellor, the treasurer, the keeper of the privy seal, and William Philip, knight.

[It is agreed that] they who were of the council before are to be of the council now; [and that the following men are] also to be of the council: the bishop of St. David's, the earl of Salisbury, the keeper of the wardrobe, Sir John Stourton. And the king wills that the present councillors of the king are to have such power as King Henry IV gave to his councillors, according to a schedule passed in parliament during the time of the same king, which [schedule] was read there [in the council]. ...⁶

The keeper of the privy seal and others have sworn and given their faith to the king, to counsel him well and truly in such matters as shall come before them by way of the king's council, to keep secret the king's counsel, and in short to counsel and do all that good councillors should counsel and do for the king their sovereign lord. ...⁷

(French and English) *Ibid.*, V, 71 f.

THE SECRETARY IN FOREIGN AFFAIRS, 1447

(*The Official Correspondence of Thomas Bekynton*, ed. G. Williams, II, 179–80, 196, from Bodleian MS. 789 [English])
in EHD IV no. 314, pp. 505–6

In 1442 the Count of Armagnac, whose alliance the English desired to obtain against the advancing French in Gascony, proposed that one of his three daughters should marry Henry VI, then aged twenty-one. Henry therefore sent an embassy to Bordeaux; it consisted of three members of the royal household, Sir Robert Roos, one of the king's carvers, Thomas Bekynton, the secretary, and Sir Edward Hull, squire of the king's body. Someone in Bekynton's suite kept a diary, now Ashmolean MS. No. 789 in the Bodleian Library, Oxford. The two letters taken from it give some idea of the way messages could be conveyed, of the importance of the secretary in foreign affairs, and of the gravity of the military situation in Gascony in 1442.

[Latin] Friday, 29th June, 1442. This the following royal letter was received at Plymouth and delivered by the hand of John de Gules, Huse's servant.

[English] By the king. Right trusty and well-beloved, we greet you well. And for as much as our trusty and well beloved squire for our body Edward Hull, who has lately come to us out of our duchy of Guienne, has among other things reported to us how our enemies and adversaries are coming towards our city of Bordeaux to besiege it, we let you know that we keep still our said squire about our person until we have ordained here our army to go thither for the help, succour, and defence of our said city and of all our countryside there; of which army our cousin of Suffolk has told us that he and you, our secretary, have divers time communed before this time. Wherefore we will that for the comfort and encouragement of our true subjects there, you will cause this to be known among them at your coming thither, as it shall seem best to your discretions to be done, wherein you shall do us good pleasure. Given under our signet of the eagle at our Castle of Windsor the 23rd day of June.

⁶ Cf. no. 66D. This act, at least in theory, marked the resumption of personal government by the king; see Baldwin, *The King's Council*, pp. 184 f.

⁷ Cf. no. 53.

Also our said squire shall bring certain answer upon all the matters and articles that he has brought at his said coming thither. Given as above, etc.

To our right trusty and well-beloved knight Sir Robert Roos, one of our carvers, and Master Thomas Bekynton, our secretary, and to each of them.

[Latin] Friday, 10th August. At home [i.e. at Bordeaux] with Bernard de Groos and N. Huse. This day, the feast of St Laurence, the following letter was sent in most secret manner to the king, i.e. by a certain old pilgrim; and it was written in three lines in parchment in the length of the skin, and sewn into the border of his garment.

[English] May it please your highness to know the tidings of this country; that on Friday the 3rd day of August the city of Ax [Dax] which is held to be the strongest of all Guienne, was won, and your adversary was in it. And his son called the Dauphin with the constable and marshal of France forthwith have laid siege to your city of Bayonne, which, as they say, makes them sure to have it within eight days. And thence they are to come straight to Bordeaux, where, as God knows, is division and never was so little help nor store of English people, the lack of whom is the cause of the loss of all this country; as we doubt not, unless succour be had without any delay, all is gone. This we write unto you for our last and true acquittal; God send you grace that you may soon and hastily send hither some comfort and succours to revive the hearts of the people who are here, who are plainly in despair, seeing that the promise of your letters, which you sent unto us unto Plymouth and we by your commandment opened unto them, is not fulfilled. And for the welfare of yourself and of this your country, trust no other word or writing, for by our allegiance this is the truth. Written at Bordeaux, the 9th day of August. The principal intention of all this is to let you have the fruit of our message.

Roos R., T. Bekinton.

ROLL OF PARLIAMENT OF 1451

S&M, pp. 265–72 (No. 67(E))

... Your commons of this present parliament pray that—whereas the false traitor John Cade, who named himself John Mortimer and was lately called captain of Kent, on July 8 in the twenty-eighth year of your reign at Southwark in the shire of Surrey, and on July 9 of the year aforesaid at Dartford and Rochester in the shire of Kent, also at Rochester aforesaid and elsewhere on July 10 and 11 next following, within this your noble realm of England falsely and traitorously imagined your death and the destruction and subversion of this your said realm, by gathering and raising a great number of your people and inciting them falsely and traitorously to rise against you in the places aforesaid and at the times aforesaid, contrary to your royalty, crown, and dignity, and then and there made and raised war falsely and traitorously against you and your highness; and whereas, although dead and mischieved, he has not yet been punished by thelaw of your said land—you consider the premises and warn such traitors against so doing in times to come and, for the salvation of yourself and your said realm, by the advice of your lords spiritual and temporal in this your present parliament assembled and by authority of the said parliament, ordain that he be attainted of these treasons, that by the authority aforesaid he forfeit to you all goods, lands, tenements, rents, and possessions which he had on the said July 8 or thereafter, that his blood be corrupted and disabled forever, and that he be called false traitor within your said realm forevermore.

Response: *Le roi le voet.* ...

(English) *Ibid.*, V, 224.

THE FEES OF THE EXCHEQUER, 1456

(E 159/234. King's Remembrancer's Memoranda Roll for 36 Henry VI, Communia for Michaelmas Term, 36 Henry VI [Latin preambles quoting English petition and ordinances])
in EHD IV no. 327, pp. 522

In 1455 the commons in parliament petitioned against the expensiveness of auditing in the Exchequer (*Rot. Parl.* v, 323), and the act of 33 Henry VI, c. 3, based on this, forbade fees from accountants for Exchequer audits. This was,

however, too drastic to be accepted by the Exchequer officials, and was superseded by a council ordinance of 28 July, 1456, which was recorded on this memoranda roll.

The lord king sent this his writ of privy seal directed to his treasurer and barons of this Exchequer in these words. Henry by the grace of God King of England and of France and Lord of Ireland, greeting. To the treasurer and barons of our Exchequer ... greeting. For as much as in our parliament commenced at Westminster the 9th day of July the 33rd year of our reign, We by the assent of the lords spiritual and temporal and the commons of this our realm assembled in the same gave our assent to a common petition made unto us by our commons that the lords of our council chamber should take direction in that matter, such as should be thought reasonable, before the feast of St Michael, the 35th year of our reign, or else the petition to stand in its strength. And the said lords the 28th day of July next before the feast of St Michael have in that matter taken direction such as is contained in an act of our council made by the lords. We send unto you the act, ordinance, and direction made and taken by the lords, willing and charging you strictly that you observe and make to be observed in our Exchequer the ordinance and direction, so that hereafter all grudgings and complaints against the officers and clerks of our Exchequer may cease and be laid apart. And that you cause the said direction and ordinance to be opened and made known to our people. And that they be read openly in the same our Exchequer at the receiving of these our letters, and afterwards as often as it shall be thought by you necessary. Given under our privy seal at Westminster the 1 Ith day of November the 36th year of our reign.

And then the ordinance follows in these words:

The 28th day of July the 34th year of our sovereign lord King Henry VI the lords of the king's council assembled at Westminster in the Star Chamber considering the answer made by the king's highness to a common petition made to his said highness by the commons of this his realm, whereof the copy is annexed, have ordained advised, and taken direction such as follows to be kept and observed in the said Exchequer on such things and by such officers and their clerks as are noted and specified in the said common petition and by those who shall hereafter occupy their places, willing and ordaining that if any of the said officers and clerks do contrary to this present ordinance made by the said lords that then he shall run into the pain contained in the said petition. ...

In the office of the king's remembrancer, first for the entry of a customer's view of accounts in the ports of Bridgwater, Chichester, Newcastle, Plymouth, Fowey, Poole, and Berwick, 3s 4d. Also for the entry of a customer's view of account of every other port, 6s 8d. ... Also for the entry of processes or pleas of accountants containing half a roll, 3s 4d. Also if it contain a whole roll, 6s 8d and so according to the amount if it contain more. Also for the entry of writs under the great or privy seal directed to the treasurer and barons for an accountant if it contains half a roll, 2s; and if it contains only one side of a roll, 12d; and if it contains less, 4d; and if it contains more than half a roll, according to the amount. Also the clerk for the entry of foreign accounts of Scottish money, 12d. Also to the clerk for the entry of warrants of attorney, 4d. ...

In the office of the treasurer's remembrancer. First, to the master for making, proving, casting, discharging and allowance of the views of the shires of Cornwall, Worcester, Rutland, and Westmorland, and each of them, 5s; and cities and boroughs made shires, 3s 4d; and of other double and great shires, 6s 8d. Also to the clerk labouring in writing and charging of the said views, 2s. Also to the master for the entry of sheriffs' days, escheators, and other accountants except tenths and fifteenths, 20d. ... Also to the master for making, proving, and discharging of every view of bailiff of franchises, 20d. Also to the clerk labouring, writing, and charging of every such view, 12d. Also of collectors of tenths and fifteenths, £2. ...

In the office of the engrosser. First, to the master for his fee, making of allowance and discharge of the sheriffs of Cornwall, Worcester, Rutland, and Westmorland, of each of them, 5s. Also to the master of cities and boroughs made shires, of each of them, 3s 4d; and of every double shire and each other great shire, 10s. ... Also for the engrossing of a great account with set hand, that is to say, of the treasurer of the king's household, 26s 8d, of the king's wardrobe, 26s 8d, of the treasurer of Calais, 26s 8d, of the victualler of Calais, 13s 4d, of the clerk of the king's works, 13s 4d and of the Duchy of Cornwall, 20s; and these sums of the same great accountants to be divided between the said master and the clerks, that is to say, two parts to the master and the third to the clerk. ...

[*In the office of the controllership.* Fees and rewards from sheriffs of Cornwall, Worcester, Rutland and Westmoreland, 3s 4d each, cities and boroughs made shires 2s each; double and other great shires, 6s 8d each.]

In the office of the clerk of the pleas of the Exchequer. First, for an original writ at the suit of any accountant in the aforesaid Exchequer prosecuting against any other person, 2s. Also for a judicial writ, 6d. Also for the entry of declaration made thereon in the roll, 2s. Also for the entry of return of judgement, 2s....

For the auditors and their clerks. First, for making and writing of every view of an escheator, 5s. ... Also for the examining, proving; dividing, casting, and writing of every account of customers in the ports of London, and the great customs of Sandwich, Southampton, Hull, Boston, and Ipswich, if there be shipping of wools and no retainers or licence, for every such account of a year or more 26s 8d. ... Also for the examination, proving, casting, and making of the accounts of the treasurer of the household, 40s; for the king's wardrobe, 26s 8d; for the clerk of the works, 26s 8d; for the treasurer of Calais, 40s; for the victualler of Calais, 33s 4d ... for the Duchy of Cornwall, 40s ... for the accounts of the chamberlains of North and South Wales, 26s 8d each; for the accounts of the chamberlain of Chester, 26s 8d.

In the office of the foreign apposer. First of the sheriffs of [twenty-nine shires named] of every sheriff of these shires the apposer 6s 8d and his clerks 40d. Also for bills of allowance of justices of the peace, fees of everyone of the said sheriffs, 3s 4d. [Sheriffs of eight shires and eight cities—Norwich, York, Lincoln, Hull, Newcastle, Bristol, Coventry and Nottingham, 3s 4d each, and 20d to the clerks each....]

In the office of the chamberlains. First of every sheriff of the shires of London and Middlesex, Surrey and Sussex, Somerset and Dorset, Warwick and Leicester, Oxford and Berkshire, Bedford and Bucks., Essex and Herts., Norfolk and Suffolk, York, Lincoln, for joining of tallies, of everyone of these sheriffs 3s 4d. ... Also of the sheriffs of Kent, Southampton, Wiltshire, Gloucestershire, Notts. and Derby, Hertfordshire, Salop, Cambridge and Huntingdon, and Cumberland for joining tallies, of everyone of the said sheriffs, 2s. ... [From sheriffs of Devon, Cornwall, Stafford, Northumberland, Worcester, Rutland, Westmorland, and of each city made a shire, 20d for joining tallies; escheators, 20d or 12d; customers of ports, sS, 3s 4d, or 2s, according to importance.] Also of every farmer or debtor not an accountant for joining of every tally to be allowed to the said farmer or debtor, not allowed to any sheriff or bailiff, if the said tally be beneath £20, 4d; if the said tally be of £20 or more, under £40, 6d; if the said tally be of £40 or above, 12d. Also, of every collection of tenths granted by the clergy, 12d. Also, of collectors of fifteenths £2.

In the office of the clerk of the estreats. Only his fees and rewards of the king.

[This ordinance takes four sides—two whole membraues—of the roll.]

A WRIT TO THE EXCHEQUER, 1457

(E 159/234. *Brevia directa baronibus de termino Sancti Michaelis anno 36 regis Henrici VI* (King's Remembrancer's Memoranda Roll, Michaelmas Term, 36 Henry VI) [English])
in EHD IV no. 328, pp. 524–25

Henry by the grace of God King of England and of France and Lord of Ireland, to the treasurer and barons of our Exchequer greeting. We have understood by the relation of our well beloved Robert Wodelark, clerk, provost of our college royal of our Lady and St Nicholas of Cambridge, how we were indebted to John Seyntlo for money lent to the value of £44. And for the settlement thereof assignment was made unto him by a tally raised at the receipt of our said Exchequer the 12th day of July the 31st year of our reign upon the farmer of the subsidy and aulnage of salecloth in the county of Somerset of his farm, as by the same tally it appears more at large. Which John Seyntlo for certain money that he owed unto the said provost delivered the same tally unto him; and how be it that the same provost has received of John Gauter, farmer of the said subsidy, the said sum, and for his discharge thereof has delivered unto him the said tally, nevertheless for as much as the said 12th day of July was before the date of our letters patent by which the said John Gauter had and occupied the said farm and for other ambiguities in that matter noticed in our said Exchequer the said John Gauter by force of the said tally can have no allowance of the said £44 to the grievous hurt and vexation as well of himself as of the said provost. We, having consideration of the foregoing, will and charge you that you receive of the said John Gauter the said tally and caused it to be cancelled, along with the foil of it. And

thereupon discharge the same John Gauter, in payment of his said farm, of the said £44 and cause him to be acquitted of the same in our said Exchequer towards us for ever. Given under our privy seal at our castle of Kenilworth, the 12th day of August the 35th year of our reign.

Edward IV and Richard III: Statute, Parliament, Council, Household

STATUTE OF 1 EDWARD IV: VALIDATION OF LANCASTRIAN ACTS (1461)

S&M, pp. 272–73 (No. 69G)

... First—for the avoidance of ambiguities, doubts, and differences of opinion that might arise, ensue, or be entertained concerning the judicial acts ... made or secured in the time of Henry IV, of his son Henry V, and of his son Henry VI, recently in succession *de facto* and not rightful kings of England, or any of them—our said lord the king, by the advice and consent of the lords spiritual and temporal, and at the special request of the said commons in the said parliament assembled, and by the authority of the same, has declared, established, and enacted in the same parliament that all fines and final concords¹ levied or made concerning any lands, tenements, possessions, rents, inheritances, or other things, and all judicial acts, recoveries, and processes ... made or secured in any court or courts of record ... during the pretended reign of any of the said recent kings *de facto* and not of right² ... shall have the same force, validity, and effect as if the said fines, final concords, acts, recoveries, processes, and other premises ... were begun, sued, had, or determined in the time of any king lawfully reigning in this kingdom and obtaining the crown of the same by just title. And [it is ordained] also that all letters patent made by any of the pretended kings to any person or persons for the creation, appointment, or promotion of any of them to any estate, dignity, or pre-eminence shall have, for the said person or persons or for such of their heirs as are specified in the said letters patent, the same force, validity, and effect with regard to such creation, appointment, or promotion as if the same letters patent had been made or granted to any of them by any king lawfully reigning in this kingdom and obtaining the crown of the same by just title; and that persons thus created, appointed, or promoted shall have from the king new grants of annuities for the support of their estates as has been anciently accustomed; always excepting the persons, and each of them, whom our said lord the king considers and holds as rebels or enemies. ...

(French) *Ibid.*, II, 380 f.

EDWARD IV: USE OF THE SEALS, 1461

(P.R.O., Exchequer of Receipt, Warrants for Issue (E 404), Box 72, Pt I, No. 36 [English]
in EHD IV nos. 315, pp. 506–7

Edward by the grace of God King of England and of France and Lord of Ireland to the treasurer and chamberlains of our Exchequer greeting. For as much as there are due to our trusty and well beloved John Orwell, goldsmith of our city of London divers sums of money for making and engraving by our commandment of certain of our seals, that is to say, for the engraving of our privy signet of gold, 3s 4d. Also for making and engraving of our first privy seal 40s. Also for making and engraving of our great patent seal, £10. Also for setting in of our name in three patent seals which were delivered to our chancellor, for each seal, 3s 4d. Also for making and engraving of our last privy signet, 6s 8d. Also for the weight of 8 ounces of silver for our latter privy seal, price the ounce 2s 8d, 21s 4d. Also for making and engraving of our great patent seal of Ireland which was delivered to Sir William Wells, £10; which sums in all amount to the sum of £26 1s 4d. We will and charge you that to the said John you make payment or sufficient assignment of the same sum of £26 1s 4d so to him due as is above rehearsed. Given under our privy seal at our castle of Ludlow, the 18th day of September, the first year of our reign.

