



THE PUBLIC LIFE OF SIR RICHARD GUILDFORD  
A BIOGRAPHICAL APPROACH TO EARLY  
TUDOR GOVERNMENT

AN ABSTRACT

By

James Ralph Hooker

Submitted to the School of Advanced Graduate  
Studies of Michigan State University of Agri-  
culture and Applied Science in partial ful-  
fillment of requirements for the degree of

DOCTOR OF PHILOSOPHY

Department of History

1957

Approved \_\_\_\_\_

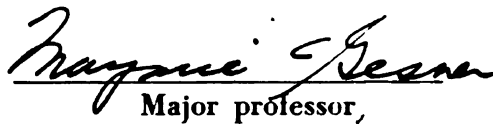
This is to certify that the  
thesis entitled  
THE PUBLIC LIFE  
OF SIR RICHARD GUILDFORD:  
A BIOGRAPHICAL APPROACH TO  
EARLY TUDOR GOVERNMENT

presented by

James Ralph Hooker

has been accepted towards fulfillment  
of the requirements for

Ph.D. degree in History

  
Major professor,

Date May 24, 1957

In recent years the machinery of early Tudor government has come under the careful scrutiny of both British and American eyes. This development has had several beneficial results, not least of which is an increased respect for Henry VII's capabilities. But if this institutional approach has been a valuable corrective to impressions gained from purely biographical study, there have been certain overemphases which, in turn, require qualification.

It is the impression of some, among them the writer of this essay, that the excessively bureaucratized view of 20th century scholars has induced, in many instances, an anachronistic version of Henry Tudor's Government, a version which seeks to rationalize fortuitous occurrences and fugitive actions by imposing inappropriate organizational schemes on the disordered remains of the Tudor era.

Opponents of such an interpretation point to the undeniable fact that possession of an office did not guarantee performance of a duty, that untitled outsiders frequently had immense prestige within government circles, that in short personality is an indispensable key to comprehension of 15th and 16th century government.

Therefore, it seemed more fruitful to approach the study of early Tudor institutions via the study of early Tudor personalities. But personalities are elusive things, especially in this period. Personal documentation was sketchy and the ravages of time and private "collection" have done the rest. Moreover, it remains to be demonstrated that the leading assumptions of one age are identical with those of another, so the value of any "psychological" explanation of English behavior in this period seems dubious. For these reasons, and because this study



tries to fathom public rather than private depths, not much in the way of personality will appear herein.

In the course of analyzing various government offices by examining the material relevant to these offices and especially the material relevant to one occupier of these posts, Sir Richard Guildford, certain conclusions have emerged. These may be summarized as follows:

(1) Henry VII had no very unusual ideas with regard to the military or naval establishment. He spent large sums on ordnance, but only under duress. He continued to rely upon outmoded forms of recruitment for his army. He made no determined effort to gain supremacy in the "narrow seas," nor did naval superiority emerge as a reasoned policy in his reign. In general, England still was aloof from the continent, and though he talked of intervention, Henry had too many internal problems to pursue the dream of a revived English empire.

(2) Henry's government in large measure was a continuation of Yorkist practice, and to that extent reverted to earlier, Plantagenet techniques. He governed through the household, the essence of medieval government, and he tolerated no expansion of personal power among his subordinates.

(3) Because of this jealous attitude, Henry's council played a peculiar role. It was an amorphous body containing a variety of specialist advisers, each of whom derived his entire authority from the king. Though there was prestige in such a post, it did not lead to the establishment of independent privileges and power.

(4) One can overestimate the efficacy of Tudor personal government. Henry was unable to repress all the evils which had beset England in

the previous half century. As with many other autocrats, he was forced to ignore that which he couldn't control. Nevertheless, one can claim that England was better governed in 1509 than it was prior to his accession.

(5) Lastly, one can state with some chance of accuracy that only through attempting to explore the conduct of officials can one attempt to explain the Tudor establishment. If in the process certain personalities of the period are thrown into bold relief, it can be considered as an unusual though greatly appreciated dividend.

Submitted  
Studies of  
culture &  
fillment

THE PUBLIC LIFE OF SIR RICHARD GUILDFORD

A BIOGRAPHICAL APPROACH TO EARLY

TUDOR GOVERNMENT

BY

JAMES RALPH HOOKER

A THESIS

Submitted to the School of Advanced Graduate  
Studies of Michigan State University of Agri-  
culture and Applied Science in partial ful-  
fillment of requirements for the degree of

DOCTOR OF PHILOSOPHY

Department of History

1957

## TABLE OF CONTENTS

|                                                   |      |
|---------------------------------------------------|------|
| Introductory Remarks                              | i    |
| Unusual Abbreviations                             | v    |
| Chapter I, Biography                              | 1    |
| Chapter II, Master of the Horse                   | 29   |
| Chapter III, Chamberlain of the Exchequer         | 34   |
| Chapter IV, Master of Ordnance                    | 49   |
| Chapter V, Serjeant of the Armory                 | 80   |
| Chapter VI, Guildford and the Navy                | 91   |
| Chapter VII, Household Officialdom                | 104  |
| Chapter VIII, Diplomacy and Security              | 132  |
| Chapter IX, Commissions                           | 147  |
| Chapter X, The Braintrust: Aspects of the Council | 163  |
| Chapter XI, Guildford in the Courts of Law        | 218  |
| Chapter XII, Conclusion                           | 247  |
| Appendix I, Extended Footnotes                    | i    |
| Appendix II, Partial List of Councillors          | ix   |
| Appendix III, Guildford's Lands                   | xiii |
| Appendix IV, Bibliographical Essay                | xvi  |



## INTRODUCTORY REMARKS

Two purposes suggested this study: first, to cast light upon such of Tudor governmental institutions as lend themselves to a graduate student's purposes, and second, to illustrate the workings of such machinery by calling attention to whatever remains of one of the original participants. As will be seen from the table of contents, herein are contained most of the activities to which a man might devote himself as councillor to the first Tudor. This is not to say that there were not other jobs which a councillor might undertake; merely that the present writer has not discovered sufficient material to warrant its inclusion in this essay.

Two conclusions have been drawn in the course of the fairly extensive research which preceded this paper. The writer hopes that they will strike eventual readers with the same force: to allay any misgivings on the subject of preconceived notions, however, it might be proper to mention them beforehand. They both may be comprehended under the general heading of complexity. First, it seemed apparent that the institutions and conditions examined in this essay were derivative to an appreciable extent, i.e. the Yorkist legacy appeared to be far greater than it has been customary to suggest. Secondly, many organs of government seemed to be in a state of flux; this was nowhere more noticeable than with respect to the chamber. None of this is precisely revolutionary, to be sure. In the past few years there has been some thorough research in this field, especially by Americans, and today

the importance of the chamber system is accepted as a matter of course. Still, there has been a natural but dangerous tendency to see an actual system where in reality only the ambiguous beginnings of one can be discovered. The very absence of fixed titles, or rather, the presence of titles but the lack of fixed applicability, suggests to the cautious student that it would be premature to assert that Henry VII stabilized or finalized the workings of these institutions; if we are beyond chaos, there still remains too much detached matter flying about to warrant any statement about order.

As was mentioned above, one man, Sir Richard Guildford, was chosen to exemplify the practice of Henry Tudor's government. This is not a biography, though Guildford is a legitimate subject, were the materials available. Nor is it a purely institutional study, though here too there is ample room for further examination. That this paper will fall between two stools may be the conclusion of some; it is hoped, however, that the present course may be justified. While there is no superabundance of institutional works in the manner of Professor Pickthorn, terse yet pregnant, there are fewer still social studies which attempt to present people rather than late medieval abstractions. The present writer does not contend that he has solved this problem satisfactorily. There seems little chance that Pickthorn will be emulated in a graduate essay, and just as little likelihood that the same paper will outdo Eileen Power, for if I haven't the former's synthesizing skill neither have I the latter's wide acquaintance with the sources. Nevertheless, an attempted combination seemed a good idea.

The choice of a candidate perhaps should be explained. Guildford



was not chosen for his preeminence among those who served Henry VII, nor for his sensational career, nor for any other quality which would separate him from the ranks of his compeers; indeed, such would have disqualified him for present purposes. It is the writer's contention that the bulk of the work done in this reign came from the hands of able men who labored daily, without any master plan to guide their efforts. It is also his contention that these men were administrators, not visionaries. Therefore, Guildford has been chosen because he seemed to exemplify the characteristic early Tudor councillor. He was sensible, loyal but not fanatical, not particularly greedy (though interested in that project dear to all Englishmen, the founding or continuance of a family), and involved in enough different aspects of government to illustrate the point, continually made in this essay, that the age of specialization had not yet arrived. If very little of his personality emerges, if his portrait seems rather flat and lacking in detail, it is at least partially because of the monotonous lack of the essential personal materials, such as letters and diaries, none of which is plentiful for the period under consideration. As will be seen within the body of the work, what few letters have been found normally are concerned with business. This has one advantage: if the inner life must be ignored, the exterior, public career can be clarified frequently by such unpromising records.

Guildford, then, has been picked more for his symbolic or abstract virtues than for any interest which he himself has for us. This is harsh, for he is an interesting figure, as may appear within; despite this, the intrinsic has been sacrificed to the extrinsic, in the hope

that one man may serve as a sort of guide through the maze of Tudor governmental developments.

A number of persons have been of great assistance to the writer. My first thanks are to Dr Marjorie E. Gesner, my major professor, who gave of her time and energy most freely. My wife also was of great assistance, especially in such uncongenial efforts as the copying of numerous MS entries. Next I wish to express my gratitude to all those at the Institute of Historical Research at London University, especially Professor S.T. Bindoff, who gained me access to various libraries. Lastly, I wish to thank the officials of the British Museum, Manuscript Division, the Public Record Office, the Keeper of the Muniments and Library of Westminster Abbey, Lawrence E. Tanner, M.V.O., F.S.A. and Mr William Urry, Cathedral and City Archivist, Canterbury, who extended every courtesy to an American student, and in many instances took pains far beyond those decreed by statute or convention.

UNUSUAL ABBREVIATIONS USED IN THIS STUDY

|         |                                                            |
|---------|------------------------------------------------------------|
| C.1     | Early Chancery Proceedings                                 |
| D.L.5   | Duchy of Lancaster, Entry Books of Orders and Decrees      |
| E.28    | Exchequer, Treasury of Receipt, Privy Seals (Miscellany)   |
| E.30    | Exchequer, Treasury of Receipt, Diplomatic Documents       |
| E.34    | Exchequer, Treasury of Receipt, Miscellany                 |
| E.36    | Exchequer, Treasury of Receipt, Miscellaneous Books        |
| E.101   | Exchequer, King's Remembrancer, Various Accounts           |
| E.159   | Exchequer, King's Remembrancer, Memoranda Rolls            |
| E.163   | Exchequer, King's Remembrancer, Miscellanea of Exchequer   |
| E.164   | Exchequer, King's Remembrancer, Miscellaneous Books (I)    |
| E.165   | Exchequer, King's Remembrancer, Miscellaneous Books (II)   |
| E.207   | Exchequer, King's Remembrancer, Bille                      |
| E.315   | Exchequer, Augmentation Office, Miscellaneous Books        |
| E.368   | Exchequer, Lord Treasurer's Remembrancer, Memoranda Rolls  |
| E.371   | Exchequer, Lord Treasurer's Remembrancer, Originalia Rolls |
| E.403   | Exchequer of Receipt, Miscellaneous Books                  |
| E.404   | Exchequer of Receipt, Warrants and Issues                  |
| E.407   | Exchequer of Receipt, Miscellanea                          |
| L.C.2.  | Lord Chamberlain's Accounts                                |
| L.S.13  | Lord Steward's Miscellaneous Books                         |
| P.C.C.  | Prerogative Court of Canterbury                            |
| P.P.R.  | Principal Probate Registry                                 |
| St.Ch.1 | Early Star Chamber Proceedings                             |

## Chapter I

### BIOGRAPHY

The family of Guildford was extremely old, eight or nine prior generations being recorded in Kentish annals, its founder most likely being one Adam de Guldeford, who was an MP for Chipping Wycombe, Buckinghamshire, in the reign of Edward I.<sup>1</sup> For three generations before Guildford's birth the family manor had been at Halden. He seems to have been the last to live at this place; from his son Edward's time the nearby manor of Hemsted in Benenden parish became the family seat, and so remained until the final dissolution of the patrimony in 1718.<sup>2</sup> The last member of the family, Robert, obtained a spurious distinction from James II, being created a baronet by that ill-fated monarch.<sup>3</sup> All the family were zealous in their profession of the Roman faith and the royalist cause, an attitude which in the 17th century cost them many of their possessions and doomed some to perpetual exile in continental convents.

---

<sup>1</sup> (BM) MS Add.5711,f.69b. *Sussex Pedigrees*. This genealogical table is the one printed by the Camden Society in Sir H. Ellis's edition of the Pylgrymage of Sir Richard Gylforde (London, 1851). It is reproduced again in an article by the Rev. Canon R.C. Jenkins, "The Family of Guldeford," Archaeologia Cantiana, XIV (1882), 1-18. The other precise account of the family is by Edward Hasted, the author of the monumental History and Topographical Survey of the County of Kent (4 vols, Canterbury, 1778-99), III, 82-3n. and 85-6. There are a few inaccuracies, e.g. Guildford's death is dated 1500 and Blackheath field is put in 8 H.7, but otherwise Hasted's scholarship is trustworthy. Also see the article on Guildford in volume I of Josiah Wedgwood and Anna D. Holt, History of Parliament (London, 1936).

<sup>2</sup> Archaeologia Cantiana, XLIII (1931), 75.

<sup>3</sup> Notes and Queries, 3d ser. VI (Jul-Dec 1864), 543.

Sir Richard was born between 1450 and 1455, probably at Halden in the parish of Rolvenden, Kent. His father, Sir John, is supposed to have been comptroller of Edward IV's household,<sup>4</sup> though there is no evidence in support of this claim. However, he did attain membership in Henry

VII's council, after having shared the rigors of an abortive revolt and subsequent attainder with his son. Unlike Sir Richard, though, Sir John never reached a continental sanctuary in 1483. He died on 19 July 1493,<sup>5</sup> and was buried somewhere in Canterbury cathedral.<sup>6</sup> On a window of the old water tower off the library at Christ Church are the Guildford arms, "or, a saltier between 4 martlets sable,..." to slip into armorial jargon. In all likelihood the stained glass was set at the time of Sir John's death, or perhaps in memory of his son Richard (who died overseas, but may have had a memorial established by his widow), for it lacks the "canton of Granada for augmentation", granted to Richard's son Henry by Ferdinand of Spain in recognition of his service against the Moors during Henry VIII's reign.<sup>7</sup>

---

<sup>4</sup> James Gairdner, article "Sir Richard Guildford," Dictionary of National Biography (hereafter DNB).

<sup>5</sup> (BM) MS Add.5711, f.69b. Unless otherwise indicated in introductory parentheses, as in this case where the MS is in the Manuscript Division of the British Museum, all MSS cited in this work are found in the Public Record Office (PRO).

<sup>6</sup> (BM) MS Add.5524, "Liber vocat Clopton," f.204b: "al thoose buryed in Christ Church in Canterbury-Sir John Guilford kt on of the privey counsell to H.7 1493."The inscription on his monument, which disappeared in the 19th century, is recorded in John Weever's Antient Funeral Monuments ... (London, 1767), pp.35-6.

<sup>7</sup> The original coat of arms is reproduced in a BM MS, "A Collection of Kentish arms by Filmer Southouse Gent of Faversham, co. Kent." MS Add.14307, f.20.



Sir Richard first achieved a more than local celebrity after the accession of Richard III, "king in dede but not of right", as Henry VII's every reference to him has it. According to Polydore Vergil, Reynold Bray, then steward to the Lady Margaret, Henry's mother, chose Guildford (then a squire living at Cranbrook) as one of the four men to whom he confided the plot to unseat Richard III. Hugh Conway, John Cheney and Giles Daubeney were the others. Bray had had occasion to engage in a land transaction with Guildford and perhaps was impressed with his trustworthy, i.e. dissatisfied appearance.

This transaction may be allowed to impede the flow of narrative since it accurately reveals the close connection which many councillors to the first Tudor had under the last Yorkist monarch. The property involved was the tenement or manor of Doryndale, located in both Playden and Iden parishes of Sussex, and a mill called "Hothemille", and its appurtenances, in the parish of Rye. They were released and quitclaimed with a warranty by Guildford and five others of London to eight men, most of whom were to be significant figures in early Tudor government. Among them, for instance, were, besides Bray, John Fineux, William Hody and William Cope.<sup>8</sup> Similarly, one of Guildford's associates in the instrument was one William Hill, chaplain of Walcomstowe, in which parish was a manor later held by Sir Thomas Lovell.<sup>9</sup> In other words, here is proof

---

<sup>8</sup> Calendar of Close Rolls, 1476-85, #664 (13 May 1480). Hereafter CCR.

<sup>9</sup> A register of recognizances shows that in Hilary term 4 H.7 Lovell made arrangements with the king to pay yearly £15.3s.4d. for the manor of Walcomstowe Francis in the parish of Walcomstowe, Essex. E.165/8.

of a connection between Guildford, Bray and others and possible evidence that both of them might have been familiar with Lovell three years before the revolt against Richard III. It therefore becomes credible that Bray might have recommended Guildford as a good man for Bishop Morton and the Lady Margaret to put their trust in, as Polydore Vergil asserted.<sup>10</sup> Of the others specified, two became justices in the royal courts and Cope seems to be the same man who later was cofferer of Henry's household. This transaction makes it clear just how small was the commercial and social world of 1480, and is a partial explanation of the evident teamwork among Henry VII's officers: some members of the team had played together before.

The revolt in Kent was timed to coincide with the Duke of Buckingham's rising in the west and Richmond's arrival from Brittany. But the rebels tipped their hand too soon, being unable to restrain the Kentish rank and file, and on 18 October 1483 the king was notified of the rising. This is the scene commemorated by Shakespeare: "The Guildfords are in arms." Buckingham couldn't pass the flooded Severn, Richmond couldn't land, support was not available, and the rebels dispersed. Richard attempted to capture them, even offering 300 marks or lands to the annual value of £10 to the man who took either Sir John or Richard.<sup>11</sup>

---

<sup>10</sup> See his Anglica Historia (ed. Sir H. Ellis, Camden Soc., 1844), pp. 196-7. The best brief account of Sir Reginald Bray's eventful life, together with a bibliography, is in W.C. Richardson, Tudor Chamber Administration, 1485-1547 (Baton Rouge, 1952), appendix I.

<sup>11</sup> Printed in James Gairdner, History of the Life and Reign of Richard the Third (Cambridge, 1898), pp.342-4. This is from (BM) MS Harl.433, the source for almost all public records for Richard's reign. Its apparent date was Dec 1483/Jan 1484.



Perhaps as a result of this enticement, Sir John was captured.<sup>12</sup> However, Richard escaped to the Earl of Richmond in Brittany, being attainted with his father and other unsuccessful rebels.<sup>13</sup>

Information about Guildford's fortunes at the time of Buckingham's abortive revolt is supplied by two inquisitions of the year 1488. Both concerned one William Langley, who had died in 1483, but about whose lands the crown desired additional information. The commissioners in each of four counties - Kent, Northampton, Gloucester and Shropshire - were empowered to enquire "as to the lands, etc., of William Langley, tenant in chief of Edward IV."<sup>14</sup> The first report came from Kent, where a curious story emerged. Langley had enfeoffed a number of men, evidently to his son's use, but at a later date reentered and created other arrangements. After his death Guildford had occupied the premises until Allhallows 1483, when he was expelled by William Malyvery (Mauleverer), who in turn occupied the manors until 31 August 1485, "after which date Richard Guildford resumed possession thereof," and so continued until

---

<sup>12</sup> Wedgwood and Holt, I, 403. That Richard III was less of an ogre than Tudor publicists would have us believe (though hardly the unblemished personage whom a recent American revisionist presents to us), is clear from Sir John's fate. He was imprisoned in Newgate and attainted, but released in March 1484, still attached to the Tudor cause, though perhaps not publicly. Sir John, incidentally, had not begun on such a note of discord with his ruler; he attended Richard's coronation, for instance. (BM) MS Add.21116, ff.59b-61b.

<sup>13</sup> Rotuli Parliamentorum ..., VI, 245b (hereafter Rot. Parl.). The Kentish portion of this revolt is discussed by Agnes E. Conway in "The Maidstone Sector of Buckingham's Rebellion, Oct. 18, 1483," Archaeologia Cantiana, XXXVII (1925), 97-121.

<sup>14</sup> Calendar of Patent Rolls, 1485-94, I, 212 (20 Mar 1488, Canterbury). Hereafter referred to as CPR.

the present commissioners seized them into the king's hands. The inquisition revealed that the king, the Archbishop of Canterbury, the prior of Christ Church, Canterbury, and others were the lords of Langley's scattered estates. How Guildford had come into possession was not known.<sup>15</sup>

The other inquisition which concerned Guildford came from the commissioners in Northampton, where essentially the same story was told. Once more the lands (two manors, only one held in chief) were confiscated.<sup>16</sup> A year later Malyvery was granted the office of keeper of Langley's lands during the minority of his son and heir.<sup>17</sup> That he received this substantiation of his original claim speaks well for the validity of that claim; he who had benefitted by the exile of a Tudor favorite at the nadir of Tudor fortunes must have had an exceptionally strong case, else he hardly would have dared to air his grievance. He controlled the Langley lands for four and a half years, until in 1493 John, the son and heir, obtained a special livery and license of entry without proof of age.<sup>18</sup>

The year 1484 is a blank. We know that Henry Tudor received financial

---

<sup>15</sup> Inquisitiones Post Mortem, Henry VII, I, #362 (inquis. 25 Mar 1488). Hereafter IPM. Guildford's own lands in Kent became the property of Ralph Ashton in 1484. (See Rot. Parl., VI, 245b and Conway article in Arch. Cant., XXXVII, 97-121.) A commission of five was established to assess the value of these and other properties in March 1484. (CPR, 1476-85, pp. 401-2) Ashton was on the commission.

<sup>16</sup> IPM, H.7, I, #447 (inquis. 23 Apr 1488).

<sup>17</sup> CPR, 1485-94, p.270 (11 May 1489, Westminster).

<sup>18</sup> Ibid., p.452 (19 Nov 1493, Westminster).

backing from the Duke of Brittany,<sup>19</sup> and that from this source and others he raised enough money to equip a small force for a second attempt upon the throne of England. His party landed at Milford Haven on 7 August, although the dating of Guildford's patents of office from 8 August suggests that this date may be incorrect. Quite likely Guildford was knighted at the landing, but there is no incontrovertible proof as to the exact date of this event. In any case, sometime between 8 and 22 August he became Sir Richard.<sup>20</sup>

Henry's first parliament reversed the attainders of both Guildfords,<sup>21</sup> and exempted the various offices and lands granted Sir Richard by the King (Exchequer, Ordnance, Armory and Kennington manor) from the general act of resumption.<sup>22</sup> This exemption was made again in 1487 when the second resumption was made by the crown.<sup>23</sup>

The first lands which came to Guildford as a result of Henry's accession were in Surrey, where he was granted the keeping of the royal manor of Kennington for life.<sup>24</sup> Throughout Henry's reign Guildford was

---

<sup>19</sup> (BM) MS Add.19398 contains an hypothecation of all lands, presently and in future to be held by Richmond, as security for a loan from the Duke.

<sup>20</sup> (BM) MS Harl.78, f.31b; MS Cotton.Claudius C.III, f.2b.

<sup>21</sup> Rot. Parl., VI, 273b.

<sup>22</sup> Ibid., VI, 354b. Exemplification at Guildford's request in CPR, 1494-1509, p.352 (2 Jun1504).

<sup>23</sup> Rot. Parl., VI, 407.

<sup>24</sup> CPR, 1494-1509, p.18 (29 Sep 1485). Among the errors perpetuated by Wedgwood and Holt is the notion that this manor of Kennington actually was a manor in Kensington.

assigned sums for the maintenance of this manor, primarily because it was the scene of numerous jousts.<sup>25</sup>

In this first year Guildford also received his first wardship. Upon the decease of Robert Mortymer, Guildford, the king's "beloved and faithfuller counsaillor," was granted the wardship and marriage of Elizabeth, Mortymer's daughter and heiress, as well as the profits arising from those lands Mortymer had held in capite.<sup>26</sup> According to the inquisition held on 31 October 1486, Mortymer had been seised of or had an interest in seven different properties in Essex.<sup>27</sup> By this assumption of responsibility Guildford was put in control of a rather handsome annual income, as well as the possibility of receiving a sizeable sum when the girl

---

<sup>25</sup> See for example William Campbell, Materials for a History of the Reign of Henry VII (London, 1873-7), I, 511 (20 Jul 1486), where Guildford is assigned the king's moiety of 100 marks assessed Thomas Gate for his confiscation of lands, the 50 marks to be spent on repairs to this manor. For references to jousts there, see (BM) MS Egerton 2358, ff. 42b-4b (Thomas Warley, clerk of the works, accounts for 1500-2) and E.404/82, bde 1, unnumbered (3 May 11 H.7). The grant makes no mention of any sum to be rendered at the Exchequer annually. Nevertheless, in a list of fermors' arrears for 1501-2, the following occurs: "Ric Gyldeforde milite per ffirm de Kenyngton divers annos de arre[arages] sum -- cxxvii li xviii s iiii d." (E.36/247, f.9) And in E.36/213, f.3 it appears that this sum was respited upon certification in Chancery ("porte in respite certe canc<sup>o</sup>"). Kennington is listed, in a later English hand, among the Latin "Ffynes & Ffeodfirmes" for 21 H.7, but unfortunately no explanatory note was set beside it, as had originally been intended. (E.36/212, f.78) It is possible that Southwell meant Winchelsea when he wrote Kennington, or put Kennington down before he realized that it bore no charge, but this is not the sort of carelessness one expects from a general receiver of revenues. If not this, then the original grant must have been compromised by a later oral assessment.

<sup>26</sup> CPR, 1485-94, p.167 (31 Dec 1486, Westminster). In Campbell, I, 499 this grant is dated 14 Jul 1486.

<sup>27</sup> IPM, H.7, I, #150. For a complete list of Guildford's holdings, either by right or as feoffee to uses, see appendix III.

married. Instead of gambling on this latter chance, however, he chose to marry the heiress to his son George, thus assuring that these lands continued in his family's possession.<sup>28</sup> The estate of Guildford was growing.

In the following year he was granted the lordship or manor of Higham in Sussex, in tail male, upon condition that he build a tower within two years in a marsh near the port called "le Camber." This manor was valued at 40 shillings yearly. Furthermore, he received the rare permission to build walls and towers at will in this marsh and the rest of the manor; and the walls might be crenellated.<sup>29</sup> It would be difficult to adduce more impressive evidence that Guildford was trusted by his sovereign. This permission to fortify was not granted often; understandably, Henry chose to regard such unsolicited enterprise as a proof of ulterior design. Though it might be argued that artillery already had destroyed the defensive value of castles, military thinking had not yet recognized this fact. Royal fears on this score were therefore unimaginative but genuine.

A few months before he left England in 1506 Guildford surrendered the patent granting him this manor of Higham. Upon surrender, however,

---

<sup>28</sup> George S. Fry, ed., Inquisitiones Post Mortem Relating to the City of London. Part I. 1 Henry VII-3 Elizabeth, 1485-1561 (British Record Soc., London, 1896), pp.33-40. Proof of age of Elizabeth, wife to George Guildford and heiress of Robert Mortymer; taken at the Guildhall, 11 February 1522.

<sup>29</sup> CPR, 1485-94, p.151 (6 Oct 1487, Westminster). There is a good account of Guildford's holdings in and around Winchelsea in William Durrant Cooper's History of Winchelsea (London, 1850).

it was regranted him, again in tail male, with the further grant of the office of bailiff of New Winchelsea, "the soil of which town was of old parcel of the said manor." The latter office likewise was granted in tail male, in return for which he was to render yearly £20 at the Exchequer.<sup>30</sup>

There is some confusion surrounding the bailiwy of Winchelsea. Guildford was held responsible for the annual fee ferm long before 1506, yet there seems to have been no previous grant of this office to him. The evidence suggests that the office was granted to his second wife, Joan Vaux, as a reward for nursing or being in attendance upon some of the royal children. Heron made a note under the heading "K<sub>ing</sub>es Revenuez primo die Augusti anno xii Rex H VII," of "the yerely ferm of the baylywick of Winchelsy which my lord of York norysh [nurse] & hir husbond have taken to ferme to pay at Michell over and above x li assigned for hir selve -- xx li."<sup>31</sup> Granted that this is an oblique way to refer to Guildford in a generally masculine age, it nevertheless appears that he is the unnamed husband, for on 1 October 1499 Heron repeated this entry, then scratched the phrase and entered Guildford's name above it.<sup>32</sup> He is

---

<sup>30</sup> CPR, 1494-1509, pp. 472-3 (17 Jan 1506, Westminster). Included in the bailiff's office were such perquisites as customs, stallage, lastage, tronage, fines, forfeitures and amerciaments, all of which were ancient (some in fact like "infangtheof" and "utfangtheof" were Anglo-Saxon) and most of which were meaningless, else Henry hardly would have traded them for the minor sum of £20 per year.

<sup>31</sup> E.101/414/16.

<sup>32</sup> (BM) MS Add.21480, "Memorand". Guildford is mentioned by name in the partial list of crown revenues for the same date in E.101/415/3. This is printed as an appendix to Richardson's Tudor Chamber Administration.

associated with the bailivy in accounts for 18 and 20 Henry VII, also.<sup>33</sup>

On the other hand, Anne, the widow of Godfrey Oxonbrigge, was granted her late husband's office of the bailivy of Winchelsea, in consideration of her services to the Duke of York, on 9 May 1496 (11 H.7). She also had to pay £20 a year over £10 assigned her previously.<sup>34</sup> If she actually was the nurse meant by Heron, then evidently by October 1499 Guildford had been granted her office, despite the fact that she didn't surrender her patent for another three years.

The second wardship which fell to Guildford was that of Thomas Delamare, "cousin", i.e. grandson and heir, of Sir Thomas Delamare, a tenant in capite whose lands were at the king's disposal. Early in 1493 Henry granted Guildford the wardship and marriage of this boy, and the keeping of his lands during his minority.<sup>35</sup> The child died within a year, however; the inquisition returned the following technical information concerning his property in Berkshire: (1) three manors, worth £95.6s.8d., were held of the king immediately; (2) two manors, worth £15, were held of the king mediately, and one manor, worth £10, was held of the Lord Fitzwaren by unknown service. Of the two manors held mediately, Edmund Pakenham, squire, was seised of the moiety of one in knight's service;

---

<sup>33</sup> E.36/123, f.66 (to 4 Jun 18 H.7); also in E.101/413/2, pt 3, f.57, E.101/413/2, pt 3, f.205 (1 Apr 20 H.7) and (BM) MS Add.21480, f.195. In the two latter entries the office is said to pertain to both Winchelsea and Rye. He was delinquent in both.

<sup>34</sup> CPR, 1494-1509, p.46. According to a note in the calendar, this grant was vacated because surrendered, 27 Sep 1502.

<sup>35</sup> Ibid., p.425 (1 Feb 1493, Westminster).





and John Parkyn and his wife held the other half in fee of her right. The second manor in this category was held in fee by free alms by the Warden and Scholars of St Mary New College, Winchester.<sup>36</sup> All these lands had been in Guildford's hands by virtue of his grant from the king, but he apparently had disposed of them in short order, for when the dead boy's heiress, his sister Frideswide, came of age in 1495 (being then 16), her lands were said to have been in the custody of Archbishop Morton, by virtue of a grant from Sir Richard Guildford.<sup>37</sup> This traffic in wardships was common; it demonstrates the artificiality of this archaic right, for the original purpose—to provide a strong substitute for the prospective knight during his nonage—was submerged in the lust for wealth. There seems no doubt that the feudal aids and incidents were duties without corresponding rights by the 15th century. Certainly, Henry VII stretched his prerogative for purely financial reasons, rightly regarding every shilling gained in this fashion as a down payment on independence.

During the parliament held in 1495, Guildford introduced a bill for the removal of his lands in Kent from gavelkind tenure. This bill received the royal assent; henceforth all his lands in that county, and all that others might hold to his use (an interesting note, this) were to be

---

<sup>36</sup> IPM, H.7, I, #763 (inquis. 12 Apr 1494). Land held immediately was held directly from the lord, in this case the king; land held mediately was held again from the lord (here the king), but with the interposition of another lord, in this instance Pakenham, the Parkyns and the New College corporation.

<sup>37</sup> Ibid., I, #1140. On occasions such as this the writ "de aetate probanda" was issued. Frideswide, incidentally, was married already. Writs of this type, which called for accurate information about dates, show the homely devices resorted to by a community without written records, but nevertheless possessing a collective memory.

transmitted according to the common law rules.<sup>38</sup> By this Guildford gained the right to provide for his heirs as he chose; prior to this they, i.e. his sons, would have taken equally. It is conceivable that he was prompted to do this out of a preference for Edward and George, sons by his first wife; certainly his will favored them over Henry, the fruit of his second marriage.<sup>39</sup> However, it may be no more than the normal English desire to found a family possessed of a landed estate which we encounter here.

Another office was granted Guildford in the spring of 1496. Previously he had been steward of the lands owned by Cecilie Duchess of York in Kent, Surrey and Sussex; now, two years after her death, Henry VII confirmed Guildford in the office as of Michaelmas 1495. His fee was an annual £5.<sup>40</sup> How long Guildford had had charge of her estates is uncertain, though it may be, as A.P. Newton suggested, that Guildford gained his pre-Tudor administrative experience in this post.<sup>41</sup> There really seems to be no need to go this far afield, for his own holdings should have proved sufficient for that task.

Guildford's next wardship was shared with others: in the summer of

---

<sup>38</sup> Rot. Parl., VI, 487. In 1504 he procured an exemplification of this act. (CPR, 1494-1509, p.352) That land legally vested in A,B and C could pass into another tenure at the desire of a fourth party (here, Guildford, the original feoffor) is sufficient proof that the use commonly was regarded as a safe device, directly responsive to the wishes of the alienor.