The Paston Letters, ed. J. Gairdner, II, 53 [English]

in EHD IV no. 316, p. 507

John Paston was returned as member for Norfolk in the parliament of 1461, but not without a violent encounter with the sheriff Sir John Howard in the shire house. The matter was reported to the king, who was determined to restore order

¹ Sums of money paid in the king's courts in order to secure legal records of agreements.

² Judicial acts in parliament are excepted from the force of this statute.

if possible, and unfortunately Paston delayed to obey the king's summons to appear before him. On 11 October 1461 John's brother Clement wrote this awed and breathless letter from London.

To his right reverend and worshipful brother, John Paston, esquire, be this delivered in great haste.

—Sir, it was told me by a right worshipful man that loves you right well, and you him, and you shall know his name hereafter, but put all things out of doubt he is such a man as will not lie: on the 11th day of October the king said: "We have sent two privy seals to Paston by two yeomen of our chamber, and he disobeyes them; but we will send him aulother tomorrow, and by God's mercy if he come not then, he shall die for it. We will make all men beware by him how they shall disobey our writings. A servant of ours has made complaint of him. I cannot think that he has informed us quite truly, but for all that, we will not suffer him to disobey our writings; but since he does disobey our writings, we may believe the better that his guinding is as we are informed." And therewith he made a great vow that if you do not come at the third command, you shall die for it. ... This letter was written the same day that the king said these words ... and on the next morning I will send forth a man to you with this letter, and on the same day the king will send the third privy seal to you. ... Also, as I understand, the Duke of Norfolk has made a great complaint of you to the king, and my lord of Suffolk and Howard and Wingfeld ... call upon the king against you. ... Written the 11th day of October at midnight.

My nephew told me also that he supposed there were proclamations out against you the same day.

[On receipt of this terrible letter John Paston set off at once to London and was at once put into the Fleet prison.]

A WRIT TO THE EXCHEQUER, 1464

(P.R.O., Exchequer of Receipt, Warrants for Issues, E 404, Box 72, Pt 3, No. 13 [English])
in EHD IV no. 329, pp. 525

Edward by the grace of God King of England and France and Lord of Ireland. To the treasurer and chamberlains of the Exchequer, greeeing. We will and charge you that you make payment to our trusty servant Hugh Fenne the sum of £9, which he lent in the 38th year of Henry VI, late in deed and not in right King of England, as it appears in the pell at the receipt of our Exchequer. Also the sum of £10 5s 0d due to him for his fee of his office in our Exchequer by four tallies raised at our receipt in the time of Henry, restoring the same tallies to be cancelled there. And we will that these our letters be to you in this matter suffcient warrant at all times. Given under our privy seal at our Tower of London, the 11th day of April the 4th year of our reign.

[*Ibid.* No. 62 is a similar warrant for payment of a debt dating from 23–34 Henry VI when William Fallan was treasurer of the household.]

THE OFFICE OF PRIVY SEAL, 1470

(P.R.O., Warrants to the Exchequer [English])
in EHD IV no. 318, pp. 508–9

(i) Reward to a clerk in the privy seal office (71/6/43) [English].

Henry by the grace of God, King of England and of France, and Lord of Ireland, to the treasurer and chamberlains of our Exchequer, greeting. We will and charge you that unto our well-beloved Thomas Smyth, clerk in the office of our privy seal, for the attendance and labours that he has had in writing the truces and intercourse of merchandise and other appointments lately taken between us and our cousin, Louis of France, by his and our ambassadors, orators, and commissioners, you do pay from our treasury the sum of 10 marks, to have it of our gift by way of reward for the cause abovesaid. And these our letters shall be unto you herein sufficient warrant. Given under our privy seal at Westminster the 21st day of February the 48th year from the beginning of our reign, and the first year of the readaption of our royal power.

(ii) *Ibid.* 71/6/18 [English]

Henry, by the grace of God, King of England and of France and Lord of Ireland, to the treasurer and chamberlains of our Exchequer greeting. We will and charge you that unto John Frampton and William Welles, ushers of the parliament chamber you deliver the sum of 54s, for canvas, cord, hammer, nails, cords, crochets and worsted, and other things necessary for the apparel and hanging of the parliament chamber in

preparation for our next parliament to begin at Westminster the 21st day of the present month. ... Given under our privy seal at Westminster the 18th day of November, the 48th year from the beginning of our reign, and the first year of the readaption of our royal power.

THE SECRETARY OF THE HOUSEHOLD UNDER EDWARD IV, 1472

(The Black Book of the Household of Edward IV, § 30, printed by A. R. Myers, *op. cit.*

110 [English])

in EHD IV no. 319, pp. 509–10

A secretary, sitting in the king's chamber or hall with a person of like service. And he shall have eating in the hall, one gentleman. Item, for his chamber for all day, three loaves, two messes of great meat, half a pitcher of wine, two gallons of ale, one torch, one percher, two wax candles, three parts candles, in winter season, and three bundles of chopped wood; rushes and litter all the year from the sergeant usher of the hall and chamber. Parchment and paper sufficient from the office of the great spicery, by oversight of the controller of his clerks, and that to be allowed in the counting house, and also red wax. And when he has need of much writing, then he is to have commandment from the said counting house for perchers of tallow,³ or smaller parts candles. To this office belong four clerks, sufficient writers of the king's signet under the said secretary, eating daily in the king's hall. And for their livery at night a gallon of ale, and in winter season one parts candle; when their business requires, then by the secretary's proper record these clerks to have their dinners and suppers in their scriptory. ... The secretary and his clerks pay for their carriage of harness in court, except a little coffer in which the king's warrants and bills assigned and other letters and memoranda are kept upon a file. This coffer is carried at the king's cost, as the controller will assign. The secretary has into this court three persons, waiters on him for all that office, the remaining other servants are to be kept at his cost in the country, but the harbinger is to provide sufficiency for him and all the clerks. And when he himself is out of court, he has a yeoman to keep his chamber, eating at the king's board in the hall. Both he and his clerks take clothing of the king's great wardrobe.

[For the terms of the appointment in 1476 of Oliver King as principal secretary in the French language, see Rymer, *Foedera*, v, iii, 69.]

COUNCIL: JUDGMENT IN THE STAR CHAMBER⁴ (1482)

S&M, pp. 279–85 (No. 70G)

In the Star Chamber at Westminster, on May 2 in the twenty-second year of the reign of our sovereign lord King Edward IV—being present my lords the archbishop of York, chancellor of England; the bishops of Lincoln, [lord] privy seal, and of Worcester, Norwich, Durham, and Llandaff; the earl Rivers; the lords Dudley, Ferrers, and Beauchamp; Sirs Thomas Burgh, William Parr, Thomas Vaughan, and Thomas Grey, knights—the judgment and decree earlier rendered by the lords of our said sovereign lord's council for the cause of Richard Whele, otherwise called Richard Pierson ... against John Fortescue, esquire, ... was openly read in full and plenary council. ... The said John Fortescue alleges and says that the said Richard is a Scot born and is under allegiance to the king of Scots, and as such [the said John] has taken him and holds him prisoner. The said Richard [denies this], evidently proving the contrary, that he is an Englishman born and no Scot. ...⁵ And after each of the said parties ... had at divers times been diligently heard in all that they could or would allege and say in their behalf, it appeared to the lords of the said council that the said Richard Whele, otherwise called Pierson, is and was an Englishman born and no Scot. ... And therefore it is considered, adjudged, and decreed by the same lords that the same Richard is so to be held, taken, and reputed among all the king's liege people and subjects; he is to be regarded and treated in all places as the king's liegeman and not otherwise; and he is to be wholly free to do whatever he thinks good for a king's subject to do, without trouble, let, or impeachment. And the said John Fortescue is to be commanded, and was so commanded, to

³ Usually a tall candle that could be perched in a socket on a ledge or bracket.

⁴ Cf. no. 67B, last paragraph.

⁵ The case had been argued at length in the Star Chamber on the previous November 21.

perpetual silence in respect to any further ... vexation of the said Richard in any way and at any time to come for the cause alleged above. ...

(English) Leadam and Baldwin, *Select Cases before the Council*, pp. 117 f.

THE SIGNET UNDER EDWARD V

(B.M., Harleian MS. 433, f. 229b, printed by J. G. Nichols in *Grants from the Crown during the reign of Edward V*, 72 [English])
in EHD IV no. 320, p. 510

To our right trusty and well beloved clerk and councillor, Master John Gunthorpe, Keeper of our privy seal.

Right trusty, etc. And for as much as we this day have received a bull herein enclosed from our holy father the Pope, by which we clearly understand that his fatherhood has preferred our trusty and well beloved clerk and chaplain Master John Payne, doctor of divinity, unto the bishopric of Meath in our land of Ireland. We therefore, by the advice of our dearest uncle, the Duke of Gloucester, protector and defender of this our realm during our young age, will and charge you that, under our privy seal being in your ward, you cause our letters to be directed to our chancellor of Ireland aforesaid, commanding him by the same that, under our great seal of the same our land being in his keeping, he shall make out hereupon our writs such and as many as unto the said master John for the restitution of his temporalities of the said bishopric shall be necessary and requisite. Provided always that he shall do unto our deputy lieutenant of our said land or any other having our power there his fealty due and accustomed in that matter, and also renounce all things contained in the said bull or any other document which are prejudicial unto us and our Crown. And these our letters shall be your warrant and sufficient discharge in that matter. Given under our signet at our Tower of London the 8th day of June the first year of the reign of King Edward V.

ROLL OF PARLIAMENT OF 1483

S&M, pp. 272–73 (No. 68)

... It is to be remembered that a certain bill was presented before the lord king in the aforesaid parliament to this effect.⁶ ... Which bill was taken to the commons of the realm of England assembled in the said parliament, and to it the same commons gave their assent in these words: To this bill the commons have assented. When this bill and the assent thereto had been read, heard, and fully made known before the king in the aforesaid parliament, by assent of the lords spiritual and temporal likewise assembled in the said parliament, and of the commons aforesaid, and by the authority of the same parliament, it was pronounced, decreed, and declared that all and singular of the contents of the aforesaid bill were true and undoubted; and the same lord king, by the assent of the said three estates of the realm, and by the authority aforesaid, granted all and singular of the premises contained in the aforesaid bill, pronouncing, decreeing, and declaring them all to be true and undoubted. ...

Item, a certain petition with a certain schedule attached to it was presented to the same lord king in the said parliament by Henry Percy, now earl of Northumberland, in these words.⁷ ... When this petition and this schedule had been read, heard, and fully made known in the aforesaid parliament, by the advice and consent of the lords spiritual and temporal, and of the commons of the realm of England assembled in the same parliament, answer was made to them in these words: Let it be done as is desired. ...

Item, a certain other petition was presented to the aforesaid lord king in the said parliament by the commons of the realm of England on behalf of the inhabitants of the town of Croyland in Lincolnshire, to the following purport.⁸ ... When this petition had been read, heard, and fully made known in the aforesaid parliament, by the

⁶ A recapitulation of the king's title and settlement of the crown on him and his heirs. The same procedure was used for an act of resumption, an act of attainder against all his enemies, and others.

⁷ The extract is typical of numerous private petitions introduced in this same parliament.

⁸ This is the form used for the commons' petitions, of which some fifteen are entered in the statute roll of Richard III; e.g., no. 69H.

assent of the lords spiritual and temporal, and of the aforesaid commons assembled in the said parliament, and by the authority of the same persons, answer was made to it in the following form: *Le roi le voet. ...*

It is to be remembered that the commons of the realm of England assembled in the present parliament appeared before the lord king in the full parliament aforesaid on February 20 of the aforesaid year—that is to say, on the last day of the present parliament—and declared through William Catesby, their speaker, that they, by the assent of the lords spiritual and temporal assembled in the parliament aforesaid, granted to the aforesaid lord king certain subsidies, to be levied from both natives and aliens according to the form specified in a certain indenture drawn up in that connection, the contents of which were then and there exhibited to the same lord king. The tenor of which indenture follows in these words. ...⁹

Response: Our lord the king, thanking his commons for their kindness in making the aforesaid grants, has accepted those grants and has conceded everything specified in the aforesaid indenture, with the provisions here following. ...¹⁰

(Latin, French, English) *Ibid.*, VI, 238–63.

APPOINTMENTS IN THE PRIVY SEAL OFFICE, 1483

(B.M., Harleian MS. 433, f. 123b [English])

in EHD IV no. 321, pp. 510–11

Richard, etc. To our right trusty and well beloved clerk and councillor John Gunthorp,¹¹ keeper of our privy seal that now is, and to every other man that shall hereafter be keeper of the privy seal, greeting. Whereas, contrary to the old rule and due order in admitting of clerks in the office of our privy seal one, Richard Bele, by means of giving of great gifts and other sinister and ungodly ways, of late days made such solicitation that he, contrary to the wills of the keeper of the privy seal and the clerks of the same, was put into our said office and still occupies it, to the great discouragement of the under-clerks who have long continued therein; for they have the experience of seeing a stranger never brought up in the said office cheat them of their promotion; and if this precedent were ever suffered, it would very likely be the utter destruction of the due course of our said office within a short time.¹²

We, not willing that any such abuse be allowed in our office, nor that the under-clerks who have spent the flower of their age in the same should be thereby utterly discouraged and for other divers considerations moving us, charge and command you that upon the sight hereof you shall at once utterly discharge the said Richard Bele from any longer occupying a place in our said office. And moreover we will and ordain by this letter that no stranger not brought up in our said office shall succeed or occupy a place in the same hereafter. And these our letters, etc. Given, etc., at Winchester the 22nd day of November, the first year of our reign [1483].

Richard, etc. To etc. John Gunthorp, as above, greeting. We let you know that in consideration of the good and diligent service done unto us by our trusty servant Robert Bolman in the office of our privy seal, and specially now in this our great journey,¹³ and for his experience and long continuance in the same office,

⁹ A formal grant of tannage and poundage and of customs on wool, wool-fells, and hides for the king's lifetime, but with many restrictions set forth in great detail.

¹⁰ Clauses saving the privileges in England of the German Hansa and of the merchants from Spain.

¹¹ Humanist, chaplain to Edward IV, dean of Wells 1472–98.

¹² The poet Thomas Hoccleve (c. 1368–c. 1450) was a clerk in the privy seal office for the whole of his working life, and frequently complains in his poems about the hardness of the work, the lack of promotion and the meagreness of the pay. His works also provide vivid evidence of the way of life of a dissolute young clerk in Chaucer's day. See F. J. Furnivall's life of Hoccleve in the introduction of vol. 61 of the Extra Series of the Early English Text Society. Hoccleve's minor works were edited by F. J. Furnivall and I. Gollanz in this volume and vol. 73 of E.E.T.S. (1892, 1897); and his one long work, *The Regement of Princes* (containing an interesting complaint of the lot of a scribe), a translation of the *De Regimine Principum* of Aegidius Romanus for Henry, Prince of Wales, made in 1411 or 1412, is printed by Furnivall, E.E.T.S., e.s. (1897).

¹³ Richard was just ending a "great journey" through the midlands, south and south-west of England for the complete suppression of all the duke of Buckingham's adherents.

We have given and granted and by this letter give and grant unto the said Robert the room and place of one of our clerks in our said office, to have and enjoy the same for the term of his life, with all manner of duties, advantages and privileges belonging to a clerk of our said office in as ample a manner and form as any of the clerks of the same office have or ought to have.

Wherefore we will and charge you to admit, receive and take the said Robert as one of our clerks of our said office. And moreover we will and grant by this letter that hereafter no more clerks shall be admitted in our said office until the time that the said office shall be reduced to the number ordered and established in the days of our noble progenitor, King Edward III.¹⁴ And this our letter shall be to you and every one of you in office at the time sufficient warrant and discharge. Given the 22nd day of November, the first year of our reign [1483].

MEMORANDUM ON IMPROVEMENTS OF THE KING'S REVENUES, 1484

(*Letters and Papers ... of Richard III and Henry VII*, ed. J. Gairdner (Rolls Series, 1861), 81, from B.M., Harleian MS. 433, f. 27 [English])
in EHD IV no. 335, pp. 531–3

A memorandum made, as well for the speedy levy of the king's revenues arising from all his possessions and hereditaments, as for the profitable state and governance of the same possessions.

First, that all the king's officers of his court of Exchequer must use and execute speedy process against all manner of persons who are accountable, and others being the king's debtors, as the case shall require; and also to hear and determine accounts of the same, and the issues, profits, and revenues arising therefrom to be levied and paid into the king's receipt without delay.

Also that no person accountable, or any other person being in debt to the king, have any respite, postponement, or favour in the said court, whereby the king's dues may be delayed longer than the space of four months next after the time that any such person ought to render his account, or ought to pay his debt, whatsoever it be. For it has been said that many divers officers accountable have been respited in their accounts from year to year, and also in their payments by the space of many years, to the king's great hurt, in times past.

Also that no officer having any office in the said court of Exchequer have or occupy any office in the receipt.