<sup>39</sup> See p.24 of this study for Guildford's will.

<sup>40</sup> CPR, 1494-1509, pp.56-7 (21 Apr 1496, Westminster).

<sup>41</sup> "King's Chamber under the Early Tudors," English Historical Review, XXXII(1917),348 (hereafter EHR). Such suggestions are tentative, for there is not enough evidence for conclusions. The same might be said of Richardson's note on Guildford."He was also a trained accountant." (Tudor Chamber

1498 he was one of five who were granted the keeping of all lands in Wiltshire and Hampshire pertaining to Katherine Whitehed, said Katherine being an "idiot" from birth.<sup>42</sup> This sort of grant meant a lifetime income in many cases, for the chance of mental retardation being overcome or compensated was, of course, very slight. Wardships of normal persons couldn't last more than 16 or 21 years, depending on sex, but wardship of an "idiot" was not limited in this fashion. Guildford was included among what appear to be relatives in this grant. One suggestion might be that a royal nominee was needed to see that a decorous handling of revenues obtained, particularly as none of the land was held in chief.<sup>43</sup> However, it is more likely that the king here demonstrated that overweening curiosity about other people's property which so aroused resentment among the landed classes. Time and again Henry "discovered", via his escheators and local juries, that he had an interest in lands, especially those of dead or defenseless persons.

On 27 April 1501 the king released to Guildford, Sir William Sands and Francis Cheyne the manors of Woodhay and Enborne in Berkshire, to the use of the said Francis during minority. These manors were parcel of the lands late belonging to Sir John Cheyne, ancestor of Francis. The

---

Administration, p.180, n.73) No authority is given for this assertion, nor is there any. The word "trained" is probably no more applicable to Guildford than to many other of Henry's advisors. Experienced would be a more accurate description.

<sup>42</sup> CPR, 1494-1509, p.133 (14 Jul 1498, Westminster).

<sup>43</sup> The only lands which might be involved here pertained to John and Katherine Whitehed, but neither seems to have had a daughter named Katherine, who, incidentally, is called the daughter of Anne, of whom there is no record in the calendared IPM.

issues of these manors were payable to the king, saving 40 marks for the maintenance of the heir.<sup>44</sup> This answers the question, what happened to a ward? In all likelihood he lived with Guildford in the position of a semi-servitor which was customary for young persons in that era.<sup>45</sup> Two years after Henry demised the manors he altered the arrangement. Upon surrender of the letters patent creating the first device, Sands and Cheney were regranted the same manors, but this time in company with Sir Reginald Bray and Richard Empson, to the use of Cheney for the remainder of the king's period of control. This time, instead of paying yearly all revenues save 40 marks, they were to pay £100 a year for the next ten years, until the sum of £1000 was paid in satisfaction of the forfeiture of the marriage of Francis.<sup>46</sup>

---

<sup>44</sup> CPR, 1494-1509, p.224. Also noted by Heron under date Michaelmas 17 H.7. (E.101/415/3, no pagination) Evidently Guildford had been promised £100 in compensation for relinquishing control of Cheney's heir, for so Heron noted sometime after 16 Feb 1500. ([BM] MS Add. 21480, f.175b) This of course was antecedent to Henry's enfeoffment of Guildford, Sands and Cheney. Later, just before that arrangement was terminated, Heron noted a payment to Guildford of CC li "for finding [supporting or discovering?] of the warde of Francis Cheyne". (E.101/415/3, n.p.)

<sup>45</sup> For this farming-out system, which evidently was based on the supposition that parents would be too lenient with their own children, see C.A. Sneyd, ed., Italian Relation ..., Camden Soc. (London, 1847), pp.24-6, 75-7. For an interesting revision of one point in the Sneyd translation of this Venetian document, and a suggestion that more might be amiss, see E.J. Davis, "Goldsmiths in La Strada, London, 1497," History, NS XVII (1932-3), 47-8. One of the wealthier commoners of the age, Sir Thomas Lovell, named 89 persons in the section of his will devoted to his immediate household. Many of them were the children of his relatives and friends. P.C.C. 27 Jankyn (probated 26 Sep 1528), in P.P.R., Somerset House.

<sup>46</sup> CPR, 1494-1509, p.310 (14 Mar 1503, Westminster).

This latter apparently refers to the alternatives presented to a ward of marriageable years: either marry the person suggested by the lord or pay the forfeit. Francis evidently chose the latter course, though undoubtedly many wards consulted their pocketbooks rather than their hearts on similar occasions. A variation of this racket (at this stage of centralized government and the disorganization of the nobility there is no other word for the practice) was for the lord to waive his rights in the ward's marriage for a consideration.<sup>47</sup> Why Guildford was replaced by Bray and Empson doesn't appear, though it looks as if the king wanted legal experts associated with this business, and though Bray was no lawyer he had a good working knowledge of the law.

During the early years of Henry's reign Guildford also was interested in lands within the city of Westminster. His associates in these ventures were by no means members of the landed gentry: in a fine levied on a messuage called "le antelope" one meets his name among those of citizens and merchants of London and a yeoman of Kent.<sup>48</sup> This same group on a later occasion was similarly employed in the disposal of this property to Sir Robert Cotton and his wife.<sup>49</sup>

His first essay at business brought Guildford into relations with

---

<sup>47</sup> An editorial note at the end of this calendared item says that annual payment was waived by Henry VIII; even so, Cheney must have paid until 1509.

<sup>48</sup> W.J. Hardy and W. Page, eds, Calendar of the Feet of Fines for London and Middlesex. Volume II. 1 Henry VII to Michaelmas 11 & 12 Elizabeth (London, 1893), p.4 (Easter 4 H.7).

<sup>49</sup> Ibid., p.7 (Easter 10 H.7). Cotton was a knight of the body and an official of the queen's household.

the clergy, an association which was to be lengthy and fruitful. There is something fitting in a career thus initiated, since the last unofficial record concerning him is by a churchman. It is regrettable that so few personal documents have been preserved from this period, for in such communications as are preserved at Christ Church, Canterbury, one perceives qualities which obviously could not be discovered in official documents.

One of his connections was with the abbot and convent of St Mary in Robertsbridge, Sussex, a place too small for its abbot ever to have been summoned to parliament by Henry VII (it had eight monks at the dissolution),<sup>50</sup> but possessed of extensive holdings in the salt marshes along the southeastern coast. From Edward IV they received license to grant 1300 acres of this marginal land in Sussex and Kent to "Richard Gylford squire." While their tenure had been by frank almoigne, this transfer reintroduced the land into the feudal structure; Guildford was to hold to himself and his heirs by fealty and a rent of a shilling yearly.<sup>51</sup> Whether Guildford was 23 or 28 at the time of this transaction depends upon one's choice between the contradictory birth-dates assigned him by Gairdner in the DNB and Wedgwood and Holt in their History of Parliament. The present writer is inclined to accept Gairdner's estimate; which means that Guildford had entered upon an independent life at a fairly early age.

---

<sup>50</sup> Thomas Walker Horsfield, The History, Antiquities and Topography of the County of Sussex (London, 1835), I, 582.

<sup>51</sup> CPR, 1476-85, p.138 (22 Jun 1478, Westminster). This statement of course needs qualification. This grant sounds like socage tenure, but in any case it was out of free alms.

Naturally, there was a consideration for this grant. From another source it appears that Guildford had entered into three obligations with the abbot and convent, which obligations were not yet discharged two years later, for on 20 April 1480 he sealed an agreement to meet them. The sum involved was not mentioned.<sup>52</sup>

In 1497 Guildford acquired vast holdings from three ecclesiastical bodies. From the abbot and convent of Robertsbridge he received, or at any rate they were given royal permission to grant him, 3000 acres of marsh in various parishes of Kent and Sussex. As before, these lands had been held in free alms and were transferred to Guildford in socage (by fealty and a rent of 12d. at Michaelmas).<sup>53</sup> By the same license the abbot and convent were authorized to acquire up to £40 a year in new lands to be held in frank almoigne. Such lands doubtless came or were to come from Guildford in consideration of the grant; and it is probably this transaction or one like it which was intended when Guildford sought permission to grant lands in free alms to the value of £40 in 1495.<sup>54</sup>

---

<sup>52</sup> Historical Manuscripts Commission. Report on MSS of Lord de Lisle and Dudley, I, 155. Hereafter cited as HMC.

<sup>53</sup> CPR, 1494-1509, p.110 (5 Jun 1497, Westminster). It may be this transaction which is referred to in an indenture between John Abbot of Robertsbridge and Guildford on 2 Mar 1499, testifying that the abbey, by royal license, had transferred lands in "Promhell" to Guildford. HMC, de Lisle and Dudley MSS, I, 156.

<sup>54</sup> E.101/414/6, "Kinges Memoranda" (27 Nov 11 H.7). For this question of the royal license to grant lands held in chief see IPM, H.7, II, #973, where Guildford et alia, feoffees to uses, were forced to acquire the king's pardon re lands late of Henry Horne. Sometime after 16 Feb 1500 Heron noted another arrangement of this type: "Md that the king hath signed a bill to Sir Ric Gilford for mortassynge of ix marcs of land with oute fyne or ffee wherfor he is agreed to rebate L li of the C li he shuld haue for Cheynes lands". (BM) MS Add.21480, f.175b.





On the same day the abbot and convent of St Savior, Feversham, were authorized to acquire lands to the yearly worth of £20 in frank almoigne and to grant to Guildford, under the same terms as in the grant last mentioned, 1200 acres in the parish of Cranbroke, Kent.<sup>55</sup>

A short while before these licenses were issued, the abbot of St Martin's, Battle, had been licensed to impropriate the church of Hawkhurst in Kent (where Guildford also held land) and to grant Guildford 300 acres in the parish of Cranbroke. This land also was transferred from free alms to secage tenure.<sup>56</sup>

These agreements reinforce the belief that Guildford's association with churchmen was quite close. This is especially true of his dealings with the two men who were successively priors of Christ Church, Canterbury, William Sellyng (1472-94) and Thomas Goldstone (1494-1517).<sup>57</sup> One of the first favors which Guildford asked of anyone in the new reign he sought from Prior Sellyng.<sup>58</sup> "My lord prior after due recommendacion

---

<sup>55</sup> CPR, 1494-1509, p.110. This was Guildford's home parish. As a young man he had lived there, and was called of that parish in the act of attainder against him on 23 Jan 1484. Rot. Parl., VI, 245b.

<sup>56</sup> CPR, 1494-1509, pp.110-1 (12 Mar 1497, Westminster).

<sup>57</sup> Hasted's Kent, IV, 517 puts Sellyng's death in 1495, however.

<sup>58</sup> "Christ Church Letters", II, #107: "To the ryght reverend father in God my lord prior of Christ Church in Canterbury". The letter, preserved among the muniments of the Christ Church library, is undated. According to J.B. Sheppard, the 19th century archivist who compiled the letter books and edited both the selection printed by the Camden Society in 1877 (Christ Church Letters) and the Litterae Cantuarienses (3 vols, Rolls Ser., 1889), Huse or Hussey was presented to All Hallows either in 1485 or 1486. Therefore, the letter can be dated either late in 1485 (no earlier than August, obviously) or early in the next year. For a description of these MS letters see HMC, Report on Various Collections, I, 215.



had to your good lordship it may please you as I may do you such service as lieth in my power to help to the preferment of my cosine Sir Marquis Hosse [Hussey] to a benefice called All Hallows in London wherof you be patron. My lerd you shal not only have my service for the goodness that you shal show him but I doubt not as much thanks of the gentilmen ther as ever you had in your lyfe. And if ther be service that lieth in my power to your plesure or profit I beseech you command it and I shal be Glad to enter me to the accomplishment therof & ovr lerd kepe yow - your Gyldford".

That his sole contact with the clergy was in mundane matters might be the cynical conclusion drawn from this and previous examples of Guildford's enterprise, but such a conclusion falls before the comment made by Goldstone, then a chaplain, to Prior Sellyng in a letter written sometime within the period 1485-94. This chatty note was sent without other purpose than greeting, "forasmuch as ovr elde frend and lover Sir Richard Gulforde berer herof the wych hath ben here wyth us all this Christmas and hath lyved here a religious lyfe in devotien is now departing hens toward your lordschyp ..."<sup>59</sup> It demonstrates the possibility that a man of action might possess certain qualities more commonly associated with contemplative persons. Among medieval churchmen this was quite common, though perhaps rarer in the laity.

One other communication, this time between Guildford and Prior Goldstone, shows them on a more business-like basis. Guildford, writing from

---

<sup>59</sup> "Christ Church Letters", II, #108. Tentatively dated 1486 by Shepard, but see p.149 of this study, where 1490 is suggested as a better date.

his father's manor in Tenterden, co. Kent, alludes to the prior's interest in a manor which he knew Sir John Guildford wished to sell, informs him that the manor (Eythorne) and its appurtenances is now his by virtue of an exchange of lands with his father. The prior is thanked for his labor "in dryvyng of the parson of Eythorne" to a conclusion, i.e. for having pressured the parson, who apparently objected to the exchange made by father and son, or disliked the idea that the manor might come under the prior's control. And Guildford sends the prior a servant who will "commerce" with him upon the revenues of Eythorne and other pertinent matters.<sup>60</sup>

In the parliament held during the regnal year, 19 H.7, a rehearsal of all treasons and revolts was enrolled, with a general attainder being enacted (subject to the usual saving clauses and exemptions). One of these exemptions was in favor of Guildford for the manor of Ffylberdes, co. Berks.<sup>61</sup> Ffylberdis or Philberts had belonged to Edmund de la Pole, Earl of Suffolk, and before that to Henry VII by virtue of the attainder suffered by de la Pole's father, the Duke of Suffolk. It had been re-granted to the son, however,<sup>62</sup> and was still in his possession when he made his second flight to the continent in 1501. At that time, or

---

<sup>60</sup> Ibid., II, #105 (26 Jun 1497). Sheppard suggested 1490, but this can't be since Goldstone didn't succeed Selling until 1494/5. On the other hand, Guildford's father, Sir John, died in the summer of 1493. The only way out of this is to suggest that it was written to Goldstone while he still was a chaplain at Christ Church; but why he should have been contacted upon a business matter requiring the prior's action isn't clear.

<sup>61</sup> Rot. Parl., VI, 548b (Feb/Mar 1504).

<sup>62</sup> See CPR, 1494-1509, p.260.

shortly after, Guildford evidently seized the manor. There seems to be no patent granting it to him, so the presumption is that he took it on his own initiative or upon verbal authorization from the king.<sup>63</sup> That he still held it as late as 28 January 1506 is clear from the instructions of that date which Suffolk gave to his steward, Killingworth, pursuant to which he was to "treat" with Henry VII. Among the lands which he demanded before he would accept the Tudor pardon was "the manor of Filberdes which Sir Richard Gyldeford hath ..."<sup>64</sup>

As a measure of his importance or trustworthiness in the eyes of the King, we may cite Guildford's inclusion within the group which was enfeoffed in survivorship of the honors, castles, lordships and manors, including appurtenances, of the Duchy of Lancaster, to the use of Henry's heirs, on 20 February 1492.<sup>65</sup> And on 6 January 1497 he was one of 33 persons seised of ten manors in six counties, again to the use of Henry VII and his heirs.<sup>66</sup>

In July 1497 he was included in Warbeck's list of "caitiffs and

---

<sup>63</sup> Dudley notes on 17 July 1506: "Item delivered for Exemplificacon with a release of the manors of Fylberdis". (BM) MS Lansd. 127, f.25b. Does this mean that heretofore the royal interest was not asserted, but not relinquished, either?

<sup>64</sup> James Gairdner, Letters and Papers Illustrative of the Reigns of Richard III and Henry VII (London, 1861-3), I, 281. Hereafter L&P, R.3 & H.7.

<sup>65</sup> Rot. Parl., VI, 444b-46b. This was done prior to the invasion of France; it was inoperative during Henry's lifetime; no offices were to be vacated, etc.

<sup>66</sup> Ibid., VI, 510b. One of these manors was Ramenham, which was aliened by Guildford in mortmain (see p.198, this study). Henry, himself, reserved the right to redispense of these lands, which is what happened in the case of Ramenham.

villains of simple birth", a manifest absurdity and some indication that the boy had little knowledge of what went on in England.<sup>67</sup> And at the battle of Blackheath Guildford was one of fourteen knights who became knights bannerette.<sup>68</sup>

His second marriage was graced by the royal presence.<sup>69</sup> The date of this event is uncertain; however, Gairdner, in his article on Henry, Richard's son by this wife, in the DNB, gives 1489 as his year of birth.

In 1500 he became a Knight of the Garter, though curiously enough some lists compiled by 17th century antiquarians omit his name.<sup>70</sup>

With the exception of the parliament of 1485, in which his father may have sat for Kent, he apparently attended every parliament of Henry VII. Or so Wedgwood maintains. For the parliaments of 1495 and 1497 there is a mention of his attendance, but no reference to a constituency.<sup>71</sup>

---

<sup>67</sup> (BM) MS Add [Birch] 4160, #5. Printed in A.F. Pollard, The Reign of Henry VII from Contemporary Sources (3 vols, London, 1914), I, #108, p. 152.

<sup>68</sup> (BM) MS Cotton. Claudius C, III, F. 30 (17 Jun 1497); MS Add. 38133, f.129b.

<sup>69</sup> Ibid., f. 13b: "Item Sir Ric Guldeford & \_\_\_\_ sister of Sir Nicholas Vaux." Her name was Joan or Jane.

<sup>70</sup> John Anstis, Register of the Most Noble Order of the Garter ... (London, 1724), I, 237-9. Anstis says 1499, however, while Gairdner (DNB) claims 1500. For MSS see (BM) MSS Add. 38133, ff.131b-2 and Archaeologia, XXXI (1846), 168.

<sup>71</sup> Rot. Parl., VI, 450, 507, 510. On 15 October 1495, the second day of parliament, Guildford, Bray and Empson came from the Commons with a message for the Chancellor, Archbishop Morton, concerning the Speaker whom they had elected, Sir Robert Drury. They were commended "de eorum celeri expedicōe ..."

At the beginning of April 1506 he was pardoned, as late Master of the Ordnance, of all debts incurred in any of his former offices, or in the keeping of Kennington manor, or in the construction of anything for the King's works or wars.<sup>72</sup> Such pardons customarily were sued out at the conclusion of a career in public administration; in the event of future disagreements they served as a measure of indemnity. Here it means that Guildford had retired definitely by the spring of that year.

His will was dated 7 April; it was not probated, however, until 10 May 1508. To summarize its provisions, he provided that: (1) contrary to usual practice, he was to be buried where God willed; no doubt this was a normal statement for a medieval traveler to make, but in retrospect it seems prophetic; (2) Edward, his eldest son, was to take his goods and cattle, save those things at the Black Friars in London; (3) George was to get lands in Hawkhurst, co. Kent; (4) George was declared heir male to Edward; Henry to George; (5) however, all lands in the "grove" [Wykham Breux Parish] in Kent and Mersham and Ffodrinsham in Sussex were to be Edward's in fee simple, to the intent that he have the power to make an exchange with George; (6) Henry was to get £5 every year "while hys moder lyveth"; (7) Sir Richard's widow was to receive annually 50 marks, as well as all his things at the Black Friars in London, with the exception of two books; (8) William

---

<sup>72</sup> CPR, 1494-1509, p. 453 (4 Apr 1506, Westminster). The bailiwy of Winchelsea was not mentioned, whether by oversight or on purpose does not appear. However, the bailiwy seems to have been Guildford's biggest financial problem (supporting the contention that the perquisites looked better on parchment than in practice). In October 1505 Heron noted that the abbots and convents of Battle Abbey and Robertsbridge ("ponte Roberti") had entered into obligations under convent seal to pay £150 "for Sir Ric Gylfordes debtes". E.36/214, f.443.

Anger was to be his general receiver with suitable compensation;  
(9) those who held lands to his use were to continue so holding for  
the payment of his debts; (10) a yearly accounting of these lands was  
to be made to his sons Edward and George and three others.<sup>73</sup>

The provision concerning his feoffees adds to our understanding of  
the system; quite likely some such accounting was expected of all  
feoffees to uses.

From the only portion of Guildford's lands which was the subject  
of an inquisition post mortem, that in Sussex, we discover that Merham  
was a manor held in socage of George Lord Hastings.<sup>74</sup> Evidently, in  
the same week Guildford suffered a recovery of most of his lands in  
Sussex to his use for the performance of his will.<sup>75</sup> His lords were  
the King, Lord Hastings and Sir Roger Leukenore. Of his feoffees'  
names nothing is said, nor does he specify them in his will.

The one office not secured to his son Edward was granted to Sir  
John Pecche by Henry VIII shortly after his accession. On 4 June 1509  
Pecche was appointed steward of all lands in Kent, Surrey and Sussex,  
late belonging to Cecilie Duchess of York, formerly in the hands of

---

<sup>73</sup> P.C.C., 28 Fetiplace (1508) in P.P.R., Somerset House. It is  
regrettable that Sir Richard didn't cite the titles in his library.  
One MS owned by him or a contemporary member of the family, Bonaventura's  
Mirror of the Life of Christ, in English, is in the BM (MS Add. 30,031).

<sup>74</sup> IPM, H.7, III, #374 (inquis. 21 Sep/10 Oct 1507). This volume is  
not yet available; an unbound copy has been consulted at the PRO. Also  
in (BM) MS Add. 37101. This is a MS copy of the IPM, 1-24 H.7, alpha-  
betized in chronological order.

<sup>75</sup> Stated in inquisition.



Sir Richard Guildford.<sup>76</sup>

Guildford's ghost finally was laid in the autumn of 1509, when his son and heir, Edward, who was called administrator of his father's estate, was pardoned and released from all debts arising from his father's tenure of various offices.<sup>77</sup>

The events of his last months are indirectly related by the writer of the Pylgrymage, the first edition of which was printed by Pynson in 1511 and re-edited for the Camden Society in 1851. The author's identity is unknown; however, it could have been Thomas Larke, who was chaplain to Guildford in 1495-6, became a royal chaplain early in the next reign and was granted a canonry and prebend in the collegiate church in Westminster palace early in November 1511.<sup>78</sup> No other chaplain who served Guildford is known, and this man, with contacts at Westminster, could have known Pynson and most likely was equal to writing an account of this nature. Whoever he was, he wrote a curious tale. For him, the persons met, the discomforts endured, the novel customs encountered were as nothing to the opportunity to identify the terrain with a Bible for a Baedeker. In the entire book

---

<sup>76</sup> J.S. Brewer, James Gairdner and R.H. Brodie, eds, Letters and Papers, Foreign and Domestic, of the Reign of Henry VIII (London, 1862-1910), I, 19 (140).

<sup>77</sup> Ibid., I, 97 (690), 22 Nov 1509. Edward was still a squire for the body; he was knighted at Tournai, 25 September 1514. He and his step-brother Henry both climbed far up the ladder of royal favor. Their brother George, however, seems to have been content as a county gentleman, being a sheriff once, but otherwise occupying no office. Perhaps his encounter with the law as a young man had something to do with this.

<sup>78</sup> IPM Relating to London. Pt I, p. 39; L&P-H.8, I, 969 (50).  
See Appendix I.

Guildford's name is mentioned twice, where his death and burial are recorded. One has the feeling that this obscure religionist regarded him as well out of it if he could be buried on Mount Sion.

They sailed from Rye about 10 p.m. on Wednesday, 8 April 1506, reaching "Kyryell" in Normandy at noon on Thursday. Guildford became ill in Palestine and succumbed before dawn on Sunday, 6 September. He was buried at Mount Sion. Between start and finish of this chaplain's tale we learn nothing more about the subject of this study. If not fitting, it is at least consistent to end our account with an unexplained action based on obscure convictions. Guildford died as he had lived: not very flamboyantly, yet in accordance with certain notions which were nearly as foreign to his contemporaries as to ourselves. If Sir Thomas More's writings give one picture of the 16th century lay mind, then Edmund Dudley's book, The Tree of Commonwealth, gives another. Guildford was closer to More in belief and expression of that belief than he was to Dudley, but quite likely Dudley was more typical of educated lay sentiment than was either of the others.<sup>79</sup> The average English intellectual was not inclined to go either to the scaffold or Jerusalem, though he might have tried with Dudley to repudiate the past for a stay of execution, if he thought he could write a book. Of these three courses,

---

<sup>79</sup> See for example the maxim attributed to Sir John Fineux, Chief Justice of the King's Bench from 25 Nov 1495, which can be cited in proof of opposed contentions, i.e. that the medieval period was closing or closed, or that certain "modern" attitudes have either early origins or a continuous utterance within recorded history: "No man thrives but he that liveth as he were the first man in the world and his father were not before him." ([DM] MS Sloane 1523) This flouts all the tests applied when in search of the medieval spirit; moreover, it is essentially an unlaywer-like statement, but there seems no reason to doubt that he said something like it. The point is that Guildford's end was unusual for his age and might have been so even in an earlier time.

Guildford was fitted only to pursue the second one, a capacity which excites compassion. He very likely would have failed as a martyr to principle, especially a principle which, unfortunately perhaps, looked like maintaining or reestablishing a supra-national authority at the moment when nations pressed to undisputed sway in their own territories. And, on the other hand, it seems quite clear that he would have botched an attempt along the lines laid down by Dudley; writing books was not in his line. But he could and did stick to a less dramatic course, and in an age when monarchs talked of crusades as interesting, albeit expensive and highly irrelevant projects, he made his pilgrimage. If the reader thinks a voyage to the Holy Land poor stuff alongside martyrdom or a good flexible intellect, we would remind him that Guildford shied away from extremes. If he attained no merit in Heaven, he earned no scorn on earth, either.

## Chapter II

### MASTER OF THE HORSE

The duties connected with this office seemingly were slight, most of the actual accounting being done by the clerk of the stables, and the labor by the deputies of a yeoman of the horse. It was in fact such a sinecure, or at least ill-defined post, that as late as 1499 Henry VII signified to Sir Robert Lytton, the Under-Treasurer, that search should be made among the records of the Exchequer to determine what "annuities fees wages prouffites and comodities have of oold tyme been accustomed due and belongyng to thoffice of Maistre of oure horses ..."<sup>1</sup> In the succeeding paragraphs is printed all the discovered material pertaining to Guildford in this post.

The first master of the horse under Henry VII was Sir John Cheney, who continued in office at least through 17 November 1488.<sup>2</sup> His fee was £40 a year.<sup>3</sup> This sum was not paid him in 1490, nor was he called master of the horse at that time.<sup>4</sup> Perhaps coincidentally Guildford first

---

<sup>1</sup> E.404/83, bdle 1, unnumbered (21 Jun ?, Windsor). Though this writ is included in the bundle for 1499, it bears no year date on its face. However, Lytton is called Sir Robert, an honor he did not attain until 1494, so the argument is not weakened greatly.

<sup>2</sup> E.404/80, bdle 1, #218.

<sup>3</sup> E.404/79, bdle 1, #31 (28 Dec 3 H.7).

<sup>4</sup> E.404/80, bdle 3, #229 (9 Feb 5 H.7).

1.

received an unexplained annuity for the same amount in this period.<sup>5</sup> And very shortly after this he was officially designated master of the horse, receiving £40.8s.2d. for "necessaries p[ur]veyed for the said horses."<sup>6</sup>

Nevertheless, stability had not been attained, for shortly after this another replacement entered into the office. Just when Henry chose to bestow it on Sir Edward Burgh is not clear, but sometime between December 1492 and May 1493 his name was associated with the post.<sup>7</sup>

The only evidence of Guildford's activity in this position is an undated scrap of paper in the Muniment Room at Westminster Abbey, which appears to be a rough draft, almost a scratch-pad notation, relating to the purchase of horses. The execrable writing clearly is Guildford's.<sup>8</sup>

The general pardon granted Guildford on 4 April 1506, a blanket indemnity against all debts or offences stemming from his occupancy of any of the major offices, referred to him as late master of the horse,

---

<sup>5</sup> E.404/80, bdle 3, #55 (22 Oct 5 H.7): recites that Guildford has been granted an unexplained annuity of £40 from Michaelmas 4 H.7, during pleasure, and orders payment for this first year. E.407/6/137 (Mich 5 H.7); E.36/124, f.83: "Also paid to the same Sir Richard by the kinges prive Sealle of xL li by the yere -- xx li."

<sup>6</sup> E.36/124, ff.172, 178 (not dated, within period Easter 1490-1 Mar 1491). There is a writ under signet, dated 4 Jul, Greenwich, included within the bundle for 2 H.7 (E.404/79, bdle 2, #20), which orders payment of £20 to Guildford as master of the horse. This confuses the picture so far established, and rather than suggest that two men held the office concurrently (this was during Cheney's tenure), it seems preferable to believe that the writ is misplaced.

<sup>7</sup> E.404/81, bdle 2, unnumbered items.

<sup>8</sup> Westminster Abbey Muniments (hereafter WAM), 12242: "the value of Jennets and capas [cobs] bi the yere xxx li after xviii yeres purchase -- v<sup>c</sup> xL li." For the Abbey muniments see L.E. Tanner, "Nature and Use of Westminster Abbey Muniments," Transactions of the Royal Historical Society (TRHS), 4th Ser.XIX (1936), 43-80.

which is to say former master, for no degree of immediacy was imported by the word "late" in this period.<sup>9</sup>

From the foregoing it is evident that Guildford's relationship to this office is nebulous. He received a £40 annuity at the same time that a master of the horse ceased to draw the same sum; there are several references to him as master of the horse in the year 1490-1; and then nothing else. Someone new assumed this post, yet Guildford retained his annuity.<sup>10</sup> It is entirely possible that this was a general reward merely rationalized by attachment to an insignificant office for accounting purposes.

Nevertheless, the position seemed to have some significance under Henry VII. As was mentioned before, the £40 annuity which Cheney, Guildford and Burgh each obtained, apparently in connection with the mastership of the horse, derived from the Exchequer of Receipt. In this it shared a common origin with almost all of the fees payable to major state officials; it therefore is proper to ask whether this doesn't drape the office with the attributes of grace, for a mere servitor's wage would normally issue from the household chamber treasury.

However, the mere fact that payment came from the central treasury doesn't insure the significance of an office in this age. The Exchequer under Henry VII often made petty payments. Still, £40 was too large a sum to represent unsolicited good will on the king's part. Henry was not in the habit of granting such sums without cause, a characteristic

---

<sup>9</sup> CPR, 1494-1509, p.453.

<sup>10</sup> E.404/81, bdle 1, #53 (30 Mar 7 H.7); E.36/125,f.30 (19 Jun 7 H.7).

which does not necessarily prove him to have been Europe's greatest miser. But the writ to Lytton, requesting a report on the fees and perquisites of the office, does suggest that he was not clear in his own mind about this post. It is probable that the fees paid these men actually represented rewards in the guise of fees due for specific performance of customary tasks.

The note stored among the Westminster Abbey muniments may be misleading, too. There seems little doubt that it was written in some sort of official capacity, for all items relate to the king or his immediate circle, except for this reference to the purchase of horses. Guildford may have been calculating for his own information, although it doesn't seem likely that he would have been interested in quite so many horses, or their cost, over such a period of time. Again, it is possible that he did this as comptroller of the royal household, for entries relating to the king's stables did figure in the annual comptroller's account, but what the document is doing at the Abbey isn't clear.

Even the pardon which Guildford sued out in April 1506 is surrounded with ambiguous circumstance. Such pardons were customary, nor did their existence imply any doubt as to conduct. In the next century Pardons were used to frustrate the intentions of the lower house of parliament with respect to royal favorites, but such threats didn't arise under Henry VII. Rather, a pardon was issued for protection against future action prompted by the ruler and expressed through his courts or tribunals. It is doubtful whether this would have been the bulwark against a determined ruler that it was designed to be, but this is not germane. In any case, it is impossible to tell whether Guildford





had anything to fear. On the face of it there should have been nothing in this titular position to cause financial embarrassment, even to an unfortunate such as Guildford, whose increasing arrears in certain administrative posts hint at possible negligence or incompetence. On this subject it is pertinent to remark that the one office in which Guildford clearly had financial troubles, the bailivy of Winchelsea, was not mentioned in the pardon. He was at least two years delinquent in the payment of his ferm. Therefore, we may be entitled to infer that in the mastership of the horse he had incurred no liabilities to the crown.

The conclusion is that this office had no real vitality in the Tudor scheme of government, that in fact it was a household post which didn't achieve any prestige. Still, it is unfortunate that so little is known about its operation, since even a sinecure tells something about organization. Even a narrow window would dispel some of the gloom which pervades the interior of the Tudor governmental mansion.

### Chapter III

#### EXCHEQUER

The briefest of Guildford's many appointments, apart from that exclusive mastership of the horse, was to the office of one of the two chamberlains of the Exchequer. Earliest received, soonest surrendered, shrouded in obscurity, this position nevertheless provides us with certain necessary facts, both for Guildford's career and Henry's government.

About a month after Bosworth field, Guildford was granted, by privy seal, the office of chamberlain, a position of much actual importance, though of considerably less prestige than the more honorific Exchequer posts. No salary was instanced, though he was granted the right to appoint one of the ushers "and other ministers pertaining to the office of a chamberlain."<sup>1</sup>

The principals at the Exchequer of Receipt were the Lord Treasurer, whose post was honorary, the Under-Treasurer, two chamberlains and four tellers. The superior section, the Exchequer of Account as it was called, staffed by the Lord Treasurer, the auditors, barons and a number of technical assistants, reviewed the accounts kept by members of the lower branch, as well as those of all other officials who had to present their records, such as sheriffs, customs collectors, disme gatherers and many other ad hoc officers. In the Receipt was stored the king's treasure in the form of gold, cash, plate, jewels (these two were especial favorites of Henry VII) and bonds, i.e. tallies and warrants. That

it was also the depository for valuable records explains the existence of a very miscellaneous collection of documents at the Public Record Office, called Exchequer, Treasury of Receipt. Under the Yorkists and Tudors these functions were compressed by pressures exerted from the king's chamber, and soon the main treasury was in the chamber and not the Exchequer. Neither dynasty appears to have attempted to alter the workings of the upper branch, but they did withdraw from its cognizance an ever-increasing number of accounts, merely authorizing the barons to record but not to question, and ultimately leaving it, as a recent writer puts it, an Exchequer of Record rather than Account. Alive but enfeebled, throughout this whole period the Exchequer became in effect merely one of several treasuries and one of many boards of audit.