Also it is thought that the auditors of the said Exchequer should yearly make a book of all the revenues, issues, and profits arising from all sheriffs, escheators, collectors of customs and subsidies, the treasurer of Calais and Guînes, collectors of tenths, bailiffs of cities, boroughs, and ports, and of all other kinds of officers accountable at the said Exchequer, with the abatement and deductions thereof, and should declare the same book before such persons as the King's good grace shall be pleased to assign to hear and to see it; whereupon his grace may yearly see the profits of the said court.

Also that the treasurer of England for the time being should make a declaration of all such money which is received or assigned within his office, whether in the receipt or otherwise, for the previous year.

Also the said court of Exchequer should be clearly dismissed and discharged from any interference with any outside income in the taking of accounts, as for instance Wales, the duchies of Cornwall, York and Norfolk, the earldoms of Chester, March, Warwick, Salisbury, and all other lands being in the king's hands by reason of forfeiture. These are thought most fitting and profitable to be assigned to other outside auditors for diverse causes as follows, that is to say:

First, for more speedy levy of money. Also for greater ease and less cost of the officials of such income.

¹⁴ The normal number of clerks was four, with a number of under clerks (seven in 1444). See T. F. Tout, *Chapters in the Administrative History of Medieval England*, 5 (1930), 76–8; and H. Maxwell-Lyte, *Historical Notes on the Use of the Great Seal of England* (1926), 33–4. The Black Book of the Household of Edward IV shows how the men of the late fifteenth century looked back to the time of Edward III for precedents in these matters (A. R. Myers, *The Household of Edward IV*, 84–5, 298–9).

Also that the estates may be yearly surveyed by the stewards, auditors, and receivers in the time of accounts of officials of the same for repairs, sales of wood, and for other directions to be had among the tenants, with many more causes necessary, etc.

And whereas many lordships, manors, lands and tenements belonging to the crown are committed to various persons for definite farms, by which the king's woods and his courts, with other incideneal revenues, are wasted and lost to his great hurt, and great allowances are made for repair of his castles and manors, which are not therefore repaired, as it is said; and also the lordships are often leased at less than their value; it is thought that an outside auditor should be assigned for all lordships, manors, lands and tenements belonging to the crown, and a receiver ride yearly to inspect the same, and survey, receive, and note in every matter that might be most for the king's profit and to make an annual report of the state and condition of the same, by which the king's grace may know all the lordships that pertain to his crown, whereas they are now unknown (in value), as it is said, etc.

Also, it is thought that such auditors as are of good, true, and serious disposition and discretion should be assigned to hear and determine the accounts of all the king's outside income as is thus discharged from the Exchequer, and there should be as many auditors and no more as may conveniently and diligently determine the said income between Michaelmas and Candlemas, with responsible and discreet examination of all faults and injuries of all officials accountable severally in their offices, wherein the auditors of the Exchequer can never have so evident knowledge for the reformation of the same.

Also that receivers of good and true disposition ... see to the repair of castles, manors, mills, parks, and others, and in the circuit of their receipt see to the welfare of every lordship.

Also it is thought that all the auditors aforesaid, as well those of the Exchequer as those of the outside income, should yearly make declaration of all such income as they have in charge before such persons as the king's grace will assign thereto in London, always between Candlemas and Palm Sunday, so that his grace may be informed yearly of the whole revenues of all his income, and what thereof is paid and what is owing and in whose default.

Also whereas lords, knights and squires, many of them unlettered, are made stewards of the king's income in divers regions, they taking great fines and rewards of the king's tenants to their own use, to the king's hurt and impoverishment of his said tenants, and also lacking wisdom and discretion to order and direct the said income properly, with many more inconveniences, therefore it is thought that men learned in the law would be most profitable to be stewards of the said income for many causes concerning the king's profit and the welfare of his tenants.

Also it is thought that all lands in the king's hand by reason of wardship of lords' sons or other noble men should not be let to farm on a definite tenure, but that the same lands should remain in the king's hands during the nonage and that auditors of the same lands should yearly determine the accounts thereof and make declaration as is above said, for the greater profit to the king, etc.

Also, for temporalities of bishoprics, abbeys, and priories likewise.

Also it is thought that all the aforesaid auditors, every year at the feast of Michaelmas next after the declaration made of all outside income before the said persons so assigned by the king, should deliver or cause to be delivered the books of account of the same into the king's Exchequer before the barons ... there to remain of record so that the books of accounts of the latter year be always in the hands of the said auditors as precedents, the Duchy of Lancaster, the lordships of Glamorgan and Abergavenny always excepted.

Henry VII and Henry VIII: Statute, Parliament, Council, Household

ACT OF SUCCESSION (1485)

S&M, pp. 298–303 (No. 73A)

Henry, by the grace of God, king of England and of France and lord of Ireland, at the parliament holden at Westminster the seventh day of November, in the first year of the reign of King Henry VII after the Conquest.

To the pleasure of Almighty God, the wealth, prosperity, and surety of this realm of England, to the singular comfort of all the king's subjects of the same and in avoiding of all ambiguities and questions: be it ordained, established, and enacted by authority of this present parliament that the inheritances of the crowns of the realms of England and of France, with all the pre-eminence and dignity royal to the same pertaining, and all other seignories to the king belonging beyond the sea, with the appurtenances thereto in any wise due or pertaining, be, rest, remain, and abide in the most royal person of our now sovereign lord, King Henry VII, and in the heirs of his body lawfully coming, perpetually with the grace of God so to endure, and in none other.

Statutes of the Realm, II, 499: 1 Henry VII, c. 1.

STAR CHAMBER ACT (1487)¹

S&M, pp. 298–303 (No. 73B)

An act giving the court of star chamber authority to punish divers misdemeanours. The king, our sovereign lord, remembereth how, by unlawful maintenances, giving of liveries, signs, and tokens, and retainders by indenture, promises, oaths, writing, or otherwise, embraceries of his subjects, untrue demeanings of sheriffs in making of panels and other untrue returns, by taking of money by juries, by great riots and unlawful assemblies, the policy and good rule of this realm is almost subdued, and for the none punishment of this inconvenience and by occasion of the premises nothing or little may be found by inquiry; whereby the laws of the land in execution may take little effect, to the increase of murders, robberies, perjuries, and unsurities of all men living, and losses of their lands and goods, to the great displeasure of Almighty God: be it therefore ordained for reformation of the premises by the authority of this parliament that the chancellor and treasurer of England for the time being and keeper of the king's privy seal, or two of them, calling to [them] a bishop and temporal lord of the king's most honourable council and the two chief justices of the king's bench and common pleas for the time being, or other two justices in their absence, upon bill or information put to the said chancellor for the king or any other against any person for any misbehaving afore-rehearsed, have authority to call before them by writ or privy seal the said misdoers, and them and other by their discretions to whom the truth may be known to examine, and such as they find therein defective to punish them after their demerits, after the form and effect of statutes thereof made, in like manner and form as they should and ought to be punished if they were thereof convict after the due order of the law. ...

Ibid., II, 509 f.: 3 Henry VII, c. 1.

ACT CONCERNING JUSTICES OF THE PEACE (1489)²

S&M, pp. 298–303 (No. 73C)

An act for justices of peace for the due execution of their commissions. The king our sovereign lord considereth that, by the negligence and misdemeaning, favour, and other inordinate causes of the justice of peace in every shire of this his realm, the laws and ordinances made for the politic weal, peace, and good rule of the same, and for perfect security and restful living of his subjects of the same, be not duly executed according to the tenor and effect that they were made and ordained for; wherefore his subjects be grievously hurt and out of surety of their bodies and goods, to his great displeasure; for to him is nothing more joyous than to know his subjects to live peaceably under his laws and to increase in wealth and prosperity: and to avoid such enormities and injuries so that his said subjects may live more restful under his peace and laws to their increase, he will that it be ordained and enacted by the authority of this present parliament that every justice of the peace within every shire of this his said realm, within the shire where he is justice of peace, do cause openly and solemnly to be proclaimed yearly, four times in a year in four principal sessions, the tenor of this proclamation to this bill annexed; and that every justice of peace being present at any of the said

¹ Cf. nos. 67B (last paragraph), 70G. See A. F. Pollard, "Council, Star Chamber, and Privy Council under the Tudors," in the *English Historical Review*, XXXVII–XXXVIII.

² Cf. no. 62 I.

sessions, if they cause not the said proclamation to be made in form abovesaid, shall forfeit to our said sovereign lord at every time 20s.

... And his grace considereth that a great part of the wealth and prosperity of this land standeth in that, that his subjects may live in surety under his peace in their bodies and goods; and that the husbandry of this land may increase and be upholden, which must be had by due execution of the said laws and ordinances: [wherefore he] chargeth and commandeth all the justices of the peace ... to endeavour them to execute ... the said laws and ordinances ordained for subduing of the premises, as they will stand in the love and favour of his grace, and in avoiding of the pains that be ordained if they do the contrary. ... And over this, he chargeth and commandeth all manner of men, as well the poor as the rich (which be to him all one in due ministration of justice) that is hurt or grieved in anything that the said justice of peace may hear or determine or execute in any wise, that he [who is] so grieved make his complaint to the justice of peace that next dwelleth unto him, or to any of his fellows, and desire a remedy. And if he then have no remedy, if it be nigh such time as his justices of assizes come into that shire, that then he so grieved show his complaint to the same justices. And if he then have no remedy, or if the complaint be made long afore the coming of the justices of assize, then he so grieved [may] come to the king's highness, or to his chancellor for the time being, and show his grief. And his said highness then shall send for the said justices to know the cause why his said subjects be not eased and his laws executed; whereupon, if he find any of them in default of executing of his laws in these premises according to this his high commandment, he shall do him so offending to be put out of the commission, and further to be punished according to his demerits. And over that, his said highness shall not let for any favour, affection, cost, charge, nor none other cause, but that he shall see his laws to have plain and due execution, and his subjects to live in surety of their lands, bodies, and goods, according to his said laws, and the said mischiefs to be avoided, that his said subjects may increase in wealth and prosperity to the pleasure of God.

Ibid., II, 536 f.: 4 Henry VII, c. 12.

POYNING'S LAW (1494)

S&M, pp. 298–303 (No. 73D)

An act that no parliament be holden in this land [of Ireland] until the acts be certified into England. ... Item, at the request of the commons of the land of Ireland, be it ordained, enacted, and established that ... no parliament be holden hereafter in the said land, but at such season as the king's lieutenant and council there first do certify [to] the king, under the great seal of that land, the causes and considerations, and all such acts as them seemeth should pass in the same parliament; and [after] such causes, considerations, and acts affirmed by the king and his council to be good and expedient for that land, and his licence thereupon, as well in affirmation of the said causes and acts, as to summon the said parliament under his great seal of England [are] had and obtained ... , a parliament [is] to be had and holden after the form and effect above rehearsed. And if any parliament be holden in that land hereafter contrary to the form and provision aforesaid, it [shall] be deemed void and of none effect in law.

Statutes at Large, Ireland, I, 44: 10 Henry VII, c. 4.

STATUTE OF TREASON (1495)³

S&M, pp. 298–303 (No. 73E)

An act that no person going with the king to the wars shall be attaind of treason. The king our sovereign lord, calling to his remembrance the duty of allegiance of his subjects of this his realm, and that they by reason of the same are bounden to serve their prince and sovereign lord for the time being in his wars for the defence of him and the land against every rebellion, power, and might reared against him, and with him to enter and abide in service in battle if the case so require; and ... that it is not reasonable but against all laws, reason, and good conscience that the said subjects going with their sovereign lord in wars attending upon him in his person, or being in other places by his commandment within this land or without, anything should lose or forfeit for doing their true duty and service of allegiance: it be therefore ordained, enacted, and established by the king

³ Cf. no. 62F.

our sovereign lord, by advice and assent of the lords spiritual and temporal and commons in this present parliament assembled, and by authority of the same, that from henceforth no manner of person nor persons, whatsoever he or they be, that attend upon the king and sovereign lord of this land for the time being in his person, and do him true and faithful service of allegiance in the same, or be in other places by his commandment, in his wars within this land or without, that for the same deed and true service of allegiance he or they be in no wise convict or attain of high treason nor of other offences for that cause by act of parliament or otherwise by any process of law, whereby he or any of them shall ... forfeit life, lands, tenements, rents, possessions, hereditaments, goods, chattels, or any other things, but to be for that deed and service utterly discharged of any vexation, trouble, or loss; and if any act or acts or other process of the law hereafter thereupon for the same happen to be made contrary to this ordinance, that then that act or acts or other processes of the law, whatsoever they shall be, stand and be utterly void.

Provided alway that no person nor persons shall take any benefit of advantage by this act which shall hereafter decline from his or their said allegiance.

Statutes of the Realm, II, 568: 11 Henry VII, c. 1.

STATUTE OF LIVERIES (1504)

[Reproduced below, Section 6F.]

REGULATIONS FOR THE COUNCIL (1526)

S&M, pp. 331–3 (No. 79A)

... To the intent that as well matters of justice and complaints touching the griefs of the king's subjects and disorder of his realm and otherwise ... as also other great occurrences concerning his own particular affairs may be the better ordered and with his grace more ripely debated, digested, and resolved from time to time, as the case shall require; it is ordered and appointed by his highness, that a good number of honourable, virtuous, sad, wise, expert, and discreet persons of his council shall give their attendance upon his most royal person, whose names hereafter follow: that is to say, the lord cardinal, chancellor of England; the duke of Norfolk, treasurer of England; the bishop of London, keeper of the king's privy seal; the duke of Suffolk, marshal of England; the marquess Dorset; the marquess Exeter; the earl of Shrewsbury, steward of the king's household; the lord chamberlain; the bishop of Bath; the bishop of Lincoln; Lord Sandys; Sir William Fitz-William, treasurer of the king's household; Sir Henry Guilford, comptroller; the secretary; Sir Thomas More, chancellor of the duchy; the dean of the king's chapel; Sir Henry Wyat, treasurer of the king's chamber; the vice-chamberlain; the captain of the guard; Doctor Wolman.

And forasmuch as the said lord cardinal, the lord treasurer of England, lord privy seal, lord steward, and divers other lords and personages before mentioned, by reason of their attendance at the terms for administration of justice and exercising of their offices and other reasonable impediments, shall many seasons fortune to be absent from the king's court, and specially in term times; to the intent the king's highness shall not be at any season unfurnished of an honourable presence of councillors about his grace, with whom his highness may confer upon the premises, at his pleasure: it is ordered that the persons hereafter mentioned shall give their continual attendance in the causes of his said council, unto what place soever his highness shall resort—that is to say, the lord chamberlain, the bishop of Bath, the treasurer and comptroller of the king's household, the secretary, the chancellor of the duchy of Lancaster, the dean of the king's chapel, the vice-chamberlain, the captain of the guard; and (for ordering of poor men's complaints and causes) Doctor Wolman.

And because ... it may chance some of these aforementioned persons to be absent for some reasonable cause; be it always provided and foreseen that either the bishop of Bath, the secretary, Sir Thomas More, and the dean of the chapel, or two of them at the least, always be present, except the king's grace give licence to any of them of the contrary. Which said councillors, so appointed for continual attendance, shall apply themselves effectually, diligently, uprightly, and justly in the premises; being every day, in the forenoon by ten of the clock at the furthest and at afternoon by two of the clock, in the king's dining-chamber, or in such other place as shall fortune to be appointed for the council chamber, there to be in readiness, not only in case the king's pleasure shall be to commune or confer with them upon any cause or matter, but also for hearing and direction

of poor men's complaints on matters of justice; which direction well observed, the king's highness shall always be furnished of an honourable presence of councillors about his grace, as to his high honour doth appertain.

Nicolas, *Proceedings of the Privy Council*, VII, v–viii.

ACT CONCERNING THE COURT OF STAR CHAMBER (1529)

S&M, pp. 303–4 (No. 74A)

An act that the president of the king's council shall be associate with the chancellor and treasurer of England and the keeper of the king's privy seal. Where ... , in the same good and profitable statute⁴ the president of the king's most honourable council for the time being attending upon his most noble and royal person is omitted, and not named ... to be one of the said persons that should have authority to call before them such misdoers so offending the king's laws in any of the premises as is before rehearsed: be it therefore ... enacted that from henceforth the chancellor, treasurer of England, and the president of the king's most honourable council attending upon his most honourable person for the time being, and the keeper of the king's privy seal, or two of them, calling unto them one bishop and one temporal lord of the king's most honourable council and the two chief justices of the king's bench and the common pleas for the time being, or other two of the king's justices in their absence, upon any bill or information hereafter to be put in ... , for any misbehaving before rehearsed ... , have full power and authority to call before them by writ of privy seal such misdoers, and them and other by their discretion by whom the truth may be known to examine; and such as they shall find defective to punish them after their demerits after the form and effect of the said former statute, and of all other statutes thereof tofore made and not repealed nor expired, in like manner and form as they should and ought to be punished if they were thereof convicted after the due order in the king's laws. ...

Ibid., III, 304: 21 Henry VIII, c. 20.

D. LANCASTER AND YORK, 1399–1485

in G. HOLMES, *THE LATER MIDDLE AGES, 1272–1485*

The Norton Library History of England (New York, 1962) 192–95, 199–226

9. RICHARD II AND HENRY IV [cont'd]

(3) *Henry IV*

So began the sixty-one years of the Lancastrian dynasty. The glories of that line, as contemporaries saw them, were chiefly concentrated in the reign of Henry V. Bolingbroke was never again so successful as in the audacious stroke which won him the kingdom, and his reign, though we tend to forget this because of his son's unchallenged leadership, was troubled and insecure. His own character was a complete contrast with the high-handed unconventionality of Richard, but he inherited some of Richard's difficulties, particularly in relations with France, and acquired several new ones. Few people wanted to restore Richard II and the proceedings of the parliaments suggest that Lords and Commons were mostly content to have Henry IV as king. The only serious plot in favour of Richard, hatched by four of his favourites among the nobility, who had benefited from his seizures of other magnates' lands in the last years of the reign, was quickly suppressed and the leaders killed in January 1400. Richard had no children, but the fact that Henry was a usurper and that there were living representatives of the Mortimer family, whom Richard had declared heirs to the throne, gave a plausible excuse to rebels.