The disadvantages which brought about this decline in prestige and authority were threefold. Methods for receipt and payment were antiquated and burdensome. It was nearly impossible to make an accurate audit for any given fiscal period, in other words it had ceased to be the machinery for recording annual income and expenditure and had become instead the machinery for gathering what was due the king. Lastly, as a result of the system of payment by assignment or tally, money often never arrived at the Receipt, being exchanged for tallies on the outside, instead.

The question of corruption has never been raised, it is interesting to note, but even honesty became hard to bear when operating with such leisure. In the reformed Exchequer of this period the Under-Treasurer assumed great importance, the tellers took over the cash from the Treasurer and chamberlains and began to keep actual accounts of money paid

out and received over given periods, a "declaration of the state of the treasury" was based on these tellers' books, and "foreign" auditors, i.e. persons not employed by the Exchequer, began to hear more and more declarations from receivers of revenue.<sup>2</sup>

Information concerning Guildford's role here is slight. There are two entries for payment of fees, £20 semi-annually, and for the wages of his clerks and deputies, but little else. He received his first installment just before Easter for Michaelmas term preceding,<sup>3</sup> and his second and last was met on 7 January 1487.<sup>4</sup>

Shortly after he was first paid, a clerk named John Ashwell received an unspecified sum in part payment of 100 shillings due him for that term.<sup>5</sup> This same man, called William Ashwell by Campbell, also was paid 50 shillings in the following December.<sup>6</sup> Campbell's translation of the teller's Latin suggests that Ashwell was performing the chamberlain's duties in Guildford's stead, which is possible, but the original entry does not appear to sustain this interpretation.<sup>7</sup> This supposition is

---

<sup>2</sup> For brief discussions of the Exchequer scheme see Richardson, Tudor Chamber Administration, p.100, n.44; S.R. Scargill Bird, Guide to the Principal Classes of Documents in the Public Record Office (3d ed., London, 1908) and M.S. Guiseppi, Guide to the Manuscripts Preserved in the Public Record Office (London, 1923-4).

<sup>3</sup> Campbell, II, 99 (2 Mar 1486); E.36/125, f.38.

<sup>4</sup> Ibid., f.52 (7 Jan 1487): "Rico Gylford milite vno camerare Recepto Scacc Regis super feodo suo rec[eptis] den[arius] per manus Joh[an]is Reynold -- xx li."

<sup>5</sup> Ibid., f.17 (ultimo die Marcii [1486]).

<sup>6</sup> Campbell, II, 102 (15 Dec 1486).

<sup>7</sup> Ibid., "to William Asshewell, deputy of Richard Gyldeford, knight,..." In E.36/125, f.17 the man is described as "John Asshewelle clericus ex Parte Ric Gylford milite ..."

weakened further by a second entry translated by Campbell, in which John Lewes and William Bulkeley, clerks, also are described as functioning "on the part of Richard Gylford, Knight,..."<sup>8</sup> Now, all these men could not be his deputies in office. Instead, it is more likely that they are referred to with the phrase "ex parte" because their tenure depended upon Guildford. They were the appointees he was authorized by virtue of his patent. The comparative modesty of their fees lends color to this.<sup>9</sup>

Something in Guildford's performance appears to have alienated the Lord Treasurer and the barons, for sometime prior to May 1487 they "seased the office of oon of the chamberlains of the receipt" belonging to him for life. Upon complaint made to the King, an investigation was ordered. In the meantime, Piers Courtenay, Bishop of Exeter and Keeper of the Privy Seal, was instructed to direct letters to the offending parties, enjoining them from further action until "the true ordre and course of oure said receipt" might be determined.<sup>10</sup> The privy seal has not been found, but presumably it was obeyed, for one of the "bille", dated 9 June, was signed by a man who claimed to be acting as servant to Guildford in his capacity as chamberlain.<sup>11</sup>

---

<sup>8</sup> Campbell, II, 103 (12 Feb 1487).

<sup>9</sup> CPR, 1485-94, p.15. On at least one occasion, however, Ashwell did act as indubitable agent for the collection of £17 due Guildford from the Exchequer. E.36/125, f.45.

<sup>10</sup> Campbell, II, 155 (25 May 1487, Kenilworth).

<sup>11</sup> E.207/22/2 (bdle 2 H.7). The King's Remembrancer's Bille is a collection of bills and petitions, notes on negotiations and records of actions in the court of Exchequer (government claims).

Final decision in this imbroglio was reached at the end of the year. On 29 December 1487 a patent of office was granted Giles Lord Daubency upon Guildford's surrender of his own letters.<sup>12</sup> If action here paralleled action elsewhere in the government, then Daubency probably exercised the office some time prior to the date on the face of his patent, but the precise date on which he replaced Guildford is unknown. Only one thing in Guildford's later career is at all connected with this departmental squabble. Many years later the barons of the Exchequer made a fruitless attempt to force him to render accounts to them for his Armory office.<sup>13</sup> It is conceivable that even in 1487 he had balked, with at least tacit royal approval, thereby incurring the displeasure of the officials of the Account. Even for the late 15th century, though, there seems to be an excessively lengthy interval between offence and reaction. Still, if his office were not jeopardized by his actions elsewhere, incompetence seems the only alternative reason for resignation, and on the whole incompetence is too pat a solution to the problem.

There are numerous casual, apparently irrelevant items throughout the Exchequer records which throw light on the administration of that ancient office in Henry VII's reign. In a very real sense the chamber replaced it as the financial branch of early Tudor government, and year by year Henry found it less imperative to depend upon the rather creaky machinery of the Exchequer, even for his extraordinary demands.

---

<sup>12</sup> CPR, 1485-94, p.206.

<sup>13</sup> See p.84 of this study for a discussion of this quarrel.

The usual procedure when money was required, was to direct a writ to the Treasurer and Chamberlains, the Treasurer and Under-Treasurer or simply to the Lord Treasurer, under signet or privy seal. Certain categories of payments were not honored at the Receipt unless directed under privy seal, as was admitted by Henry in a signet ordering payment of 20 marks to Lord Zouch by way of reward, wherein it was said: "And if ye thinke these oure l[ett]res nat to be suffisant for youre warraunt and discharge in this behalve We shalbe agreable to graunte vnto you heruppon our l[ett]res of priue seal."<sup>14</sup> It does not appear whether the Tellers were directed to ignore signets for more than a set sum, or whether they hesitated to honor such peculiarly private drafts upon the Treasury without further authority.

That the official attitude towards wages, fees, annuities or other rewards drawn upon the Treasury was considerably less formal in some respects than it is today, seems clear. Upon occasion fees were anticipated, as in Guildford's case (see p.60), though the king probably wished this done, himself. They were assigned by legitimate recipients to their creditors, as James Lee, Sergeant at Arms, did with the 40 shillings sterling due him for half a year, in order to meet the claim of his landlord "Richard Stone of Westminster Gentilman."<sup>15</sup> And, most important of all, they sometimes had to be extracted from the Tellers by a judicious combination of flattery, bribery and force.

<sup>14</sup> E.404/80, bdle 2, unnumbered (4 Apr 5 H.7, Shene).

<sup>15</sup> E.36/130, f.557 (30 Jun 6 H.7). Such waivers were signed, sealed and retained at the Receipt.



For this purpose, in the spring of 1495, Lord Daubeney wrote Thomas Stokes, a Teller, in this fashion: "Stokes ffelow I comaunde me to you. Ye shalle do a greate Almes dede to helpe the master of the Barge [Robert Savage] wt some money of his fee for suerly he is a seke man. And not unlyke to dye if he haue not holppe of money. And I pra you helppe hym what ye may Wrytyn this xxii day of May by Yore Daubney."<sup>16</sup>

This reluctance to disburse seems to have applied within as well as without the Receipt, for at about the same time, a man named Thwaytes (apparently the Thomas Thwaytes who was a Teller at the Receipt), who had been assigned five marks of Savages's fees, wrote to "my good ffrend M Stokes of ye Kinges receite" the following letter: "M Stokes I recomaunde me unto you. And where ye knowe welle I shuld haue [of] you for Savage ye Kinges barge maistre the some of v marcs. And for paiement therof I sent you by oon Olyver my lord t[re]sorers servaunt a warant from his lordship. And yet thowe I here no thing therof/ I pray you to send me word by pers my servant if you haue paide it or not. And if ye haue soo done I am welle content and if ye haue not paide it that ye wille send it and by my saide servant for in goode faith I haue nede therof. for within these viii daies I paide to ye Kinges grace CC marcs. and soo am fulle bare god knoweth. And if ye paie it my s[er]vant I am content ye Reteyne in your handes vi<sup>s</sup> viii<sup>d</sup> for yor lawnce [allowance] And if I might do bettre I wold-And you

<sup>16</sup> E.36/131, f.441. There is another letter on the same subject from Daubeney to the Treasurer, Lord Dynham, in E.36/125, f.99, dated 10 May.

fare ye well. Sealled this mornynge with thand of - your Thwaytes."<sup>17</sup>

Payment was, in any case, circuitous and generally not punctual. An example of both these deficiencies is a receipt entered among Stokes' records for the year 1494. "M[emorandum] that I Willm Okeley servaunte unto my Lorde of Oxenford haue resceived of Sir Robt Lytton Knyght vndertresorer of Inglande xL li. by the handes of maist Richard Gadfrey shiref of Bedford shire and Bokyngham in p[ar]ty of payment of L li. due at Mighelmas last past to the vse of my saide Lorde of Oxenford. by reason of his office of Constable of the Towre of London In witnesse wherof to this bille I have sette my seale the iiide day of Novembre In the xth yere of the Reigne of Kyng Henry the viith."<sup>18</sup>

Such an approach was necessary, however, so long as the Treasury rarely had in cash what its books indicated should be there. In 1496, for example, John Sayvyll was discharged in the Exchequer of 20 marks which he paid into the Chamber, parcel of the first xvth granted "vnto vs in the west riding in oure countie of York in the third yere of our Reigne."<sup>19</sup> Several points deserve comment, but the first, undoubtedly, is the astonishing fact that seven years after the "dismes et quinzemes" had been granted him, Henry's agents still were contributing driblets of this levy to the Chamber Treasury, and rather small driblets at that.

<sup>17</sup> E.36/131, f.445. Lord Dynham's warrant, dated 5 Apr 11 H.7, is on f.397; therein he tells Stokes to pay Thwaytes the v marks due as wages to Savage.

<sup>18</sup> Ibid., f.365.

<sup>19</sup> E.404/82, bdle 1, unnumbered (20 Feb 11 H.7, Tower of London).

No wonder, then, that fees often were ignored (sometimes by order of the king) when they fell due. The second point is in some ways even more striking. The sum granted by parliament, normally payable to and accountable at the Exchequer of Receipt, here was paid into the Treasury of the Chamber, yet the collector's discharge still was requested as if he had delivered his sums to the Exchequer officials. This looks very much as if Henry were not yet prepared to ignore the ancient Treasury, i.e. the barons' discharge still was meaningful. At the same time, such a discharge, ordered by the king, had the effect of further weakening the authority of such men, since they thus were prevented from demanding a later examination of Sayville's accounts. The last point, one which is overlooked frequently in discussions of Tudor taxation, concerns the profusion of collectors who must have ridden up and down places like the West Riding in any given year, some concerned with one tax, some with another. It becomes understandable why the job of collector was not coveted, and why ~~such persons~~ changed frequently within the same county.<sup>20</sup>

The distinction between Chamber and Exchequer has been mentioned in passing; however, it would not be correct to assume that any hard and fast rules applied here if they applied nowhere else. Quite frequently, Henry drew upon the Treasuries in a manner which indicates that no such line of demarcation existed. For instance, payments to household servitors are recorded by Heron in his chamber accounts from

20

The job appears to have had its moments, at least when collectors were associated with genuine Exchequer officials. In 1491-2 the Dover corporation spent 19s.6d. "for oure parte of dyuers dynerys brekfastes and rewardes yeuen to the Barons of Theschequer maistr leutenant ye

month to month, yet fairly often among the Tellers' writs one finds authorities for payments to servants "by way of rewarde", as to the nurses "of oure right Dere son the Duc of York the said Lord Edmond and the ladies Margarete and Mary their sisters",<sup>21</sup> and even a payment on one sad occasion to the ministers of the chapel "enbusied aboute the fetching of oure son the lord Edmonde vnto his buriall."<sup>22</sup> Similarly, John Shaa, a goldsmith of London, laid out a large sum on the burial of Elizabeth, another of Henry's daughters, who "late passed out of this transitorie life", for which he received £318.9s.7d. from the Receipt.<sup>23</sup> Speakers of parliament also obtained rewards, for what was essentially a service performed for the king, the funds coming from the Exchequer rather than the Chamber. At any rate, five out of seven were paid in this way; the other two were in the royal employ already, and received no special awards.<sup>24</sup>

Too much emphasis should not be placed on the differences which separated the Exchequer of Receipt from the treasury of the Chamber; beyond doubt, there were many, and the emergence of the latter

---

Auditors of Theschequer and to the collectors of the xvth and xth." (BM) MS Egerton 2107, f.33b. At least occasionally, rather undesirable persons became collectors. Heron notes among his memoranda for 1 October 1495 that a disme gatherer apprehended for embezzlement "confessed a grete part therof before the kinges counsell." E.101/414/6. See Rot. Parl., VI, 420-4, where the commons exempted themselves from appointment as collectors of the extremely liberal and in some respects novel taxes which they voted in February 1489.

<sup>21</sup> E.404/83, bdle 2, unnumbered (20 Dec 15 H.7, Tower of London).

<sup>22</sup> Ibid., unnumbered (27 July 15 H.7, Shene).

<sup>23</sup> E.404/82, bdle 1, unnumbered (23 & 26 Oct 11 H.7, Westminster).

<sup>24</sup> See Appendix I.

necessarily took place at the expense of the former. However, in the opinion of this writer, contemporaries of Henry VII would not have been so willing to concede that this represented an absolute break with tradition, as we sometimes suppose it to have been. Prior sovereigns had had treasuries of the chamber and household, and the reluctance of the Exchequer officials to conform to advanced notions in accounting procedure was no novelty in Henry VII's time, nor, for that matter, did they alter their views for several more centuries. It may be, in fact most likely is, the case that Henry Tudor evolved a Chamber which played an inordinate role in the financial life of the nation, but much of this came about through the reluctance to overhaul which was characteristic of Exchequer officers and so unlike those men who consorted with the king at Westminster.

A person with Bray's capabilities, or Lovell's astute talents, or Heron's painstaking personality, necessarily would impress a man of Henry's bent. It was not so much the novelty of their ideas, for it is hardly honest to credit them with originality, but the directness of their approach, their willingness to accomplish things through the old machinery, which must have struck contemporaries as admirable.

Guildford was at a disadvantage in one respect, that he was no financier, but he apparently possessed the same capacity for investing an old office with new power. In the Exchequer, however, he was a stranger, unsympathetic with their routine and at a disadvantage so far as the permanent personnel were concerned. The political appointee suffers odious comparisons every time he encounters career administrators, whether he deserves it or not; from the very little which is known



about his quarrel with the officers of the Account, one gathers that there was a rivalry in which departmental discipline was concerned, rather than any large question of principle being at stake. There should be nothing surprising in this, except that somehow one hesitates to credit men of former ages with the pettiness which appears common enough today. This is obviously an artificial, highly arbitrary presumption in favor of previous generations. One has no reason to doubt that the struggle between the barons and Guildford involved personalities as much as principles.

On the other hand, the later quarrel which Guildford had with the same people, the fight to determine whether or no he had to account before them for his office of Sergeant of the Armory, did involve something closely approximating to principle. As is often the case where principle is involved, however, at least one side to the quarrel saw only that someone was trying to avoid an obligation. From the viewpoint of the Barons of the Exchequer, it was undeniable that one should account before them if one handled government funds by virtue of letters patent. Whether they felt the same way about the numerous officers appointed orally, doesn't appear; probably not, since the majority of oral appointments involved Household servants whose functions weren't performed under the official gaze of the Barons; in any case, the king's writ would have quashed any proceedings in that direction. There would seem to be no doubt that their's was the historically correct interpretation.

Henry VII, for various reasons, but primarily, it would appear, to prevent the flexibility of office from being bound in a network of

regulations, was unwilling to continue to support his Exchequer in its quest for control of all financial machinery. This may have come from a study of previous reigns, but the possibility is rather remote. There was little need to be versed in 15th century history to feel the restrictions placed on the royal prerogative by this dependence upon an ancient, thoroughly precedent-conscious, office.

While Henry perhaps did not interfere with a certain number of offices which the Barons of the Exchequer of Account insisted were amenable to them alone, he clearly forbade the extension of this power of review to new offices, or newly important offices. His extension of the feudal power of the Crown, or reorganization of this power, to be more accurate, brought into prominence certain offices which hitherto had become less and less significant. It also led to the creation of some novel offices, such as the surveyor of the king's prerogative, whose holder soon became immersed in detailed accounts involving thousands of pounds annually. All of this, of course, acted as a red flag to the Barons, who saw their own undeniably ancient and respected position becoming one of minor importance in the new scheme. It was this which led them to pursue what they considered their advantage with persons like Guildford. By rights, the Armory officer perhaps should have accounted to them; after all, he derived all his funds from the lower branch of the Exchequer. But even this, Henry, in his last potent years, was unwilling to concede them. It would be going too far to say that Henry truly ruled personally, but certainly he ruled with a minimum of outside interference.

Before one commits himself to an advocacy of the Barons' cause,



however, it would be wise to consider the difficulties inherent in a rigid recognition of the right of the Exchequer to handle and account for all money. To begin with, the time lag often was so great as to render nugatory any grant for a specific purpose. Such was the case with the grant which parliament made in 1488 for the Brittany expedition. If collectors still were being discharged in 1496, it is obvious that funds for this project had come from another source. This source was twofold: private loans and "benevolences" and the king's private treasury. Of these two the latter was more important, primarily because of the vast sums which flowed into it as a result of the resurreptions of 1485 and 1487, the increased feudal dues, the various commercial ventures which Henry entered into with Italian merchants, and a natural tendency to save. Nor should one forget the possible importance of the king's experiences as a pauper refugee when considering his distaste for dependence on uncontrolled agencies.

Furthermore, Exchequer payments frequently took the form of tallies, which often meant that one was paid with someone else's promissory note. Payment by tally or assignment was designed for an age of scarce money, and it simply was not adequate for the new conditions. Though American bullion had not yet begun to disrupt national economies, money was increasingly more common and trade was expanding rapidly. This theme of change no doubt can be overdone; Henry VII probably would have had far more in common with Henry IV than with James I, but if he wasn't a renaissance man, whatever that was, he did desire certain things and he accomplished them, which seems to place him precisely in the mainstream of his age.

There is no better illustration of this faculty for changing the purpose while preserving the facade than in Henry's relations with the Exchequer. Wishing to find a more efficient way to attain financial security, he nearly wrecked the ancient system; but by ignoring it, not by assaulting its gates.

One final point should be made. One frequently forgets that some of the Exchequer officials were accustomed to act as councillors, too. Sir Robert Lytton, for instance, was not only Under-Treasurer but also treasurer for war, and in connection with the comptroller engaged in royal business of a mixed nature. One finds it difficult to believe that such a man would insist upon the ancient Exchequer prerogatives; a sense of proportion would prevent that from happening.

To sum up: although Henry VII did minimize the importance of the Exchequer, especially in his later years, and he did exalt the authority of his chamber officials, these facts bore no indirect ratio one to the other. It was a question of expediency. At any given moment either office might appear superior, might lead one to think that it alone performed the vital tasks. But gradually the scales tipped in favor of the chamber, and its efficiency and accessibility guaranteed the continuance of this extraordinary state of affairs at least until the third decade of the new century.

## Chapter IV

### MASTER OF ORDNANCE

Perhaps long before the Earl of Richmond became Henry VII, Guildford had displayed some competence in ordnance matters. This is conjectural, but there is little doubt that he exercised himself in this capacity from the moment that the invading force landed in the west. However, his official appointment as Master of Ordnance came much later, not until 8 March 1486. He was to receive two shillings per diem, with an allowance of four shillings for every day spent traveling on ordnance business. And he was authorized one clerk, one yeoman and twelve gunners,<sup>1</sup> each to receive six pence daily. This grant was for life. Because he had occupied the office, as well as that pertaining to the Armory, since 8 August without fee or reward, he was given a life estate in all tenements, lands, curtilages and gardens on Tower wharf, Tower hill and under the walls of London, lately in the hands of one Thomas Grey.<sup>2</sup>

One of the gravest difficulties facing the master of ordnance was a lack of any permanently operating bureaucracy. Everything was authorized by the king, or at least in his name, and generally these authorities

---

<sup>1</sup> Twelve theoretically was appropriate to the table of organization, but in wartime these men acted as cadre to a much larger body. For instance, there were 50 gunners, including three master gunners, who received wages at Blackheath. (E.36/8, ff.158-9) In Michaelmas term 1496, for some reason probably connected with an economy drive, this basic complement was lowered by a third. (E.36/131, ff.270-1) On 8 Jul 1503 there were eleven gunners. (E.404/84, bdle 2, unnumbered writ)

<sup>2</sup> CPR, 1485-94, pp.77-8.

were for limited periods. An example is the commission directed to Hugh Furness, clerk of ordnance (identical writs were directed to five other gunners and grooms there), granting him the authority to administer the affairs of that office for the following six months.<sup>3</sup> This limited freedom of action resulted in a lethargic administration, enlivened in periods of tension by an extraordinary activity.

At such times authorities from the crown were sent to the ordnance in great volume, and as a consequence payments to Guildford in this post are numerous. They illustrate the irregularity which attended such supposedly stable procedure. For instance, on 3 April 1487 he received £23.6s.8d. for provision of ordnance, and received another £46.17s.11d. for the same purpose three days later.<sup>4</sup> At the same time, one of constant preparation at the Tower, the expenses of certain strangers engaged in the production of war materiel within the Tower were ignored pointedly by the officers at the Receipt. A rather stern warrant under signet, addressed to John Lord Dynham, Lord Treasurer of England, informs us that payment of these debts had been ordered by a prior writ under privy seal, which had been ignored.<sup>5</sup> This juxtaposition of prompt payment and tardy acknowledgment of indebtedness was not unusual; payment was likely to reach those with influence before others felt its benefit.

That this spring of 1487 was a busy one for ordnance personnel is

---

<sup>3</sup> CPR, 1485-94, p.86 (28 Sep 1486, Westminster).

<sup>4</sup> E.36/125, ff.64, 65.

<sup>5</sup> E.404/79, bdlc 2, #40 (13 Apr [?2 H.7]). £24 was involved.

evident from the bulk of payments out of the Receipt. Shortly after the admonition addressed to Lord Dynham, another signet reached him. Again he was ordered to pay such sums as were due to various contractors, especially Thomas Ffauconer, a maker of gunpowder, who was about to leave for Southampton, where he would undertake the "preparacion and fynnyng" of saltpetre.<sup>6</sup>

During this same month a large number of men, under the supervision of William Nele, were at work within the forest of Ashdown in Sussex. Here some of the royal munitions were manufactured. The iron foundries of the district also performed most of the ordnance contracts.<sup>7</sup>

A year later we are supplied with a hint as to the logic behind the bewildering relationship of Guildford and Sir Reginald Bray to the ship construction program described elsewhere. On 5 June 1488 a privy seal authorized the officers at the Receipt to provide, or provide the means for providing, 300 bows, 600 sheaves of arrows, 100 spears, four gross of bowstrings and four barrels of gunpowder to Bray as Treasurer for War and Guildford as Master of Ordnance for certain of the king's ships at sea. From this one infers that the authority granted these men overlapped or commingled with that which each enjoyed with respect to his

---

<sup>6</sup> E.404/79, bdle 2, #38 (24 Apr [?2 H.7]).

<sup>7</sup> E.404/79, bdle 2, #43 (6 May [?2 H.7]). A total of £26.19s.5d. went to these "pellette" makers. An entry for a later date (Jan/Mar 1491) mentions payment "vpon the makyng of gonstones of Irn in Sussex called Boulettes ..." and names Calard Ffounder, Henry Ffounder and John Harkenett as "Bewlett makers". (E.36/124, f.80) By the end of this year the place is called "oure werkes". (E.404/81, bdle 1, #108 [Nov 7 H.7?, Greenwich]) The new director was Robert Harrison. In May 1507 the master gunner, Richard Ffauconer was asked to approve five serpentines lately cast in the forest of Ashdowne. (E.36/130, f.505) Others from the Sussex works are mentioned in *ibid.*, f.449.



particular project. In other words, when Guildford received equipment destined for the Sovereign, which was Bray's responsibility, he did so by virtue of his general authority as master of ordnance. It is only fair to add that this system seems to have worked.<sup>8</sup>

Early in the following year an army was appointed for the expedition to Brittany. John Troughton, squire, was made master of ordnance for this purpose. His office seems in no way to have been connected with Guildford's.<sup>9</sup> It is likely that Troughton bore technical obedience to the captain of the expedition, yet enjoyed considerable autonomy as commander of an independent arm. Guildford himself never engaged in such activities, presumably because he was more valuable as an administrator at home. The truth is that his real connection with the military is slight. Wedgwood and Holt exaggerate when they credit him with the ability to design naval or military equipment, but he does appear to have been a good organizer.<sup>10</sup>

One other comment upon Troughton's appointment is pertinent. He was to have 100 gunners and "Englisshemen" in his retinue. Apparently the word gunner was synonymous with foreigner, which suggests that Englishman may be construed as apprentice or assistant. Certainly there were few natives who could cast ordnance, and some of the gunners always were foreigners, especially Flemings or Germans, but it seems astonishing that

---

<sup>8</sup> The privy seal is found in E.404/79, bdle 2, #37.

<sup>9</sup> E.404/80, bdle 1, #163 (24 Feb 1489, Westminster).

<sup>10</sup> Wedgwood and Holt, I, s.v. Guildford. In this connection it is worth noting that Polydore Vergil listed Guildford among those who served overseas with the king in 1492 (Camden Soc., ed. Denys Hay, p.52). None of the evidence supports this. If abroad, it was as councillor not soldier.





the crown could find so few Englishmen to serve in this capacity.<sup>11</sup>

Payments for work done as a result of or in anticipation of the Brittany expedition continued throughout 1490. Sometime after 28 July there are references to such purchases as a ton of iron bars (40 shillings) and eleven hundredweight of lead "for making pelletes for Lord Broke." That the ordnance, though small, had a hierarchy is suggested by the statement that payment for these purchases was made at Southampton to Henry Marteyn, servant of John Stok, clerk of ordnance.<sup>12</sup>

A month later Guildford was paid £20 in part payment of £60. 13s. 4d. which he had spent on "Abilimentes of Werre" for the king's army in Brittany.<sup>13</sup> The great bulk of these payments seem to indicate no precise policy with respect to defense. Purchase of ordnance necessities seems to have been based upon the continued availability of foreign supplies. The names of those merchants who sold copper and iron to Guildford, Jerome Tipollo, Henry Rutors, Hans Stagnett and Hans Molner, are adequate warrant for such an assumption.<sup>14</sup> Only one merchant of indubitably English

---

<sup>11</sup> See for instance E.404/81, bdle 1, unnumbered (17 Oct [?? H.7]): authority to pay Guildford £5 for wages of certain foreign enlistees.

<sup>12</sup> E.36/130, f.199 (post 28 Jul 5 H.7). This same Marteyn appears in a later payment as a regular gunner. (E.36/131, ff.270-1[Mich 12 H.7]) Which suggests that the clerk of ordnance had a clear authority over the gunners of the establishment.. See also E.404/84, bdle 2, unnumbered (8 Jul 18 H.7), where the clerk of ordnance (who by this time earned 8d. per diem) was instructed to arrange for annual target practice by the gunners.

<sup>13</sup> E.36/130. f.82 (29 Aug 5 H.7).

<sup>14</sup> E.36/124, ff.138, 143, 186 (1490-1).

origin appears among the roll of purveyors to the ordnance, a Robert Wylly of London, whose price for copper, incidentally, was exactly that quoted by foreign merchants.<sup>15</sup>

Cannon were purchased from all sources, yet even in this field the English government had to rely upon foreigners to a great extent, as is apparent from the following: "also paid to Sir Richard Gyldeford knight maister of the kinges ordynaunce in ye price of x gonnes bought of the Patron of the caryk [a Venetian ship] to thuse of the kinges shippe callid the Regent -- xx li."<sup>16</sup> And even the construction of artillery pieces often rested in the hands of foreigners, judging from entries such as those which refer to one "Morauns Corbelyon" in connection with the "makinge of certeyn curtowes [short bareled cannon] within the Towre."<sup>17</sup>

It is difficult to piece together sufficient information to make any informed statements about Tudor artillery. Unfortunately, the one technical "performance" chart issued by the ordnance office is partially mutilated or otherwise illegible.<sup>18</sup> From the available evidence it

---

<sup>15</sup> 13s.8d. per cwt. Stated in E.36/124, f.172(1490-1).

<sup>16</sup> E.36/124, f.132 (1490-1). Payments by Thomas Pierson, Teller.

<sup>17</sup> E.36/124, ff.58, 77, 133 (1490-1): "also payed to Sir Richard Guldeford knyght vpon the makynge of ii cortoghes & of ii others to be made by Brittons wt in the Toure of London." (Ibid., f.77)

<sup>18</sup> E.36/130, f.449 (22 H.7). There are three folios of a Latin ordnance account for 22 H.7, Sir Sampson Norton then being master, bound in this Exchequer account. From another source we learn that three "cortosse" made in the Tower weighed 11,110 pounds. The gross charge for their production had been set at 6s.8d. per cwt, with deductions for "blowers at the meltyng of theym and for wages of men clenying the same", costing in all £26.13s.4d. (E.36/124, f.143)

seems that Guildford acquired approximately ten tons of copper, an indeterminate amount of tin, 1100 pounds of lead and a ton of bar iron in the period Easter 1490-1 March 1491, for an estimated £199.2s.4d.<sup>19</sup>

One variation from this dependence upon foreigners is seen in the contract between the government and Thomas Ffauconer, the maker of gunpowder. The relationship apparently began in November 1489; by the contract Ffauconer was to receive an advance of £10, for which within eight weeks he was to deliver an equivalency of saltpetre (valued at 6d. per pound). From time to time during the next year, apparently at the discretion of the master of ordnance, he was to be reemployed on the same terms.<sup>20</sup>

Guildford's artillery program naturally involved large sums of cash; Payments appear most regular with respect to artificers engaged in this work. Presumably they weren't interested in mere claims against the Exchequer. From Easter to 23 May 1490 (Pentecost) a total of £29 was paid out of the Receipt, principally for "divers gones called curtowes."<sup>21</sup> In the period following (23 May to Maria Assumptio [15 August]) payments totaled £84.1s.10d.,<sup>22</sup> and from the latter day until Michaelmas £177.0s.1d.

---

<sup>19</sup> E.36/124, ff.120 (misnumbered, should be 110),138,143,172,186.

<sup>20</sup> E.404/80, bdl 2, #88 (9 Nov 5 H.7, Westminster). The price of saltpetre quoted in this privy seal is 50% higher than that current in the first years of the next reign (see Brewer's preface to L&P,H.8, I, Pt 3, lxiv). Either supply drove the price down or Henry VII set a bonus to stimulate native production. There seems no other way to explain a diminished price in an era of constant inflation.

<sup>21</sup> E.36/124, ff.58,65,74. Of the two types, brass and iron, the latter was much cheaper.

<sup>22</sup> Ibid., ff.77,88,95. Also £125 on gunpowder, at about £25 per ton. (ibid., f.90)



was spent directly upon cannon.<sup>23</sup> This excludes such minor expenses as those for "shrof", wood apparently used as fuel during the casting process.<sup>24</sup>

This rising expenditure corresponded with affairs beyond the Tower walls; concurrently, Guildford was sending what might be termed vast amounts of small arms to various distant points, particularly the port of Southampton, for trans-shipment to Sir James Parker and Sir Sampson Norton, captains of the army in Brittany.<sup>25</sup> These shipments were accentuated when the second army, commanded by Lord Willoughby de Broke, the Lord Steward, sailed in August.<sup>26</sup> It must be remembered, also, that deliveries were being made constantly to the navy.<sup>27</sup>

It seems clear that only a portion of this work could be done at the Tower. The best evidence that Guildford spent a great deal of time at the scene of greatest activity, at Southampton, the major port of

---

<sup>23</sup> Ibid., ff. 133, 143, 163.

<sup>24</sup> Ibid., ff. 143, 167, 186. "Also paid to Sir Richard Gyldeford knight maister of the kinges ordynaunce in the price of viii<sup>c</sup> shrof bought of William Marshall fir the kinges newe gones over lx<sup>s</sup> aforecs." (f.186)

<sup>25</sup> Though one entry suggests that the captains remained in Southampton: "[Ordinance] sent from London to Suth[ampton] & ther delyvered to Sir Jamys Parker & Sir Sampson Norton knyghtes captaynis of a armye sent of late into Brittain". (E.36/124, f.88) Supplies also sent to Chester. (E.36/124, ff.58, 82) And to Portsmouth. (Ibid., f.103)

<sup>26</sup> Ibid., ff.131,135,142,166,170. Ordnance purveyed for this expedition cost £418. Another £82.6s.10d. had been spent on the first force.

<sup>27</sup> Ibid., ff. 77,88,103 (23 May-15 Aug 5 H.7). Cannon costing £33.8s. went to the Regent; another £10 spent on unspecified ordnance for same ship; cannon, bows, etc., worth £54.14s., to same. Another £66.16s. for the ships of Winchelsea attending the Regent.

embarkation, comes from an abstract of privy seals which records that in Michaelmas 5 H.7 he received credit for 209 days of official travel.<sup>28</sup> In the next year he was on horseback again, at one time in the spring or summer of 1490 receiving £5 "in p[ar]t of payment of a more some to hym dewe vppon his wage of iiii s by day the tyme of his riding & amending about the seid ordonaunce by a writte".<sup>29</sup>

In the spring of 1491 the ordnance was again called upon to provide for an army. In the first week of May Guildford received £30 (the figure is obscure and may be £29) in part payment of £679.16s.7d. due him for ordnance assigned the army recently put to sea in defense of the northern portions of the kingdom.<sup>30</sup> The following week £8 was authorized for "costes and charges late [had] aboute the cariage and setting forth of owre great ordonaunces from owre towre of London vnto the Blak hathe and from thens vnto the same towre agayne ..."<sup>31</sup> The purpose of this move is not apparent. Not until another six years would the Cornish rebels appear on this spot in order of battle; nor

---

<sup>28</sup> E.407/6/137 (writ under Magna Sigillo, Mich 5 H.7).

<sup>29</sup> E.36/124, f.100 (23 May-15 Aug 1490). It was in this period that the town of Winchelsea received two repaired "bomberdes" from the Ordinance, perhaps for reasons opened by Guildford, who held the manor of Higham (co. Sussex) there. (E.36/124, f.134)

<sup>30</sup> E.36/130, f.244. The towns to be defended were Carlisle, Scarborough and "Derwia" (alternatively signifying Holtby, Kexby or Stamford Bridge, co. Yorks, or Pap Castle, co. Cumbr.). Also see E.36/130, f.259 (8 Jul 6 H.7) for later payments for expenses incurred by transporting ordnance to Newcastle.

<sup>31</sup> E.404/80, bdle 3, #69 (11 May 6 H.7, Greenwich).

was the fear of invasion from Kent likely to have been so urgent as all that; one might suggest, however, that it corresponded to an exercise, to employ a modern military term. It is at least possible that there is a relationship between this otherwise inexplicable move and the instructions drawn up at the king's commandment a dozen years later, according to which "oonce in a yere he [the clerk of ordnance, at this date Piers Maynwaryng] to calle the said Gonners before the maister of oure ordenaunce and oure chief Gonner and to see them shote And the same maister of oure ordenaunce oure clerke and yeoman of the same and oure said Gonner from tyme to tyme to certifie vs how many be able and how many be not able so that we pay not oure money in wast ner also that we be nat disceyved in tyme of nede."<sup>32</sup> Blackheath perhaps was the nearest area where range practice could safely be indulged in.

During the early months of 1491 William Nele continued to supervise the production of ammunition in Sussex, though judging by the writs addressed to the Receipt, work proceeded at a less rapid pace after May. Total wages for that month ran to £36.7s.6d. while authorized payments for June totaled only £18.6s.3d.<sup>33</sup>

Conceivably, Thomas Ffaucouer had slowed production of gunpowder, since approximately ten tons of it (five lasts), costing £250, were

<sup>32</sup> E.404/84, bdle 2, unnumbered (8 Jul 18 H.7, Colyweston).

<sup>33</sup> E.404/80, bdle 2, #43 (13 Jun 6 H.7, Greenwich), #85 (1 Jul 6 H.7, Greenwich). At least part payment had been made out of the chamber, it appears, since Heron records he "received of my lorde Tresourer for asmoche money payed to Sir Ric Guylford --- xxvi li xiii s iiii d". E.101/413/2, pt 2, f.21 (25 Aug 7 H.7).

cited early in the previous September, but none in this period.<sup>34</sup>

The tellers' payments for December 1491 provide us with two neat illustrations of the various methods by which payments might be made after authority was given the officials of the Receipt. On the 12th Guildford received a sum for ordnance purveyed, by the hand of Laurence Bonfitz (Bonevix, probably Bonevici, an Italian merchant much involved in Henry's mercantile adventures).<sup>35</sup> Most likely this came about through some indebtedness of the Italian to the king. There was as yet nothing bizarre in paying a public obligation by private means. On the last day of the month Guildford was assigned a number of obligations in the amount of £194.8s.10d. to reimburse him for divers pieces of ordnance sent to Sir John Turbervile, treasurer of Calais, for the defense of that city in Paschal term last passed.

Of this sum £16.8s.10d. was payable by Ralph Astry and Thomas Grafton, citizens of London, and the remainder was due from Grafton and others unnamed. Delivery was made to Guildford through Henry Marteyn, again described as servant to John Stok, the clerk of ordnance.<sup>36</sup>

To further complicate the matter, this was not all that was owing to Guildford on the Turbervile account, for in January he was paid £5 by the hand of Henry Atkynson, a smith, for 100 bills [halberds] delivered on 15 July 1491.<sup>37</sup>

---

<sup>34</sup> E.404/80, bdle 2, #80 (8 Sep 6 H.7, Oking).

<sup>35</sup> E.36/130, f.92. Folios 91-120 are bound out of order. The contracted Latin phrase for these entries is "rec[ep]ta den[arius] per man[us], etc."

<sup>36</sup> E.36/130, f.98(31 Dec 7 H.7). See p200 below for obligations and recognizances and their importance to Henry VII.

<sup>37</sup> E.36/130, f.102 (28-30 Jan 7 H.7). There is no reason why a teller



100

101

102

103

104

105

106

107

108

109

110

111

112

113

114

115

116

117

118

119

120

Not invariably perhaps but often enough this mode of payment was a pernicious thing, for it substituted the indebtedness of the individual for the indebtedness of the government, interposing a figure of irresponsibility between Exchequer and claimant. The point is tentatively held, but the temptation to "pay" someone by assigning him a debt hitherto uncollectible, what was known as a "desperate" debt, must have been great. Certainly there are numerous entries in the tellers' accounts which refer to commands not to honor any claims until further notice.

If the foregoing were unhappily common methods for payment, what follows is practically unique. In March the king sent a writ under privy seal desiring that Guildford's fees for both ordnance and armory plus his £40 annuity be paid presently for next Michaelmas and the Easter term following. The reason given was "the right ponderous and chargeable" service to be done by him "now sp[ec]ially in this oure great journey to oure Roy[au]me of Ffraunce ..."<sup>38</sup> This of course was the year in which the war with France, if a bloodless campaign can be called that, was scheduled.

Considering the size of the French expedition, there are surprisingly few payments for ordnance in the spring and summer of 1492. Without pressing the point, it might be suggested that this supports the contemporary view that Henry never had serious intentions in this campaign. Guildford was allowed £16.16s. in April for one month's wages at

---

at the Receipt should have recorded this sum had it been parcel of the previously mentioned obligations between Guildford, Astry and Grafton.

<sup>38</sup> E.404/81, bdle 1, #53 (30 Mar 7 H.7, Greenwich).

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72  
73  
74  
75  
76  
77  
78  
79  
80  
81  
82  
83  
84  
85  
86  
87  
88  
89  
90  
91  
92  
93  
94  
95  
96  
97  
98  
99  
100  
101  
102  
103  
104  
105  
106  
107  
108  
109  
110  
111  
112  
113  
114  
115  
116  
117  
118  
119  
120  
121  
122  
123  
124  
125  
126  
127  
128  
129  
130  
131  
132  
133  
134  
135  
136  
137  
138  
139  
140  
141  
142  
143  
144  
145  
146  
147  
148  
149  
150  
151  
152  
153  
154  
155  
156  
157  
158  
159  
160  
161  
162  
163  
164  
165  
166  
167  
168  
169  
170  
171  
172  
173  
174  
175  
176  
177  
178  
179  
180  
181  
182  
183  
184  
185  
186  
187  
188  
189  
190  
191  
192  
193  
194  
195  
196  
197  
198  
199  
200  
201  
202  
203  
204  
205  
206  
207  
208  
209  
210  
211  
212  
213  
214  
215  
216  
217  
218  
219  
220  
221  
222  
223  
224  
225  
226  
227  
228  
229  
230  
231  
232  
233  
234  
235  
236  
237  
238  
239  
240  
241  
242  
243  
244  
245  
246  
247  
248  
249  
250  
251  
252  
253  
254  
255  
256  
257  
258  
259  
260  
261  
262  
263  
264  
265  
266  
267  
268  
269  
270  
271  
272  
273  
274  
275  
276  
277  
278  
279  
280  
281  
282  
283  
284  
285  
286  
287  
288  
289  
290  
291  
292  
293  
294  
295  
296  
297  
298  
299  
300  
301  
302  
303  
304  
305  
306  
307  
308  
309  
310  
311  
312  
313  
314  
315  
316  
317  
318  
319  
320  
321  
322  
323  
324  
325  
326  
327  
328  
329  
330  
331  
332  
333  
334  
335  
336  
337  
338  
339  
340  
341  
342  
343  
344  
345  
346  
347  
348  
349  
350  
351  
352  
353  
354  
355  
356  
357  
358  
359  
360  
361  
362  
363  
364  
365  
366  
367  
368  
369  
370  
371  
372  
373  
374  
375  
376  
377  
378  
379  
380  
381  
382  
383  
384  
385  
386  
387  
388  
389  
390  
391  
392  
393  
394  
395  
396  
397  
398  
399  
400  
401  
402  
403  
404  
405  
406  
407  
408  
409  
410  
411  
412  
413  
414  
415  
416  
417  
418  
419  
420  
421  
422  
423  
424  
425  
426  
427  
428  
429  
430  
431  
432  
433  
434  
435  
436  
437  
438  
439  
440  
441  
442  
443  
444  
445  
446  
447  
448  
449  
450  
451  
452  
453  
454  
455  
456  
457  
458  
459  
460  
461  
462  
463  
464  
465  
466  
467  
468  
469  
470  
471  
472  
473  
474  
475  
476  
477  
478  
479  
480  
481  
482  
483  
484  
485  
486  
487  
488  
489  
490  
491  
492  
493  
494  
495  
496  
497  
498  
499  
500  
501  
502  
503  
504  
505  
506  
507  
508  
509  
510  
511  
512  
513  
514  
515  
516  
517  
518  
519  
520  
521  
522  
523  
524  
525  
526  
527  
528  
529  
530  
531  
532  
533  
534  
535  
536  
537  
538  
539  
540  
541  
542  
543  
544  
545  
546  
547  
548  
549  
550  
551  
552  
553  
554  
555  
556  
557  
558  
559  
560  
561  
562  
563  
564  
565  
566  
567  
568  
569  
570  
571  
572  
573  
574  
575  
576  
577  
578  
579  
580  
581  
582  
583  
584  
585  
586  
587  
588  
589  
590  
591  
592  
593  
594  
595  
596  
597  
598  
599  
600  
601  
602  
603  
604  
605  
606  
607  
608  
609  
610  
611  
612  
613  
614  
615  
616  
617  
618  
619  
620  
621  
622  
623  
624  
625  
626  
627  
628  
629  
630  
631  
632  
633  
634  
635  
636  
637  
638  
639  
640  
641  
642  
643  
644  
645  
646  
647  
648  
649  
650  
651  
652  
653  
654  
655  
656  
657  
658  
659  
660  
661  
662  
663  
664  
665  
666  
667  
668  
669  
670  
671  
672  
673  
674  
675  
676  
677  
678  
679  
680  
681  
682  
683  
684  
685  
686  
687  
688  
689  
690  
691  
692  
693  
694  
695  
696  
697  
698  
699  
700  
701  
702  
703  
704  
705  
706  
707  
708  
709  
710  
711  
712  
713  
714  
715  
716  
717  
718  
719  
720  
721  
722  
723  
724  
725  
726  
727  
728  
729  
730  
731  
732  
733  
734  
735  
736  
737  
738  
739  
740  
741  
742  
743  
744  
745  
746  
747  
748  
749  
750  
751  
752  
753  
754  
755  
756  
757  
758  
759  
760  
761  
762  
763  
764  
765  
766  
767  
768  
769  
770  
771  
772  
773  
774  
775  
776  
777  
778  
779  
780  
781  
782  
783  
784  
785  
786  
787  
788  
789  
790  
791  
792  
793  
794  
795  
796  
797  
798  
799  
800  
801  
802  
803  
804  
805  
806  
807  
808  
809  
810  
811  
812  
813  
814  
815  
816  
817  
818  
819  
820  
821  
822  
823  
824  
825  
826  
827  
828  
829  
830  
831  
832  
833  
834  
835  
836  
837  
838  
839  
840  
84

the ordnance and for certain expenses in connection with "vibrelles" or cannon, but this was routine.<sup>39</sup> Nor was it followed by others more pertinent to a kingdom committed to war. In June he received £100 for his offices during the previous Michaelmas term and £16.18s. for equipment delivered to a dozen servants of the queen, who were engaged to serve in the retinue of Sir Robert Cotton, one of her household officials.<sup>40</sup> In July only one payment reached Guildford by the hand of Bray, styled "subthesaurus", i.e. Under-Treasurer, and actually treasurer for War. One thing of importance is gleaned from the writ: we find that Guildford had not been completely passive, even though little money came his way, for the £20 Bray paid him was calculated at the rate of four shillings per day. This indicates that he had been traveling on ordnance matters, in all apparently over three months, though we are not told during which period this occurred.<sup>41</sup>

---

<sup>39</sup> E.36/208, f.4 (20 Apr 1492). Artillerymen, or at least gunners, always are called "vibrellatores". This volume, from the miscellany of the Lord Treasurer's Remembrancer, contains the accounts of William Hatcliff, at this time clerk of the marshalsea of the household, for 1492. It contains a great many entries concerning the royal armada, some of which, such as payments to German and "Suavian" mercenaries and Spanish ship owners, demonstrate the deficiency of means and the lack of national sentiment at this time in any war between England and France. A better description of such a contest would be a war between the kings of those nations.

<sup>40</sup> E.36/125, f.130 (19 Jun 7 H.7), f.131 (20 Jun 7 H.7).

<sup>41</sup> E.36/125, f.150 (post 25 Jul 7 H.7). This office of treasurer for war was an ambiguous one, perfectly suited to the capacities of a man such as Bray. Apparently, monies gathered for military purposes, such as parliamentary grants of dismes and quinzemes and clerical subsidies, were his responsibility. That Bray was not an Exchequer official merely reinforces the thesis (shared by Dietz and Richardson) that for a number of reasons more and more strictly treasury functions were transferred to chamber or household officers, or others directly amenable to the king. Of course, this is weakened by the fact that Henry later appointed Sir Robert Lytton, his under-treasurer, to the post.

In 1493, a year enlivened by an expedition to Ireland, Guildford was somewhat busier; at least, judging by Exchequer accounts, he was given the authority to expend such monies as might appear needful in the Irish question. The Receipt was authorized to pay him as much cash as was required to transport certain ordnance pieces to the Prince (of or in Wales; the MS is burnt), for the wages of gunners, a clerk and a purveyor and for the purchase of arrows for the yeomen of the chamber. According to the writ, these sums would be justified by Guildford in person.<sup>42</sup> This almost looks as if he were to account to the Exchequer for his expenses, but in view of his later refusal to do so, it may be that his final accounts were not rendered before the Barons. But in any case, there is no evidence that the officials of the Receipt ever denied him the sums which he claimed. Probably all that is meant here is that a safeguard against indiscriminate claims was to be erected: only Guildford had an unlimited account, and even he was expected to exercise discretion when submitting drafts.

The final reference to Guildford's activities at the ordnance is a terse note mentioning that £20 had been paid him for ordnance purveyed. The specific purpose and precise date do not appear, but it most likely refers to his efforts in the spring of 1493.<sup>43</sup>

---

<sup>42</sup> E.404/81, bdle 2, unnumbered and undated privy seal from Greenwich. The logical date for this writ would be about Easter, when Guildford was dispatching such supplies as three wagon-loads of ammunition to Bristol. See Agnes Conway, Henry VII's Relations with Scotland and Ireland, 1485-1498 (Cambridge, 1932), p.54, for the Irish expedition.

<sup>43</sup> E.36/131, f.369. Payments entered by tellers at the Receipt for 9-13 H.7. The folio cited contains a list of grants to officials for 8-9 H.7.

Nothing further is known of his career as master of the ordnance. In December he surrendered his patent of office, receiving in its stead a confirmation of the sergeanty of the armory, this time in survivorship, in association with his son, Edward.<sup>44</sup> In all likelihood he had withdrawn from the ordnance some months prior to this, for his successor, Sir Sampson Norton, was paid from Michaelmas 9 H.7 (1493), even though his grant of office was not enrolled until 12 November 1494.<sup>45</sup>

The mystery surrounding this termination of office is tantalizing, but there seems no way of solving it in the absence of some treasure trove of personal correspondence. From this time on, the office appears to be alternatively in the hands of Norton and Sir Robert Clifford, though at least one entry under Norton's name occurs in the period generally assigned to Clifford.<sup>46</sup> Norton, if the phrase is taken literally, was dismissed from the office in his first occupancy.<sup>47</sup> There is, in any case, no further connection between the subject of this study and the ordnance.

When one turns from the ordnance to the subject of military service, it soon becomes apparent how little has been done by military

---

<sup>44</sup> CPR, 1485-94, p.467 (1 Dec 1493, Westminster).

<sup>45</sup> CPR, 1494-1509, pp.24-5. Two days later the Treasurer and Chamberlains were ordered to pay the arrears as of the date mentioned in the original patent. Patents with retroactive effect are a commonplace of the period.

<sup>46</sup> E.36/131, f.75.

<sup>47</sup> E.404/86, bdle 3, unnumbered (19 Jan ?10 H.7, London).

historians. The standard work by Fortescue is virtually silent upon events and techniques in the reign of the first Tudor,<sup>48</sup> and most later writers adhere to his abbreviated account.<sup>49</sup> Even in this general silence, however, certain statements have been uttered.

For instance, both the above-mentioned writers date the professional army from 1485, when Henry VII established his yeomanry, the progenitors of the Beef Eaters, who conceivably were patterned after Louis XI's guard which perhaps was seen by the Earl of Richmond while in exile. But, as Professor Mackie cautions, if so, it was not fashioned after the best-known guard, since they were gentlemen soldiers.<sup>50</sup> Likewise, each considers the creation of the office of master-general of the ordnance, said to have occurred in 1483, of first importance in the history of the national army.<sup>51</sup>

Mackie also points out that Henry VII availed himself of both historical means for getting an army: he used the shire levy for large

---

<sup>48</sup> Sir John Fortescue, History of the British Army (London, 1899), I.

<sup>49</sup> See for example J. D. Mackie, The Earlier Tudors: 1485-1558 (Oxford, 1952), 208-10.

<sup>50</sup> Ibid., p. 208. There is a vivid account of ceremonies at the French court in 1518, in which the 200 gentlemen (armed with axes) are mentioned frequently, among the muniments of Westminster Abbey. (WAM 12252). This is a copy of a letter written by Sir Nicholas Vaux to his sister, Guildford's widow.

<sup>51</sup> The source for this statement is not given. In the CPR and the Tellers' writs this officer is called simply master of the ordnance, rather than master-general. But according to Hilary Jenkinson this officer was known as master of the ordnance as early as 1414. Guide to the Public Records. Part I. Introductory (London, 1953), p.5.

campaigns and he also indented with nobles, knights and gentlemen to provide him troops at a fixed rate. According to Fortescue (I, 110), both coat and conduct money, the latter at the rate of 6d. per mile, were paid and later deducted from wages.

Neither man feels that ordnance had much practical significance in the wars of Henry's reign, and they probably are right. Technique was faulty, transport was slow and efficiency was questionable, which factors in combination make it unlikely that artillery decided any engagements. Nevertheless, great sums, as we have seen, were spent on the procurement and maintenance of cannon, probably far more than their practical value would warrant.

There are extremely few records, apart from scattered ordnance accounts, which are of much assistance in clothing the outline sketched above. No doubt, the "views" or inspections of ordnance, annual range practice and instruction in the maintenance of artillery were normal aspects of a gunner's life, but the argument is based on analogy, which is notoriously misleading. What remains unclear is the actual procedure for getting equipment on hand to troops in the field, and equally important, the procedure for recall and replacement.<sup>52</sup>

---

<sup>52</sup> It is doubly unfortunate that no ordnance accounts are available for Guildford's tenure. The only record seemingly produced under his authority is a single crumpled and undated parchment in an execrable hand, listing the delivery of gunpowder, harness, helmets, cannon and a "shotte" [splice] of cables. The PRO lists this as temp. H.6, an error in my judgment. (E.101/54/28) There is a military account in the BM which probably comes from his early years at the ordnance office, but it sheds little light on the administrative problem. Reference is made to Sir Edward Woodville, the man erroneously called Lord Woodville, who was killed during an unauthorized raid in Brittany, 28 Jul 1488. (See DNB) The account is found in MS Cotton Titus B. V, ff.26-26b. For the forces operating from Calais there is an account submitted by the Duc de Morbeke to Lord Daubeney, 18 Jul 1489, which lists wages, etc., at Dixmude, Dunkirk, Newport and others. (BM) MS Add. 46455-56, bdle 20.



In contrast to the modern conception, the official view of the subject's military aptitude was high, remarkably high. Not that any great skill was demanded; on the contrary, it was meritorious if one merely remained in the company to which he belonged. But, in the absence of any clear notion of tactics, the soldier was presumed to be as knowledgeable as was necessary. It is clear that training was regarded as unnecessary (it must be understood that the soldier, not the knight, is under discussion here). There were several reasons for this view. No government could sustain the charges, i.e. either troops fought or they were disbanded; and it was rare that the call for troops much preceded the scheduled date for utilization.

A case in point is the commission addressed to Guildford on 28 June 1490, by which he was empowered to impress both seamen and soldiers for the Regent. Now the Regent sailed from Winchelsea on 12 July, and clearly no training could be accomplished in this brief interval. Indeed, Guildford probably was lucky to secure his men, let alone train them.<sup>53</sup>

The clearest statement of the other problem, the financial one, is

---

<sup>53</sup> CPR, 1485-94, p.324; also p101 of this study. Warbeck's surprise landing in Kent on 3 Jul 1495 was met spontaneously by local forces. After the event, Henry assumed certain expenses borne by his subjects in that county, but there was no leadership or supply involved. Without minimizing the loyal behavior of the Kentish yeomanry one may doubt the value of an invading force which was dispersed so handily. Among the tellers' writs is an authority for payment of £17.6s.4d. for expenses incurred by William Waren, customs collector of Sandwich and in 1493 mayor of Dover, while conveying 163 prisoners "from the see side vnto oure Toure of London." (E.404/82, bdle 1, unnumbered [14 Nov 11 H.7]) A year later Henry authorized a veteran's bonus of five marks to Thomas Grigge, who had been "sore hurt and left in jeop[ar]dye of his lif at the landing of our Ennemyes and Rebelles beside the town of Sandwiche." (E.404/82, bdle 2, unnumbered [28 Oct 12 H.7]) That this valor was not necessarily in evidence when troops were levied for foreign service is suggested by the passage in 1492 of an act declaring desertion to be felony without benefit of clergy. (Rot. Parl., VI, 443)

found in a writ directed to Lord Dynham from Greenwich on 28 November [1492?].<sup>54</sup> The essential passage is as follows: "it is Shewed Vnto Vs for certain that Sir Robert Cursune [Curzon] is come from Bretaine into this our Roy[au]me and arryved at Pole [Poole, co. Dorset] wt viii<sup>c</sup> p[er]sonnes in his company and for the conduyte and delyveraunce of them towards their frendes and cuntrye it is thought vnto vs and our Counsill here necessarie and expedient an hundredpoundes to bee sent vnto him in hast for the lenger that they contynue to gedre the more charge Wold be vnto vs Wherefore We desire and pray yow hertily to prepayre and make redy wt alle diligence possible the sayd sume be to morowe x of the clokk afor noone for We entende to send it vnto him incontinently upon the same ..."

An unseemly eagerness to discharge war heroes? Precisely. The best one can say is that troops involved in this fiasco, the French campaign of October 1492, suffered only from plague, lack of supplies and bitter weather, and were not faced with the added calamity of a winter campaign.<sup>55</sup>

A third motive for disbandment, especially important in this turbulent era, was the inadvisability of leaving large numbers of men under arms within the kingdom. It is frequently overlooked that Henry faced a somewhat less than docile populace with the slightest of police forces. While it does not seem to be true that every man possessed a complete kit,

<sup>54</sup> E.404/81, bdle 1, unnumbered writ. It is placed among those for 7 H.7, but such a large company was more likely to be entering England after the cessation of hostilities in Oct 1492, and has accordingly been treated as pertaining to the regnal year 8 H.7.

<sup>55</sup> E.30/612 (Diplomatic Documents) is an interesting opinion signed by most of the "lordys statis counsellouris & captaignes [I have identified 37 signatures]" in the field "beside Bol[ogne]" upon the peace articles brought by the French Lord Querdes. The declaration of peace is printed in Gairdner, L&P, R.3 & H.7, II, 290-2. Curzon was among those who met



most men undoubtedly had bows and some at least owned boar spears, daggers and the like. The standard infantry weapon, the bill or halberd, however, was not so common a civilian property.<sup>56</sup>

A few indentures for service are in existence, some in print, which enables us to form an idea of the system in all its incredible inefficiency. Each army was headed by a general or captain-general, who was responsible for bringing his own retinue, as were his subordinate captains. The latter were responsible for the companies, which might embrace as many as 800 men, as in Curzon's case, or fewer than a hundred. The term was not meant to signify a standard unit, but rather a unit of indefinite size which was the responsibility of a captain. It is too early for these captains to behave as independently as 18th century colonels, but they did enjoy tremendous powers with little risk of impeachment. Armies were divided into "battles", right, left and center, but not yet into battalions or regiments.

So far as the slender evidence shows, these companies were likely to vary not only in size but in composition. It does not appear that men in the retinue of one knight were merged with others to form balanced companies. Thus, it was possible for one unit to contain archers and few

---

Lord Querdes. It is embarrassingly clear from this document that no one present was taken in by Henry's profitable gambit. The problem was how to placate public opinion, which even at this date had a certain importance, else none would have considered it worthwhile manipulating. See also Wilhelm Busch, England under the Tudors. Volume I. Henry VII, trans. A.M. Todd (London, 1895), p.66.

<sup>56</sup> See (BM) MS Stowe 440, f.80b, where Giles Lord Daubeney indents for service against the Scots (12 H.7), agreeing to bring 866 bills in addition to 1058 armed men. This volume contains a transcript of indentures from the Pells office (E.3-H.8) made by Sir W. LeNeve and digested by Sir E. Walker in 1664.

bill bearers, while in the adjoining company the reverse might be true. Nor does it appear what criteria were used when drawing up indentures. Why, for example, did Robert Lord Broke, chief captain of the army in Brittany, contract to bring four knights, 26 men at arms and 970 archers with him in August 1489, while Giles Lord Daubeney, captain-general against the Scots eight years later, agreed to provide 153 lancers, 31 demi-lancers and 869 archers? <sup>57</sup> In each case the commander was to bring nearly the same number of men, yet the composition varied considerably.

Perhaps the most sensible suggestion is that different campaigns called for different forces. This may be demonstrated by the following graph:

|               | <u>men at arms</u> | <u>archers</u> | <u>lancers</u> | <u>demi-lances</u> | <u>total</u> |
|---------------|--------------------|----------------|----------------|--------------------|--------------|
| Lord Daubeney | 9511               | 2197           | 260            | 1334               | 13242        |
| Lord Broke    | 1690 (18%)         | 2008(90%)      | 32 (12.5%)     | 17 (1%)            | 3748(28%)    |

Now, the Broke expedition was really a raid, in which the English hoped to perform auxiliary duty for a brief period, while the latter was a full-scale operation aiming at large results. That nothing came of it is irrelevant, except that it explains why Henry was unable to prevent the Cornish rebels from reaching Blackheath. His army already was in transit north. What we are concerned with here is organization, and our attention is engaged by the proportion of bills to archers, lancers and demi-lancers in each field force.

From the composition of Daubeney's force we would assume that it was designed for terrain difficult for horses, or destitute of fodder, and that it was organized for attack rather than defense. This appears to fit the requirements of a Scotch campaign, though it would appear

wiser to combat those northern pikemen with missile weapons. In any case, conventional foot soldiers far outnumbered archers, whereas in the Brittany affair archers slightly outnumbered men at arms.

Precisely where the ordnance enters this picture isn't clear. The only mention of Guildford in either of the two lists cited above is in the former, where he is mentioned in connection with the royal ship Regent and other vessels which he undertook to command for two months from 12 July.<sup>58</sup> Actually, Guildford's inclusion is misleading, for it is extremely doubtful that he served in a military capacity during the campaign. Of 84 later indentures preserved in the Public Record Office, there is none for him.<sup>59</sup> Perhaps it has been lost, certainly this can't be ruled out, but it seems unlikely. Again, in another transcript of indentures at the British Museum there is no reference to him, either.<sup>60</sup>

---

<sup>58</sup> Ibid., F.79b. Guildford, of course, was not connected with the Ordnance by 1497 (Sir Robert Clifford was Master during the Scotch campaign). We do know that "Thomas Warley [at various times Teller at the Receipt and Clerk of the King's Works] hath received of the Tresorer of Werre [Sir Robert Lytton, Under-Treasurer of England] for the provision of such ordynauce & artillery as shalbe thought requisit wherof the king hath signed a warr[ant] for the same which he must answer & accompt for - v<sup>m</sup> ix<sup>c</sup> xiili ix<sup>s</sup> xd". (E.101/414/6, f.13 [10 Feb 12 H.7]) A bit earlier, Henry had assigned £30,000 for "wages vitailles [as well] as for other diverse and necessary charges therunto belonging ..." (Ibid., no pagination [post 1 Jan 12 H.7]) This volume is Heron's book of Chamber payments for 1 Oct 1495-30 Sep 1497.

<sup>59</sup> E.101/72/1065-1162 (1491-2).

<sup>60</sup> (BM) MSS Lansd. 804, ff. 50-82. Nor is he mentioned in Thomas Rymer's Foedera (The Hague, 1741), V, iii, 43b-44b (4 May 1492), where a number of indentures, the sample one being that of the Earl of Kent, are listed. In 1497 Guildford likewise played a negligible role; he didn't prepare for the invasion of Scotland, or so it seems, and when the forces were mustered in Kent to meet the Cornish rebels, his son George levied a force over half as large as his own for the field at Blackheath. (E.36/126, ff.47,70)

All of this indicates that what Guildford did do was work at the Tower and elsewhere, arranging for the transport of the necessary artillery and arms. He was at Boulogne, if not during the siege, then in time to sign the opinion expressed by Henry's councillors upon the articles brought to camp by the French ambassador, Lord Querdes.<sup>61</sup> But, in this writer's opinion, Guildford spoke only as a councillor and not as a captain on this occasion. It is curious, if this is not so, that John Gay, master of the Regent, is referred to as one who would be in the retinue of Lord Broke.<sup>62</sup> This was not even technically correct, since Broke sailed a week before the Regent left Winchelsea, but the implication is clear: Gay was answerable to Broke, not Guildford, in this campaign. Judging from the tellers' writs, which have been used so frequently in the course of this study, Guildford's responsibility for the Regent and its escort was financial rather than military. There are a good many indications that he never had the income necessary to provide for so huge a retinue out of his own pocket, for even though the king paid wages, there would be a lapse of time before these funds would be advanced.<sup>63</sup>

This question of payment is a vexed one: there are two opposed incidents in this period which suggest that in finance as in all else,

---

<sup>61</sup> E.30/612. The signature is simply Guylford, which Sir Richard often used; but of course there is the possibility that his father, Sir John, who did not die until August of the next year, may have been present.

<sup>62</sup> (BM) MS Stowe 440, F.79b.

<sup>63</sup> The total force, both naval and military, assigned to Guildford was 860 men aboard four ships. (BM) MS Stowe 440, f.79b.

specific situations were either met without reference to standard procedure, or else that there was no standard procedure for payment of troops. In May 1489, when it appeared that the tax revolt in Yorkshire, in which the Earl of Northumberland went to a futile death at the hands of some indignant and misguided people, would necessitate a large levy, William Paston wrote his brother, Sir John. A messenger, according to him, had gone to the king to get cash for the retinue of the Earl of Oxford. It had been pointed out to the Earl, however, that it was not so simple a matter to raise a force, for apart from the question of wages, there was the problem of providing horses and harness for these retainers, all of which cost "large money".<sup>64</sup>

Certainly, this is evidence that initial expenses were borne by individual knights; furthermore, it supports the claim that many men had no military equipment, or not enough to qualify for service. Throughout the indentures for war service one finds phrases such as "Henricus Willoughby, knight, his lance, 6 demi-lances 120 bows & bills for 193 soldiers" or "Edward Blount, esquire, his lance, 7 demi-lances, 53 archers & bills for over 200 soldiers", proving that there was not necessarily a one to one relationship between men and weapons.<sup>65</sup> The other example of the method of payment comes from two privy seals

---

<sup>64</sup> James Gairdner, ed., Paston Letters (London, 1904), VI, 129. See Appendix I.

<sup>65</sup> (BM) MS Stowe 440, f.80b. Rymer, Foedera, V, iii, 45b (2 Aug 1492) prints a proclamation to the sheriff of Kent, ordering constables of the hundreds to ascertain how many able-bodied men and how much equipment were available for the king's service. The presumption may have been that every man was armed, but no one acted on it.



addressed to Sir Gilbert Talbot. In the first, Henry desired Talbot to assemble 80 men, of whom "we desire you to make asmany speres wt their custrelles [pages] and d[em]i lances wt horses as ye can furnisshe"; the remainder were to be either archers or bills, and wages were set at a shilling a day for lancers, 9d. for demi-lancers and (though the MS is damaged) apparently 6d. per diem for mounted archers and bills.<sup>66</sup> In the second letter, Talbot again was asked to find 80 men, whose wages this time were to be "as of reason ye shal holde ye pleased."<sup>67</sup> The situation was critical, else such a sanguine statement was unthinkable from this monarch. What does all this mean? First, that under certain circumstances, money was sent during the period of recruitment, but that generally it followed the actual levy of troops. And secondly, that no matter what system was employed, certain mobilization costs were borne by the local knights as a condition of estate.

Two illustrations may suffice to show how men occasionally went about avoiding this onerous requirement: in 1489 Sir William Say, of Hertfordshire, sent the Earl of Oxford £40 "to have excusyd hym", but it was refused, to William Paston's astonishment. Apparently, in some cases the need for men and equipment overrode the need for cash. Such a need must have been overwhelming for the Earl to have turned down the offer of such a tremendous sum; further, it demonstrates that participation must have been a very costly matter. One of the royal yeomen,

---

<sup>66</sup> (BM) MS Add. 46454, #6 (20 Jul 149?, Kenilworth).