Serious trouble began, however, in an unexpected quarter. Some of the gentry of the Welsh Marches had suffered for following Richard II in his last years. One of these was Owen Glyndwr, a landowner in the valley of the Dee, descended from the ancient Welsh nobility, who turned his personal grievances into a revolt against English rule in the autumn of 1400, and assumed the title of Prince of Wales. The rebellion was astonishingly successful. The reasons for its success are probably to be found in widespread resentment against the English exploitation of Welsh tenants, carried on by the Marcher lords in their various lordships and similarly by the

⁴ 3 Henry VII, c. 1 (no. 73B).

Crown in the Principality. In this sense it was perhaps partly the Welsh counterpart to the Peasants' Revolt. At any rate it spread rapidly to the greater part of Wales, Principality and lordships, and English control was either removed or reduced to the holding of isolated castles for much of the first decade of the century. The Glyndwr revolt was not in itself a serious threat to England, nor did it involve great military enterprises, but it was a running sore and an encouragement to other enemies for much of Henry IV's reign.

It began to have wider implications in 1402. An invasion by Henry himself, with the young Prince Henry and the Earl of Arundel, failed to put down the rebellion, and in the same year Glyndwr captured Sir Edmund Mortimer, the uncle of the Earl of March. Disgruntled by Henry's failure to ransom him, Mortimer joined the rebels. The worst trouble began in 1403. Henry's chief assistant in his own rebellion had been Henry Percy, Earl of Northumberland. Since 1399 Northumberland had become a great man in the kingdom, especially in the north, and added to his fame, and to that of his son Henry Hotspur, also a famous soldier, by defeating a Scots army at Homildon Hill in 1402. The King, however, had annoyed them by his refusal to ransom Mortimer, who was Hotspur's brother-in-law, by his demand that they should give up the Scots prisoners captured at Homildon Hill, and by his unwillingness or inability to pay all the money due to them as Wardens of the Scots Marches. They must also have hoped to repeat the success which they had had in the revolution of 1399.¹ In 1403 the Percies suddenly joined Glyndwr and Mortimer, alleging Henry's usurpation as the justification for rising. The rebellion spread to south Wales and Cheshire. The King quickly took an army westwards and defeated them and killed Hotspur at the battle of Shrewsbury, a setback from which the fortunes of the Percy family did not fully recover until the Tudor period. This was not the end of the business, however. The war continued to go badly in Wales. In 1404 Glyndwr received encouragement and even a little military assistance from a French landing at Milford Haven. In 1405 Northumberland revived his treaty with Glyndwr and Mortimer, even agreeing with them on a fantastic scheme to partition England. This time he was joined by a rising of some other northern magnates. They were defeated quickly at Shipton Moor, but Northumberland was still at large, though out of England and it was not until 1408 when he was defeated and killed at Bramllam Moor, that the danger in the north was really ended.

These rebellions occurred against a background of persistent strife with France, which loomed larger in the frequent parliaments of the reign than the troubles at home. In the years 1403–6 the safety of English trade in the Channel and at Calais was threatened (see p. 200). This was really a much more important matter than the French league with Glyndwr. In most of the parliaments from 1401 to 1406 Henry was subjected to outspoken criticism on the two matters of naval defence and administration of money. The Commons, perhaps more active than ever before, were extremely insistent on their control of taxation and went to unusual lengths. They urged the king to restrict the expenses of his household, and to recover royal lands which had been granted away, and insisted on nominated councils with defined powers. This criticism was not based on any sympathy with Percy or Glyndwr, and the councillors appointed in parliament were mostly drawn from the King's own supporters, some of them administrators in the Duchy of Lancaster. There was no parallel with the opposition to Richard II. But it did mean that the Crown was harried on yet another front.

In the last years of the reign, from about 1408, the character of politics was affected by different factors. By this time the most urgent military dangers from France, Glyndwr, and the Percies had subsided. But Bolingbroke, now a broken man in health and spirit, declining towards his early death, was beset by the quarrels and opposition of his own relations. The most prominent was his son, Henry, Prince of Wales, already showing himself masterful and ambitious. Also becoming prominent were the Beaufort family, the legitimised progeny of John of Gaunt, represented in this reign by the King's three half-brothers, Henry Beaufort (Bishop of Lincoln, then of Winchester, and later Cardinal), John, Earl of Somerset (died 1410), and Thomas, Earl of Dorset. Apart from the Prince's ambition to take his father's place, the grounds of these quarrels are not clear. In 1409 the Prince assisted Oxford University to resist the inquisition into Lollardy proposed by the King's Chancellor and most substantial supporter, Archbishop Arundel. At a parliament in 1410 Arundel was replaced as Chancellor by Thomas Beaufort and a new council, headed by the Prince, was nominated. In 1411, while

¹ J. M. W. Bean, 'Henry IV and the Percies', *History* (1959).

the Prince was trying to seize the opportunity offered by divisions in France to intervene there, his father was trying to preserve peace. Henry IV seems, in that year, to have recovered control of his own government, but twice in 1412 the Prince came to London with a retinue, apparently aiming to assert himself by force. The power which Bolingbroke had usurped in 1399 was slipping from his hands before he died in March 1413.

10. THE HUNDRED YEARS' WAR, 1361–1453 [cont'd]

Bolingbroke's accession upset the *entente* with France, for it involved the deposition of the French King's daughter. As a somewhat insecure usurper Henry IV was anxious not to add to his enemies and it was the French who took the initiative in threats, even after Isabella had been honourably returned to her family. As Henry's troubles at home grew in 1403 and 1404, with the rebellions of Glyndwr and the Percies, the French harried him in the Channel. In 1403 Plymouth was burned. Next year the French landed on the Isle of Wight and made a formal alliance with Glyndwr, and in the winter of 1405–6 a small French force was landed at Milford Haven to give direct assistance to the Welsh rising. In 1406 an attack on Calais was expected. This phase of the Hundred Years' War which recalled the situation of the early years of Richard II, with its sense of national emergency created by the threats in the Channel and at Calais, ended in 1407 as the rift in France between the parties of Burgundy and Orleans grew. Towards the end of Henry's reign the forty years of French revival and ascendancy were closing and political fortune smiled on the newly established House of Lancaster.

(2) The English Conquest of Normandy, 1413–22

In the peaceful latter end of the fifteenth century English men looked back with wonder at the great feats of their fathers in the reign of Henry V, which followed with sudden glory the humiliations of Bolingbroke, and they regretted the decay of English arms. The achievements were indeed remarkable, but the circumstances were also very lucky. The English victory was won against a France which was split by a feud within its nobility, and the victor was a young, toughly ambitious soldier king, who happened to appear at just the right moment to take advantage of French weakness. France was ruled by an old, mad king, Charles VI (1380–1422). The leading personality in his reign until 1404 had been Philip the Bold, Duke of Burgundy, his uncle. The divisions at the end of Charles VI's reign resulted from a quarrel between the followers of Philip the Bold's son, John the Fearless (who was also the ruler of a large and wealthy state, including Burgundy, Flanders, and Brabant) and the followers of another royal prince, the Duke of Orleans (called Orleanists or Armagnacs). In 1407 Orleans was murdered by agents of Burgundy and thus began a ruinous feud in French politics, which crippled the leadership of the country for a whole generation, leaving it exposed to English invasion as it had not been since 1365.

At this time the English possessions in France were Calais and a reduced Gascony, all that had been retained through the misfortunes of the last forty years. By 1411 both sides in France were trying to get help from England. Henry IV was not anxious to interfere but Prince Henry, on his own initiative, sent a small force to help Burgundy, and this assisted in the capture of Paris. It was the beginning of the Prince's life work of humiliating France. In 1412 his father was once again in control of affairs and responded to the overtures of the Armagnacs, who offered England restoration of losses in Gascony, by sending an army to their help under his second son, Thomas, Duke of Clarence. In 1413 Henry V succeeded to the throne and there was now no obstacle to the policy which he seems to have conceived several years earlier. He quickly revived the most extreme claims of his ancestors, demanding both the French throne and the English possessions as they had been laid down at Bretigny in 1360. France in that year was in such an upheaval, with revolution in Paris, that it might well have seemed suitable for a rapid attack. By the next year the rift was patched up somewhat, but there was in fact bitter hostility between the two factions. Henry was negotiating with both sides, secretly with Burgundy, openly with the Orleanist regime in Paris, for he proposed marriage to Charles's daughter, Catherine, even though he seems to have intended all the time to invade the country.

In April 1415 the intention was formally announced. French envoys came over in the summer in a last effort to hold him off, willing to grant the Princess's hand with a large dowry and extensions of territory in Gascony, but not, of course, to come anywhere near satisfying Henry's demands for the throne or the frontiers laid down at Bretigny. While the negotiations were going on he was already at Southampton, preparing to take

the army across the Channel. The crossing was put off for a time by the discovery of a plot amongst the most eminent rivals of the Lancastrian house to overthrow the King. The ringleader was the Earl of Cambridge, brother of the Duke of York, brother-in-law of the Earl of March, and the plan was to put March, the representative of the Mortimer claim, on the throne. This foreshadowed the serious Yorkist claim to the throne, which was to come to fruition forty years later, when the son of the ringleader of 1415, uniting in himself the claims of York and Mortimer, began his bid for the throne. Luckily for the King, March quickly betrayed the conspiracy; it was nipped in the bud and the Earl of Cambridge was executed. Apart from the abortive revolt of Oldcastle in 1413, this was the only serious threat which Henry V had to meet in England. Nearly all the dukes and earls sailed with the King on his expedition, not only his brothers, Humphrey, Duke of Gloucester, and Thomas, Duke of Clarence (killed in 1421), but also such potential opponents as the Duke of York, the Earl of March, on the second occasion Northumberland (restored to his grandfather's title in 1416), and other great magnates, like Richard Beauchamp, Earl of Warwick, and Thomas Montague, Earl of Salisbury. The promise and fulfilment of the two great enterprises of 1415 and 1417 made the English nobility united as it had not been since the early days of the Garter.

In August 1415 the army sailed. It landed near Harfleur in Normandy, at the mouth of the Seine, and immediately settled down to a month-long siege of the town. After this bitter business, which cost the English a very large number of casualties by sickness, Henry set off, early in the autumn, to march, as Edward III had done seventy years previously, through Normandy to Calais. Meanwhile the French nobility were mustering their forces and gathered a very substantial army (not including the Duke of Burgundy, however) to pursue the invader. Henry was compelled to make a long detour to cross the Somme, and it was a depleted and exhausted English army which eventually met the French on 25th October at Agincourt, less than thirty miles from Crécy. In spite of the great disparity in numbers, the well-commanded English army, fighting on foot, with very few losses, inflicted a terrible and most damaging defeat on the disunited French nobility. Henry returned home in November, the greatest hero since the Black Prince after Poitiers, bringing the Duke of Orleans into a captivity which lasted twenty-five years.

The year 1416 saw a lull in the war. Henry was visited by the Holy Roman Emperor Sigismund, who was trying to unite the powers of Europe in support of the Council of the Church, now being held at Constance, and for defence against the Turks. In August there were negotiations with him and with France and Burgundy at Calais, which produced a short truce. In 1417, however, circumstances in France became again very favourable to England. The Duke of Burgundy was advancing against his enemies in Paris. This diverted French attention from Normandy and left it almost completely open to English attack. At the beginning of August Henry landed once more on the coast of Normandy. The system which he followed in this campaign, unlike the wide-ranging, mobile raids of his predecessors, was to reduce the chief fortified towns one by one and so to get a complete grip on certain areas of French territory. In eighteen months the capture of Caen, Falaise, Cherbourg, and Rouen gave him a fair hold on Normandy. Probably this would not have been possible if the Duke of Burgundy had not been simultaneously attacking the French capital on his own account. In 1418 the Duke captured Paris and with it the old King Charles VI. There were now virtually three powers controlling different parts of France: Burgundy in the north-east; Charles's heir, the Dauphin, later to be Charles VII, with the Armagnac party in the south; Henry V in Normandy.

Henry remained in France during 1419, carrying his attack in the direction of Paris, while there was a temporary reconciliation of the two native factions. The fate of France was sealed, however, in September 1419, when the Duke of Burgundy was murdered at Montreuil by the Dauphin's people, in revenge for the murder of Orleans in 1407. Montreuil greatly deepened the feud. It led to a rapid agreement between Henry V and the new Duke of Burgundy, Philip the Good, and was the basis of the English position in France for the next fifteen years. Having all the French royal family, except the Dauphin, under his control, Burgundy was able to give effect to the Treaty of Troyes, sealed in May 1420, by which Henry was to marry Princess Catherine and to succeed to the French throne on the death of her father, Charles VI. Henry V and Burgundy, now firm allies, spent the rest of the year in capturing Sens and Melun before entering Paris itself in December. Henry made a brief visit to England in 1421. He was back in France again in the summer of that year,

determined to make his title to the French throne complete and effective by crushing the Dauphin's party, and he had begun that task successfully when he died of sickness in August 1422 at the early age of thirty-five.

(3) English Power in France, 1422–53

At the time of his death Henry V had not succeeded to the throne of France, but his son did so a few months later, on the death of Charles VI, and for some years an English king ruled at Paris as well as London. The Duke of Bedford went into battle at Verneuil in 1424 with a 'banner quartered with France and England to signify the two conjoint realms'. His rule was effective over large parts of France, north of the Loire, and especially in Normandy, where the normal machinery of government was maintained, with the provincial 'estates' (the Norman parliament) meeting to vote taxes for the upkeep of the English forces. In the first years of the reign of Henry VI these extraordinary conquests were kept intact and expanded. With the revival of French power, the eventual French reconciliation with Burgundy and also the growing weakness of English leadership at home, Henry VI's inheritance was gradually wasted. The long and, from the point of view of the English nobility, dismal story of the decline of the English in France is a most essential part of the reign of Henry VI. It may be divided into four phases: firstly up to the relief of Orleans in 1429, secondly to the death of Bedford and the Treaty of Arras in 1435, thirdly to the marriage treaty of Henry VI with Margaret of Anjou in 1444, and fourthly to the final expulsion of the English in 1453.

The English government in France was entrusted to Henry V's brother, John, Duke of Bedford, who acted as regent and ruled from his castle Joyeux Repos at Rouen. He began in 1423 by securing the Treaty of Amiens with Burgundy, which confirmed Henry VI's position in France, and by himself marrying Burgundy's sister. The alliance with Burgundy was severely strained by the independent action of the other surviving brother of Henry V, Humphrey, Duke of Gloucester, who accepted in marriage the heiress to the county of Hainault, Jacqueline, although she had been married to a member of the Burgundian family whom she had abandoned. Gloucester even carried out a brief invasion of Hainault on his own account in 1424–5. But the personal enmity between Burgundy and Gloucester, which these events produced, did not extend to the rest of the House of Lancaster, and the alliance was the cornerstone of the English position for some time. The years 1422–8 were on the whole a period of English success, of maintenance and extension of control in northern France. The victories were won by great nobles like Bedford, Thomas Montague, Earl of Salisbury, the most successful of the commanders, William de la Pole, Earl of Suffolk, Richard Beauchamp, Earl of Warwick, who was named Captain and Lieutenant-General in 1425; and by less exalted captains like Sir John Fastolf and John Talbot, later Earl of Shrewsbury. It was a time of great triumph and profit for the English nobility and of miserable disorder and depredation for many of the people of northern France. The English possessions were expanded in a series of campaigns culminating in Bedford's victory at Verneuil in 1424. In 1426 the advance was renewed. English and Burgundian government extended over nearly the whole of northern France above the Loire when Salisbury began in 1428 his fatal siege of Orleans, which might have opened the way to the south.

The turning-point was the appearance of Joan of Arc to relieve Orleans. The saintly peasant girl, who revived French morale and began the expulsion of the English, was only sixteen. For several years she had seen visions and heard voices which told her that she was destined to save France. At the beginning of 1429 she presented herself before the Dauphin and her incredible powers of persuasion convinced him that he was indeed the true son of Charles VI (doubts had been cast on his legitimacy), that he could recover his kingdom, and that she was the appointed instrument of his victory. When an army had been placed in her hands she quickly succeeded in relieving Orleans. Thereafter success was with the French. Fastolf had won his famous battle of the Herrings, defending a convoy of food for the besiegers of Orleans, but after the relief the English were driven north wards. In June the French triumphed at Patay, capturing Talbot himself. In July Charles VII was consecrated king in the cathedral at Rheims.

In the next year, 1430, Joan was captured by Burgundians at Compiègne; she was sold to the English and burned after trial for heresy, to which her visions and unwomanly pretensions gave some colour. But neither this outrage nor the coronation of Henry VI at Paris, also in 1431, helped to prevent the English position from gradually crumbling.

Money became harder to raise in Normandy. The English parliaments were unsympathetic and ungenerous. Worst of all the alliance with Burgundy broke down. Bedford's wife, the chief personal link, died in 1432 and Bedford himself in 1435. The Duke of Burgundy, feeling the change in the political climate, began to make friends with Charles VII. In 1435 a diplomatic congress of England, Burgundy, and France was held at Arras under the auspices of the Pope. The English delegates, after holding out for the extreme claim to the French throne, which was now becoming obviously unrealistic, walked out. In September the Duke of Burgundy made peace with France and recognised Charles VII. In 1436 the English had to leave Paris and in 1437 Charles VII made his ceremonial entry into the capital.