<sup>67</sup> Ibid., #9 (12 Sep 149?, Woodstock). Both the above are probably from 1497.

Robert Bulkeley, who was listed as a rebel in February 1494, was caught at an evasive game by Sir Gilbert Talbot in connection with the French campaign of 1492. It appears that Bulkeley had been "cessed" £10 in a benevolence raised for this purpose, but given the alternative of military service in person at his own expense. He elected the latter course, yet somehow managed to draw wages for the entire period.<sup>68</sup>

This uncertainty, rather than any inherent superiority in professional troops, probably was responsible for the tendency to hire foreign mercenaries. Professionals were armed and equipped at any rate, even though they were unlikely to perform much differently in the field. Nineteenth century historians tended to create a mystique in which Italian and Swiss mercenaries, condottieri, and German landes-knechte were described as irresistible because of their professional status. This is attribution for the wrong reason, as the experience of this century shows: professionals are more likely to have the edge because they generally possess equipment and organization, but even this isn't everything, at least in the short run. It was a professional army, at least in part, which Henry VII crushed at Stoke in 1487. Armies are not efficient because they are professional; they deserve to be considered professional when they are efficient. By this standard (one which is uncommonly hard to meet in any age, it seems) Henry's armies were not professional. Nor did he employ many mercenaries. A

---

<sup>68</sup> Paston Letters, VI, 129. In the second instance Talbot had demanded the £10 from Bulkeley, but "by grete rage of fyre as[wele] as other unfortunat Chaunce" he was destitute, or so he claimed. Henry recommended that Talbot check his story and in the meantime refrain from distressing him. (BM) MS Add. 46454, #4 (6 May 1493?, Dover).

Dutch captain, Jacob Van Walthuysen, was authorized £10 early in 1492, for 155 "men of werre of Holland," lately in Henry's service, but such entries are not common.<sup>69</sup>

On the subject of payment, several entries scattered throughout the chamber accounts of John Heron prove that even at this date the practice of payment for "blind speres" was known.<sup>70</sup> In effect this was overpayment or payment for a company at paper strength. The money paid for these "blind" or useless spears was supposed to augment the captain's wage, thereby obviating the need for such corrupt practices as surcharging supplies and withholding the pay of troopers. There is not enough testimony from this period to state positively that corruption was a serious thing, as it became in the Elizabethan era.<sup>71</sup>

To revert to the problem of integrating ordnance with an army, the ordnance accounts for the period 1 May to 20 November 1497 (12 & 13 H.7) contain an explicit statement of the central difficulty, a difficulty most likely present for Guildford as well as Clifford, who was Master during the projected invasion of Scotland and the Cornish rebellion. The accounts are in three parts: (1) a list of ships which were issued

---

<sup>69</sup> E.404/81, bdle 1, unnumbered privy seal (20 Feb 7 H.7).

<sup>70</sup> E.101/414/6, f.22 ("Kinges Memoranda", 1 Oct 1495): "Memd to make the tresorer of Werres of Calais to accompt for the blynde speres of his retynue to the value of CCxl li." Calais was a particularly sensitive spot, since the Merchants of the Staple were responsible for the support of the garrison. In 1476-7 Sir William Hastings, the Lord Lieutenant at Calais, had commanded approximately 179 archers, eleven mounted soldiers and six knights. The particular computus which he presented to the barons of the Exchequer is in (BM) MS Add. 46455-56, bdle 14. Under Henry VII such accounts were rendered in the king's chamber.

<sup>71</sup> C.G. Cruikshank, Elizabeth's Army (Oxford, 1946), passim.

ordnance and stores for transport to Newcastle or Berwick; (2) a list of ships which returned stores and ordnance to the Tower; and (3) losses from the campaign, minus equipment still held by authorized persons at sea or in the field (as Lord Broke, who commanded the "voward").<sup>72</sup> A prefatory statement devoted to the difficulties of accurate accounting is worth full quotation (modernized spelling and punctuation):

And because of haste in shipping setting forth into Scotland, return, and delivery of the said ordnance into the said tower of London, the said ordnance in this view cannot be expressed perfectly in numbers and quantity as ought to be after the true order of account. And because the said return must accord with the indentures of shipping of the same, all manner of ordnance chested, barreled or otherwise trussed in cases or vessels [which] be expressed by the numbers of chests, barrels, fat baskets, or such other, without other numbering or weighing of the stuff therein contained (as bows, arrows, artificers tools, iron-work, nails, and other stores be numbered by the chest, also bow strings, casting caltraps, tallow, nets for yard trammels and such others by the barrel fat and such other vessels, also shot of little mold for pellets, dice [or dies] of iron and cresset lights be numbered by the basket, and iron, lead [?], timber, ropes and all such by the piece), which reckoning is not sufficient for the safeguard of the King's said ordnance nor for accountal and discharge of his officers in time coming. Wherefore, it seemeth necessary that another view be taken of all the King's said ordnance within his said Tower of London, accounting the same by numbers and weight according to the first empcion and provision of the same.

It is clear from this that the Ordnance was not able to adapt efficiently to large needs; it is equally true that there was official recognition of this deficiency. The amount of equipment lost in this abortive campaign is truly staggering, in fact, great enough to compare

---

<sup>72</sup> E.36/7, ff. 135-208. The indentures between Sir Robert Clifford and 25 ship owners or masters, dated 16 May 1497, are found in E.36/8. About 20 of these men appear to be English, which may be proof of maritime expansion. The amount of material transported was impressive. The approximate force designated for the expedition was 13,000, and 25 ships, with a cargo capacity varying from 40 to 60 tons, were engaged to supply them.

favorably with the prodigality supposedly peculiar to our own age.<sup>73</sup>

In outline, then, the system functioned like this: the master of ordnance entered into agreement with as many ship owners or masters as he considered necessary for the transport of ordnance to centers of supply, in this case the fortified towns of the north. At the end of the campaign or contractual period these same men returned to the Tower what ordnance remained in their charge. The difference was considered a combat loss. Accounting was only in bulk, i.e. the number of crates, barrels or baskets, rather than the contents of each, was considered important. The ordnance office had no effective control once issue had been made, so that the most careful system of inventory was useful only so long as nothing was used. Once in the field, ordnance seems to have been wasted with fearful regularity. All of this casts a new light upon Henry's reluctance to go the whole way in military matters. The most reckless of princes would have lost his enthusiasm for war to learn as Henry did after the Scottish expedition that 1060 bills (1/6 of those issued) had been lost during siege operations alone.<sup>74</sup>

---

<sup>73</sup> To give one illustration: 57 cannon of all types were shipped north; 36 were returned. However, 16 remained in the north, while 5 had been lost in siege operations. With arrows one cannot account quite so readily; they seem to have been shipped from the Tower in containers of one size, and returned in boxes of another dimension. Thus, the individual losses are hard to ascertain. E.36/7, ff.65-70 (ordnance shipped), ff.191-5 (ordnance returned), ff.201-3 (ordnance accounted for but not returned), ff.204-6 (combat losses) and ff.204-6 (losses at sea).

<sup>74</sup> Ibid., ff.204-6. Another drain on the war funds was brought on by the chronic shortage of ready money at the Exchequer. This is amusingly illustrated by a writ under signet addressed to Sir Robert Lytton, Treasurer of War (23 Apr 149[7?]), in which we learn that a prior warrant had been sent him, in his capacity as Under-treasurer,

Some idea of the amount of ordnance and other materiel shipped to Berwick may be gathered from the following selective figures, which exclude the hundred and one items which were necessary for any army in the field (such as shovels, picks, nails, rope, lumber and canvas). Of weapons alone, there were shipped: 6190 bills, 761 spears or demi-lances, 110 chests of bows (55 per chest), 336 chests of arrows (an unknown number of sheaves, containing 24 arrows, in each chest; from a broken one which was returned, it is clear that at least 36 sheaves were in each container), 57 cannon and 180 handguns. Returns were made of the following: 4574 bills, 609 spears, 79 chests and 65 individual bows (four of them broken), 290 chests and 36 sheaves of arrows, 36 cannon and 144 handguns. The difference was made up in this manner: 16 cannon, 471 bills, eight chests of bows, 7 chests of arrows and 23 handguns remained in the north in the hands of the Lord Steward or of William Pawne; five cannon, 12 handguns, 21 chests of bows, 38 chests of arrows and 1060 bills had been lost at the taking of certain towers in Scotland; and 88 bills, 1 handgun, 31 bows, 14 chests of arrows and 32 spears were lost at sea or in transit.

It would be very difficult to estimate the actual expense of such an expedition, especially since the weapons used were for the most part from the Ordnance stockpiles, i.e. had been paid for previously. That the figure ran to thousands of pounds, however, seems highly probable.

---

for Payment of £50 for the Feast of St. George at Windsor, which writ had not been honored, because, as Sir Richard Guildford had testified, there was no such sum in the Treasury. Clifford, therefore, is instructed to deliver £50 from the War Treasury, replacing it with the first money which comes into the ordinary Treasury. E.404/86 (miscellaneous documents).

Once this is understood, it becomes less difficult to understand why Henry, a man who carefully built up a treasury surplus, hesitated to plunge into war. It also becomes more understandable why Henry VIII felt little worry about such problems as war finance at the beginning of his reign: his father had left him in a position to ignore that problem, at least for a while. The amazing rapidity with which he went through his predecessor's carefully hoarded balance, is a testimony both to the cost of war in any period and to Henry VIII's eagerness. Whether he did or did not have the largest treasury in Europe, as contemporaries believed, was of little moment. No one's surplus could survive many such ventures as the cautious one of 1497, let alone those involving a more headlong pursuit of glory.

Chapter V  
SERJEANT OF THE ARMORY

Guildford's patent for the office of master of the ordnance also conferred upon him the sergeanty of the armature within the Tower of London and elsewhere. For this he received a shilling a day; further, he was allowed one yeoman at 6d. per diem and a "garcone" or groom at 3d. per day.<sup>1</sup>

It is difficult to draw a distinct line between these two offices, but artillery as we know it was within the province of the former, while small arms, armor and such equipment apparently pertained to the latter. However, the master of the ordnance also issued small arms, so the distinction must lie elsewhere.<sup>2</sup> The sergeant of armature was not subordinate to the master of the ordnance, so far as the ordnance accounts reveal. Rather, the weapons for which the sergeant was responsible might be considered as a sort of personal property of the king, as opposed to the ordnance stockpiles, which more nearly corresponded to government property. That both were stored at the Tower (there certainly were other ordnance depots, but the Tower was the

---

<sup>1</sup> CPR, 1485-94, 77-8 (8 Mar 1486, Westminster). The patent mentions that he had occupied both offices from 8 August last, i.e. two weeks prior to Henry's accession. Of course it normally fell out that fees were retroactive, but here it seems probable that Guildford supervised ordnance even in Brittany with the proscribed Earl of Richmond. This would be reason enough for the persistent statement that he had been knighted either before or at the landing at Milford Haven.

<sup>2</sup> See for instance E.404/79, bdle 1, #111 (not dated, probably summer of 1486), where 1150 bowstaves are delivered to Sir Richard Guildford "Maister of the kinges ordenaunce." Printed in Campbell, I, 493.



the principal one), merely complicates the picture sketched above.

In another place the reader has been cautioned about accepting at face value those titles assigned to recipients of government funds, on the ground that frequently nothing more was meant than that certain men upon occasion acted as if they were the ones to whom money ought to be delivered. The convenience of the accountant frequently misleads the historian. Still, upon occasion inferences must be drawn, and one such, taken from the tellers' writs, is this: generally, when weapons were demanded for peaceful purposes (peaceful, not gentle), issue was made by the sergeant or master of the armory, rather than the master of the ordnance. Thus, on 23 October 1485, Guildford was granted 100 marks for preparations for the "justes of peas" to be held at Henry's coronation in the following week.<sup>3</sup> And in December he was allowed an additional £50.2s.2d. to cover extraordinary expenses incurred by him at the jousts lately held in Westminster.<sup>4</sup> In this latter writ he is called master of the armature. A different illustration of this point is afforded by our knowledge that sometime in the early summer of 1486 Guildford issued bows and arrows to the Scots ambassadors "at the tyme

---

<sup>3</sup> E.404/79, bdle 1, #90; also Campbell, I, 97, 230. From a writ of later date much curious information is supplied about such preparations. On 3 May 1496 the Treasurer and Chamberlains were authorized to pay to an unnamed bearer £5.1s.1ld. for work against the jousts at Kennington (a royal manor in Guildford's keeping). Sand and gravel were hauled there and tamped and leveled during two days, 100 five-penny nails were used, probably for barriers; and 50 spears "ready made and leded" and twenty "coronettes" were supplied to the contestants. E.404/82, bdle 1, unnumbered writ.

<sup>4</sup> E.404/79, bdle 1, #58 (9 Dec 1485); Campbell, I, 206, 232.

of ther huntynge at Eltham."<sup>5</sup>

Normally, Guildford was paid a single sum semi-annually, "for his fees", or "in respect of his offices", but now and then separate writs were issued to the Exchequer officials, as for instance was done during the first two years of Henry's reign.<sup>6</sup>

The second joust with which Guildford was concerned took place in the late summer of 1486, again at Westminster. This time he spent "of his own purse" £16.19s.10d.<sup>7</sup> At the much-delayed coronation of Henry's wife Elizabeth, Guildford again was in charge of preparations for the jousts, once more receiving 100 marks in allowance.<sup>8</sup> In 1489 without reference to either office he equipped seven of the king's and seventeen of the queen's servitors for war, at an average cost of 25 shillings per man.<sup>9</sup> The next joust of which we have record transpired

---

<sup>5</sup> E.404/79, bdle 1, #111 (not dated); Campbell, I, 229, 494 (9 Jul 1486). He was reimbursed £6.4s.7d. For the embassy see Conway, Henry VII, Scotland and Ireland, pp.9-10.

<sup>6</sup> E.407/6/137 (writs under Magna Sigillo, Pasch 1 H.7, Mich 2 H.7). All told, the wage assignment to the ordnance was £164.5s., while £31.18s.9d. went to the Armory. If there has been no mistake in this roll of abstracts, Guildford seems to have been paid for the second year of Henry's reign prior to its close - a most unusual occurrence. It was irregular to pay less or more frequently than at Easter and Michaelmas day. It is best to reiterate that authorization did not necessarily mean payment would follow. Guildford was paid £20 in Easter of 1487, yet his annual fees came to £54.15s.

<sup>7</sup> E.404/79, bdle 2, #4 (21 Sep 2 H.7, Winchester); E.404/6/137 (Pasch 1 H.7).

<sup>8</sup> E.404/79, bdle 3, #38 (5 Oct 3 H.7, Warwick Castle); Campbell, I, 198, 223. He received sums in recompense for this outlay as late as 25 Oct 1488. E.36/130, f.8.

<sup>9</sup> E.404/80, bdle 1, #30 (9 Mar 4 H.7, Westminster); Campbell, I, 431-2 (date given as 11 March). E.407/6/137 (Mich 4 H.7). Yet, in

in the early summer of 1492, at which time Guildford was paid £9.6s.

"for speres sperehedes & vamplets [gauntlets] bought for the justes."<sup>10</sup>

This appears to be the last reference to this office for almost a year.

It was then that he resigned his post as master of the ordnance, retaining the sergeanty of armature, however. He was joined in this latter position by his son Edward.<sup>11</sup>

From the available evidence it appears that the duties of this office took little of Guildford's time in the years after 1493. No specific mention of him in this capacity has been found from that date until July 1505, when a writ of attachment against him was directed to the sheriff of Kent by the officers of the Exchequer of Account. His offence was a failure to account before the barons of the Exchequer for his offices. Now, this need not refer to the sergeanty, it is true, since he also was comptroller of the household at this time. The latter office, though, was not amenable to the barons, and eighteen years later his son Edward was involved in a similar dispute with the

---

1492 he equipped twelve servants of the queen in the retinue of Sir Robert Cotton, specifically as master of the ordnance. E.36/125, f.131 (20 Jun 7 H.7). Or was the title irrelevant?

<sup>10</sup> (DM) MS Add. 7099, f.5 (17 Jun 7 H.7). This volume is a transcript of John Heron's chamber accounts (1491-1505) made by Craven Ord, the antiquarian (see DNB). The originals for the earlier years no longer exist. Portions of this volume were printed by Samuel Bentley under title Excerpta Historica (London, 1833), pp.85-133.

<sup>11</sup> CPR, 1485-94, p.467 (1 Dec 1493, Westminster). The following spring they were assigned certain monies from the customs of Cirencester for their wages. CCR, H.7, I, #692 (13 May 1494). This office incidentally was granted in survivorship; Edward Guildford continued as sergeant of armature under Henry VIII.

officials of the Audit, concerning the armory fees and expenses.<sup>12</sup> Therefore, it seems that Sir Richard's offence also involved the armory. He appeared, was granted bail and given a day to reappear, at which time he produced a privy seal, dated 1 December 1505, ordering that all proceedings be quashed. He was discharged finally by a writ under the Great Seal on 7 May 1506, four weeks after he left England on his fatal pilgrimage to Jerusalem.<sup>13</sup>

By the spring of 1506 Guildford had resigned all offices, preparatory to leaving England. He relinquished all active control of the armory at least by the end of March, for on 3 April his son Edward, co-holder of the sergeanty, was paid £20.6s.8d. "vpon his bille signed for certen spere staves spent at the Kinges Iuste lately kept at Riche-mounte."<sup>14</sup>

One last ghostly reminder of Guildford's tenure of office was supplied by John Heron a decade later, when we are informed that Sir Richard was paid £16.13s.2d. for the wages of some "Almayne armorers in Suthwerke."<sup>15</sup> Beyond doubt, Heron meant Edward when he wrote Richard; still,

---

<sup>12</sup> For Edward's case see E.101/612/56, a single membrane privy seal directing that all process be quashed, wherein the story is recited.

<sup>13</sup> The tale is recorded in E.159/284, membrane 36 recto (Mich 21 H.7). This is a memoranda roll from the office of the King's Remembrancer, a record of debts to be collected and recorded on the Pipe Rolls.

<sup>14</sup> E.36/214, f.49. This is Heron's last chamber account for Henry's reign, the "Book of King's Payments", 1 Oct 1505-20 Nov 1509. It is less complete for the weeks after Henry's death in April than was customary.

<sup>15</sup> E.36/215, f.478 (2 Nov 8 H.8, Greenwich). King's Book of Payments, 1-9 H.8, kept by Heron as treasurer of the chamber. He suffered quite a few lapses of memory while engaged on this account. Nostalgia may have overwhelmed him.

as public office goes, ten years is a long time to be remembered. Perhaps Guildford impressed himself upon contemporaries as a sort of fixture at the Tower.

The shadowy line between these two offices provides yet another illustration of the frustrating lack of definition in Tudor governmental positions. It may be that contemporaries of Guildford saw little to object to in this vague line of demarcation; to the modern student who is used to at least theoretically distinct separations the whole business provokes impatience. In the first place, the armory was not an absolutely vital office, but appears to have been designed to fulfill certain personal wishes of the monarch. In this respect, it more properly belongs with other household positions.

As master of the armory Guildford was responsible for the smooth functioning of those frequent spectacles and ceremonies so lovingly described in a number of British Museum manuscripts. To chroniclers of that age, an event like the creation of the duke of York or the prince of Wales, or a reception of a foreign dignitary, was immeasurably more significant than the dry record of events apart from court. The Tudors cultivated this preoccupation with courtly matters, but they were not the first nor even the last to support this interest among their subjects. Seen in this light, the rather large number of jousts which Henry VII called for may be regarded as a sort of public relations venture by a monarch anxious to secure the good opinion, not only of foreign princes but also of his own subjects of all classes.

To the young men of the nobility, blocked from much active participation in government, forbidden their customary bands of retainers (this

provision was ignored quite frequently, however), and unable to find an outlet for their cultivated military ardor in the calm which hovered over English affairs during much of Henry's reign, the joust must have appeared as a desirable alternative to boredom in their home counties. To the multitude, even though excluded from these ceremonies, such mock battles probably fostered a pride in English arms which far outweighed the facts. Their preoccupation with noble affairs, still evident to foreign observers, could be turned to advantage in an era of personal rule.

Clearly, much of this was artificial, and certainly Henry was well aware of the ludicrous aspects of the tournament. Quite likely he despised the vigorous young lords who risked their necks in the lists, certainly he was more interested in persons whose capacities led them into other lines of endeavor, but the uses of the tourney, as outlined above, perhaps appealed to him.

It may be going too far to contend that Henry Tudor did in the 15th century what Louis XIV did in 17th century France, sublimated the antisocial impulses of his nobility by fostering a careful, thoroughly debilitating protocol, but there are some indications that he may have entertained the idea. Ceremonies at his court were outlined rather fully, with provision for almost all contingencies arising from matters of precedence, a great effort was made to gather the greatest nobles around him as servants of honor, while excluding them from all contact with problems greater than those concerning service of a state dinner, and the orders of the Garter and the Bath, and both degrees of knighthood were publicized extensively. With regard to the latter categories,

Henry probably had in mind an extension of control over military tenures, as well as the collection of fees arising from distraint of knighthood; in the case of the former, the principal desire seems to have been a wish to involve members of the nobility in identification with his family's interests, at as slight a cost as possible. If men were willing to be impressed with such baubles, then Henry was willing to offer them. Election into the Order of the Garter cost him far less than, say, the creation of a title or an appointment to an office, and left him with uninfringed control of government at the same time as it insured him of the loyalty of his lords.

Naturally, there were exceptions to this: he did create certain titles; he did appoint some lords to high office; he did have some lords in his council (though most of these were sympathetic with his aims through family or indebtedness); and he did have the disturbing experience of finding traitors among certain favored members of the nobility. On the whole, however, his technique worked. The nobles may have grumbled in the safety of their own precincts, but at court all seemed to go smoothly. It can be argued, too, that those few who crossed him were doomed in any case by reason of birth or influence. The only cavil to the foregoing generalizations is this: Henry may not have planned it; it may have come about naturally, a consequence of his trust in those whom he had known overseas, which necessarily excluded the bulk of the English nobility.

The best view, perhaps, is that Henry had nothing against the peerage, as such, but he was determined to tie their arms, to involve them in a web of obligations and conscious recognition of indebtedness,

both financial and moral; in short, to insure that they acted as subjects. The acknowledged superiors of the remainder of the populace, they in turn had to recognize his superiority to themselves. It would be very misleading to suggest that Henry's use of merchants, lawyers and country gentlemen had anything to do with a recognition of their social or moral superiority or equality. They were best suited to his purposes, by reason of training and inclination, but this was irrelevant to questions of precedence. The middle class may have consoled itself with thoughts upon the subject of social equality as derived from occupational superiority, but these thoughts were confined to intimates, not the world beyond the counting-house.

As was mentioned earlier in this chapter, the only distinction between the ordnance and armory lay in the usage of the equipment issued. That Guildford occupied both these positions may be tantamount to recognition that the offices were related. However, this fails when we remember that Guildford resigned the one and retained the other in 1493. It is more likely true that the armory had a closer connection with the household than with the ordnance office, even though there was an identity of materiel handled by these latter two branches. Thus, when Guildford resigned from the ordnance it was logical that he should remain responsible for the armory, since he soon became the king's comptroller.

In this position he was charged with a number of accounts, especially those of the cofferer, and had an opportunity to review expenditures for the household. Jousting was the king's affair, and it would follow that his comptroller should supervise all details.



On the other hand, the armory was not included within household organizational schemes, as Guildford did not mention such expenses in his household accounts, and normally the Exchequer issued funds to the sergeant of the armory for tournament preparations.

However, if one grants that Henry VII made definite efforts to gain a more personal control over many state offices, then it follows that his comptroller might administer the armory.

Before imposing a tidy framework upon the clouded picture of this office, one should recall an admonition addressed to the reader elsewhere. Many times the tellers' writs are misleading, for it did not follow that a man held a particular office simply because a writ stated so. Frequently, people acted as if they the officers concerned, but often this was to expedite performance and had little to do with the technicalities of responsibility. The trouble is that the king and lord privy seal were not interested in filling in future generations of students on the details of administration. Thus, one never can be sure that Guildford acted because he held an office, or because he seemed to be the man for the job at hand.

Certainly, in Bray's case the latter seems the proper explanation, and if this was true of one it was likely to be true of another, for in a personal government personalities are liable to provide the basis for responsibility. Because of this it was unclear to contemporary foreign observers just who controlled the state. To a Venetian it was apparent that Lovell was the chief financier; to others it was obvious that Fox was the power behind the throne; while still others were convinced that Dudley and Empson were the responsible figures.

The only one who had an inkling of the actual state of things was Warbeck, who listed nineteen men as the chief proponents of the outrageous Tudor system. But even Warbeck stopped short of the truth. In fact, Henry was his own best agent. He delegated responsibility, but it was delegated for a purpose, there was no conscious move to spread responsibility among a large number of councillors. As a matter of fact, the fortunes of nearly all waxed and waned. While Fox may have been the guiding genius of a particular program, he gave way to others, none of whom remained supreme for long. Wolsey never would have come so far had he been young in the early years of Henry VII's reign. The only figure comparable to the cardinal archbishop in ubiquity and influence, Sir Reginald Bray, never commanded Henry VII's ear like Wolsey commanded that of Henry's son. Letters among the Westminster Abbey muniments reveal that plenty of men sought Bray's support, but never with the servility displayed towards Wolsey in the next reign, for it seems quite clear that Henry VII never would have tolerated a minister who so consciously strove to emulate his master.

To summarize the position of the armory in the Tudor administrative system, it seems reasonable to suppose a connection between Guildford's possession of the royal manor of Kennington, where jousts were held, his comptrollership and occupation of the sergeantry of the armory. And the connection depended upon personality, both of minister and monarch.

## Chapter VI

### GUILDFORD AND THE NAVY

One of Guildford's earliest jobs was to supervise construction of a ship for the royal navy. Whether he came by this assignment as a councillor, as master of ordnance, sergeant of the armory, or merely because he was a Kentish man with a presumed knowledge of nautical matters, is not clear. However, while all these factors presumably were influential, it is probable that his membership in the council was most important. All other qualifications flowed from or were considered as a result of this. The trust originally placed in him was prerequisite to any consideration of his special abilities for a technical task.

As in so much else connected with his reign, Henry VII's policy towards the navy is difficult to assess. He inherited six ships from prior sovereigns, built four and acquired three others.<sup>1</sup> At least one of his fleet was disposed of by gift, that of the Martin Garsya to Guildford in December 1485, and others may have followed.<sup>2</sup> This is not a particularly impressive record, certainly insufficient to set him

---

<sup>1</sup> W. E. C. Harrison, "Maritime Activity under Henry VII," (Unpublished M.A. thesis, London University, 1931), p.68. Those inherited: Grace Dieu, Mary of the Tower, Governor, Martin Garsya, Fawcon and the Trinity; those built: Regent, Sovereign, Sweepstake and Mary Fortune; those acquired: Le Prise or Mary of Dieppe, Carvel of Ewe and Bonaventure.

<sup>2</sup> M. Oppenheim, Naval Accounts and Inventories of the Reign of Henry VII: 1485-8 and 1495-7 (Navy Records Soc., vol. III, n.p., 1896). This contains the accounts of two clerks of the king's ships, Thomas Roger and Robert Brigandyne, classified in the PRO as E.36/7, ff.1-117 and E.315/316. Brigandyne's accounts for a later date are cited as E.315/317.

apart from his predecessors on the throne, but one must remember that any large governmental expenditure was unlikely in a period when the king was expected to live on his own resources and taxation was by definition an extraordinary venture into the private spheres of life. What Henry did do was impressive enough for that age; for the rest he relied upon private enterprise, stimulated by royal marks of favor and captivated with the notion of Mediterranean trade.

This point is illustrated nicely by a surviving letter under privy seal directed to the treasurer and chamberlains of the Exchequer on 19 January 1496, which authorized payment of 100 marks to Sir John Fenkell, citizen and alderman of London, who had built a ship called the "Olde Elyn", resulting in "thencecrease of oure navy of England to oure singler pleaser." Such rewards were offered "for the encoragynge of othre oure true subgettes rather to apply them self to the making of shippes."<sup>3</sup>

It may be objected that this is a standardized form of authority, copied by the lord privy seal's clerk from a book of precedents. If true, it merely reinforces the argument that Henry VII was less a new model monarch, in what has come to be known with little basis as the renaissance style, than a most efficient version of the older type. The important point to be made in this connection is that a navy was not regarded as the savior of freedom and the bulwark against foreign oppression (the English archer played that role in the mythology of the age), but rather as an appurtenance of the royal dignity. Ships could

---

<sup>3</sup> E. 404/82, bdle 1 (11 H.7). These are Exchequer authorities, writs under Privy seal or signet, permitting enumerated payments by the tellers at the Receipt.



carry troops to the continent or to Scotland or Ireland, of course, but Henry never had a fleet sufficiently large to accomplish major troop movements without assistance, nor is it likely that he could have financed such extensive construction had he so desired. Again, Henry had no intention of pursuing the phantom of French conquest, nor did he much fear invasion from that quarter. In any case, an invasion wasn't apt to be halted by naval action.

Tactics as yet were elementary, a matter of sweeping one's opponent's decks with flights of arrows or gun stones preparatory to boarding, a method of combat which emphasized equality of numbers rather than superiority of design or maneuver. It is unrealistic to condemn a man for failing to accept premises so far undiscovered. We are incredulous when told that Henry frequently rented his ships to private merchants, even foreigners, for private purposes. But what else would one do with vessels? Certainly not parade up and down the channel in a show of strength, especially when such a policy was expensive, and even more important, when the place for making impressions was at home.

The king's motive for disposing of the Martin Garsya is not known. The entry which records this gift to Guildford (in Roger's accounts for that ship, which stood at Winchelsea) merely states that it, together with "all the stuff takle and Aparail ordinaunces artillaries & Abil-aimentes of werre afore expressed" was "deliuered to Sir Richard Guldeford knyght to haue of the Kynges yift by vertue of a warraunt under the kynges signet to the aforesaid Thomas Roger directed the xxliij<sup>th</sup> daye of the said moneth of Decembre the first yere of ye reigne of our said Soueraigne lord the kyng that now is."<sup>4</sup> It has been suggested that

---

<sup>4</sup> E.36/7. Roger's accounts were submitted by his widow, Johanne.

this vessel was renamed the Mary Guildford, which is likely, since there are several references to that ship, but none concerning the Martin in Henry's early regnal years.<sup>5</sup> Unfortunately, there is no way of knowing what Guildford did with his ship. He was no merchant, in fact finance seemed to be his weakness.

The last notice of his vessel is dated 8 March 1487, at which time he was paid £13.6s.8d. for expenses connected with royal service at sea.<sup>6</sup> In none of the later naval accounts is he listed as a captain, owner or master, nor did he ever indent with the king in this capacity after 1487. One must assume that he disposed of his gift, or that it was lost at sea, especially since his will makes no mention of a ship being among his possessions.

The first effort at naval expansion came in Michaelmas term 1486, when Guildford was assigned £100 to be employed upon a ship being built in Kent.<sup>7</sup> Payments continued through succeeding terms, one of £40 on

---

<sup>5</sup> Oppenheim, xix-xxii. For the Mary Guildford see CPR, 1485-94, p.211.

<sup>6</sup> Campbell, II, 104. On the previous day Henry had sent a signet to John Lord Dynham ordering payment of 20 marks to Guildford "for his ship." (E.404/79, bdle 3, #31) It is true, however, that this signet might be misplaced, since the year does not appear on its face.

<sup>7</sup> Campbell, II, 83. At the same time a privy seal directed that £100 of the "exites" or issues from the Warwick and Salisbury lands, then in the king's hands, be assigned by taille (tally) to Guildford. (E.404/79, bdle 2, #72 [16 Nov 2 H.7, Greenwich]) There is extant a roll of abstracts briefly recording all privy seals and great seals issued from 1 to 6 Henry VII, which is a useful check against the calendared material. (E.404/6/137) In this a privy seal for £100 devoted to the same purpose is entered for Michaelmas term 2 H.7, but whether it refers to the same assignment mentioned above, or to another payment, isn't clear. The Regent was built at Reding creek near Smallhithe on the river Rother, according to Oppenheim, xxii.

12 April 1487,<sup>8</sup> another unspecified sum at about the same date (unless this is a reference to that of 12 April)<sup>9</sup> and even a sort of carte blanche was allowed, by which discretionary sums were to be paid for a craft "like vnto a ship called the Columbe of Ffraunce/and of the portage of DCC tonnes ..."<sup>10</sup>

It was stated specifically that this ship was well under way. That Guildford was in a position to have his monetary demands honored seems probable, for until late in this year he was one of the chamberlains at the Exchequer of Receipt.

Concurrently with Guildford's ship, another, the Sovereign, was being built under the supervision of the most dynamic figure of the period, Sir Reginald Bray. Entries of payments to both men are frequent, including at least one which extended their authority to the supervision of other naval craft. On 5 June 1488 Bray and Guildford were authorized to receive 300 bows, 600 sheaves of arrows, 100 spears, four gross of bowstrings and four barrels of gunpowder to outfit certain unnamed ships of war "now at sea."<sup>11</sup> Earlier, Guildford had been given 300 sheaves of arrows "by thandes of John Stok clerk of the same ordinaunce by the kynges high comaundement towards the enarmyng of iii Spaynard

---

<sup>8</sup> E.36/125, f.68. This is a Latin record of issues and receipts for the years 1-2 and 7-8 H.7 "per T Stokes" one of the tellers at the Receipt.

<sup>9</sup> E.407/6/137 (Pasch 2 H.7); Campbell, II, 141.

<sup>10</sup> E.404/79, bdle 2, #22 (15 Apr 2 H.7, Norwich).

<sup>11</sup> Campbell, II, 322.



Shippes apointed to the See in the said Armye [for the Brittany expedition]." <sup>12</sup>

Likewise, from a writ under privy seal with an attached "cedule" specifying payments made by the customs collectors at Southampton, we learn that 40 shillings had been spent for a boat sent to the "bay hogges" "by the kinges comaundement by the mouth of Sir Richard Gyldeford knight." <sup>13</sup> Another writ, issued from Shene on 13 May 1490, recites that Guildford, by the king's authority, had commandeered three private ships to convey troopers to Brittany. From this same source it appears that owners were compensated for their sacrifice to the national welfare at the rate of a shilling a month per ton. <sup>14</sup> That the question of compensation had some relevance is proved by a writ under signet authorizing payment of various sums to certain ship owners (among them Guildford), "to thentent that noo president shalbe taken by us for the waging of the same afre the portage of euery tonne." <sup>15</sup> Perhaps former practice

---

<sup>12</sup> Oppenheim, pp.78-9 (not dated, but prior to 9 Apr 1487).

<sup>13</sup> E.404/80, bdle 2, #136 (28 Nov 5 H.7, Westminster). During the fall of 1489 Guildford was at Southampton on business connected with the army assembling for the Brittany expedition. (E.404/80, bdle 2, unnumbered [7 May 5 H.7, Westminster]) During this year he received £41.16s. for official travel re ordnance matters, at the standard rate of 4s. per day. (E.404/6/137 [Mich 5 H.7]) "Bay hogges" probably refers to the process of scraping barnacled ship bottoms.

<sup>14</sup> E.404/80, bdle 2, #215. Compensation was based on cargo capacity. The ships, owners and tonnage were as follows: Robert Tate, Gabriel Tate (150), John Berith, Mighelle of Brikelsee (150), and Richard Gadd, John of London (120). To date, £31.10s. was owed them, demonstrating that authority for payment was one thing and payment was, decidedly, another.

<sup>15</sup> E.404/79, bdle 2, #31 (7 Mar). The year is not given, but such an entry is cross-referenced in the roll of abstracts previously mentioned. (E.407/6/137 [Mich 2 H.7])

had provided for payment after delivery, but in this instance Henry urged "that the said sommes may be deliuered vnto theym in hast soo that for lak therof they bee not letted but to be on the See the xv day of this present moneth of March according to oure appointment."

Other examples exist in sufficient numbers to support either the notion that royal officials purposely extended their spheres of authority, carving out extensive empires in what passed for the bureaucratic milieu, or that there were few definitions of office. No doubt the former claim is supported by the general history of administration, the life of Cardinal Wolsey being a case in point, but the latter assertion has even greater validity in the reign under consideration.

For example, Guildford crossed administrative lines at least once in 1488-9. In January 1489 there was an entry for payment of £12 to Robert Carvel, mercer of London, for a cable delivered by him to Guildford for the Sovereign.<sup>16</sup> Despite the fact that Bray was in charge of this ship, its supplies were handed to Guildford, clearly illustrating the flexibility of office under Henry VII. Until one can plot the whereabouts of every major figure for every day of Henry's entire reign it is improbable that one can rationalize this casual approach to hard and fast obligations. Often proximity rather than patent was the mark of office.

On 1 August 1488 Guildford was authorized another £100 for the new ship, always called the Regent now.<sup>17</sup> And in the following December

---

<sup>16</sup> E.404/80, bdle 1, #244 (7 Jan 4 H.7, Shene). In Campbell, II, 391 this is printed table instead of cable.

<sup>17</sup> E.404/79, bdle 3, #26.

another £50 was granted him, payment being made to one John White, called bursar of the Regent.<sup>18</sup> Nearly a year passed before this ship was mentioned again, but in the last month of 1489 another £10 was granted for certain items to be used for work upon the new ship "vocat le Regent", in Kent.<sup>19</sup> In March following there were two references to this ship, somewhat unusual, inasmuch as they reveal precisely what materials were being purchased with the continuous Exchequer grants. The first sum, £2. 16s.4d., went for tar and pitch. Reference was made to "Hans Muller mercat extranei", from whom these stores were purchased by John Corbet, bursar of the Regent.<sup>20</sup>

Several interesting conclusions flow from this terse entry. It seems that much of this business, like that connected with the ordnance, was entertained by foreigners, in this case evidently merchants of the Hanse. Another problem is raised by the reference to John Corbet as bursar, while slightly more than a year before White had held that post. Now it is possible that this represents nothing more than a replacement in office, but it is permissible to suggest that indefiniteness of function applied on the lower level of public administration as it did in the upper reaches. That is, the clerk who was available collected and spent money for the Regent, regardless of the fact that another man might be the proper one to execute such business. This point will be emphasized in the chapter dealing with the household offices, but it is

---

<sup>18</sup> E.36/130, f.26 (18 Dec 4 H.7). This is a volume of receipts and issues kept by Stokes, Mich 4 H.7-Mich 7 H.7. White was an ordnance clerk.

<sup>19</sup> E.36/130, f.151 (23 Dec 5 H.7).

<sup>20</sup> Ibid., f.168 (9 Mar 5 H.7).

worth remarking here that in a great many instances the man who was labeled bursar, or anything else, was only such pro vice.

A few days later in March 1490 Guildford received £4.13s.4d. through his deputy for "ving dolii", that is twenty casks or tuns of iron for the Regent in Kent.<sup>21</sup> Payments now became frequent, for within weeks the ship was to be at sea. A crew had been secured and the ship was partially manned from 23 February.<sup>22</sup> Only such final touches as sails, banners, shields and artillery were necessary.<sup>23</sup> In the words of Stokes, the teller at the Receipt, Guildford was "by the kinges comaundement in grete besines conscernyng the kinges ship called the Regent."<sup>24</sup> Stokes' entry also confirms that Guildford was on the scene, for it involves

---

<sup>21</sup> Ibid., f.168 (12 Mar 5 H.7).

<sup>22</sup> E.36/124, f.67. This volume records Exchequer receipts and payments from Easter 5 H.7 to 1 Mar 6 H.7. It is within the period covered by E.36/130, the same entry in the latter volume being on f.184 (18 May [Pasch] 5 H.7), where the rates of pay are given. The master, John Gaye, received 40d. per week ("per septimani"), twelve quartermasters got 20d. each and a "coteswayne" and 26 mariners were paid 15d. apiece for the same period. That conditions in the navy were bad, even at this early period, may be inferred from the knowledge that an infantryman received 6d. per diem. No one has argued that the Tudor foot soldier was pampered.

<sup>23</sup> E.36/124, ff.80-1,92,99. The entry on f.99 reveals that one of the persons who sold artillery to the government was a woman, Alice Corbett. Query, whether she was related to the Corbett who was bursar for the Regent? According to the entry on f.81, by another teller, Thomas Pier-son, Guildford had purchased "pavaces", i.e. deck shields, for both the Regent and the Sovereign. Further references to equipment for the Regent are: f.77 (£10 for ordnance), f.88 (ordnance and other "abilimentz of verre"), f. 88 ("ballas shovels & other stuff lehefulle"), f.103 (ord-nance), f.123 (£9.15s. for ordnance, £20 for carriage of same) and f.150 (£20 for "baners stremers top armynges and other garnisshinges").

<sup>24</sup> E.36/124, f.69.

payment to an Exchequer messenger who had gone to him. There are numerous payments for unspecified purposes during that spring,<sup>25</sup> and it even was arranged that Guildford should receive 300 marks out of the customs and subsidies of the port of Chichester during the next three years.<sup>26</sup>

The corporation records of New Romney, Kent, reveal that salvage was one of Guildford's responsibilities, too. In this period a townsman and apparently tavern keeper, William Dobill, was paid 10d. for wine "given to a man of Richard Gildforth knight coming for the gunnis and cabillis of the wreck."<sup>27</sup> And in the following year 16d. was paid to "John Wardene for the crane that was given to Richard Gildforth knight."<sup>28</sup>

An illustration of the difficulties inherent in contracting with the government is afforded by a writ under privy seal of 7 May 1490, which directs that payment be made to Ralph Astrey and Thomas Grafton, citizens of London, who had supplied Guildford with cables and such stuff in the previous September. Their claim of £41.11s.1d. had not been honored.<sup>29</sup>

---

<sup>25</sup> Ibid., f.70 (£20), f.83 (£20), f.90 (40 marks).

<sup>26</sup> E.404/80, bdle 2, #216 (13 May 5 H.7, Shene).

<sup>27</sup> HMC, 5th Report, p.547.

<sup>28</sup> Ibid., p.548. From the value stated, one assumes that a bird was meant rather than an engine. Depending upon the capacity in which he visited the town, Guildford might have appreciated either gift.

<sup>29</sup> E.404/80, bdle 2, unnumbered (7 May 5 H.7, Westminster). By now the reader should be able to draw his own conclusions from the fact that these cables were for the Sovereign, not the Regent.

On 28 June Guildford was commissioned to impress sailors and soldiers "for the fleet now at sea."<sup>30</sup> That the Regent still was in harbor at Winchelsea is suggested by a comparison of wages paid before and after 12 July. There were, as we have seen, only 27 seamen and 13 officers aboard the Regent from 23 February until 18 May. From 31 May to 12 July there is another payment for 40 seamen; ten others were recruited on 14 June and another 40 on the 28th of that month.<sup>31</sup> By the second week in July, in other words, the total force aboard ship was at most 130 men. Upon that date, and presumably in accordance with his recent commission, Guildford was credited with 550 men who had contracted to serve in the Regent for two months.<sup>32</sup> Furthermore, he was responsible for the wages and "vitaille" of 170 men aboard the Mary le Hale, 90 men in the Barbara Castelyn and 70 men in the Syltanes Bark, otherwise known as the Peter of Winchelsea.<sup>33</sup> Guildford likewise arranged for the armament of these private vessels.<sup>34</sup>

---

<sup>30</sup> CPR, 1485-94, p.324. There is a curious entry in L&P, H.8, I, #3238, dated 5 Jun ?, Greenwich, instructing someone to pay £10 to Sir Richard Guildford, who had been appointed to levy (blank in MS) men and enter the Regent. The editors have placed this writ with material for the year 1512, i.e. six years after Guildford's death. Either his son Edward was meant, although he was not yet knighted, or this is misplaced and properly referable to the year 1490.

<sup>31</sup> E.36/124, f.123. Sum paid: £55.12s.1d. It isn't clear whether the 40 men paid from 31 May are the original crew taken on in February, or additional recruits. In any case, there is a period from 18 to 31 May when no wages were paid.

<sup>32</sup> Ibid., f.122. He was paid £220 of the requisite £275.

<sup>33</sup> Ibid., ff.121-2. These other ships were privately owned and from Winchelsea. All of the 890 "soldeours and maryners" enlisted for two months.

<sup>34</sup> Ibid., f.103: "Also paid to the same for bows arrowes strynges and chests for the same and billes and gunpowder by hym purveyed and bought

Final mention of this aspect of Guildford's career was in August, when £79.12s. of the £100 before lent by Piers Courtenay, Bishop of Winchester, was paid to Guildford. The transaction is sufficiently circuitous to be mentioned, not for its irregularity, but rather the converse. Thomas Stokes, the teller, by the hand of William Cope, paid the money to Hugh Furness, clerk of ordnance, at "Porchestre", for Guildford's use.<sup>35</sup>

It was stated above that there is no evidence that Guildford was a ship owner after 1487. Neither does it appear that he was involved in such extensive transactions as the preceding after 1490. Primarily, this is because he left the ordnance in 1493, i.e. prior to the vast arrangements necessitated by the decision to invade Scotland in the summer of 1497. However, he was still in office when the invasion of France came off in October 1492. The relatively leisurely and casual arrangements for this operation corroborate the rumors passed on by Hall and Bacon, that contemporaries knew very well why Henry seemed only mildly interested in such a venture. Certainly, Guildford was in no such turmoil in 1492 as he had been up to then, especially from 1488 to 1490. Preparations were made for troop movement in 1492, of course; from the corporation records of Dover and New Romney it appears

---

for divers shippes of Wynchelsey attendyng vppon the seid Regent in the seid armye — lxvi li xvi s." The other ports also contributed vessels, as is indicated by this entry from the Dover accounts: "Item paid for a hors & a man ridyng to Ffeuersham wt wrytyng to enquire how many shippes thei might make redy to serve the kyng — iis iid." ([BM] MS Egerton 2107, f.19.

<sup>35</sup> E.36/130, f.197 (11 Aug 5 H.7); E.36/124, f.109. The bishop's loan undoubtedly was compulsory. There are many in this reign.

that these towns had quotas of shipping to meet.<sup>36</sup> Nevertheless, there is no great bulk of writs among the tellers' records, which is sufficient indication that the crown took no such interest in paying out sums in 1492 as it had a few years before.

This does not dissipate the mist surrounding naval affairs in the period after 1490. No new construction was scheduled immediately and French relations took a turn for the better, which probably is why Guildford continued to function on a minor scale at the ordnance, while his naval activities nearly halted. But if there is any validity in the thesis, so often enunciated here, that office or patent didn't equate with responsibility, Guildford's retirement from the ordnance should have been no deterrent to a continued connection with the navy. So the answer must lie elsewhere. The most probable reason for the severance was Guildford's appointment to the comptrollership, and his subsequent interest only in household matters. In any case, his relations with the fleet ended in 1490.<sup>37</sup>

---

<sup>36</sup> (BM) MS Add.29617, ff.78-81: references to outfitting the George, Antony and Barbara for the French expedition. (BM) MS Egerton 2107, f. 34: references to ships coming from Faversham, Margate and Folkestone. HMC, 5th Report, p.549: ships from New Romney.

<sup>37</sup> The two sets of accounts by Robert Brigandyn, clerk of the king's ships, for 1 May 1495-10 Dec 1497 (E.315/316) and 21 Feb 1501-21 Feb 1502 (E.315/317), mention only Bray and Sir Robert Clifford with respect to ordnance or equipment purveyed.



## Chapter VII

### HOUSEHOLD OFFICIALDOM

There is a distracting atmosphere of inconsequence when one turns to examine the various household and chamber offices. In this chapter only those officers who consorted with Guildford or were of administrative importance are discussed. The great officers of the state, the Lord Steward, the Lord Chamberlain and the Lord Admiral, for example, are ignored for the adequate reason that we are concerned with practical government, not questions of precedence. When it can be demonstrated that the good offices of these ancient dignitaries were as vital to Henry VII as the prosaic efforts of his lawyers and accountants, then the emphasis may legitimately be shifted from mere efficiency to glamor.<sup>1</sup>

No matter how neatly one prepares a chart to aid in comprehending their separate functions and individual responsibilities, sooner or later a contradiction, an impossibility, arises. A proper understanding of the positions filled by this shadowy crew can be achieved only by constant recollection that (1) personality often infused a minor office with the characteristics of a major one, and that (2) proximity often determined function, i.e. the man who was near the throne when occasion demanded was in a better position than the legitimate administrator who chanced to be away. There is nothing startling in this cautionary note,

---

<sup>1</sup> In the badly-marked path leading to an appreciation of the Tudor chamber and household there are three landmarks: A.P. Newton, "The King's Chamber under the Early Tudors," EHR, XXXII (1917), 348-72; Frederick C. Dietz, English Government Finance, 1485-1558 (Univ of Illinois Stud in Soc Sci, vol IX [1920], no 3); and Richardson, Tudor Chamber Administration.

indeed it is platitudinous, but in our day this is regarded as a regrettable failure rather than the normal functioning of an apparatus. For organizational purposes these offices will be discussed in order of precedence, and at some length, to show the difficulties involved in an accurate appraisal. The order chosen does not indicate actual importance.

First of all the household officials was the Lord Steward, whose position is not germane. Next came the treasurer of the household. His duties are set forth in a general way in his oath of office, according to which he had charge of the "victuals & stuffe" and supervised purchases made from the purveyors to the household.<sup>2</sup> The third figure was the comptroller, who was charged with particular accounts, such as spices, which were within the general area of the treasurer's responsibility, and were in fact expressed in his own accounts (though not in itemized form). The cofferer, much farther down the hierarchical ladder, received and paid out money at the direction of the treasurer. As will appear later in the chapter, he submitted his accounts to the comptroller for annual audit.

As Newton, Dietz, Richardson and others have pointed out, the treasurer of the chamber deserves a place in this scheme. Nevertheless, he

---

<sup>2</sup> L.S.13/278. This volume from the Lord Steward's records is a 17th century copy of the "Black Book of the Counting House", drawn up in Edward IV's reign (1478), which sets forth the oath and duties of each important officer and servant in the royal household. The best succinct account of the treasurer's job is in B.P. Wolffe, "The Management of English Royal Estates under the Yorkist Kings," EHR, 71 (Jan 1956), 16-7: "The treasurer of the household was responsible for feeding, clothing and housing the king and his court. He normally received his income as sums of imprest [governmental loans] from the Exchequer, in cash or assignments....[as well as in the form of] payments from the king's cofferer. Other payments were made by the hand of various yeomen of the chamber and other personal servants of the king ... who were agent of the household sent to collect money from receivers of the king's land by authority of signet warrants...."

has been omitted from the above sketch because in fact he occupied a very special, non-household position, being in some ways more important to the king than other persons with greater prestige. Let it be put this way: Henry VII relied upon his household to obviate many of the disadvantages connected with Lancastrian practice, and he turned to his chamber as a refuge from certain awkwardnesses which arose from adherence to the household organization. Thus, his first parliament voted him £14,000 per year for the household, which freed him from some dependence upon other sources for immediate income. At the same time he diverted certain funds into the treasury of the chamber for his more personal use. Money assigned to the household was, at least in theory, to be applied towards household expenses; but money in the chamber was his to use as he pleased.

The two treasurers, then, should have been differentiated both as to prestige and responsibility, yet such was not the case, despite the statements of later historians. In the standard reference works these offices are said to have been held by four men during Henry's reign. Sir Thomas Lovell is described as treasurer of the chamber from 1485 to about August 1492, at which time he supposedly was promoted treasurer of the household, occupying that office for the remainder of the reign. He replaced Sir Richard Croft and was himself replaced in the chamber by John Heron, his former clerk and assistant.<sup>3</sup>

---

<sup>3</sup> See DNB article on Lovell; also lists of officers in chamber and household given by Wedgwood and Holt and Richardson. Wedgwood and Holt ignore Heron and say that Lovell was treasurer of the household from 1486. They also confuse the two offices, saying that the chamber treasury was included within that of the household. There is a grain of truth in this inaccuracy, as may appear within this chapter.

This is all very well; it suggests that Lovell, an important legal expert, financial adviser and general administrator, received a promotion consistent with his growing importance to the king, and that his junior, a man who had been trained in the intricacies of chamber accounting, filled the place left by his advancement. Thus, there appears to be some evidence for the assertion, generally made, that "new men", i.e. men of talent but no family or connection, gradually rose in the one sphere open to their class.

Unfortunately, this thesis doesn't square with the facts. To begin with, among the tellers' writs there are six unequivocal references to Lovell as treasurer of the chamber after 1492.<sup>4</sup> This doesn't rule out the possibility that more might be uncovered. Moreover, in the Under-Treasurer's declaration of the state of the treasury for 20-1 Henry VII Lovell again was referred to as treasurer of the chamber.<sup>5</sup>

In Heron's case the same difficulty exists. Almost invariably, prior to 1506, he is called "oure right trustie and welbeloued seruante," though one of the tellers called him treasurer of the chamber in 1498.<sup>6</sup>

---

<sup>4</sup> E.404/82, bdle 3, unnumbered (25 Mar 1498); E.404/83, bdle 2, unnumbered (30 Mar 1500); E.404/84, bdle 2, unnumbered (19 Mar 1503); E.404/85, bdle 1, unnumbered (7 Jun 1505); E.404/85, bdle 2, unnumbered (5 Jun 1506); E.404/86, bdle 1, unnumbered (14 May 1507).

<sup>5</sup> (DM) MS Lansd. 156, f.134.

<sup>6</sup> E.101/414/11 (13 Jan 1498). This is a small roll recording payments to Heron by the tellers at the Receipt upon warrant. Primarily, these sums reimbursed him for outlays such as those incurred during the Cornish rebellion. They do not specify; however, it looks like the thing a treasurer of the chamber would do. The teller, Thomas Warley, was quite explicit about delivering money to Heron in that capacity.

Again, we have it from Heron himself that he had been responsible for chamber accounts at least as early as 1499.<sup>7</sup> Furthermore, though we possess only extracts for the years prior to 1495, these show that Heron was in charge of chamber payments as early as 1491.<sup>8</sup> The problem is complicated further by the fact that the first chamber accounts which we have for Henry's reign are (or seem to be) in Heron's hand, though Lovell's name.<sup>9</sup> The only thing which seems certain is that Heron was called treasurer of the chamber on 24 March 1506,<sup>10</sup> again on 3 December 1506,<sup>11</sup> and seemingly ever after.

To revert to Lovell for a moment, the first notice of him as treasurer of the household is on 21 November 1504, where a trip which he made to Calais in the previous June is mentioned as if it were undertaken in connection with this post.<sup>12</sup>

Now, obviously, both these men were not treasurers of the chamber simultaneously, but one must search for a way out of this chronological

---

<sup>7</sup> E.101/413/2, pt 3 (Receipts, 1 Oct 1502-1 Oct 1505). He notes that his accounts for the three previous years are in another book. Payments for the period 1499-1502 are in E.101/415/3; the receipt book is missing.

<sup>8</sup> (BM) MS Add.7099. These extracts were made by Craven Ord, the antiquarian (1756-1832). A portion was printed by Samuel Bentley in his Excerpta Historica (London, 1833), pp.85-133.

<sup>9</sup> E.101/413/2, pt 1 (Receipts in the Chamber, 9 Jul 1487-1 Oct 1489).

<sup>10</sup> E.404/86, bdle 1, unnumbered.

<sup>11</sup> E.404/86, bdle 1, unnumbered.

<sup>12</sup> E.404/85, bdle 1, unnumbered.

labyrinth. First of all, there is the question of Heron's salary. He never received one from the Receipt. Instead his wages came from the chamber treasury. This alone might not be damning, but taken in conjunction with its size, one comes to the conclusion that Heron's position, at least until 1506, was not that of an indispensable insider, a weighty figure when finance was discussed, but rather that of a trusted, competent clerk.<sup>13</sup> Throughout the greater part of Henry's reign Heron received 66s.8d. quarterly from the chamber. The recorded payments are in his own hand, and invariably were made when the other servants (repeat, servants, not officers) of the household received their wages.

True, Heron got lands and annuities from the king, but they were not sufficiently large to elevate him into the first rank of officialdom.<sup>14</sup> It seems much more accurate to describe him as the recorder of conciliar decisions upon financial matters, rather than as an actual member of that nebulous body. It is curious, otherwise, that his name does not appear upon any of the lists quoted in the chapter which deals with the council and its ramifications.

---

<sup>13</sup> Professor Richardson's insistence that Heron was important is based primarily on the indubitable fact that he kept the books. But importance is not necessarily achieved by the performance of multitudinous minor tasks. In Heron's own register of Henry's privy purse expenses people like the "Scottish fole", "Piers Crossbowmaker" and "a mayde that daunced" are much more prominent than Bray, Lovell, Guildford and others whom reason compels us to rank above these more colorful persons. Because he was privy to and recorder of proceedings, it does not follow that Heron assisted in the formulation of policy.

<sup>14</sup> See for instance CPR, 1485-94, pp.223 (manor of Rye in co. Glos) and 342 (£10 annuity). In (BM) MS Royal [Rot.Reg.] 14 B.XXXIX Heron's wage of 66s.8d. is entered as a half-yearly rather than quarterly sum (period 1 Oct 1501-31 Mar 1502). This appears to be erroneous, however, for his own accounts specify that sum as a quarterly payment.

In one sense Wedgwood and Holt were accurate when they ascribed both offices to Lovell, or rather included one within the purview of the other. The fact is that the treasurer of the household had little actual responsibility. He handled no money, and the cofferer, who did, accounted to the comptroller.

There is support for this statement in a privy seal which instructed the officials of the Receipt in the proper manner for delivering tallies or cash to the household. According to this, they were to be directed to "William Coope cofrer of oure seid houshold or to his attorney in this behalf. And that yerely ye doo charge hym with the saide assignamentes in like maner and fform as in this behalf hath ben accustomed And as if he wer Tresourer of our houshold in dede ... [notwithstanding] that we haue made and appointed or hereafter shall appoint eny other p[er]sone to occupie the saide office of Tresourer of oure said Houshold ..." It also is clear from a "memorandum to Sir Reigonold Bray for grete maters in especiall" that Henry sought outside assistance when in trouble, for Bray was instructed to examine the accounts of the household "and to set some gode order therin."<sup>15</sup>

Moreover, it is hard to reconcile the fact that the chamber treasury was the most important in the kingdom, with the fact that after Bray's death Lovell was the foremost financial adviser to the king, despite which he was promoted treasurer of the household. It is likely that he left the chamber and took the household treasury post because it gave

---

<sup>15</sup> The privy seal is in E.404/85, bdl 1, unnumbered (1 Jul 20 H.7). The memo is found in WAM 16018. Richardson believes it was written in 1489. Chamber Administration, p.74, n.98.

him greater freedom for his wide responsibilities.

The chamber accounts must have occupied much of Heron's time, but there was no need for an independent thinker in this capacity. In fact, it would have been a waste to use such a man under Henry's nose. For these reasons it is suggested that Heron always kept the chamber books, first as Lovell's clerk and later as his deputy, but not until the last years of Henry's reign as his replacement. The constant references to Lovell as treasurer of the chamber perhaps show that in a general, supervisory sense the responsibility was his; while the occasional references to Heron in the same capacity may demonstrate that the actual work fell to him, especially in those periods when Lovell was abroad.

Confused as they are, the standard histories of the two internal treasurers are no more erroneous than those which purport to examine the office of the cofferer of the household. Usually, two are mentioned for Henry's reign: John Payne (1485-8) and William Cope or Coope (1488-1509). But there were at least two others, and an embarrassing gap in the record still remains after their inclusion. Research has turned up these names and these possible dates of tenure: (1) John Payne (1485-88),<sup>16</sup> (2) William Fisher (1491-4),<sup>17</sup> (3) William Coope (1494-1508?)<sup>18</sup> and (4) Edward Cheseman (1508 -).<sup>19</sup> Nothing has been found for 1488-91.

---

<sup>16</sup> Richardson, Chamber Administration, p.484.

<sup>17</sup> E.404/81, bdle 3, unnumbered (8 Jun 9 H.7); E.101/413/2, pt 2, f. 84b (5 Apr 10 H.7). He is called Richard in the latter reference, which seems to be in the past tense. Or else we have another chronological impasse

<sup>18</sup> E.404/81, bdle 4, unnumbered (28 Jan 1495) states that he took office 29 Sep 1494, but Fisher's own account (E.101/413/12) says 4 Jun 1494.

<sup>19</sup> E.404/86, bdle 2, unnumbered writ says he took office on 4 Feb 1508; the date is given as 13 Feb in E.36/24, f.238.



Since there appear to be no patents of office we must assume either that they have been lost or, more likely yet, that none were issued. The latter in fact almost necessarily is the case, since the patents exist in unbroken series. Too, oral appointments were common in the household offices. Something may be said of the cofferer despite this deficiency.

According to Fisher, who accounted for the complete exchequer year 1493-4 (although Coope seems to have assumed responsibility prior to 29 September), he submitted his accounts to the "view and testimony" of Guildford, the comptroller.<sup>20</sup> Moreover, as cofferer he was responsible for the household wardrobe. The keeper of this wardrobe should not be confused with the keeper of the great wardrobe (magna garderoba), who also held the office of under-treasurer, at least after 1495. This household wardrobe seems to be that which Wedgwood and Holt assign to the treasurer of the household.<sup>21</sup> It may be that the treasurer was responsible, but most likely his responsibility here was on a par with his responsibility for the sums devoted to maintenance of the household; in other words, it was a theoretical obligation, which in practice

---

<sup>20</sup> E.101/413/12 (cofferer's account, 30 Sep 9 H.7-30 Sep 10 H.7). His explanation is found in the preamble to this Latin roll. Each succeeding roll or account book submitted bore the same assertion. Coope's statement is as follows: "... scil[icet] per vnum annu[s] integrum per visum & testionum Ric Guldeford militis contrarotulatoris hospicii p[rae]d[i]ci per id[e]m tempus A quo quid[e]m ultimo die Septembris d[i]co Anno xv<sup>mo</sup> p[rae]d[i]cus Willmus Coope armiger adhuc coferarius hospicii d[o]m[inus] Regis & occupais officium custodis Garderobe p[rae]d[i]ce per visum & testionum contrarotulatoris p[rae]d[i]cte est Alias inde computaturus." (E.101/415/1 [cofferer's accounts, 14-5 H.7])

<sup>21</sup> Wedgwood and Holt, II, xlii.

devolved upon the cofferer.<sup>22</sup>

Fisher also refers in his introductory statement to the two books kept by himself and the comptroller. This is the key to a puzzling situation, the striking similarity in content and format among the few comptrollers' accounts which survive, the cofferers' accounts and a single account by Sir Richard Croft, Henry's first treasurer of the household. Now, the three existing accounts submitted by Guildford are organized in this fashion: (1) recepta scaccarii et alia recepta (which in practice meant money obtained by the cofferer from the chamber, but of this, more later), (2) daily expenses for the buttery, scullery, stables, and for the purchase of poultry and fish,<sup>23</sup> (3) end of the year entries for oblaciones, dona et regard, le empciones equos and prestita et reman[ent].<sup>24</sup> Similarly, in the Latin books kept by the cofferer, a few of which we possess, the same system prevails.<sup>25</sup> And in Croft's account the same pattern emerges.<sup>26</sup>

---

<sup>22</sup> This may not have been the case in Henry's first years. There is an undated petition of Sir Richard Croft as Keeper (apparently of the household wardrobe, but unfortunately the MS is damaged here) for allowances. In it he mentions that Payne was cofferer. So, perhaps at first the treasurer, which Croft was at the time, did control that wardrobe. (E.101/624/49)

<sup>23</sup> These entries are in fantastic Latin. We read of the buttillia, scuttillia, even of pulletrine. Salt fish was a staple even for royalty, according to these accounts.

<sup>24</sup> E.101/414/4 (10-1 H.7), E.101/414/10 (12-3 H.7), E.101/415/4 (16-7 H.7). So with the only other comptroller's account for the reign, that of Sir John Bussy (30 Sep 1507-1 Oct 1508) in (BM) MS Add.28623.

<sup>25</sup> E.101/415/2 (15-6 H.7), E.101/415/12 (19-20 H.7). The one year for which both computus roll and preliminary book are preserved is 1503-4. E.101/415/12 (book) and E.101/415/13 (roll).

<sup>26</sup> E.101/412/19 (2-3 H.7).

True, these independent sources are for different years, but even so, several conclusions may be submitted. The cofferer and comptroller each kept a book for the same subject, daily expenses of the household. From his book the cofferer prepared his final compotus roll; while from his own the comptroller checked the cofferer's accuracy. The third check, during the first years of the reign, was the final account submitted by the treasurer of the household, which repeated the course. It is dangerous to argue exclusively from an absence of documentation, but nevertheless, one is tempted to infer that the absence of later accounts by the treasurer indicates that this repetitious system was dropped by Henry VII. It would fit the construction which Henry seemed to place upon the cofferer's office: that he was to act as if he "wer Tresourer of oure Houshold in dede." And it would appear to be consistent with the notion that the treasurer was the holder of an honorary office, who had no official financial duties in the household, but many such responsibilities elsewhere.

There is an unexplained entry in one of Heron's account books which demonstrates the degree to which the cofferer and comptroller at least occasionally were associated. He notes that "Maist Comptroller & the coferer er bounden by obligacion to delyver all plate and godez which were Ric Alwyns."<sup>27</sup>

At the same time we learn that among other duties the cofferer had to pay Henry £10 every Michaelmas day for the wages of the 32

---

<sup>27</sup> E.101/414/6, f.21b (1 Oct 1495?). The sum of 100 marks was appended to this entry and later scratched out, indicating that it was discharged.

yeomen of the Crown.<sup>28</sup>

The greatest difficulty which any cofferer faced in office was, as might be expected, the chronic irregularity of receipts from the Exchequer. The very privy seal which mentions Coope's appointment brings up the problem of "desperate" tallies. The treasurer and chamberlains, to whom this writ was addressed, were instructed to put all records of such unfulfilled assignments in some convenient place where "due recovery may be suerly and shortly had."<sup>29</sup> This was but a pious hope, for year after year Heron's memoranda reveal a chronic indebtedness of cofferer to King. What occurred was this: whenever Coope was unable to collect the sums assigned him by tally, he would borrow the necessary amount from the treasury of the chamber upon the strength of the unliquidated tallies.

An illustration of this practice is afforded by the two following entries: "Item delivered to William Coope coferer by thande of Thomas Stokes & Thomas Warley [two tellers] at ii several tymes opon viii tailles assigned opon the cust[oms] of Hampton for two yeres for the household—iiii<sup>m</sup> DCxLi<sup>li</sup> vii<sup>s</sup> viii<sup>d</sup>."<sup>30</sup> "Item they [Lord Broke,

---

<sup>28</sup> Ibid., f.10 ("Kinges Debtes", 1 Oct 1495).

<sup>29</sup> E.404/81, bdle 4, unnumbered (28 Jan 10 H.7, Tower of London). From a phrase employed in the writ it appears that Henry felt himself under no necessity for spending household funds on the annual meeting of the order of the Garter at Windsor. This "feast of St George" involved expenses "in no certaintie but in oure pleasure" and was not included in household estimates. There is a brief description of some of the necessary tasks undertaken by the cofferer in Heron's book of payments for 21 H.7. E.36/214, ff.613-4. The original plan for settling funds upon the household is set out in Rot Parl, VI, 299-304.

<sup>30</sup> E.101/414/16, no pagination (4-9 Feb 1498).

Guildford, Bray and Coope] shall repay the same day [the following Candlemas] for asmoch money by them borrowed upon iiii tailes of Hampton of anno xiii—MM CCCxx<sup>li</sup> xiii<sup>s</sup> iiii<sup>d</sup>."31 Coope received an assignment by tallies for a sum certain for two years, was unable to collect it in the second year (it is too late in the season to regard it as an effort to anticipate revenue), and was forced to borrow the second half from the king, subject to suitable precautions, such as enrollment of the transaction in Chancery and entry upon the chamber books.