The dual monarchy was ended and the balance of power had changed. England was now fighting France and Burgundy, though Burgundy's Duke took little action against England after his unsuccessful attempt to capture Calais in 1436. In the next few years a number of expeditions went out from England to hold the remaining territory, and much fighting was done by these armies under Richard, Duke of York, who succeeded Bedford as Regent and then Lieutenant General, under Richard Neville, Earl of Warwick, Edmund Beaufort, Earl of Dorset, later Duke of Somerset, and under John Talbot. But they could not stop the gradual infiltration of the French into the country between Paris and the coast. From 1438 onwards the French were also attacking English territory in Gascony. Meanwhile at home the feeling began to grow amongst the group which controlled the council that peace must be made. This movement was especially associated with the Earl of Suffolk, who had been instrumental in procuring the release of the Duke of Orleans in 1440 to return to France and act as a mediator. Finally Suffolk was able to lead an embassy to France in 1444, which made a truce and arranged the marriage of Henry VI with Margaret of Anjou, niece by marriage of Charles VII. They were married in 1445

From 1445 to 1449 there was an uneasy truce, marred by the agreement to cede Maine to the French, which was for a long time resisted by the English forces in that area under Dorset. In 1449 an attack by mercenaries under English command from Normandy on the town of Fougères in Brittany gave Charles VII what was probably a welcome excuse to start the war again, and this last phase began on French initiative. Rouen, the capital of Normandy, was quickly taken and Somerset's command there destroyed. The last English relief force, sent out under Sir Thomas Kyriel in 1450, was defeated with enormous losses at Formigny, Somerset himself was captured at Caen, and the last vestiges of English occupation of Normandy disappeared. Then Charles VII turned his attention to Gascony. Bordeaux itself fell in 1451 and, after reoccupation with the help of the veteran Talbot's last expedition which ended in his death at the battle of Castillon in 1452, fell finally to the French in 1453. The centuries of government by the kings of England in France—the Duchy of Normandy, the Angevin Empire, the Duchy of Aquitaine, the claim to the French Crown—were at an end. Henceforth, except for the one town of Calais, which was retained for another century, kings of England ruled only on this side of the Channel.

The destruction of English power in France was in part a matter of military efficiency. The victories of Agincourt and Verneuil had been won by the superiority of English archers meeting the oncoming French knights and men-at-arms in the open field, in a manner not very different from that used at Crécy and Poitiers. In the later stages of the war the French did not allow that situation to arise again and the English were less effective in close fighting around a town as at Formigny. Artillery was beginning to be important and, though Henry V had used guns to good effect in the siege of Harfleur, the French seem to have been far superior in that arm by the middle of the century. But the main reasons for English failure were political and moral. Charles VII not only had a new spirit in himself after Orleans; he was also creating a more centralised and powerful monarchy which contrasted with the divisions and the crippling jealousy of noble factions under the weak Charles VI. This happened just at the time when the English monarchy in its turn was declining to its lowest ebb. England was ruled by magnates and bishops who gave no clear lead in policy and parliaments refused to pay as they had paid for the victories of Henry V. Henry VI of England was the grandson of Charles VI of France. Perhaps his intellectual and physical weakness, which lost the inheritance in France, owed something to that other legacy.

11. THE WARS OF THE ROSES

(1) *The Age of Beaufort and Gloucester*

WHEN Henry V died his only son was a baby of nine months. The longest minority in English history was then followed by one of the most tragic reigns. During the minority it was natural that the kingdom should be ruled by the leading magnates, but it was most unnatural that the ending of the minority in 1437 should make no difference to this state of affairs. Henry proved to be the exact opposite of his father, a pious well-intentioned recluse and, later in life, weak-minded. His best memorial is King's College Chapel at Cambridge. He hated war and had no capacity for politics, and he was managed from beginning to end, first by his uncles and then by his domineering and clever wife. He reigned negatively for nearly forty years and spent another decade in exile and imprisonment, seeing the complete ruin of the dynasty which had been the mightiest in Europe at his birth. We shall have little to say of his own actions, but his complete nonentity as a king was the leading factor in English politics in the mid fifteenth century.

The later part of his reign was an age of revolution, but the greater part of it was relatively free from violent internal upheavals. Perhaps the most important reason for this was that the best energies of many of the most able and powerful of the English magnates, such men as Richard Beauchamp and Richard Neville, Earls of Warwick, and Richard, Duke of York, who might otherwise have taken a disruptive part in politics at home, were absorbed by the war in France. Political conflicts were relatively peaceful and circumscribed. The first part of the reign was dominated by three forceful noble men of the royal blood. John, Duke of Bedford, the King's uncle, was the most respected, an efficient soldier and administrator, who maintained English power in France for most of the minority. Humphrey, Duke of Gloucester, his other uncle, on the contrary, was an adventurous soldier and a great patron of literature, lacking in political finesse and no match in this respect for his more solid relations, but a powerfully turbulent figure in English politics for a quarter of a century. Henry Beaufort, Bishop of Winchester, the King's great-uncle and a son of John of Gaunt, is a more baffling character. Henry V prevented him from becoming cardinal but he achieved that ambition later. He showed great interest in the ecclesiastical diplomacy of Europe—in the wars against the Hussites for which he tried to raise an English army in 1428, and in the Council of Basle. Perhaps he would have preferred to spend his life in the ecclesiastical councils or at the papal court. But, though it is doubtful whether the lay politics of England were his chosen career, he had an unrivalled experience in them dating at least from 1404, when he had first been Chancellor, to his death in 1447. His enigmatic figure broods over English history for a great part of the reign of Henry VI. He exercised a laborious and skilful devotion in the duty which was thrust upon him by his eminence in the royal family. The great wealth placed in his hands by his long tenure of the see of Winchester enabled him to make indispensable loans to the Crown over a longer period than any other medieval financier. It is difficult to know whether he stayed in power because it allowed him to arrange his loans so profitably for himself, or whether he lent money because there was no other way to keep the ship of state afloat. Perhaps both explanations are true.

The constitution, within which the government was to be carried on during the minority, was settled in the November parliament of 1422. The title of Regent was refused to Gloucester, whom nearly everyone mistrusted; he was to govern under a nominated council of lords, bishops, and ministers and was to be Protector of the realm only when Bedford was out of England. Bedford was the most acceptable ruler, but his continual absence in France left English politics to the other councillors and to the long duel between Beaufort and Gloucester. Beaufort had been Bishop of the rich see of Winchester since 1405; he was also one of the trustees of the Duchy of Lancaster. He was therefore in command of vast sums of money which were urgently needed for the carrying-on of the government in a period which saw a sharp decline in the willingness of parliament to make grants. Gloucester was poorly endowed with lands and always short of money himself, and in the long run the combination of Beaufort's financial indispensability with his superior political skill always won. Gloucester's violent actions, however, caused him to be a repeated source of trouble to the council between 1422 and 1440 and there were several major crises in relations between him and Beaufort. While Beaufort consistently supported the war with France with his money and diplomacy, Gloucester's personal hatred of the Cardinal was supported by a difference of policy based on his desire to pursue his own feud with the Duke of Burgundy. It is probable that the anti-Flemish feelings of many English merchants gained him some popular support. The first serious crisis began in October 1425 when Gloucester, fresh from his

expedition to Hainault, challenged the council's financial arrangements and, when refused admission to the Tower on Beaufort's orders, enlisted the armed support of the Londoners, who were annoyed by the council's protection of foreign merchants. Bedford hastened to England to restore order. At the so-called 'Parliament of Bats' at Leicester in 1426 the two enemies were reconciled with difficulty, and at last, in January 1427, Gloucester was persuaded to follow Bedford's example in promising to act only with the guidance of the council. Another crisis developed at the end of 1431, when Beaufort was away in France with the King. Gloucester brought a charge against him, under the Statute of Praemunire, relating to the Cardinal's dealings with the Pope, and followed this up at the beginning of 1432 by making a wholesale replacement of ministers by his own supporters. Beaufort came back to England and cleared himself of the charge against him in parliament, but he was not able to regain his position in the council until Bedford came over again in 1433 and restored the status quo. Once again in 1436 Gloucester came temporarily to the fore. The Burgundian siege of Calais in that year gave him the opportunity to lead a royal army into Flanders and to become briefly a national hero, championing the anti-Burgundian policy of the mercantile interest against Beaufort.

After these episodes Gloucester was no more than a thorn in the flesh of the Beaufort faction. After Bedford died in 1435 and the King came of age in 1437 control by the faction became more complete; the real power slipped more and more from the formal council into the hands of the clique which dominated it and, more important from this time, dominated the adult King and his court. Apart from Beaufort himself the notable members of the faction included William de la Pole, Earl of Suffolk; Adam Moleyns, Bishop of Chichester; John Kemp, Archbishop of York; and the other members of the Beaufort family, the Earls of Somerset and Dorset. In 1440 Gloucester attacked the peace policy of direct negotiation with Burgundy and negotiation with Charles VII through the Duke of Orleans. He accused the council of wholesale corruption in finance and betrayal of English interests. But he was powerless, and his impotence was fully demonstrated in 1441 when the bishops revenged themselves by convicting his wife of witchcraft and condemning her to an humiliating public penance in London.

As Beaufort aged and gradually withdrew from his long involvement in politics, the controlling power was inherited by his henchmen. The chief amongst these was Suffolk, Steward of the Household since 1433, Chamberlain in 1447, Marquis in 1444, and Duke in 1448, who rose finally to pre-eminence by carrying through the King's marriage with Margaret of Anjou, making himself all-powerful at court, and acquiring a great array of lands and offices. When Gloucester's objection to the cession of Maine which was part of the marriage agreement, threatened to be dangerous, Suffolk decided to silence him finally by impeachment in a parliament at Bury St. Edmunds at the beginning of 1447. Gloucester died under arrest before the trial had begun. Beaufort died in his bed only a few weeks later.

(2) The Origins of the Wars of the Roses, 1447-61

The first part of Shakespeare's Henry VI contains a famous scene, set in the lifetime of Joan of Arc, in which the Duke of York and the Earl of Somerset pluck red and white roses in the Temple Garden to signify their implacable opposition to each other. The traditional name 'Wars of the Roses' for the revolutions and battles between 1455 and 1485 is, like 'The Hundred Years' War', rather misleading. The white rose was indeed the badge of the House of York, but the red rose of the Tudors did not appear until the Tudor claim to the throne came to the fore at the very end of the period. Another invention of the sixteenth century was the idea that England declined in the late fifteenth century into a state of disorder, from which it was only rescued by the Tudors. Writers of the Tudor period thought that the victory of Henry VII in 1485 had ended a series of disasters produced by the evils of usurpation which had begun with Bolingbroke in 1399. The usurpation of Henry VII himself—as shameless as any—had to be glossed over by the argument that he united all claims to the throne by his marriage with the Yorkist heiress and that he was descended through his Welsh forebears from the ancient kings of Britain. Much of this propaganda is familiar to us nowadays because it was an important part of the material out of which Shakespeare constructed his history plays. In these plays Richard II appears as a weak king, who failed in his duty to maintain the ancient monarchy, but also a king wrongly deposed. Henry IV's was an unhappy reign because he was a usurper. The dissipated and cheerful Prince Hal,

the bane of his father, who turned into the splendid Henry V, could be presented by Shakespeare as a happy warrior and a fine king because he was not himself a usurper.

The modern historian would wish to modify the Tudor picture in many ways, both in detail and in general. Richard III was presented as a hideous tyrant, and the story that the ‘Princes in the Tower’, Edward V and his brother, were murdered at his command was eagerly elaborated by Tudor historians from Thomas More onwards. Though it is very likely true, since there is no contemporary evidence that they died in any other way, and it would certainly have been in Richard’s interest to dispose of better claimants to the throne, there is also no conclusive evidence in its favour and, as has often been pointed out, it would also have been in Henry VII’s interest to have them out of the way.² The period from 1455 to 1485, moreover, was not outstandingly turbulent in comparison with earlier medieval history. As a whole it was perhaps less packed with bloodshed than the anarchy of King Stephen’s reign or the reign of Edward II. The ‘wars’ really amounted to a small number of battles separated by long intervals of peace. The prudent measures by which the first Tudor, Henry VII, consolidated the monarchy after 1485 had nearly all been initiated by the policy of Edward IV, in re-establishing effective central control by Crown and Council and restoring the government’s financial solvency. If there is a break in the history of kingship it comes in 1461 rather than in 1485. What is true, however, about the idea of the Wars of the Roses is that in this period there was more uncertainty about the rightful succession to the throne than there had been since the twelfth century, and that this uncertainty gave good excuses for a series of rebellions aimed at usurpation, of a kind which had been absent in the thirteenth and fourteenth centuries. Though Shakespeare was already remote from the period he was writing about, he could feel the importance of personal kingship and of inherited legitimacy better than we can.

One of the roots of the Wars of the Roses was therefore Bolingbroke’s usurpation in 1399. After 1399 it was always arguable that the Lancastrian claim to the throne was no better than the claim of the descendants of the Earl of March, whom Richard II had chosen as his heirs, the claim which was inherited in the mid-fifteenth century by the powerful Richard, Duke of York. When the Lancastrians showed themselves unfit to rule in the fourteen-fifties there was an alternative claimant to the throne, with a plausible claim, ready to hand. This uncertainty, however, would not have mattered much to a strong king. The cause of the Wars is to be found in the personal rivalries within the magnate class, which the withdrawal of Henry VI allowed to fill the political stage, and in the circumstances of the English expulsion from France, which embittered feelings and transferred warlike energies from the old outlets on the Continent to new ones at home. The factions which fought in the battles from 1455 to 1461 first appeared in, and partly sprang from, the events of the years 1443–5. The French advance in Gascony was thought by the council to require a special defensive effort in that area, which would necessarily divert men, money, and command from Richard, Duke of York. York was actually operating in Normandy but held the position of Lieutenant of the whole of France. With full realisation of the affront which was being offered to York, John Beaufort, Duke of Somerset, was sent out as Captain-General of France and Gascony, with an independent command in the south. He had little success and died in 1444. By this time Suffolk was replacing Beaufort as the active leader of the council, and it had become clear that the English, apparently unable to stem the tide of French reconquest, had to seek peace. Suffolk was particularly fitted for the peace embassy, with which he was entrusted, by his friendship with both the Beauforts and the Duke of Orleans, and he arranged the betrothal of King Henry to Margaret of Anjou. He accepted as part of the bargain the French demand for the cession of Maine, which was still in English hands. Henry and Margaret were married in April 1445. York was superseded as Lieutenant of France by Edmund Beaufort, Marquis of Dorset, brother of the dead Duke of Somerset and soon to succeed to that title. In spite of much resistance from the soldiers on the spot, Maine was actually ceded to the French.

The results of these manoeuvres were important. Margaret of Anjou, a new force in English politics, proved to be masterful and ambitious, accumulating property and favours for herself and her friends, providing the centre of a real court party for the first time in the reign and well able to lead it if necessary. Naturally she allied herself with the Beauforts and Suffolk who had brought her to England. Secondly, though the most

² The evidence is judiciously presented by A. R. Myers, ‘The Character of Richard III’, *H.T.* (1954).

obvious opponent of peace and the cession of Maine, Gloucester, was removed by his death in 1447, there was plenty of feeling against the humiliating settlement both in the country and among the commanders in France, and the effect was to realise the latent division between the great royal houses of York and Beaufort. For the time being the Beaufort interest and Suffolk (by 1448 not only elevated to a dukedom but also the King's Chamberlain and Captain of Calais) were supreme at court, while York was removed out of danger as Lieutenant of the King in Ireland. The theme of the politics of the rest of the reign is the deepening cleavage between the two parties, leading through military disaster in France, growing poverty of the Crown, and increasing disorder in England, to revolution and the overthrow of the Lancastrians. For most of the period the Lancastrians retained control of the machinery of government and the support of the majority of the magnates, but they were very much hampered by the weakness and failure of their government at home and abroad. On the other side, Richard, Duke of York, was the greatest individual landowner in the kingdom, a man of experience, descended from Edward III's sons through both his father and his mother and therefore in a good position eventually to claim the throne (see Table III). He was supported by two great magnates of the Neville family, which had risen greatly by good marriages in the last half-century: Richard, Earl of Salisbury, inheritor of the Montague estates, and his son, Richard, Earl of Warwick, who inherited the Beauchamp estates in 1449 and began the career which was to win him the nickname of Kingmaker. Both sides included experienced soldiers and the families were closely connected by marriage. Nor was there any clear division of policy to explain their enmity. The conflict was in essence a return to the situation which had been seen before in the reigns of Edward II and Richard II, the response of powerful and disgruntled magnates to their exclusion from a weak and corrupt court.

Down to 1454 the Lancastrians retained control of the government and avoided open war with York, but not without bitter opposition and violent crises. The worst of these began at the end of 1449 as a result of the court's failure in the new war in Normandy and its need to plead again for financial help from parliament. At the beginning of 1450 Bishop Moleyns was assassinated and Suffolk impeached in parliament, chiefly on the grounds of his responsibility for the disasters overseas. Suffolk had been protected by the King from parliamentary attack in previous years, but this time the outcry was too strong to be resisted. He was banished and mysteriously murdered while crossing the Channel.