While engineering these loans a second attempt was made to clear up the difficulties seemingly inherent in this office. At the manor of Shene (later called Richmond), on 17 June 1499, an indenture between the king and the above four was entered into for an additional loan of £12,000. It was understood that under the new dispensation the household would operate on £1,000 per month. And in the future, should Coope receive uncollectible tallies, he was to be covered by the chamber funds.<sup>32</sup> As the chamber system became more powerful it was only natural that Coope should have been anxious to draw upon that source to meet his deficits, and that Henry should have been willing

---

<sup>31</sup> Ibid., no pagination (1 Jul 1499). These men were bound by indentures enrolled in Chancery for this as well as other debts totalling another £5,000. Also referred to by Heron in the following October. (BM) MS Add. 21480, f.29.

<sup>32</sup> CCR, I, #1088. Average weekly expenditure in 1486-7 was about £240. (E.101/416/1) In the British Museum there is a transcript purporting to show expenses for 23-9 Dec 1492 (£405.6s.), 24-30 Mar 1493 (£207.3s.7d.), and 25-31 Aug 1493 (£235.5s.8d.). These probably are from the accounts of Sir John Spelman, comptroller of the household prior to Guildford's appointment. (BM) MS Lansd. 1, ff.112-3.

to substitute his own funds for those derived from the archaic and unwieldy Exchequer. In this sense it is quite true that Henry supported the Household even though its maintenance originally was provided for by parliament.

The comptrollership cannot be accounted for definitely during all 24 of Henry's regnal years. The only men besides Sir Richard Guildford (about whom most is known) who seem conclusively to have held the post are Sir John Spelman (1492-3) and Sir John Bussy, who was comptroller at least in 1507-8, and perhaps during the whole period from Guildford's resignation in April 1506 to Henry's demise. In the Wedgwood and Holt list of principal officers of state (volume II of their parliamentary history) Bussy is not mentioned, but Sir Richard Edgecombe and Sir Roger Tocotes are claimed as Guildford's predecessors in office, Edgecombe from the accession to his death in 1489, and Tocotes from thence until his death in 1492. For the last two men there are no accounts available, for Spelman there is a brief extract which probably comes from his book for 1492-3, for Guildford there are three surviving books for the years 1495-6, 1497-8, and 1501-2, and for Bussy there is one book for 1507-8.

From Henry's accession there were occasions when Guildford was at court. He assumed the duties of the master of ordnance and sergeant of the armory very shortly after Bosworth field, if not from the day of the invasion, and though he may have had no official standing in the household entourage, he acted as though he did. Among the Rutland papers there is a "device for the coronation of Henry VII", which gives the order of precedence at this ceremony. Among the

participants were to be the "new made knights of the Bath in a lyuery", who were to be ordered, i.e. arranged and directed, by Guildford and Dr Thomas Savage, then king's chaplain, later Bishop of Rochester, and ultimately Archbishop of York.<sup>33</sup> Clearly, Guildford was in the midst of court activities with or without patent of office.

In the next year he participated in the ceremonies surrounding the christening of Prince Arthur at Winchester cathedral. He and Sir John Turbervile are called constable and marshal respectively, and are mentioned "beryng ther staves of office" in the procession.<sup>34</sup> While at Winchester he also gave the king a "coler of golde", which Henry in turn presented to a "Gentilman estraunger comyng vnto vs of the parties of Fflaundres ..."<sup>35</sup>

The same Cottonian manuscript cited above gives a lengthy account of the delayed coronation of Henry's consort, Elizabeth of York (25 November 1487). Though Guildford's name is not listed, there are two incomplete entries beginning "Sir Richard", one of which doubtless pertains to him. The scribe who copied this document years later probably was

---

<sup>33</sup> William Jerdan, ed., Rutland Papers (Camden Soc., 1842), p.11. From a comparison with the ceremony used at his predecessor's accession, it is clear that Henry copied it exactly. There is extant a MS recital of Richard's ceremony in which his name has been stricken and replaced by Henry's. Thus the crowd was to call out, spontaneously, "Long live King Henry!" instead of Richard. (BM) MS Add. 18669.

<sup>34</sup> (BM) MS Cotton. Julius B.XII, f.22b. Curiously enough, Guildford is not listed in the immense roll of those who went to York with Henry in the spring of that year. Ibid., ff.8b-21.

<sup>35</sup> For this Guildford received £17. E.404/79, bdle 2, #21 (2 Oct 2 H.7, Winchester).





unable to make out surnames or complete blanks in a mutilated original. There is no reason to doubt this attendance.<sup>36</sup>

Five years after Henry's accession, we find Guildford in company with the Earl of Ormond, chamberlain to the queen, busy about redecoration at Westminster palace.<sup>37</sup> This sort of thing most clearly is a function of one connected with the household, yet there still is no mention of Guildford as an officer of the establishment. In fact, not until November 1494 was he called comptroller, this time in connection with the lavish protocol formulated for the creation of Prince Henry as Duke of York.<sup>38</sup> It isn't certain when Guildford became comptroller, although it probably occurred about the time he he resigned his mastership of the ordnance, in the summer of 1493. After November 1494 he always was called "Maistre controler" and seems to have spent most of his time with Henry, wherever that might be. For this he received £100 a year.

An example of such attendance occurred on 19 September 1500 at Woodstock, when the executors of the late chancellor, Cardinal Archbishop Morton, delivered the Great Seal to the king in Guildford's sight.<sup>39</sup>

---

<sup>36</sup> (BM) MS Cotton. Julius B.XII, ff.28-43.

<sup>37</sup> Campbell, II, 510 (21 Sep 1490).

<sup>38</sup> (BM) MS Cotton. Julius B.XII, f.91; printed in Gairdner, L&P, R.3 & H.7, I, 393. Likewise at a feast on 13 November. Ibid., I, 403.

<sup>39</sup> CCR, II, #60. See (BM) MS Egerton 2358, f.47 for repairs to the comptroller's quarters at Westminster (1500-2).

He was instrumental in guaranteeing that the reception accorded Catherine of Aragon was sufficiently grandiose to capture the popular imagination in England and on the continent. In conjunction with Lord Broke, who was Lord Steward, he prepared lodgings for strangers, saw that repairs were made at St Paul's and supervised certain last-minute arrangements at the palace of Westminster and Baynard's castle.<sup>40</sup>

Guildford was with the king when he met Philip Archduke of Austria near Calais in 1500, and he attended other, sadder ceremonies, such as the funerals of Edmond, Henry's third son, who died on 12 June 1500, and of his wife Elizabeth, who died in February 1503. Among the records of the lord chamberlain's office are quite detailed accounts of the stuff supplied for the mourners in each of these funerals. Oddly enough, in the first one Guildford is listed with such knights as Sir Thomas Lovell, each of whom received five yards of cloth for his gown and hood.<sup>41</sup> Only in the latter ceremony was he called "Maister Controller", being issued in this instance six yards of cloth for himself and another 12 yards for the four servants in his train.<sup>42</sup>

Whether this disproves the contention that he became comptroller

---

<sup>40</sup> (BM) MS Cotton. Vespasian C.XIV, f.81. The expenses for Catherine's reception are listed in the household account in (BM) MS Royal [Rot.Reg.] 14 B.XXXIX (1 Oct 1501-31 Mar 1502). According to this, she left Exeter on 22 Oct and arrived at Lambeth on 12 Nov. There were four full days of marriage festivities; and the Spanish lords who stayed at Westminster were entertained for another four. A brief "diary" of events, temp. H.7 and H.8, says "to Kennington manor then came yn my lady Kataryn the kynges doughter of Castell into England," which suggests that Guildford hosted her. This is confirmed by no other source. (BM) MS Cotton. Claudius C. III, f.33.

<sup>41</sup> L.C.2/1, f.4b.

<sup>42</sup> Ibid., f.64b.

in 1494 isn't clear. There seem to be too many references on the other side, but certainly the chamberlain's accounts would be expected to specify such things as offices and titles, especially when dealing with household personnel.

There are a few other references to Guildford as comptroller, in each case singularly devoid of information. On 15 November 1498, 20 July 1503 and 14 February 1505 he acted as a witness in matters involving papal bulls and royal grants.<sup>43</sup> In 1504 20 shillings were paid "Raynold Hill M Comptroller servaunt [for] going to thabbot of Reding [John Thorne]"<sup>44</sup> And for some time he and Sir Thomas Lovell were engaged jointly in constructing the king's almshouse at Westminster. Heron recorded a payment of £200 to them on 28 February 1500; nothing else has been discovered.<sup>45</sup> The indenture between them and the king reveals that they had undertaken to bear a portion of the charges themselves.<sup>46</sup>

As can be seen, information about this office must be handled carefully to provide a basis for generalization. We have noticed that Guildford audited the cofferer's accounts, a job of sufficient importance in

---

<sup>43</sup> Rev. Claude Jenkins, "Cardinal Morton's Register," Tudor Studies, ed. R.W. Seton-Watson (London, 1924), p.40; CPR, 1494-1509, p.308; Ibid., p.419.

<sup>44</sup> E.36/123, f.104 (8 Apr 1504). The purpose of this visit is suggested by a commission de walliis et fossatis addressed to the abbot eight days later. CPR, 1494-1509, p.358.

<sup>45</sup> (BM) MS Add.21480, f.66.

<sup>46</sup> WAM 5398. There are two indentures here, the general one and another relating specifically to brickwork, which is rolled within it. Neither is dated; both have good autographs. Total cost was to be £564, of which Guildford and Lovell contracted to provide anything over £500 themselves.

itself, considering that the cofferer was responsible for the entire £14,000 annually devoted to the maintenance of the royal household. We also saw that he engaged in redecorative efforts in the royal palaces. But apart from this outline not much can be said. That he was around is obvious, but what construction one should place upon casual references, such as Heron's notice of receiving £68 from Guildford and the under-treasurer at Shene,<sup>47</sup> is not quite so apparent.

What has been said of other spheres of Tudor government applies with equal rigor here: the mere record of an act performed by an identified man (which in certain cases is all that comes to light) is the basis, not the conclusion, of documentation. There still remains the problem of significance, and in this quagmire we more often than not have little objective proof that one path offers more solid footing than another.

The last-mentioned official, the under-treasurer, was the real director of the Exchequer of Receipt, concerning himself with those practical duties which the lord treasurer was not expected or desired to assume. Sir Robert Lytton, for instance, was the second "Treasurer of Werres" whom Henry appointed, as well as being the first under-treasurer to combine his office with that of the keeper of the great wardrobe.<sup>48</sup>

Hitherto, the wardrobe had been in the hands of Piers Curtis, who

---

<sup>47</sup> E.101/413/2, pt 2, f.68b (1 Aug 1494).

<sup>48</sup> The first treasurer for war was Bray (1492). Lytton received this assignment in 1497. Sums he received are noted in E.36/14, ff.225-373 and E.101/55/22.

was appointed on 25 May 1487.<sup>49</sup> It isn't clear what transpired, but he was pardoned his office in 1492, being referred to in the patent as clerk of the great wardrobe.<sup>50</sup> Whether this means he was demoted, or whether this title was but an alias for keeper is conjectural. Three years later Heron noted among his memoranda "that thundertresorer yerely make his accompte for the expenses of the Kinges Garderobe over and besides all such stuff as was left in the Kinges Warderobe by Piers Curtais Wherof the Kinges grace hath the p[ar]cialles by writing which must be answered for bysides his assignamentes."<sup>51</sup> From this date the great wardrobe was in Lytton's hands. Heron suggests that he was assigned a fixed percentage of the Calais revenues for this office.<sup>52</sup>

This outline, which is comprehensible even if irregular by modern standards of bureaucratic procedure, must not be regarded as an absolute, for several factors entered in to alter the picture. It is important to

---

<sup>49</sup> CPR, 1485-94, p.176.

<sup>50</sup> Ibid., p.380 ( 13 Mar 1492).

<sup>51</sup> E.101/414/6 (1 Oct 1495). Accounts by Lytton which have been preserved are in E.36/209 (14-5 H.7). At the BM there are 19 warrants addressed to him in this capacity. MS Add.18825.

<sup>52</sup> E.101/413/2, pt 3, f.184 (31 Dec 1504): "Item rec of the maier & feliship of the Staple by thande of John Thorneborough [their solicitor] of the vitail money [money earned by selling rations to the permanent garrison] of Calais assigned to thundertres for the warderob in anno xviii — CCclxx li." Once more it appears that the chamber treasury was financing all departments ostensibly provided for by Exchequer assignment. In this case Heron received money from Calais, which was due two years earlier, in lieu of which Lytton had borrowed from the chamber. Perhaps it was this lack of revenue which earlier induced Lytton to justify accounts which, according to Bray, claimed allowances for 38 unexplained days, involving £56.4s.11d. E. 101/414/16 (Kinges Debtes, 9 Aug 12 H.7).

remember, for instance, that some of the most powerful, influential figures, such as Sir Reginald Bray, actually held no household posts, yet were treated deferentially by legitimate members of the royal menage. There is a striking demonstration of this in a letter which Guildford wrote Bray, where it appears that the comptroller was left in charge of the royal children while the king and Bray were closeted on matters of mutual interest. Guildford writes: "Master Braye ye wer yesterday gone or y cowde speke with yow for the kynge comanedde me to wayte upon the prynses tyll ye wer gonne ..."<sup>53</sup> One should hesitate to conclude that men administered because they occupied certain positions. In fact, they administered because the king authorized them to do so, and not by virtue of powers inherent in offices. As G.R. Elton has pointed out in his fresh appraisal of the early Tudor scheme of government, councillors acted on behalf of the king, not as privy councillors endowed with corporate responsibility and prestige, but as accredited or actual members of the royal household.<sup>54</sup>

This study of Elton's is one of the first expressions of a new trend in historical thought, opposed to the standard interpretation of government and chamber developed by Dietz and Richardson after the

---

<sup>53</sup> WAM 16042. The letter is undated, but written some time before 1503. Whether the "prynses" refers to princess Mary, princess Margaret, or to the princes, Arthur and Henry, isn't clear. Guildford continues with a request that Bray examine a "boke how yt ys betwene yow and me" which Guildford is sending by a trusted agent, and pay him £100, for Guildford's own creditor requires £46 "and oder grette charges."

<sup>54</sup> The Tudor Revolution in Government (Cambridge, 1953), pp.33-6.

suggestions of A.P. Newton. The school of Elton at Cambridge and Wolfe at Oxford finds much continuity in the period 1461-1534 and hesitates to ascribe a systematic tendency to Henry VII or his councillors. Elton himself characterizes the difference thusly: "Where we really differ is in the wider interpretation. Prof. Richardson seems to me to underestimate the significance of the changes made in the 1530's, with the result that he sees a unity in the period 1485-1554, whereas I hold that 1485 is a date of little significance in administrative history and 1554 only a stage in the development begun in 1534-6.... I think he makes the term 'chamber system' cover too much when he uses it to describe all the administrative changes of the first two Tudors, and he speaks too definitely of 'offices' ... where I would prefer to speak of individuals working in a somewhat unorganized and haphazard manner,..." (p.9,n.1)

The real disagreement here proceeds from the fundamentally different attitudes which Americans and Britons have on the question of organization and individualism. American preconceptions militate so strongly in favor of system that it is not surprising when an American scholar discovers sympathetic views among Tudor statesmen. Nor is it unusual for an Englishman to object. It seems significant that Richardson includes a rather complex "Organization Chart of the Chamber System." (p.80)

Wolffe's article in the EHR differs from the foregoing, though his real sympathies would seem to place him more in Elton's camp than in the American position. He contends that Elton is in alignment with Richardson, and that both have followed Dietz, who misread the evidence. His real quarrel with Elton, however, seems to be the result of chrono-

logical emphasis. Elton rapidly skimmed the secondary material for the immediate pre-Tudor decades so as to plunge into an exposition of the events leading up to the advent of his favorite, Thomas Cromwell. In doing so, he concluded not as Wolfe contends that the Yorkists did nothing, but rather that there was more material available for the first Tudors, and that we were forced to accept the arguments of those who held with Yorkist originality at least partly on faith.

To some extent the argument centers around one's explanation of a memorandum in (BL) MS Harl.433, f.271 (printed in Gairdner, L&P, R.3 & H.7, I,82) in which certain conditions are prescribed for the more efficient performance of the Exchequer. Richardson (pp.49-55) thinks it refers to suggested reforms and was an indictment of Exchequer practice. He hedges a bit, suggesting that perhaps some of these conditions were fulfilled partially before Henry's accession. Elton (pp.24-5) is not convinced that the memo is a description of the Exchequer in esse, describing it as something which either "codified or projected a system." In an unpublished M.Litt. thesis, J.R. Lander holds that the whole plan described in October 1484 was in fact a statement of a system already established in Edward IV's reign. ("The Administration of the Yorkist Kings," [Cambridge, 1949], p.239) Wolfe also holds that this is a description rather than a proposal. (EMR, 71 [Jan 1956], 22) In other words, Elton's position is intermediate and hence suspect. Wolfe even goes further and expresses his conviction that the system developed by the Yorkists collapsed before Henry VII, acting on the advice of such hold-over civil servants as Cornburgh, Cutte and Croft, reinstituted their chamber administrative and financial system. According to this



view, Henry VII not only did not devise the system attributed to him, he reigned a number of years before he realized that anything was amiss.

These men have demonstrated clearly that the resurgence of strong government under Henry VII was not evidence of a sort of renaissance development along, say, Italian lines, but instead an effort to return to the strong household system common to the Plantagenets, a system which declined during the long and confusing period, 1377-1461. Elton insists that where there is "administration in and through the household, there we have medieval government;..."<sup>55</sup>

According to such research, this reestablishment of household government, which is something different from personal government as it developed on the continent, notably in France, may be discerned from the earlier days of Edward IV. At his accession the office of treasurer of the chamber was undeveloped; the royal ready cash was entrusted to one John Kendal, who was called indifferently household cofferer or king's cofferer. The title treasurer of the chamber appears to have been an alternative form of address for the keeper of the king's jewels, on which precious stones periodic loans were negotiated.

The first treasurer of the chamber to receive appointment by letters patent was Thomas Vaughan, who was called in 1465.<sup>56</sup> Three years earlier Edward had ordered that all issues from the lands let to farm, worth over 40 shillings a year, were no longer to be paid into the Exchequer, but instead to eight regional collectors, who in turn were to

---

<sup>55</sup> Elton, p.19. In the same place he expresses the opinion that the "new monarchy" of the Tudors is an outmoded misconception.

<sup>56</sup> The previous sentences are based on Wolffe, p.2.

pay the sums collected to the treasurer of the household. In 1472 a further group with the same functions was appointed in replacement of the first collectors. It is doubtful if they ever gathered more than £2,000 p.a. for the king. In any case, there is no precedent for this action beyond the 13th century.<sup>57</sup>

After accounting to the king or his representatives, these collectors, or receivers to use contemporary terminology, delivered their cash balances to the king, or perhaps, to his treasurer of the chamber (especially if the lands for which they were accounting were not included in the estates whose issues supported the household; lands in this latter category concerned the treasurer of the household, and if cash were involved, the cofferer). After this they made a declaration of account before the barons of the Exchequer for the record. They could be subjected to no examination by the barons but it was important that the barons had a record for their own audit.<sup>58</sup>

Wolffe contends that this was precisely the sort of organization which any large landholder used in the 15th century, i.e. that the Yorkist kings were repeating on a large scale the methods common throughout the kingdom. It was a system but not a bureaucratic device, for ultimately it depended upon the king's personal supervision for efficient performance. In fact, the receivers were regarded as individuals who accounted to the king and performed functions which

---

<sup>57</sup> Ibid., p.9.

<sup>58</sup> Ibid., p.3.

depended upon royal desires rather than upon any constitutional or bureaucratic preconceptions. There was never any intention of replacing the Exchequer with another elaborate organization, according to Wolffe; the sole purpose for the creation of the chamber system was to provide the king with ready cash and personal supervision of those lands which represented an augmentation of royal revenue, as for instance confiscated estates and lands in wardship. The chamber never paid any salaries, pensions or annuities, leaving all such official business to the Exchequer.<sup>59</sup> It was merely a question of exempting certain men and certain aspects of finance from the ancient course in the interests of speed and efficiency.

There was another reason which might be advanced, though one runs the risk of being accused of cynicism: by these shortcuts the Yorkists and Henry VII too were able to defraud legitimate creditors of the Exchequer, whose tallies weren't worth the wood they were cut on if funds never arrived at the Receipt.<sup>60</sup>

---

<sup>59</sup> Despite the general accuracy of this statement, one variance has been discovered. In (BM) MS Royal [Rot. Reg.] 14.B.XXXIX, an account from the royal household for the half year 1 October 1501-31 March 1502, there is the entry "Regard Comptr Hospic - Ricard Gyldeford milite comptre Hospicii de Regard ci. dat wagge durant placit Dm Re[gis] pro di<sup>o</sup> anno - L li". The provenance of this roll is uncertain and its organization differs radically from that employed by Guildford in his audit of the cofferer's accounts. The hand is a stereotyped clerical one revealing nothing, but this may be an interim record from which the annual account was to be prepared, perhaps by the cofferer, at that date William Coope.

<sup>60</sup> Wolffe, pp. 15, 26. This suggestion may have a great deal of validity, for certainly Henry VII stalled legitimate claimants and from time to time issued orders not to honor any more tailles until given permission. Another point for consideration is this: Henry VII hardly would wish to announce that the administrative practices of the

Funds which arrived at the household in this fashion could be diverted in several directions. If necessary to the household itself they were liable to go to the cofferer, where they were entered in his accounts as "de Domino Rege" to distinguish them from the normal Exchequer appropriations. These are the sums which are expressed as "Alia Recepta" in the comptroller's annual books. It is confusing but necessary to point out that the cofferer had no control over the king's private "coffers". If not needed for this purpose they were lodged with the treasurer of the chamber, who thus could provide the king with ready cash for his own needs, for private loans, or for the temporary use of other branches of the government. By the end of Henry VII's reign such funds went from chamber to ordnance, chamber to household (i.e. to the cofferer) and even chamber to Exchequer. Once the chamber was established as the new central treasury, it was vital to develop some accurate manner for determining precisely what income was available. Beginning with Edward IV and carrying through to Henry VII's last regnal year there was an increasing number of commissions on the quo warranto model. These culminated in the appointment of Sir Edward Belknap to the new post of Surveyor of the King's Prerogative in August 1508.<sup>61</sup> In Wolffe's estimation, according to

---

late Richard "kyng in dede but not of ryght" were worthy of emulation. For instance, Henry condemned the use of the benevolence by the Yorkists but didn't on this account stop levying them; so, with the chamber organization, he perhaps consciously refrained from mentioning the question of continuity, especially because his roving commissioners were unpopular enough without being placed in the 1483-5 tradition.

<sup>61</sup> Elton, pp. 28-9. Mention of Belknap's role has been reserved for the chapter on the council, especially in its relation to the

his "broken continuity" thesis, Henry VII first reverted to Yorkist procedure in Michaelmas term 1491, when the receivers of the Warwick, Salisbury and Spencer lands were ordered to appear before the king and council for examination before they delivered their accounts to the barons of the Exchequer. He believes that various books known as the declarations of the king's lands (such, presumably, as [PRO] E.36/212, 213) were compiled at these sessions.<sup>62</sup>

If Wolffe has not been misinterpreted, he seems to believe that the chamber system stemmed from an earlier practice which grew up in the household, i.e. that the treasurer of the chamber developed from the older office of keeper of the king's jewels when the treasurer of the household began to receive larger sums of money from the receivers who circumvented the Exchequer officers. On occasion he speaks as if the household and chamber were interchangeable terms, but this is perhaps not meant. It appears likely that Wolffe has been guilty of the error which Elton ascribes to Richardson, that of seeing a system in the efforts of individuals. It is most important to bear in mind constantly that the system (if that word must be used) was highly personal, depended upon the efforts of the king and the quality of his subordinates and only in later reigns resulted in a bureaucracy which could and did function despite the ruler of the moment.

---

king's prerogative. It has seemed more important to treat him as a councillor rather than a financial civil servant (though he was both), on the grounds that council comprehended everything in this reign, precisely because there was not a bureaucracy, but merely a group of skilled men who derived authority from an equally skillfull monarch.

<sup>62</sup> Wolffe, p.23.

## Chapter VIII

### DIPLOMACY AND SECURITY

The body of Henry VII's diplomatic engagements may be found in Thomas Rymer's Foedera, but this gives us little insight, too little special knowledge of the negotiations leading up to the treaties which were concluded, nor does it tell us of those which failed in the making. For this we must turn to printed correspondence and the few items in the Public Record Office.

Diplomacy was an extension of royal business, with little relationship to outside interests. This is an overstatement, for no ruler could have pursued a course directly opposed to popular interests, but nevertheless parliamentary inquisitiveness rarely was satisfied in this sphere. Without exception Henry's diplomats were councillors or intimates of councillors. Considering that some margin for the exercise of judgment was requisite, it isn't surprising that this was the case. Nor, in such a personal government, was it surprising that no one councillor preempted the role of foreign secretary. Among his council Henry could count a number of men suited to this vocation, men such as Christopher Urswick, Richard Fox, Sir Charles Somerset, Sir Richard Nanfan and later Thomas Wolsey.

Certain men, especially those who kept the king's private seal, the signet, called principal secretaries, were ambassadors because of their special knowledge of royal affairs. It is because of this that Fox, Oliver King, Robert Sherborne and Thomas Ruthal (all churchmen) figured prominently in diplomatic missions. But upon occasion nearly

everyone in the king's confidence might be expected to figure in such ventures.<sup>1</sup>

As a member of the household and an important councillor, Guildford was present when a number of treaties were ratified or other events of diplomatic importance were performed. He was, for instance, a witness to the renewal and confirmation of the Anglo-Portuguese treaty at Windsor on 10 August 1489,<sup>2</sup> and the French treaty at Boulogne in October 1492.<sup>3</sup> He was one of six men empowered to treat with the Spanish ambassador, de Puebla, respecting the marriage of princess Catherine with prince Arthur.<sup>4</sup> When Henry VII met the Archduke of Austria in 1500, Guildford was one of the lords and knights in the entourage.<sup>5</sup> According to Rymer, Guildford, "Hospitii nostri Contrarotulatore", was present at the ratification of the marriage treaty (5 May 1500) and the approval of specific articles in that contract, three days later.<sup>6</sup> The last notice of him in this connection occurred in 1503, when he was authorized £16.17s.7d. for expenses incurred by the ambassadors of Maximilian, King of the Romans, and by the proctors of that monarch during his installation (by proxy) in the order of the Garter.<sup>7</sup>

---

<sup>1</sup> A glance at Rymer will confirm this. For the secretary in this period see the summary in Elton, Tudor Revolution, pp.31-2.

<sup>2</sup> Campbell, II, 474. In Rymer this is dated 18 Aug. The only knights present were Guildford and Lovell. Foedera, V, iii, 5.

<sup>3</sup> Gairdner, L&P, R.3 & H.7, II, 290-2. He says 38 were present; I have identified only 37 signatures. E.30/612.

<sup>4</sup> Calendar of State Papers-Spanish, 1485-1509, p.77 (1495?).

<sup>5</sup> (BM) MS Harl. 1757, f.361.

<sup>6</sup> Foedera, V, iii, 151b-155b.

<sup>7</sup> E.404/84, bdle 3, unnumbered (11 Sep 19 H.7).

But these are only passive evidences. For Guildford's positive role we must turn to the events of 1499, when he was called upon to perform a mission of great delicacy.

In September of that year he and Dr Richard Hatton, the clerk of Parliament, were dispatched as envoys to the Archduke of Austria. They also received a set of private instructions touching a subject much nearer Henry's interest than commercial relations. They were to induce Edmund de la Pole, the Earl of Suffolk, to return from his continental sanctuary.<sup>8</sup> Very cunningly these instructions suggested alternative ways in which the earl's position might be made to appear untenable. If he wouldn't return with Sir James Tyrell (captain of Guisnes castle), then Guildford was to drop the mission to the Archduke, important though it was, and offer to escort the earl, himself. Should Suffolk persist in his refusal, then Guildford and Hatton were to let slip the "fact" that Henry had persuaded all princes to refrain from harboring him. Further, Guildford was permitted, if necessary, to hint that the earl's continued residence on the continent was not unpardonable so long as it was done quietly. The friends of a silent Suffolk, one who refrained from encouraging or being encouraged by foreign princes seeking a handle, might in time persuade Henry to grant a pardon. But if Suffolk should seek alliances, his abused sovereign would not forget it.<sup>9</sup>

---

<sup>8</sup> The most complete essays on this complex subject are found in the introduction to Gairdner's L&P, R.3 & H.7 and in Busch's England under the Tudors. In an appendix to the English version of the latter study Gairdner (from whom the German scholar derived considerable assistance) reconsidered his earlier position, convinced by Busch's argument. (pp.441-5)

<sup>9</sup> (BM) MS Cotton. Galba II, ff.105-7b. The folios are damaged by fire.



One phrase in this disingenuous document indicates Guildford's real value in the gambit. If Tyrell wouldn't do as an escort for the earl, then Guildford was to offer his own services. This suggests that he was regarded either as a trustworthy man or else was so little known apart from the household that nothing in his past could be misconstrued. The latter is an unlikely argument. There are too many references to Guildford in public records for the earl to have been ignorant of and gullible about him. On the contrary, Suffolk spent much time at court, where he undoubtedly had encountered Sir Richard. It seems safe to assume that Guildford represented respectability.

This argument would have lost its appeal a few years later, for upon Suffolk's second flight, Guildford confiscated or was offered and took one of the earl's manors, "Fyllberdes" in Berkshire.

The ulterior portion of the mission of 1499 was successful: de la Pole returned to the king's good graces, and only later entered into that preposterous adventure which ended with his execution in the next reign. To judge from his letters, printed by Gairdner, he was a rash, arrogant and brutal man, with a truly masterful ignorance. Even this speaks well for Guildford's credible manner. Master comptroller seems to have been a straightforward person with little subtlety, an ideal man to send after Suffolk, and proof that Henry VII both judged and used his followers well. Sir Richard received £33.6s.8d. from Heron's chamber funds for this trip to "Flands", and Dr Hatton got £20. This is the only payment for foreign travel Guildford ever drew.<sup>10</sup>

---

<sup>10</sup> Extracts from Heron's account book (1491-1505) by Craven Ord. (BM) MS Add. 7099, f.62 (20 Sep 15 H.7).

Another of Henry's engines for the eventual destruction of Suffolk was Sir Robert Curzon, at that time captain of Harfles castle near Calais. On 20 August 1499 he requested and received permission to resign his command for the purpose of a pilgrimage against the infidel Turk. There now seems little doubt that his actual, although hidden, purpose was to act as an agent provocateur on the continent, though he apparently did fight under Maximilian.<sup>11</sup> Curzon's resignation brought on one of the very few attempts which Guildford ever made to secure a lucrative post. In the following winter Heron records that Guildford had offered "CC li. in money and x li. in land for thoffice of the castell of Harfles" and notes the need "to take a farther order in that matier."<sup>12</sup> Nothing ever came of this bid, the office evidently remaining in the hands of Sir Sampson Norton, Sir Richard Lovelas and William Pawne, to whom Curzon had resigned his post, until three years later when Sir Nicholas Vaux was appointed keeper.<sup>13</sup>

Little has been done in the way of a study of Calais in this reign, but that it was a clearing house for rumors and a sanctuary for spies and men who eyed the main chance is obvious.<sup>14</sup>

---

<sup>11</sup> Rymer, Foedera, V, iii, 142b. See p 203 of this study for Curzon's relation to Henry's policy of government by recognizance.

<sup>12</sup> (BM) MS ADD. 7099, f.169 (Remembrances, 16 Feb 1500).

<sup>13</sup> CCR, II, #118 (9 Jul 1502). Bray, Lovell, Hobart, Empson, Lucas, Mordaunt and Vaux indented with the king re this post. Vaux further was responsible for maintaining 100 men by the sea during Guildford's life. Sir Richard, incidentally, was his brother-in-law.

<sup>14</sup> There is a great mass of unexamined material in the Shrewsbury Talbot MSS acquired by the BM in 1947 (MSS Add. 46455 & 46456), 21 bundles of French documents concerning Daubeney, Talbot and Nanfan. The bulk of them are in the hand of Jean de Houpplines, born in Tournay, who was appointed by Richard III and confirmed in office by Henry VII. He styled himself "secretary to the king of England at Calais."

A report which reached Henry from an informant there contains a curiously veiled allusion to Guildford's loyalty. That we normally are left without positive statements on the historical topics most interesting to us is painfully true; and in this case doubly so, since hints are supplied on a number of problems.<sup>15</sup> The passage pertinent to Guildford mentions that Sir Hugh Conway, then treasurer of Calais, spoke "how ny that Kent is hydre, wat a lyans thay be of there" and mentioned Poynings, Bouchier and Guildford, but in what context we are not told. The informant, Flamank, lamely suggested that Norton, if examined, could "shew youre hygnes better than I can do."<sup>16</sup>

It is hard to explain this reticence, perhaps harder than to guess what it was Conway distrusted in Guildford. Suspicious he must have been, since the burden of the report is Conway's uneasiness with practically everyone at court, or even in England. But this doubt was dissembled because of a quality imputed to the king by Conway, a foible unmentioned by others, and in fact in contradiction to the standard accounts of Henry's personality.

It strikes us as unlikely, but Henry apparently impressed those on the inside as a man who found it hard to suspect treachery among his

---

<sup>15</sup> The document is printed in Gairdner, L&P, R.3 & H.7, I, 231-40. He assigns it to the year 1503, but this can't be since Conway only received the office on 15 Jun 1504. (CPR, 1494-1509, p.365) John Flamank, the agent, claimed that these conversations took place at Sir Richard Nanfan's home in Calais, with William Nanfan, Norton and Conway also present.

<sup>16</sup> Gairdner, I, 237. Conway comes off quite well in this report. He might serve as the prototype of the bluff English soldier. Any philosophic or religious impulses latent in his being were canalized into a rather enthusiastic devotion to books of portents and such stuff.

subordinates. Now it may be that our view of the calculating monarch is merely warmed-over Bacon. Certainly clear purposes and long views are suspect qualities, normally attributed to men only after their demise.