Close upon this came one of the rare outbreaks of popular revolt. Jack Cade's Rebellion in June and July 1450 was a rising of the men of Kent. Its avowed aims included the overthrow of the court party, the ending of the financial corruption and oppression of the King's officials, resumption into royal hands of Crown lands which had been granted away, and the abolition of the Statute of Labourers. Its social aims and origins are much less clear than those of the Revolt of 1381, and it appears to have been inspired by the desire to reform politics and administration rather than by dreams of social upheaval. The rebels included substantial landowners and were Yorkist in sympathy. For several days they terrorised London and some courtiers were executed, but the rising did not develop into a civil war between magnates. Soon after the rebellion had been put down, the hostility between York and Somerset became more bitter and open. In the parliament of 1450–1, York, newly returned from Ireland, was outspoken and dominant, while the Commons called for the banishment of Somerset and his supporters from the court, and one member dared to petition that York be recognised as heir to the throne. In 1452 York was arrested for a time after denouncing Somerset and raising troops.

Events in the second half of 1453 somewhat changed the situation. Several subsidiary quarrels between magnates contributed to the main conflict between York and Lancaster, and one of these, between the Percies and the Nevilles, led to a pitched battle at Stamford Bridge in August. In the same month Henry VI had his first attack of madness, which lasted sixteen months. This rather weakened Margaret's control of the court, but the birth of her only son in October, securing the future descent of the Crown in the Lancastrian line, both strengthened her position and probably increased the jealousy of her rivals. In the parliament of 1453–4 Somerset was again violently attacked, and in spite of the reluctance of the court York was declared Protector of the Realm during the King's madness. In the period from 1454 to 1456 Yorkists and Lancastrians alternately controlled the court. While York was Protector, Somerset and the Duke of Exeter were imprisoned. After Henry VI recovered his wits in December 1454 York had to lay down his protectorship and Somerset

recovered power, but the manoeuvring of the two parties after this led in May 1455 to the first battle of St. Albans (usually regarded as the beginning of the Wars of the Roses) in which the Yorkists were victorious and Somerset and Northumberland were killed. At the end of the year York was again given the protectorship, apparently through the urgent pressure of his supporters in another parliament, and this lasted until the beginning of 1456.³

The years 1456–9 were a period of relative quiet. Margaret had recovered control of the court and the government with the exception of Calais. At Calais the Earl of Warwick could not be dislodged from the captaincy, which he had secured in 1455 and which gave him command of the only royal standing army and the best possible refuge to prepare for a future attack.⁴ York returned to Ireland. In 1459 each side was arming again and apparently preparing for a final enforcement of its will. In October, York's army was defeated at Ludford and he and his followers condemned in their absence at a parliament shortly after. They were still at large; York returned to Ireland and Warwick remained poised at Calais. It was from Calais that the decisive attack came. In June 1460 Warwick crossed the Channel with his father, Salisbury, and the Duke of York's young son, Edward, Earl of March, the future Edward IV. They occupied London and then advanced to Northampton, where they defeated the courtier army in July and captured the King himself. York's party now controlled the government, and in the autumn the Duke came over to a parliament in which he for the first time claimed the throne instead of Henry VI. The claim met with much resistance and in the end he agreed to accept the protectorship during Henry's lifetime, with the succession after. At the end of the year he marched out to destroy the Lancastrian forces in the north but was himself killed at the battle of Wakefield. The country was now hopelessly divided between the two warring parties. After the new Duke of York had defeated one Lancastrian army at Mortimer's Cross in Herefordshire, Margaret brought her main forces down from the north and released Henry VI from Warwick in the course of the second battle of St. Albans. In March, however, Edward IV assumed the Crown and confirmed himself in possession of it by leading an army northwards to win a bloody victory at Towton. Margaret and Henry fled into Scotland leaving the new King in control.

(3) *Edward IV and the Earl of Warwick, 1461–75*

The politics of the first decade of Edward IV's reign were unusually confused. Independent and effective man of action as he was, the new King never during this period won the full leadership or confidence of the nobility or even of his own brothers, George, Duke of Clarence, and Richard, Duke of Gloucester. The backbone of Edward's support amongst the nobility was provided by his own creations, such as his father-in-law, Earl Rivers, his brother-in-law, Lord Scales, William Herbert, and Humphrey Stafford, whom he made Earls of Pembroke and Devon, the Percies, whom he restored to the earldom of Northumberland, and William Lord Hastings who was made into a substantial magnate. Many of his opponents were at large and there were frequent rumours of treachery, with or without foundation. Moreover the prevalence of disorder in the country, the outbreaks of private warfare, on the fringes of the main political conflict or unconnected with it, continued as in the later years of Henry VI. Edward was faced by the avowed Lancastrians, and later by a new body of opponents led by Warwick the Kingmaker. This triangle in the English nobility complicated the triangle of relations between the three powers of western Europe, England, France, and Burgundy, for the rivalry of the Hundred Years' War still smouldered and the parties at home competed for support abroad. For the first few years the King and Warwick were in agreement in their efforts to stamp out the remaining Lancastrian opposition in this country. Pembroke and Exeter remained at large in Wales. The Earl of Oxford was executed in 1462 for an attempted landing on the east coast. The most substantial forces retired with Margaret and Henry VI to the Scots border, attempting to hold on to such border castles as Alnwick and Bamborough, and to get what support they could in their rear in Scotland itself. This entailed several Yorkist expeditions to the north country and it was not until 1464 that the border castles were firmly in Yorkist hands. In the same year the Duke of Somerset, after changing sides twice, was captured and executed. Meanwhile, from her base in the north, Margaret had begun her policy of trying to enlist the help of her relations at the French court. Starting

³ J. R. Lander, 'Henry VI and the Duke of York's Second Protectorate, 1455–6', *Bulletin of the John Rylands Library* (1960).

⁴ G. R. Harris, 'The Struggle for Calais: an Aspect of the Rivalry between Lancaster and York', *E.H.R.* (1960).

in 1462 she made several perilous journeys to seek the help of the new French King, Louis XI, who had succeeded to the throne in 1461; though Louis was far too cunning to put his weight behind such a hopeless enterprise for the present, the connection was dangerous.

The moderate pacification achieved by 1464 might have endured, however, if it had not been for the deep rift in the Yorkist camp itself which began that year. The first clear manifestation of it was Edward's secret marriage to Elizabeth Woodville, without the consent and against the wishes of the Kingmaker. The Queen's relations, not hitherto of the first rank of nobility, quickly became a new and important element in the royal circle, and the estrangement between Edward and Warwick grew into enmity. For the next five years the King and the Earl were both seeking helpful alliances abroad, but in different camps. Edward maintained the Yorkist friendship with Burgundy. In 1468 he married his sister Margaret to Charles the Bold who had become Duke of Burgundy in the previous year. The friendship had been celebrated in 1467 by a ceremonial deed of arms at London, famous in the annals of chivalry, between Antony the Bastard of Burgundy and Lord Scales, from which the Nevilles were absent. Warwick was in fact negotiating on his own account with Louis XI, perhaps to turn the friendship of England in that direction, perhaps simply to forward his own personal plans. In spite of the mediation of another great Neville, George, Archbishop of York, the rift grew.

In July 1469 a marriage alliance, which the King had earlier tried to prevent, was made between Warwick and the King's brother, Clarence. In the security of Calais they declared themselves against Edward for his oppressions, though not as yet for any alternative king. About the same time another Neville rising began in the north with the obscure rebellion of Robin of Redesdale. The Yorkist forces were quickly defeated at Edgecote in Northamptonshire, Rivers and Devon executed and the King captured. In the next few months an apparent reconciliation took place between the two sides, but both Warwick and Clarence were in fact planning to continue their efforts. The fire of war was started again in 1470 with another local dispute in Lincolnshire, which turned into a rising against the King. Warwick finally completed his change of sides by allying with Margaret in France, and in the autumn he and Clarence landed in Devon to proclaim Henry VI king. Edward, without sufficient troops to meet the invaders, fled to the Netherlands. The old King Henry was brought out of the Tower, where he had been kept since Edward's men had had the luck to capture him in 1465, and for a few months a Lancastrian reigned again in London. However, the war which began at this time between France and Burgundy made it easier for Edward to raise troops and money from his brother-in-law, the Duke, against the Lancastrian allies of Louis XI. In the spring of 1471 he was able to land on the Humber. Clarence changed sides again to join him on the way to London, and in April and May he defeated both his main enemies in two battles which ended this phase of the Wars of the Roses. Warwick was defeated and killed at Barnet. Henry VI was also captured there and survived only a few weeks in his second captivity. Margaret was defeated and captured, and her son killed at the battle of Tewkesbury.

After he had weathered, by good luck and good generalship, the revolutions of the years 1469–71, Edward's possession of the throne was not seriously threatened again. The Nevilles' power was destroyed for ever, even the Archbishop of York taken into captivity, the Lancastrian king dead, and the Lancastrians scattered. A few years later Edward was able to settle his international position in an extraordinarily satisfactory way. Having several times proclaimed his intention to invade France like his predecessors, Edward at last made a firm agreement with Charles the Bold in 1474 for a joint invasion in the following year. The money was raised, a great army collected, and the King crossed to Calais. But before a blow had been struck Edward met Louis XI and, at the Treaty of Picquigny in August 1475, agreed to withdraw his army for a large payment and a pension. Charles the Bold and his Duchy were destroyed in 1477, but Edward IV was able to spend his last years on the throne, tolerably secure at home and abroad, at peace, and increasingly rich.

(4) *The End of the Yorkists, 1475–85*

Apart from the irreconcilable Lancastrians in exile, the only danger in Edward IV's later years came from the rivalry of his own brothers, George, Duke of Clarence, and Richard, Duke of Gloucester, and the treacherous ambition of the former. One of the chief results of the King's victory had been to put at his disposal the immense landed inheritance of the Neville family. His two younger brothers were rivals for the larger share of it, and Edward's determination, recorded by Paston 'to be as big as they both and to be a stifler atween

them', was exercised until the final partition of 1474 when, roughly, the old Beauchamp and Despenser properties went to Clarence, and the Salisbury and Neville estates to Gloucester. Clarence's unrest, which had been so useful to Edward's enemies in the crises of the reign, continued. It seems to have been stimulated by Edward's refusal to support his bid for marriage to the heiress of Burgundy. In 1477 the court took action against him. After the condemnation of some of his followers for practising necromancy against the King, he was arrested. In 1478 he was impeached in parliament and died mysteriously, whether or not in the traditional butt of malmsey is unknown.

When Edward IV died in April 1483, his successor, Edward V, was only twelve. The disastrous train of events, which was to end in two years in the final ruin of the Yorkists, stemmed essentially from the difficulties of a minority. The boy King and the court were controlled by the Queen Mother, her relations, Earl Rivers and the Marquis of Dorset, and other close associates of the dead King, notably William Lord Hastings and Thomas Lord Stanley. They doubtless intended to maintain their position with the Queen as Regent. The most powerful man in the kingdom and the person whom Edward IV had intended to control the regency was, however, Richard, Duke of Gloucester. In recent years he had spent most of his time in the north, where he had wide estates and had been granted large regalian powers in return for his successful warfare against the Scots. He acted quickly to assert himself against the court. Moving south, he joined forces with another substantial Yorkist magnate, Henry Stafford, Duke of Buckingham, encountered Rivers bringing Edward V to London at Stony Stratford, and seized them both. Dorset fled the country, the Queen retired to sanctuary at Westminster, and, within a month of Edward IV's death, Richard was in control at London and able to assume the protectorate.

It was not long before he went much further than this in revealing a determination to make his rule absolute by removing all possible opposition. In June, Hastings, the most prominent layman of Edward IV's intimates still in power, was suddenly arrested at a council meeting and executed. Less than a fortnight after this and less than three months after the old King's death, Richard set forth in parliament the novel argument that Edward IV's marriage had been invalid, Edward V was therefore a bastard and he himself was the rightful successor. He immediately took the crown as Richard III. Rivers was executed and Edward V and his younger brother placed in the Tower, where they were probably murdered soon after.

Richard's seizure of the throne was the most sudden and ruthless of all the revolutions of the Wars of the Roses, but his reign lasted only two years. He was threatened almost immediately in the autumn of 1483 by a revolt in the west, led, for reasons which are not at all clear, by the nobleman whom he had most trusted, Buckingham, with the support of the Woodvilles and the Lancastrian Courtenays. This collapsed and Buckingham was executed. If it had been successful this rebellion would have installed as king Henry Tudor, Earl of Richmond, and it was he who finally was going to succeed on his own account. Henry's dubious claim to the throne was based on his close kinship with the Lancastrians. His father, Edmund, had been the son of Henry V's widow by a Welsh gentleman, Owen Tudor, and had been made Earl by Henry VI. His mother, Margaret Beaufort, Countess of Richmond, who was still living, was the heiress of the Duke of Somerset who died in 1444. Henry had fought at Tewkesbury and then fled to Brittany and France to await his chance. In 1484 he wisely withdrew quickly, when the rebellion collapsed, but in the next year he tried again. Landing with an army in Pembrokeshire, of which his uncle Jasper was Earl, he advanced quickly through Wales and the Marches to meet Richard in battle at Bosworth in Leicestershire on 22nd August 1485. And there, partly by the help of Margaret Beaufort's third husband, Thomas Lord Stanley, who betrayed the Yorkist cause at the last moment, Richard III was slain and the Tudor dynasty founded.

'Oh God! what security are our kings to have henceforth, that in the day of battle they may not be deserted by their subjects?' wrote the Prior of Crowland, soon after Bosworth. In fact the storms of the age of York and Neville and Woodville, released by the infirmity of Henry VI and carried on by the momentum of ambition, uncertainty, and disloyalty, were to be ended completely by a king who was luckier and cleverer than his predecessors; but no one could be sure in 1485 that the Wars of the Roses were over. Two nephews of Richard III, not to speak of pretenders, survived to trouble Henry Tudor for many a year. The treachery and division

within the nobility, the shameless proclamation of one rightful title after another by the usurpers of the past thirty years, might seem to have undermined kingship for ever.

E. YORK AND TUDOR, 1471–1536

in A.R. MYERS, ENGLAND IN THE LATER MIDDLE AGES
Pelican History of England, 4 (rev. ed., Baltimore, 1961), 184–206[†]

GOD SAVE THE KYNGE!

THE battles of Barnet and Tewkesbury not only ensured the safety of Edward's throne for the rest of his life; they opened a new period in the history of the English monarchy. Warwick's death relieved Edward of the menace of a 'Mayor of the Palace' and of the great Neville connexion; and though Edward soon endowed his brothers Clarence and Gloucester, husbands of the co-heiresses of the Kingmaker, with most of Warwick's vast estates, the Crown was solvent for the first time for generations. Edward's victories were followed by a fresh wave of confiscations; and there were now no costly French wars to drain away the Crown's resources. And not only did the healthy state of the royal finances increase the king's independence, but many of the 'over-mighty subjects' had died on the scaffold or the battle-field. Moreover, the Wars of the Roses, though not as destructive as was once believed, had caused enough violence and injury to trade to make the middle classes in town and country turn to the Crown as the one hope for the restoration of order.

It has often been emphasized that Edward's indolence and love of pleasure prevented him from displaying the zeal which Henry VII was to show in putting down disorder and intimidation. The contrast is true but often exaggerated; and in any case the character of the two kings was not the only cause of difference between their reigns. The social evils which had become the habit of generations were not to be stamped out in a year or two. It was not until the last decade of Henry's twenty-four years of rule that he began to achieve success in giving the country peace and quietness; after Tewkesbury Edward IV had less than twelve years to live. He was well aware of the need to restore the authority of the Crown and its courts of law, and made personal efforts to achieve that end. The Yorkists achieved much, in spite of their brief rule, especially on the Welsh and Scottish borders, the most turbulent regions of all. Edward's accession brought to the Crown the great Mortimer inheritance, the most important of the Welsh Marcher lordships. The Council appointed in 1471 to administer these and other royal estates in Wales and the Welsh Marches, assigned to the Prince of Wales, received by royal commission wide judicial and military powers in those regions; and the foundations were laid for the great Council in the Marches of Wales by which the Tudors were to crush disorder there. As for the North, Edward's method was to heap lands and offices in that region on his faithful brother Richard, until in 1482 he was made sole 'King's Lieutenant in the North'. Richard began to enforce the royal authority in that wild area, and when he became king he established the 'King's Council in the North'. So soundly did he do this that the Tudors had no need to alter either its jurisdiction or procedure when they used it for the pacification of the north.

Old habits died hard, however, though Edward IV showed that he could turn inconvenient traditions to the Crown's advantage. There was, for example, still a strong feeling that the king should assert his claims to the French throne and French territory. Edward therefore made great preparations in 1474 and obtained a large grant from Parliament. He then invaded France, in alliance with his brother-in-law, the Duke of Burgundy. When, however, Louis XI offered to buy him out, he showed no hesitation in accepting the offer; and by the Treaty of Picquigny (1475) Louis promised him a lump sum of 75,000 gold crowns, and an annual pension of 50,000 more for the rest of his life. This financial help, combined with other means of raising money, freed Edward from dependence on parliamentary grants for the rest of his life. And though the treaty may have been humiliating to English pride, it did not displease the middle classes; for after the treaties with France and the Hanseatic League in 1475, and with increasing peacefulness at home, there was a great revival of trade and prosperity. Edward kept in close touch with the increasingly powerful London merchants, with

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whom he made himself very popular by his affable ways. He himself made money out of trade, and became so ingeniously avaricious that he ended his days worth a fortune—the first English king to do so since the twelfth century. When he died in 1483 at the age of 40, probably worn out by his dissolute living, his throne seemed firmly established. If he had been succeeded by an able, grown-up son, England might have taken the road towards an absolute monarchy, wealthy enough to dispense with parliamentary rights, strong enough to keep order, and basing its claims on the indefeasible divine right of hereditary kingship.

But Edward's successor was a boy of twelve. His youth seemed to open up a depressing prospect of a minority during which the new-found strength of the monarchy would be dissipated in quarrels between the boy's maternal relatives, the Wydevilles and Greys, and his paternal uncle, Richard, Duke of Gloucester. Most Englishmen were, however, heartily tired of weak government and civil war; and this helps to account for Richard's easy triumph. He had always (in marked contrast to Clarence) been faithful to his brother, and he was known to be a good soldier and a capable administrator. Later Tudor propaganda represented him as a monster from birth who had not only killed Henry VI and his son in cold blood, but was responsible for the death of his own brother, Clarence, in 1478. The men of 1483, however, knew nothing of this, and accounted him an upright and pious prince. He therefore aroused no suspicion, but rather gained support, when he struck at the unpopular Wydevilles and Greys, and had himself made Protector. Even when he shut up the king and his younger brother in the Tower, and had them and their sisters declared bastards, thus making himself the legitimate heir to the Crown, there was no opposition. This was partly because men were cowed, but also because they dreaded a renewal of civil war, and a grown and capable man seemed likely to give the realm firmer government than a child could do. But when to secure his position the new king probably had his two young nephews murdered in the Tower there was, except in the north, a general revulsion of feeling against him. The disappearance of these innocent boys broke up the Yorkist party, thus making Richard's position precarious and giving the Lancastrians renewed hope. One of his chief supporters, the Duke of Buckingham, rebelled against him in October, 1483; and although this rebellion was suppressed, Richard did not feel safe. In vain he strove to make himself popular by acts of parliament to stop the practice of benevolences, or forced gifts, which Edward IV had extorted, to encourage English traders, and to suppress intimidation and corruption in justice. Had he come to the throne in a normal way, his ability as a soldier and administrator, his courage, generosity, culture, and intelligence might have given him a long and successful reign. As it was, all these qualities were not enough to overcome the formidable hostility to him; and to make matters worse, his only son died in April, 1484. The narrow basis of his power was still further weakened by forced loans which he had to raise in the spring of 1485 to finance defences against an invasion threatened by the Lancastrian claimant, Henry Tudor. When Henry landed at Milford Haven in August, 1485, he was able to collect soldiers in his native Wales, and march to meet Richard in battle at Bosworth, in Leicestershire. Richard had the larger army and was an able soldier, but the disaffection of a large part of his forces cost him the victory. He refused to flee, and died, fighting manfully, on the field.

The battle of Bosworth is usually endowed with great significance, as marking the foundation of a new dynasty and the end of medieval England. It is, however, difficult to see why Henry VII should be regarded as the first of the modern kings of England; for neither in outlook, aims, nor methods did he make any important innovation, and no break with the medieval past occurred in his reign. His accession in 1485 appeared to contemporaries of less significance than the changes of 1461 and 1399 had done in their time. By 1485 there had been so many upheavals within living memory that men were very dubious whether Henry could keep the throne for long. He was generally accepted because Richard was dead, and because the country was weary of civil war, but his claim to the throne was very weak, and there seemed at first no reason why some rebel with a better claim should not dispossess him. It is true that he married the person with the strongest hereditary right—Elizabeth of York, eldest daughter of Edward IV—but Henry refused to rule merely as king consort. His most effective claim was at first the fact that he was in possession—a claim which any successful pretender would acquire. Richard III had been popular in the north, as was the Yorkist cause in Ireland; the spirit of rebellion was not easily exorcised; no foreign power believed in Henry's survival, and Edward IV's sister, the Dowager Duchess of Burgundy, longed to overthrow him. It is therefore not surprising that one rising followed another—that of Lord Lovell in 1486, the imposture of Lambert Simnel as Clarence's son, the

captive Earl of Warwick, in 1487, and the more dangerous imposture of Perkin Warbeck, as the younger of the murdered sons of Edward IV, from 1491 to 1497. As late as 1495 Henry was still so insecure that an act was passed exonerating any person who assisted the reigning monarch from subsequent impeachment or attainder. Two years later ill-armed Cornish peasants and miners who had rebelled against heavy taxes were able to advance within sight of London before they were defeated. It was not until 1499, when Warbeck and Warwick were executed, that Henry could feel at all secure. Even then the conspiracies and rebellions had not ended; in the last decade of his life Henry had to cope with the plotting of Edmund de la Pole, Earl of Suffolk, and his brother Richard, nephews of Edward IV. It is doubtful whether the Tudor dynasty appeared more firmly established in 1509 than the Lancastrian had seemed to be in 1422. Only if we realize the fear, still alive in Henry VIII's day, that the battle of Bosworth might not have been permanently decisive shall we understand some of that monarch's important traits—his severity to actual and even potential claimants to the throne, and his ardent and genuine longing for a male heir to ensure an undisputed succession. The same fear helps to explain why, although he had no standing army to enforce his wishes, the great majority of his subjects submitted to his most arbitrary acts, and why his victims usually protested their loyalty even on the scaffold. The memory of the Wars of the Roses was not dead, and most men felt it better to submit to Henry's most ruthless deeds than risk another breakdown of government. Not until Henry VIII's later years was it universally recognized that the verdict of Bosworth Field was final.

As for the modernity of Henry VII, his methods were in no sense revolutionary, and the Yorkists in particular had tried, though with less persistence or clear-sightedness, to accomplish many of the things which he achieved. For example, Henry tried to secure the stability of his throne by gaining the recognition of foreign powers; but this was an obvious necessity which usurpers had long realized. The long medieval tradition of hostility to France was, however, still so strong that, in spite of the help which Charles VIII had given to Henry, he was soon drawn into a war with France over her acquisition of Brittany. Henry's wisdom in preferring lucrative peace (1492) to ruinous war had a precedent in Edward IV's treaty of Picquigny, and the commercial effects of the treaty of Etaples recall those of 1475. The treaty of 1492 did not end old English claims on France, which were revived once more by Henry VIII. Again, Henry's famous alliance with Spain was no radical departure in English foreign policy, for it arose simply from common hostility to France. Since at least the days of King John, English kings had tried to encircle France with allied states, just as France had for two centuries maintained her alliance with Scotland to threaten England on two sides at once. As for marriage alliances, they had been used since Anglo-Saxon days as instrument of policy. The most important marriage alliance of all, that with Spain, was as much a recognition of Henry's success as a means of ensuring it. Negotiations were begun in 1488, but the Spanish monarchs waited to see whether Henry would make good his position in England before coming to a final agreement; and not until 1501 was the fateful marriage celebrated between Catherine of Aragon and Henry's eldest son, Arthur. The wedding in 1503 of Henry's daughter Margaret and James IV of Scotland came only after the King of Scots had been impressed by Henry's power.

Henry showed statesmanship in trying to promote trade by agreements with foreign powers—with Denmark and Florence in 1490, with France in 1492, and, above all, in 1496 and 1506 with the Archduke Philip, ruler of England's most important market, the Low Countries. But the fostering of trade had been an increasingly important function of the Crown since the merchant class had become so influential in the fourteenth century, and Edward IV had taken a special interest in this matter. Luck and skill brought Henry VII more success, though, like Edward IV, he could not master the Hanseatic League, whose privileges in England he had to confirm in 1486 and 1504. Henry's other measures for the promotion of English trade all had their precedents; for example, the Navigation Acts of 1485 and 1490 to encourage English shipping had had fore-runners as far back as Henry II's time.

Similarly the means which Henry used to restore law and order in the land were not new; they had been employed by the Yorkists, though with less persistence and ability than Henry showed. The famous Court of Star Chamber was nothing more than the king's Council sitting in a judicial capacity, as it had done for generations. Edward IV had tried to fill his Council with trusted servants instead of powerful nobles, and Sir John Fortescue had warned him of the danger of overmighty subjects and councillors, and of the importance

of financial solvency. Richard III had made special arrangements for poor men to have their complaints heard speedily and cheaply. The Yorkist kings had, like Henry, increased the Crown lands by attainders and their revenues by ingenious devices not unlike his. They, too, had seen the desirability of financial independence, had tried to economize by improving organization, and had realized, too, the need to impress their subjects by magnificence and state. As for ecclesiastical affairs, both Yorkist and Lancastrian kings had, like Henry, perceived the value of obtaining the approval and support of the Church while upholding what they considered their rights. Orthodox yet independent in spirit—this was not a novel trait of Henry VII; it was a tradition which went back to William the Conqueror.

In 1509 Henry died, worn out by his labours and anxieties. His handsome, talented, masterful son ascended the throne at the age of eighteen. By this time the signs of change were increasing. Renaissance scholarship and art were becoming better known in England. Civil war, attainder, and mortality had so thinned the ranks of the older peerage that by 1509 only one duke and one marquis were left in England. The revival of commerce was helping the rise of new men who could be used by the Crown as a counterpoise to what was left of the old aristocracy, and as a more reliable instrument of government. The disappearance of overmighty subjects was leaving the king in lonely eminence, which was fostered by an ostentatious display of his power and wealth and an increased reverence for his person. But what is usually not stressed enough is the predominance of conservative forces in the early years of Henry VIII's reign. In spite of Renaissance elements in his education, the young king was a traditionalist in outlook. He was conspicuously devout in an orthodox way, and showed marked respect towards the Papacy. It is well known how in 1521 he dedicated to the pope a book denouncing Luther, and was rewarded with the title of Defender of the Faith. It is true that in 1515 he showed signs of hostility to clerical pretensions. In that year the Bishop of London's chancellor was accused of the murder of Richard Hunne, a London citizen who had been found dead in the bishop's prison. In the commotion that followed, and the popular hostility to the pretensions of the clergy then revealed, Henry openly favoured the argument of the friar and court preacher, Dr Standish, who denied that clerics were exempt from the jurisdiction of lay courts, and that a papal decree bound a country where continuous usage was against it. But anti-clericalism and royal apprehensions about clerical immunities and the exercise of papal power were now centuries old in England. In this affair Henry did no more than protect Standish from clerical vengeance and make him Bishop of St Asaph shortly afterwards.

In the general conduct of domestic affairs there was also no radical breach with the past in the early years of the reign; but in foreign policy a fundamental change is often said to have taken place at this time. Instead of continuing the medieval hostility to France, Wolsey introduced, we are told, 'the modern principle of the balance of power'. But Henry VIII shared with his people the age-long antipathy to France, and he waged no wars on the continent except against France. The English people were imperialist in sympathy, partly by tradition, partly because Charles V controlled the great Netherlands market. Far from maintaining a balance of power, England repeatedly supported the Emperor Charles V against the French, although Charles's power was the greater of the two. The phrase 'the balance of power' belongs to a later age; and the aim of a balance of power, with the corollary of alliances and counter-alliances, had, in fact, existed for at least four centuries in Western Europe. In so far as a consistent principle may be discerned in Wolsey's foreign policy it is rather a desire to stand well with the Papacy, to further his own ambitions.

But although Wolsey's foreign policy was less novel than is often supposed, his career as a whole was without precedent. The forces which were undermining the old order in England had been gathering strength for generations, but if there was a break with the past, and if that break was initiated by any one man, that man was Wolsey. It was ironical that a great churchman should have been the unconscious instrument of revolution; but there were several ways in which Wolsey's career filled this role. He concentrated power in the hands of one man—himself—to an extent unheard of before. By 1515 he was the chancellor and the most important minister of the Crown; and control of the Council combined with that of the great seal gave him complete authority over the jurisdictions derived from these, including the Star Chamber, Chancery, Court of Requests, and Court of Admiralty. He also wielded unprecedented authority in the Church. In 1515 he was already a cardinal and Archbishop of York, and the holder of various other benefices, to which he eventually added the abbey of St Albans and the wealthy bishopric of Winchester; and in 1518 he was created papal legate, with

sweeping powers over the English Church. And this extraordinary power in both Church and State was not only exercised by one man, but exercised in a way which was without precedent. As chancellor he interfered increasingly with the jurisdiction of other courts and talked of replacing common law by Roman; and as papal legate he superseded episcopal order to a great extent. He overrode Convocation as he attempted to override Parliament; and if Archbishop Warham had died earlier, Wolsey intended to have had the see of Canterbury too. He asserted his authority over the religious as well as the secular clergy, including the Orders subject only to Rome; indeed, his declared aim was to exercise the full papal authority in England. He dissolved a score of monasteries without their consent to finance his schemes, nominated abbots and priors, and usurped ecclesiastical patronage. He controlled not only the administration of the Church in England, but all its courts. In fact, he superseded the medieval constitution of the English Church, and established an unprecedented autocracy instead. Henry VIII began to feel that if such enormous authority could be exercised by an Ipswich butcher's son, who owed everything to the royal favour, why should not these powers be exercised by the king himself? The Cardinal's ruthless vigour as papal legate had intensified English dislike of papal authority. The Duke of Suffolk voiced a popular view when he exclaimed 'It was never merry in England when we had cardinals among us'; while Lord Darcy, a staunch conservative who later took part in the Pilgrimage of Grace, proposed a law that henceforth no legate should be allowed in England. Moreover, Wolsey's dissolutions of monasteries showed Henry how the exhausted Exchequer might be refilled by plundering the Church.

Thus Wolsey unwittingly paved the way for the breach with Rome. It is an absurdity to assert that that breach was due to Henry's lust for Anne Boleyn. Catherine of Aragon's failure to produce a male heir would have raised a divorce question even if Anne had never existed. In any case the divorce question was merely the occasion, not the cause, of the English Reformation. The factors which made it possible, such as nationalism, anti-clericalism, individualism, the education of the laity, and the corruption of the Church, had been growing for generations. Lutheranism had been seeping in during the past decade. The power of the Crown over the Church was already considerable and Wolsey had not only aggravated some of the abuses in the Church but had shown how authority could be concentrated in one hand.

Nevertheless, although events had long been moving in the direction of radical change, it was the fourth decade of the sixteenth century which saw the close of medieval England, as far as the character of a civilization can be said to have been altered in one decade. Royal influence in the Church had been strong since the tenth century, and for over a hundred years the Crown had nominated its bishops without opposition; but no medieval king had ever claimed to be supreme head of the Church. Henry intended to be conservative, and aimed to do no more than subject the clergy to the Crown, much as Francis I, King of France, had done in 1516 by the Concordat of Bologna. Once the breach with Rome had occurred, however, there were bound to be, in spite of Henry's intentions, doctrinal, institutional, and liturgical changes of a speed and extent which the middle ages had never known. There had been suppressions of a few religious houses since the middle of the fifteenth century, but the complete dissolution of all the monasteries between 1536 and 1539 obliterated what had been one of the prominent strands of English life for nearly a thousand years. Changes in the Church of such magnitude and abruptness as these naturally accelerated or set in motion very important alterations in other spheres of life besides the ecclesiastical, as the following chapters will try to show. All history, and especially English history, shows, of course, a certain continuity. Not only did the Church of England claim continuity with the medieval Church but its organization remained largely medieval. Many medieval forms lingered for generations and some medieval institutions acquired fresh vitality. Gothic architecture survived as a living tradition in Oxford and elsewhere until the Civil War; Dr Tillyard has recently reminded us that Shakespeare's world picture was still largely medieval, and, indeed, the mechanical view of the Universe did not become influential until the Restoration period; between 1529 and 1536 Parliament was used to such purpose as to give it new authority and vigour. Examples might be multiplied. But henceforth medieval ideas and forms and institutions were either relics or legacies; the way of life which had given them birth was dead. If an Englishman of the thirteenth century could have visited England in 1520, he would have found much to excite his wonder, yet all the old landmarks would still have been there. Fifty years later he would have encountered many familiar features, but they would now have been mere survivals in a world beyond his comprehension, a way of life separated from his by a revolution.

THE GOVERNMENT OF THE REALM

Two things in this period are of most interest: the increasing strength of the monarchy, and the limitations to its power. From 1471 Edward IV's position had a strength which the monarchy had lacked since the days of Edward I. Many overmighty subjects were dead or weakened, and after 1475 the king was more financially independent than any king had been since Henry II. Only one Parliament was held between 1475 and 1482, and it was asked for no grants. By the time Edward died the government seemed so strong that, although few supported Richard's usurpation, none at first dared to oppose him. Henry VII came to the throne with a weak title; yet people were so weary of war, the peerage had been so enfeebled, and the Crown was now so strongly supported by the rising classes of gentry and merchants that Henry with his wise caution was able to overcome all difficulties. He realized the power afforded to the Crown by financial independence, and was the first king of England to leave a fortune of several million pounds to his successor. Parsimonious he may have been, but he knew the value of pomp in encouraging obedience. Both Yorkists and early Tudors consciously cultivated regal magnificence and dignity; and with the growth of royal power the king ascended to a peak of lonely grandeur. For example, marriages between royal children and English magnates had until now been not at all rare; but by 1515 some thought the Duke of Suffolk worthy of death for his presumption in marrying the sister of Henry VIII. Then the breach with Rome brought out the unmedieval idea that the king was supreme in every sphere of life, and that England was a self-sufficient empire, with Henry its emperor, subject to no other authority on earth. Henceforth the king would be addressed, not as 'Your Grace', a form of address which he had shared with archbishops and dukes, but as 'Your Majesty', a unique being exalted above all others in both Church and State.

Until the Reformation Parliament, however, the strength of the monarchy was not augmented by novel assertions of royal power. Both Yorkists and Henry VII asserted themselves by exercising to the full prerogatives which the Crown had long claimed rather than by formally extending the frontiers of their authority. This can be seen clearly in the matter of the king's Council. The kings had always claimed the right to choose their councillors; but whereas the Lancastrians had often been forced to fill their councils with magnates, the Yorkists and early Tudors were increasingly able to summon whom they liked. From Edward IV's time the majority of councillors were men who owed their importance to the royal service; if grandees were admitted to the Council, it was more and more at the king's pleasure in fact as well as in form. The few who were summoned were kept in check and increasingly excluded from office and power.

The fact that the Council had greater prominence in the government of Henry VIII than it had had in that of his father or grandfather did not mean that the royal control had in any way weakened, but rather the contrary. Edward IV and Henry VII had to beware of being dominated by their councillors, as Henry IV and Henry VI had been; whereas Henry VIII felt strong enough to give his Council great authority and latitude while he still remained in complete command of affairs. Indeed, so powerful and active had the government become by his day that one royal Council could not cope with all the work; political affairs were increasingly dealt with by the members of the Council, known as the Privy Council, who accompanied the king, while judicial matters were more and more the business of the members of the Council who sat in the Star Chamber in the Palace of Westminster. But in all the activities of either branch of the Council—political, administrative, legislative, judicial—until the breach with Rome it was not so much that the councillors exercised new powers as that the traditional powers of the Council were revived and enforced by men who acted solely in accordance with the king's wishes.

This is clear in the case of the Council's judicial activities, once thought to be a novelty of Henry VII's reign. Since at least the reign of Edward I the king's Council had claimed to do justice where fear or favour hindered the common law courts from providing a remedy. The Yorkists and early Tudors did not create a new jurisdiction in such matters, but rather put existing powers to effective use against even the greatest of magnates, whose offences a Lancastrian Council, dominated by fellow-magnates, would have condoned. The Court of Star Chamber was not a creation of Henry VII's reign; it was the royal Council which had often sat in the Star Chamber since the fourteenth century. The difference was that with a strong king to back it, and composed of men devoted to his service, the Council could be an effective weapon in crushing, by fines and

by imprisonment, such serious social ills as intimidation, livery, and violence. The same methods were used to suppress disorder in the most turbulent areas, the Welsh and Scottish Marches; and the Council of Wales and the Marches, and the Council of the North, begun by the Yorkists, were maintained and strengthened by the Tudors.

The idea of a court for poor men's causes was not new, either. The Court of Requests took shape in Henry VII's reign, but the Council had since the fourteenth century made special arrangements to expedite the supplications of the poor. But whereas in Lancastrian days a humble suitor had little chance of justice if his request went against the interests of a great magnate, now he could look for redress with more confidence. Here again, what was new was not the prerogative which was invoked, but the vigour and thoroughness with which it was exercised. Similarly, Edward IV's use of the Court of the Constable to suppress opponents was not a novel idea—Richard II had aroused opposition by relying on the prerogative courts for this purpose; but Edward's constable, John Tiptoft, was so ruthless that he earned the nickname 'the butcher of England'.

Another office which already existed but was now made a more prominent and effective instrument of royal power was that of the king's secretary. This institution had existed since the reign of Richard II, but had not become of real importance until the reign of Edward IV. By the end of his reign the secretary was sufficiently established as part of the machinery of government to remain at work in spite of the minority of Edward V. His duties were always vague and uncertain, but he was essentially a confidential clerk who kept the king's most private seal, the signet, and was frequently sent by the Yorkists and Henry VII on important embassies. By right he was important enough to merit a bishopric, and he had the advantage of living in the royal household at a time when nearness to the king's person was of increasing political value. In 1526 the secretary was officially recognized as one of the inner council of the monarch.

So far, however, there had still been no epoch-making innovation. No secretary had yet been the king's chief minister, and the centuries-old tradition that the chancellor was the highest servant of the Crown had never known a more dazzling embodiment than Cardinal Wolsey. Here again, the decade of the Reformation Parliament was the watershed between medieval and modern England. The brilliance of the chancellorship in Wolsey's time proved to be a sunset glory; he was the last of the long line of great clerical chancellors who had been prime ministers of the realm. Anti-clericalism, developing since the days of Edward III, now burst out, and the cardinal-archbishop-chancellor was succeeded in authority by the layman-secretary, Thomas Cromwell. For the first time there appeared a secretary who was not merely the king's private servant or an administrative official, but the chief minister of the Crown, feared and obeyed by the noblest in the realm. Cromwell's spheres of action and methods are much closer to those of Walsingham and the Cecils than to those of previous secretaries; while the increasingly legal character of the chancellor's duties and his waning political importance made him less and less like his medieval predecessors.

This period also saw important development in financial affairs. The Exchequer was too slow and independent to suit the methods of the Yorkist and the Tudors, and more and more revenues were paid at their command into the king's Chamber, which was unhampered by a prescribed routine, and, unlike the dignified and conservative Exchequer, completely subservient to the king. This development had precedent, such as Edward III's use of the Chamber as a financial department; but, whereas he had been forced to give up his policy to placate the Exchequer officials and the magnates, the Tudors overrode all opposition, and even set up a Court of General Surveyors to supplant the Exchequer of Account and audit more expeditiously. When the immense wealth of the monasteries poured into the hands of Henry VIII he did not entrust the Exchequer with its management, but set up a special Court of Augmentations for the purpose. Hitherto the revival of royal finances had been contrived mainly by the exploitation of traditional royal claims; now the spoils of the abbeys provided a revolutionary source of revenue.

The effect of the Henrician Reformation on Parliament was more profound. In the Parliaments of the thirteenth and fourteenth centuries the kings had at times the most public and dangerous opposition to fear. It is not surprising, therefore, that the Yorkists, Henry VII, and the young Henry VIII summoned them as rarely as possible, and tried to control their activities as much as they could. In Lancastrian days the upper house of Parliament had been formidable because in it were concentrated the magnates who dominated the Crown.

From 1471 onwards the Crown was increasingly the legatee of these great baronial houses and, moreover, the king had not yet lost all control over the right of summons, which a strong ruler did not need to send to obnoxious or impoverished lords. The nobility became so weak and the sessions so infrequent that some of Parliament's previous judicial functions fell into disuse. Such were, for instance, impeachment, which no one dared to invoke against the ministers of a powerful king, or jurisdiction in error over the common law courts, a function not much needed when the Chancery and the Council were so active. Yorkist and Tudor kings had no trouble from the upper house of Parliament in which sat the chancellor and many devoted royal officials.

The lower house was not always so amenable. It is true that a reformed monarchy found many ways to influence elections, and that the speaker was as much the king's agent for managing the Commons as the Commons's spokesman to the king and Lords in Parliament. Furthermore the knights and burgesses were still glad to avoid responsibility for the conduct of affairs, still anxious to please their prince so long as he kept law and order in the land, redressed their grievances, and maintained the country's prestige and prosperity without excessive demands for money. But the threat of heavy general taxation could still kindle formidable opposition to the government, even to the government of Henry VIII. Well might Sir Thomas More declare that 'the gatherynge of money' was 'the onelye thinge that with draweth the heartes of Englyshmenne fro the Prynce'. Even Wolsey had to admit defeat at the hands of the Commons on this point. Yet, apart from this question of taxes, the Commons were usually manageable enough. An acute observer in the early sixteenth century might have thought Parliament a mere legacy from a troubled past that had become a hindrance to efficient government and would eventually be reduced to insignificance by the attrition of a powerful monarchy.

The prospect was dramatically altered by the history of the Reformation Parliament. It was natural that in breaking with Rome Henry should have called on the co-operation of Lords and Commons in Parliament, for by so doing he secured the confidence of the politically powerful classes and advertised to the outside world the extent of the support he enjoyed in his realm. Once he had sought parliamentary assistance to assert his supremacy over the Church, he continued to use Parliament for the exercise of that supremacy in the suppression of the monasteries, and for declarations of doctrine and the like. By so doing he increased the competence of Parliament to a vast and unprecedented extent. In 1543 he himself declared to the Commons 'We at no time stand so highly in our estate royal as in the time of Parliament.' These great changes shook men out of their acceptance of the traditional limitations of Parliament's functions. Henry had united spiritual to temporal authority; before a century had passed the claim would be made—inconceivable in medieval England—that both could be exercised through Parliament alone.

Assertions of parliamentary authority were to trouble Elizabeth, but they did not trouble her father. The Reformation Parliament bestowed on him not only the royal supremacy but the annates and the spoils of the monasteries, and arranged the succession to the throne according to his varying wishes. And having given him an unmedieval control over the Church, it gave him an unmedieval degree of authority in the State. The Statute of Wales of 1536 abolished by far the most important and extensive sphere still outside the Crown's normal jurisdiction—the franchises of the marcher lords—and the whole of Wales was thus brought fully under royal authority. Another Act of the same year laid down that all writs, even in the greatest franchises, should run in the king's name.

These developments did not, however, mean that Henry VIII was a dictator, for even he could not rely on Parliament to be docile if it disliked a measure, as can be seen from the difficult passage of the bill against uses (i.e. trusteeships) in the Reformation Parliament. That he never came to grief was due, not to unlimited power, but to his never failing sense of how far he could safely go. He knew that although public opinion could often be swayed, it had always to be respected. He never attempted to override Parliament and the law, and was always careful to provide his most immoral acts with the cloak of legality; and so, except in the less important north and west, and in spite of his growing ruthlessness, he retained to the end the loyalty of his people. It would have been dangerous had it been otherwise; for he had no great armed forces, no well-organized police, and no extensive servile bureaucracy to enforce his will.

Though by the late fifteenth century the great European monarchies were establishing permanent military forces, England had no standing army. The nearest approach to it was the Yeomen of the Guard and the

Gentlemen-at-Arms, bodies formed by Henry VII, but these forces were little more than palace guards; they would have been absurdly inadequate to put down a national rising, especially in an age when artillery was still inefficient and rebel bowmen might be better than those of the government. The king could call out the shire militias by commissions of array: but if most people chose to disobey the summons or the nobles and knights who mustered them were disaffected, he had no weapon with which to coerce them, and even the troops thus raised were often inefficient (for reasons which Shakespeare shows in *Henry IV, Part 2*). The Yorkists and early Tudors, though trying with increasing success to suppress the evils of livery, still continued to raise troops (usually for foreign war) by contracts with some nobles or gentlemen. But here again, if they had refused to serve the king, he would have been impotent, and he needed not only their passive obedience but their active loyalty. Even after Edward IV established a relay system of mounted messengers from the Scottish Border to London, news of a rebellion in the turbulent North or West might take several days to reach the government. By that time the revolt could become formidable if the local magnates and gentry were not zealous in suppressing it.

In naval matters, too, the king still relied greatly on the loyalty of his subjects. Edward IV inaugurated a revival of English sea-power which Henry VII and Henry VIII continued. This involved the building of special royal ships, a policy which was continued and accentuated in Henry VIII's reign, when heavier guns were mounted, capable of sinking ships instead of merely killing men. This caused increasing divergence in design between merchant vessels and warships; gun-ports, for example, were now fitted in the hull of a war ship as it was built. But even in Henry VIII's day merchant vessels could be, and still were, easily employed as men-of-war when need arose. The government saved money by relying mainly on merchant ships to form its fleet, and on merchant officers and crews to man them. Royal encouragement of the navy meant to a large degree encouragement of the merchant service and of trade. The kings gave bounties for the construction of large merchant vessels which might also be used as warships, and royal ships were in peace-time hired out to traders. If, therefore, even a Tudor king was to be sure of protection against foreign invasion, the loyalty of merchant shipowners and master mariners was essential to him.

For their police, too, Yorkist and Tudor monarchs were dependent on the loyalty of their subjects, especially those of the upper and middle classes. Disaffection was a particularly serious matter in London, which was becoming steadily more important politically and socially as well as economically. Yet when serious anti-foreign riots occurred in London in 1517 the best that the mighty Wolsey could do to anticipate disorder was to instruct all householders to keep their servants indoors; and the government could suppress the disturbance only by inviting the Earls of Shrewsbury and Surrey and the Inns of Court to march in their men. This lack not only of a standing army but also of an adequate police helps to explain why a king like Edward IV or a minister like Cromwell maintained a spy service and encouraged delation, and why there was no popular outcry against arrests and searches of houses without judicial warrant. The means for the suppression of disorder were so inefficient that the government must be allowed to be high-handed if the dreaded anarchy was to be averted. It is true that each hundred had a high constable and each parish a petty constable. But these posts were quite inadequately remunerated by fees; and their occupants devoted only their spare time and energy to their duties. If they needed help in the pursuit or arrest of criminals, they could get the justices of the peace to swear in neighbours as unpaid special constables and, if necessary, they could call out the whole neighbourhood; but all this assumed the co-operation of the local population.

The system of justice and administration also depended for its effectiveness on public support. It is true that the judges depended for their promotion and pay on the king, who could dismiss them at will, but they were eminent members of a profession proud of its traditions and principles. Occasionally judges who displeased the king, such as Fortescue or Markham, were dismissed, but their very opposition shows their lack of servility. At the beginning of this period two judges wrote great treatises on English law—Sir Thomas Littleton on land-law in his *Tenures* and Sir John Fortescue on constitutional law in his *Governance of England* and parts of his *De Laudibus Legum Angliae* and *De Natura Legis Naturae*. The latter stressed the need for strong government, but neither of them suggests that the king has arbitrary power over the making or administration of law; indeed, Fortescue expressly holds that the king of England cannot change the laws of the realm at his pleasure, and that statutes are made not merely by the prince's will, but with the 'assent of the

whole kingdom'. He draws a favourable contrast between England, which he describes as a limited monarchy (*dominium politicum et regale*), and France, which he calls an absolute monarchy (*dominium regale*). The works of Littleton and Fortescue fostered a pride in English common law which stiffened its judges to defend its principles and to resist the inroads of Roman law, which would have favoured the establishment of an absolute monarchy.

A large and growing sphere of law was, however, in the hands of the justices of the peace. These officials were appointed by the king, but they were unpaid gentlemen of standing in their shire, who could be led but not driven. The well-to-do were naturally inclined to support law and order; the Council, aided by Chancery and the Courts of Common Law, was vigilant in supervising the J.P.'s and punishing them if necessary. Nevertheless, the government had no effective means of coercing J.P.'s if it ordered them to enforce something of which they all disapproved strongly. It is no accident that many of the measures which the Yorkists and early Tudors commanded the justices to carry out were measures highly approved by the country gentry and merchants—the re-establishment of law and order, the encouragement of trade, the protection of English merchants, the regulation of weights, measures and coinage, the enforcement of minimum hours of labour and maximum rates of wages, the suppression of vagrancy. This in the circumstances was not only the cheapest, but the most satisfactory, way of organizing local government. To entrust it to great lords would have been to invite civil war and a weakening of the monarchy; and to commit local administration and justice to officials like the sheriff, dependent on fees and tax-farming for a livelihood, would have opened the door to endless corruption and oppression and dangerous unrest. To confide the task to salaried officials like modern civil servants was impossible, for the Crown, though better off than in Lancastrian times, had not the money to do it. Taxation was unpopular, and the collection of taxes was supervised by men drawn from the very classes of country gentry and merchants which supplied the J.P.'s. For all these reasons the monarchs of this period found the justices of the peace very satisfactory and heaped on them fresh powers and new duties.

It will thus be seen how greatly the Yorkists and early Tudors, for all their increasing might, relied on upper- and middle-class support in their central administration, and, still more, in their local government. And they also needed the obedience of the lower classes; for the J.P.'s themselves lacked a police force and a local bureaucracy to enforce their orders if the countryside should resist en masse. Hence 'Tudor despotism' necessitated not only the co-operation of the propertied classes but the acquiescence of the masses. The limitations on royal authority were even greater in the case of jurisdictions either partially or wholly outside the Crown's authority. Franchises and private jurisdiction, from the palatine bishopric of Durham or the marcher lordships of Wales to leets and manorial courts, had passed the zenith of their vigour; but their decline was slower than is often supposed, and many of these courts and administrations lingered on until the nineteenth century. And until the Reformation Parliament there was one great sphere of jurisdiction entirely outside the royal authority, and sometimes clashing with it—the sphere of the Church. There were not only many ecclesiastical courts in England—archidiaconal, diocesan, provincial, and others—but appeals were freely made from them to Rome; and the pope was not only head on earth of the Western Church but a great international power who could greatly affect the king's policy. By modern standards the Church's jurisdiction was wide. It had jurisdiction over all men in matters not only of faith, but of morals in a very wide sense, including, for example, defamation and usury; it dealt with all matters relating to wills and marriages; it tried all criminal cases, except those accused of high treason and one or two other offences, and this privilege (for ecclesiastical courts could not impose a death penalty) extended in practice to nearly all literates. Disputes over the boundaries between the jurisdictions of the ecclesiastical and the royal courts had been frequent; but by Yorkist and early Tudor days the latter were able to put the Church courts on the defensive by imposing the severe penalties of *praemunire* on anyone who had brought in a Church court any action held to belong to the royal authority. There was increasing royal jealousy and popular criticism of many aspects of ecclesiastical jurisdiction, and in the reign of Henry VII the first restriction was imposed on benefit of clergy. But until the Reformation Parliament it was only the frontiers of the two jurisdictions which were disputed; by subjecting all ecclesiastical jurisdiction in England to the royal authority that Parliament closed an era which had begun with William the Conqueror's creation of ecclesiastical courts. In this respect, as in so many others, the fifteenth century saw the end of the medieval order in England.