In any case, if Conway is right, Sir Robert Clifford's machinations had been known to others prior to his confession and exposure of Sir William Stanley in 1495, yet ignored by Henry. Of course, one might argue that Clifford wasn't suspected by the king prior to his sudden admission, simply because though innocent he was frightened into acquiescence in a judicial murder; in which case, Conway's commentary appears slanderous. But Conway impresses one as an outspoken man, not a malicious one. His assertion that present loyalty need not be an index to future behavior, that "chaynge of worldis hayth caused change of mynde," appears disillusioned but not cynical.

If, then, one accepts it from him that Henry was not ready to alter his opinions of men, it is possible to argue that Flamank hesitated to indict Guildford because he enjoyed a personal relationship with the king. This last is nearly as hard to accept as it is to believe in Henry's gullibility. Yet the petty cash records kept by Heron support the contention that Henry did have companions, if not friends. There are numerous entries concerning the king's losses at cards or at the butts, all of them hard to reconcile with the thin-visaged likeness in the National Portrait Gallery and the proverbial tales of his frigid manner. It is regrettable that Bacon never saw the king's personal accounts, for his portrait of an aloof ruler, a secretive figure jealous of his dignity, would have been altered by such unassimilable facts as Henry's constant ambles about the palace grounds astride his mule, facts which indicate the king had his unguarded moments.



From the tenor of this report it seems that Guildford, so far as Conway was concerned, was associated with Lord Daubeney, who was a power at court (lord chamberlain) and a possible king-maker. This is hard, coming from the mouth of one who had shared a number of perilous seasons with Guildford, but is explainable without recourse to a theory of general treason. Conway was an early supporter of the Earl of Richmond, yet never seemed to advance his fortunes after the Earl's rise to the throne.<sup>17</sup> His distrust of those in England seems to reflect a feeling that he was sidetracked in Calais. Besides, it was not the present state which worried him so much as the thought of what might occur after Henry's death.

The other tantalizing bit of gossip retailed by Flamank concerns the general engagement at Blackheath (1497), a battle which strikes the student as needless and ill-handled. How could it be possible for hundreds (numbers given in this period are fantastic unless related to Exchequer accounts, at which time they assume ludicrously slender proportions) of Cornish rebels to proceed completely across southern England without being engaged until they reached Guildford in Surrey?

A hint is given by Flamank when he reports Nanfan as saying that he knew quite well how unhappy the king was with this blunder, which was laid to Daubeney's account, "for and he had done his part welle the Cornysse men hade never made the kyngs feld at Blake hethe but had all ben destroyed longe befor ther comyng thedre ..." (p.232)

---

<sup>17</sup> He evidently failed after six months' service as treasurer of Ireland, being relegated to unimportance by Henry Wyatt and William Hatcliff in April 1495. See their duties in CPR, 1494-1509, p.27.

The sequence of events leading to this battle is uncertain, but the account of it which Busch gives is the fullest, most plausible. When the rebels began their march Daubeney already had gone north to assume command of the army scheduled to invade Scotland. It will be remembered that the indentures which Clifford, then master of ordnance, entered into with various ship owners bore the date 16 May and called for immediate shipment of ordnance and supplies to Berwick and Newcastle. Presumably, most of Daubeney's army went north at the same time.<sup>18</sup> So when news of the rebellion reached Westminster in early June, very little force was available in the home counties. Pursuant to orders, Daubeney rushed south, arriving in London on 13 June, four days before the final engagement.<sup>19</sup>

On this day or the next there was a large but indecisive patrol action near Guildford, after which the rebels turned towards Kent, hoping to gain support in the home of Jack Cade, as the chroniclers have supposed. Finding that the men of Kent had undergone a change of heart over the decades, that in fact they now prided themselves on having discouraged Warbeck from landing at Deal two years before, the Cornish forces again headed for London. At this time tradition has it that Daubeney was approached by a rebel delegation, which offered to betray its leaders in return for a general pardon. The offer, if made, was rejected, and the rebels, convinced of impending collapse, made camp at

---

<sup>18</sup> E.36/8; Busch, p.345.

<sup>19</sup> Gairdner, I, xxix, says the battle took place on the 22d, but I have followed Busch. See his note on the date of the engagement, p.345.

Blackheath on Friday evening, the 16th of June. Daubeney's force advanced the next morning, losing 300 men according to the chronicler Hall, but eventually rolling up the opposition. Before noon the field was won.

Professor Mackie favors Daubeney with the appellation "trusty chamberlain",<sup>20</sup> but if trusty means anything more than loyal, Daubeney seems no candidate for the term. The statement allegedly made by Nanfan probably refers to his actions in the period 13-6 June, when the rebels had been blocked at Guildford, had evidenced confusion and lack of purpose, and yet were allowed to swing around into Kent and approach London from the southeast. This argues no great generalship; and it need not surprise us that Nanfan felt Daubeney "was very shlake [slack] in oon jorny wherwith I knowe well that the kingis grace was discontent."<sup>21</sup>

Some further notion of the intelligence which Henry received from his agents abroad can be gathered from a series of letters under signet preserved among the Shrewsbury Talbot MSS in the British Museum. A few have been printed by Gairdner. They are extremely difficult to date, because, as with all relatively informal or personal communications, much was left unsaid. However, they probably date from the last years of Henry's reign. It is not known when Talbot became deputy of Calais, although Wedgwood and Holt say 1507, without giving authority (I, 839).

In one letter Henry instructed Talbot, "Deputy of our Town and of

---

<sup>20</sup> J.D. Mackie, The Earlier Tudors: 1485-1558 (Oxford, 1952), p.215.

<sup>21</sup> Gairdner, L&P, R.3 & H.7, I, 232.





our Marches of Calais," to turn back a Scottish Friar Observant who intended to leave France for England via Calais.<sup>22</sup> In another, Talbot was thanked for the information he and Thomas Decon (a merchant of the Staple) had supplied about Richard Knyght, in consequence of which he had been committed to the Tower. Thetower or castle of Rysbanke, formerly in Knyght's hands, was to be held by Decon until Henry granted it to some sufficient person.<sup>23</sup> In a third letter Henry thanked Talbot for the news he had learned from William Woodhouse, lately at Amiens. Even though the same information had reached Henry by another source, he wished Talbot to continue "in that behalve/And as like news shall fortune to come unto your knowlege hereafter soo we praye you to notifie us from tyme to tyme."<sup>24</sup> The nature of this communication was not revealed. The last letter in this series begins with a reference to one which has been lost, in which Talbot was ordered to let pass a courier from the court of Rome, i.e. from the Emperor Maximilian, on his way to Laurence Bonevix, the Italian merchant with whom Henry did business. Through an error in identification, Talbot had arrested him, thinking he was another man whom he was to arrest, a man bringing "proces" relative to the alum lately brought to England in the royal ship Sovereign. Talbot was notified to release the courier, meanwhile remaining on the watch for the other traveler.<sup>25</sup>

---

<sup>22</sup> (BM) MS Add. 46454, #3 (15 Apr, Greenwich).

<sup>23</sup> Ibid., #5 (17 May, Greenwich). As late as 31 Oct 1503 Knyght still was keeper of Rysbanke castle. E.101/413/2, pt 3, f.12.

<sup>24</sup> (BM) MS Add. 46454, #7 (? Jul, Richmond).

<sup>25</sup> Ibid., #8 (17 Jul, Greenwich). This illustrates the use of naval vessels for commercial purposes.

One last matter, the financing of embassies, should be discussed. During the first decade of his reign, Henry VII had no discernible system for the payment of ambassadorial claims, for gifts to foreign diplomats or for reimbursement of English subjects who had provided goods or services to foreign ambassadors in England. Such payments normally issued from the Receipt. In 1494, however, a system was inaugurated which, with certain alterations, set the pattern for the future. On 6 November a writ was sent the treasurer and chamberlains, acquainting them with a table of revenue henceforth to be the sole source of funds for messengers and for English as well as foreign ambassadors. A total of £1000 was set aside for each year's expenses.<sup>26</sup> The Exchequer was requested to alter those estimates in the schedule which in their opinion would not bear these annual charges. Tailles cut in assignment on these ports and counties were deliverable to Heron.<sup>27</sup>

Sometime within the next year and a half, the annual appropriation

---

|                                                                                                                                                                                                                              |                     |              |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|--------------|
| <sup>26</sup> The novelty of this scheme was recognized in the writ "for the whiche no provysion by vs hath be made befor this tyme ..." (E.404/81, bdle 4, unnumbered privy seal [10 H.7], Westminster) Herewith the table: |                     |              |
| London                                                                                                                                                                                                                       | customs & subsidies | £350         |
| Bristol                                                                                                                                                                                                                      | " "                 | 160          |
| Cicestre                                                                                                                                                                                                                     | " "                 | 200          |
| Plymouth & Ffowey                                                                                                                                                                                                            | " "                 | 45           |
| Pole                                                                                                                                                                                                                         | " "                 | 50           |
| Dartmouth & Exeter                                                                                                                                                                                                           | " "                 | 140          |
| Norf, Suff & Essex                                                                                                                                                                                                           | fee ferm & ulnage   | 55           |
|                                                                                                                                                                                                                              |                     | <u>£1000</u> |

<sup>27</sup> Heron normally was designated "oure trustie seruante" in this period, which is no help in identifying his position in the government or chamber. Despite Wedgwood, it is most improbable that he was treasurer of the chamber this early, but as was said in the chapter on the household offices, he may have been acting in Lovell's stead.

was doubled, but it appears that the assignments made upon certain places had been too optimistic. One can visualize an increasing number of "desperate debtes" and a growing cynicism within embassy circles. Finally, in June 1496 a new version of the revenue table was subjoined to a writ and directed to the Receipt. Tailles cut upon this new list were to be sent to Sir Thomas Lovell.<sup>28</sup> It seems to be the system which Heron had in mind when he noted that "my lord tresorer & thundertresorer shall pay yerly at Michelmas M li & at Ester M li for the expenses of thenbassadours."<sup>29</sup> This seems to imply that Lovell or Heron no longer received specified portions of particular revenues by assignment, but instead were paid ready money by the treasurer. In other words, if the revenue for diplomatic expenses still derived from the authorized table, it was no concern of the chamber officials responsible for discharging these obligations. Heron and Lovell were interested in funds, not their origin.<sup>30</sup>

Notwithstanding this procedure, upon occasion diplomatic expenses

---

<sup>28</sup> E.404/82, bdle 1, unnumbered (21 Jun 11 H.7, Shene). Lovell's position was not specified either, but in line with the argument of the previous note it looks as if he reached this duty by return rather than promotion. The senior normally does not perform his junior's tasks, unless he has delegated them in the first instance.

<sup>29</sup> E.101/414/16, "Kinges Debtes" (9 Aug 12 H.7).

<sup>30</sup> In fact, the new system had deficiencies, also. According to the account of ambassadorial expenses from Oct 1503 to Oct 1504 (a small paper roll showing payments the tellers made to Heron on his "byllys"), only £1,712.1s.2d. of the authorized £2,000 actually was paid. The remainder existed in the form of tallies due. Note that it is Heron again, and not Lovell, who received this sum from the Receipt. His accounts are out a penny. E.101/517/5.

were met in what might be termed unorthodox fashion, if this word did not conjure up the vision of a method altogether too stable to fit the facts of the day. Nevertheless, in the absence of a more accurate adjective, unorthodox may stand, with the proviso that herein it signifies nothing more than a variance from some official pronouncement. As was mentioned, Guildford laid out £16 for the Imperial ambassadors in 1503. By strict adherence to formula he should have made no such payment, but granted that he did, then reimbursement should have come from the chamber and not the Receipt, whence it did issue in fact.<sup>31</sup>

It seems pretty clear that Guildford spent his money in his household capacity, but the point is that in every aspect of government which is subjected to close analysis one finds this confusion. It is this which prompts the opinion that the schedule of revenues was a hopeful guide, not a directive, and that payments might come from other places.

It would be well to remember that certain expenses were borne by the corporations of towns such as Dover. Lying in the path of travelers, the mayor and jurats, the closed oligarchy which governed the town, fed and lodged almost all diplomats, as their municipal records plainly show. The entry for 1496-7 is typical: "Item paied for wyn yeuen to maist leutenant to maist Lovell maister porter thambassadors of Venys to the maier & jurates at festes acostumed and to other gentilmen -- xxvii<sup>s</sup> viii<sup>d</sup>." <sup>32</sup> Again, in 1498-9 the corporation records reveal that

---

<sup>31</sup> E.404/84, bdle 3, unnumbered (11 Sep 19 H.7, Kenilworth).

<sup>32</sup> (BM) MS Egerton 2107, f.54b. Dover port and town accounts, 1485-1511. The years 4 and 24 H.7 are missing.

12s.8d. were spent on "wyn yeuen to my lord of Rochester the maist of the Rolls maist poyninges maist depute at Cales maist Tyrell Sir Antony Brown maistr Lovell Doctor Routhall my lord tresurer Syngers of the kynges chapell wt other dyvers gentilmen."<sup>33</sup> Such hospitality must have relieved the royal treasuries, both Exchequer and chamber, of some strain and eased the ambassador's burden. We are not informed how the mayor and jurats of Dover felt about such signal honors.

---

<sup>33</sup> Ibid., f.62 (14 H.7). After an earlier parliament (5 H.7), Piers Courtenay, lord privy seal, and Lord Egremond and other ambassadors were given wine and/or "halybut", as were Daubeney, Dynham, Vampage, Tyrell, Hungerford and the master of the rolls, David Williams. (f.20)

## Chapter IX

### COMMISSIONS

The commissions on which Guildford sat were as varied, both in nature and region of operation, as everything else in his career. This is not to say that his was an exceptional case, for it was not: merely, he gained at greater length the experience common to all Tudor administrators. In general, commissions of oyer et terminer and gaol delivery were the same by this period. Both were entrusted to royal justices, although laymen could sit. Commissions of the peace, i.e. quarter sessions, for the most part concerned only those men who held property in the county, but royal councillors also were justices of the peace, not only in their home counties but occasionally in every county in England. This was done to insure control over the local justices, for the quarter sessions were not merely judicial meetings, but in a very real manner brought the central government to the counties. Thus, Guildford was on many commissions of the peace in counties where he owned no property, and on many commissions of oyer et terminer and gaol delivery, though he was no lawyer. In each instance he owed his appointment to his membership in the council.

His first appointments centered in his home county, Kent.<sup>1</sup> The composition of the group involved in the gaol delivery is interesting, exhibiting as it does the mixed elements from which Henry Tudor sought

---

<sup>1</sup> Commission of the peace, 20 Sep 1485 (CPR, 1485-94, p.490); gaol delivery at Canterbury, 9 Dec 1485 (*ibid.*, p.70).

support. Three earls, ten knights and a number of county gentlemen and provincial lawyers, these are the men to whom Henry VII assigned both customary and novel business.

In the following summer Guildford, his father and seven Kentish gentlemen were commissioned to inquire throughout Kent (as others were doing elsewhere in the kingdom) for all lands, goods or chattels which had been concealed, for lands given in mortmain without license, for all lands held in chief which had been acquired, aliened or entered into without license, and to determine the extent of all lands held on 21 August 1485 by 28 men attainted in Henry's first parliament. Lastly, they were to inquire of all lands which Edward IV and Richard III had acquired, and to discover who held to the use of these monarchs. The findings of this monumental commission were detined for the Exchequer.<sup>2</sup>

This was the first of Henry's efforts to keep a running Domesday. The later and official expression of this desire was his creation of the officer known as the surveyor of the king's prerogative, Edward Belknap.<sup>3</sup> What powers these commissioners had isn't certain. Presumably, to facilitate their inquiry they could impanel jurors, perhaps even subpoena witnesses. Nor is it clear in what form they made their reports. The records, which must have existed in written form, are not available today, at least not in the compact form of the domesday of inclosures of 1517. Nevertheless, it is clear that informations from

---

<sup>2</sup> Ibid., p.134 (7 Aug 1486, Westminster).

<sup>3</sup> The leading article is Walter C. Richardson's "Surveyor of the King's Prerogative," HR, 56 (1941), 52-75.



similar commissions were the authorities for many of Heron's chamber account memoranda.

Not until 17 October 1487 was Guildford again called upon to attend any commissions. On that date he returned to the bench for Kent.<sup>4</sup>

The second gaol delivery which he attended was at Maidstone in February 1488.<sup>5</sup> Included with him were most of those found on the prior commissions for Kent, with the exception of the three earls. From this time, in general, commoners performed most of these functions for the king. He sat for the quarter sessions again in June and October of the next year.<sup>6</sup>

Amidst the flurry of activity in the spring and summer of 1490, when an invasion seemed imminent, Guildford and 30 other leading men in Kent were authorized to array the forces of that county and place beacons on the high ground for emergency warning.<sup>7</sup> This was vacated by another instruction which increased the group by another eight men.<sup>8</sup>

The year 1490 was enlivened for Guildford by his inclusion in yet another commission of the peace for Kent.<sup>9</sup> It is possible that this was the Christmas which he spent in "religious lyfe in devotion" with the brethren of Christ Church, of which Chaplain Goldstone wrote to

---

<sup>4</sup> CPR, 1485-94, p.490.

<sup>5</sup> Ibid., p.239.

<sup>6</sup> Ibid., p.490.

<sup>7</sup> Ibid., p.322 (26 May).

<sup>8</sup> Ibid., p.323 (1 July).

<sup>9</sup> Ibid., p.490 (4 December).

Prior Sellyng.<sup>10</sup> At least we know that he was in Kent in that month, and it does not appear that this was the case in 1486, the date tentatively assigned this letter of Goldstone. Nor is there anything intrinsically absurd in the picture of Guildford rounding off his judicial duties with a monastic holiday. This is precisely the sort of thing one can find even in this period, a juxtaposition of religious and worldly traits, of quietist ideals tempered (tainted as they might have said) with positive actions. If it is argued that it was far too late for an Englishman to react in this fashion, one can point out that Guildford was very nearly the last Englishman to make a pilgrimage. One might choose the words pilgrim and traveler to characterize the difference between the medieval and modern spirit (always recognizing that no rigid dichotomy obtains). Medieval man was a pilgrim on earth and would feel the rightness of Pynson's title, The Pylgrymage of Sir Richard Guildford; whereas, in a few years the public sought another definition of its aspirations, and found it in Hakluyt's Principal Navigations.

Three years later, in 1493, Guildford attended far more commissions than previously, probably because of his resignation from the ordnance. In this year he was on 19 commissions of the peace in 15 counties, most of them created by letters of the same day, 20 May.<sup>11</sup>

This presents a unique problem, for manifestly he couldn't sit on simultaneous commissions in Yorkshire and Kent. Yet his name is listed for just this purpose, which leads to the conclusion that commissions

---

<sup>10</sup> See p.20 of this study.

<sup>11</sup> CPR, 1485-94, pp.482,484,489-93,495-8,501,504-8.

of the peace normally contained redundant members, whose absence was no hindrance, but whose nominal attendance evidenced the royal guiding hand and the possibility of intervention.

Of course there is the possibility that Guildford was expected to make a tourn in all the assigned counties. This seems to be borne out by a commission of oyer et terminer of the previous week, in which he was empowered to investigate all offences, conspiracies and conventicles in 15 counties.<sup>12</sup> This vast inquiry was touched off by the rising fortunes of Perkin Warbeck, who by this time had found some persons willing to listen to his claims, or at least consult their own interests by pretending to do so. A certain number of disaffected Englishmen had crossed to Flanders, and most likely the reference to conventicles should be interpreted as a general uneasiness about the efficacy of the pretender's propaganda. That the possibility of disaffection was not confined to the midlands and the northern counties (as was indicated by this commission) is demonstrated by a similar commission for Surrey in the following month.<sup>13</sup>

The next year, on the contrary, was a quiet one for Guildford. As if to make up for the excessive demands made in 1493, he was placed on no commissions, with the exception of one of oyer et terminer for Middlesex in February.<sup>14</sup> The primary reason for this sharp contrast is

---

<sup>12</sup> Ibid., p.442 (13 May 1493).

<sup>13</sup> Ibid., p.441 (20 Jun 1493, Westminster). He was joined by Bryan, Vavasour, Danvers and Bray, to name those whose names suggest that something important was afoot.

<sup>14</sup> Ibid., p.477 (16 Feb 1494, Westminster). Concurrently he was on the commission for London.

that Guildford had been "pricked" as sheriff of Kent in October 1493. He hardly could hold this post and at the same time act as an itinerant justice in the north. On the other hand, it was consistent with his duties to be a commissioner for offences within the adjacent county of Middlesex. He received the customary reward as sheriff, £100, for the customary reason, that he would suffer great loss because of the time spent on the king's service. This fee came from the revenues of his bailiwick, Kent.<sup>15</sup>

Again in 1495 Guildford was appointed to three commissions of oyer et terminer, the first in London (25 January), the second in the counties of Essex, Herts, Kent, Surrey and Sussex (15 February) and the last in Kent again on 13 July.<sup>16</sup>

Three more commissions came his way in the next year. The first, dated 23 April, authorized the leading men in eight counties and the Cinque Ports to array their forces "in view of the warlike preparations of the king of Scots which threaten the town of Berwick."<sup>17</sup> The other two commissions were to hear and determine all cases in Kent, one in June the other in October.<sup>18</sup>

---

<sup>15</sup> E.404/81, bdlc 3, unnumbered (28 Nov 9 H.7, Westminster). Money which he paid into the Receipt as sheriff is recorded by Thomas Stokes in E.36/131, f.59 (Pasch 9 H.7): "Kance - Item Ric Gylforde milite vice de exite ball[ivi] - xx marces."

<sup>16</sup> CPR, 1494-1509, pp.29-30,33.

<sup>17</sup> It is worth pointing out that five of the nine regions designated for this draft were in the south. This is the precise point at which the Cornishmen balked a year later. Populace and wealth were in the south in the 15th century.

<sup>18</sup> Ibid., pp.53,86.

In the spring of 1497 Guildford and some other Kentish landholders were commissioned to deliver Canterbury gaol.<sup>19</sup> And a month later he was a member of a commissioned group who were instructed to investigate "wallis et fossatis" in Lincolnshire. Nearby landholders were to be distrained for necessary repairs.<sup>20</sup> Considering that in the same month the tremendous task of organizing an army of invasion kept so many men busy, this commission has an air of frivolous irrelevancy about it. This is a difficult charge to lay against Henry VII. He was not accustomed to dissipate the energies of his administrators on pointless tasks. The assumption may be that Henry did first things first, but we still must confess our ignorance of his motive. Guildford ended this year as a JP for Kent.<sup>21</sup>

For the three following years, apart from two commissions of oyer et terminer, Guildford saw duty only as a JP in Kent, in April and September of 1498, February and December 1499 and April and November 1500.<sup>22</sup> These slack years are best explained by his attendance at court, his preoccupation with the king's chapel at Westminster and his embassy to Maximilian.

The exceptions to this dull routine were sufficiently nasty to compensate for the prosaic duties of the Kentish quarter sessions. In

---

<sup>19</sup> Ibid., p.149 (9 April, Canterbury).

<sup>20</sup> Ibid., p.90 (3 May).

<sup>21</sup> Ibid., p.644 (16 December).

<sup>22</sup> Ibid.

November 1499 he was one of a select group specially commissioned to hear and determine in the case of the alleged treason of the Earl of Warwick. The justices, in session at the Guildhall, found that treason had been committed, in that the earl had plotted with Warbeck's associates to escape confinement and plunge the realm into revolution. Their indictment was delivered to John Earl of Oxford, High Steward of England, who was to preside over the court of peers. This court, a packed body, which Henry VII found more expedient than trial by the full House of Lords, convicted the earl and sentenced this unfortunate lad to death. He was beheaded on 28 November at Tower hill.

A week earlier Guildford had sat on another commission to investigate similar charges against such minor fry as could be implicated in this rather tenuous web of circumstance. What basis there was for this purge it is difficult to say at this date. It seems clear that Warwick was duped into a sort of compromising position. His chief crime was his birth, and the real prosecutor in his case, according to tradition, was Ferdinand of Spain, who was supposed to have demanded Warwick's head as the price for Catherine's marriage to Arthur Tudor.<sup>23</sup>

In 1501 Guildford once again appeared on a variety of commissions. On 1 February he and some close associates were empowered to put a woman in possession of a manor (in fee tail), according to a Chancery

---

<sup>23</sup> King's Bench, Baga de Secretis, pouch 2: "Sessio Comitatus Middlesex. Tenta apud Westmonasterium coram Iohanne comite Oxon hac vice sen-scalle Angliae anno regni Regis Henrici Septimi post conquestum quinto decimo." The records for the trial of Dickson, Pounte, Ody, Lounde, Corre, Basset, Walsh, Fynch, Astwood, Cleymound and Williams, the minor figures in the alleged conspiracies of 1499, are there also. An article by L.W. Vernon-Harcourt, "The Baga de Secretis," EHR, XXIII (1908), 508-29 tries to explain this puzzling category of records.

decree of Paschal term 1485, which had not been enforced, despite a prior commission for that purpose. They further were authorized to arrest one John Lovelace, son to the other disputant, in case he resisted.<sup>24</sup>

Two weeks later Guildford was joined by a number of royal justices and others in a gaol delivery in Westminster.<sup>25</sup> Three days after that he was named to the bench in Sussex,<sup>26</sup> and performed the same office in Kent in April and Surrey in December.<sup>27</sup>

Another bit of evidence that he spent much of his time at court or at least in the vicinity of London, comes from his inclusion within a commission of oyer et terminer for that city on the 1st of April 1502.<sup>28</sup> On the other hand, as if to bely the significance of the previous assertion, he was committed to gaol deliveries in Windsor, Wallingford, Oxford, Reading, Hendley and Abingdon three months later.<sup>29</sup> He was on the bench in Kent (14 March), Surrey (11 October, 6 December) and

---

<sup>24</sup> CPR, 1494-1509, p.249. Lovelace did resist this enfeoffment of his aunt, or rather he reentered after the commissioners departed. On the last day of June the sheriff and J.P.'s in Kent were ordered to arrest Lovelace and his adherents, and produce their bodies in Chancery at Michaelmas term next. (Ibid., p.248). The facts set forth in the mandate show that Katherine's brother, the deceased William, had been ordered to make a good estate in the said manor of Hever to his sister (in tail). The son had resisted this decree, successfully it seems, for some years.

<sup>25</sup> Ibid., p. 231 (17 February).

<sup>26</sup> Ibid., p. 662 (20 February).

<sup>27</sup> Ibid., pp. 644, 661.

<sup>28</sup> Ibid., pp. 290-1. Twenty-six others were appointed for this purpose.

<sup>29</sup> Ibid., p. 296 (9 July).

Sussex (18 November) during the same year.<sup>30</sup>

In February following, Guildford was appointed to his second commission "de walliis et fossatis", this time in the district between Greenwich and Richmond in Surrey.<sup>31</sup> In May he was assigned the same task along the Thames in Kent and Surrey from Greenwich to Lambeth.<sup>32</sup> He also sat on the bench in Kent (5 June) and Surrey (13 August, 9 September),<sup>33</sup> aided in a gaol delivery at Guildford castle (3 April)<sup>34</sup> and earlier was included in a commission oyer et terminer in London (16 January).<sup>35</sup>

At the conclusion of the last parliament held by Henry VII (January - March 1504), Guildford was named one of the Kentish commissioners to collect £1,388.5s.10d., the amount demanded by the King in lieu of the two feudal aids.<sup>36</sup> Like other landed subjects, the Kentish gentry voted to offer Henry this lump sum rather than go to the trouble of determining how much was due from what property, in

---

<sup>30</sup> Ibid., pp. 644, 661, 662.

<sup>31</sup> Ibid., p. 328.

<sup>32</sup> Ibid., p. 358 (28 May). Perhaps it was because of these assignments that he was excused from attending the Feast of St George on 7 May. Anstis, Garter, I, 242 (29 Apr 18 H.7).

<sup>33</sup> CPR, 1494-1509, p. 644, 661.

<sup>34</sup> Ibid., p. 326.

<sup>35</sup> Ibid.

<sup>36</sup> Rot. Parl., VI, 538.



other words they shunned the suggestion that Henry's aids, Lucas, Empson, Dudley, Lovell, Belknap, et al., would help them trace their titles. It appears that both parties to this transaction knew what they were about.

A new sort of commission, new to Guildford that is, was created on 13 March, shortly after parliament closed. He and Fyneux, Poynings and seven others were instructed to inquire of escapes of felons within the county of Kent.<sup>37</sup> He again was a commissioner of the peace that year: in Kent in March, Sussex in June and December, and Surrey in June.<sup>38</sup>

Apart from the now familiar tour of Kent, Surrey and Sussex as a commissioner of the peace,<sup>39</sup> Guildford saw service on only one other commission in 1505. On 12 May of that year he was one of seven appointed to hear and determine criminal causes in Sussex.<sup>40</sup> These were the last commissions to which he was appointed, at least during these remaining months in England. Through some error, he was appointed commissioner of the peace for Surrey and Kent in May and June of 1506,<sup>41</sup> by which time he was well away from the country on his last

---

<sup>37</sup> CPR, 1494-1509, p. 357.

<sup>38</sup> Ibid., pp. 644, 661, 662.

<sup>39</sup> Ibid.

<sup>40</sup> Ibid., p. 422.

<sup>41</sup> Ibid., pp. 644, 661.

journey. Long habit probably dictated the inclusion of his name on the list for each of these counties.

There is an element of boring certainty in all these commissions, each so very like the others, but this as much as anything is what makes them valuable for the student of Tudor institutions. Were they varied, one might think, with some show of reason, that no discernible pattern of administration could emerge from a glance through the calendar patent rolls or close rolls which have supplied the bulk of the information used in this section of the study. The point is that Henry VII availed himself of the standard or customary forms, just as often as he instituted a new system for doing things. Indeed, he more often than not overhauled the old until it gave a specious appearance of mint quality.

There is nothing wrong in this, but it has misled many students, who have seen in so many of his activities so much that was unprecedented in English experience. This view is no longer supported by the majority of Tudor scholars; in fact, there is at present a tendency to find almost too many roots in the past. One does not find truth by splitting the difference, despite the considerable popularity of this course, but one may attempt to cull from each of these schools that which is tenable. The result, while incomplete and thoroughly illogical, may have more of a basis in fact than either of the closed systems from which it derives.

Of Henry's county administrators, the majority were officers who bore titles of ancient and honorable lineage. Such were the sheriffs, the justices of the peace (though there was disagreement on the origin

of this office),<sup>42</sup> the escheators and the various ad hoc commissioners who extended the supervisory power of Westminster to the backwoods. Even the various wardships which the Crown increasingly retained, were administered in a customary fashion, at least in the beginning of the reign. Thus, we have no startling innovations, but nevertheless there was a distinct change in the tone of government, as it affected people of the outlying districts. This is hard to define; primarily, it shows up in the increasing business which the council, the courts (common law and prerogative, both) and the commissioners drew unto themselves. In this sense, Heron's accounts, Dudley's notebook and the records of the council learned in the law are indicative of the increasing control which the central government had over the more remote districts. There is no sure way to rationalize this change, however. Government was the same, but there was more of it, so that criticisms of the king would have to be based on the number of commissions, themselves, since they were normal expressions of the royal power to intervene, to direct, county affairs.

Some offices, naturally, were foreign to the counties, or rather were used in a fashion unknown for decades. For instance, as the royal control of the feudal structure increased, and more lands in military tenure came into the king's control, there were more bailiffs and constables of local manors, courts and even hundreds appointed by Henry VII. True, there had been bailiffs and constables in each

---

<sup>42</sup> The best essay on the origin of this significant office is by B.H. Putnam, Early Treatises on the Practice of the Justices of the Peace in the Fifteenth and Sixteenth Centuries (Oxford, 1924).

locality before this transpired, but generally they had been amenable to the dictates of a local magnate. In certain cases the change must have been for the better, so far as the local inhabitants were concerned. In any case, the king became an entity where he had been a legend. This analysis will stand, too, for the efforts which Henry made to discover just what tenure certain categories of land were held by: these commissions were not the first of their sort (they are quite like the quo warranto commissions of Edward I), but they came after a lengthy period in which the Crown had aliened land without attempting to assert much in the way of feudal prerogative. The shock must have been great for those who had prospered under the old dispensation. Many were hurt by the giant resumptions which Henry's parliaments granted him, though there were a great many saving clauses appended to these claims, and still others were injured by the inquisitiveness which the commissioners displayed. All this led up to Belknap's appointment, and provided the king with valuable information, both for immediate use (witness Heron's memoranda) and for future reference (for example, upon the death of a man whose lands were held in chief).

It is in the customary offices, however, that one can discover just what Henry VII was about. The short answer is that he was up to nothing nefarious; presumably he would have alleged nothing more than an interest in obtaining that which was his by right. Granted that any tyrant claims nothing more than this for the most flagrant abuses of which he is capable, in the case of a late medieval figure one should be doubly certain of ulterior motives before expressing doubt. Short of a general theory of legislative omniscience, it would be

very difficult for a ruler to accomplish any serious subversion of the constitution, especially a ruler who was as handicapped in the matter of armed forces as was Henry Tudor. If one has the armed might, one can afford to dispense with many of the theoretical props of government, perhaps; but lacking this, the case is altered completely.

The point is that Henry VII had to set about any reforms, even those which called for nothing more than a reinforcement of legitimate claims, from a position previously defined by the statute books, the Year Books or the Rolls of Parliament. Thus the vast majority of the commissions he sent into the counties were traditional in nature and scope, though the tradition had been dormant, it seems likely, for a number of years. It may be that their composition was different from that of many previous commissions, in that laymen had a preponderance, especially laymen who drew their strength from the court rather than the county; but this too is an overemphasis on what is at best a tendency. While it is true that many of Henry's truest supporters were commoners, it is less true that they were men of little substance before they aligned themselves with the king. Guildford, for instance, came from a family which hardly could be called uninfluential, in fact the opposite was true. Still, it would be fair to say that many of Henry's adherents represented substance rather than opulence; in this sense his support did come from the middle classes, such as they were.

Other than this there appears to have been little unusual in their composition. Lawyers, a few churchmen, household officials, some trusted peers of the realm (but not too many), none of these is a suspicious person for a royal commission. Furthermore, the tendency

of all these commissions was to involve men who were natives or residents of the counties concerned, which would weaken the argument that under the Tudors a rigid form of centralized government was conceived. In fact, there was an astonishing leeway for local custom and provincial judgment even in the worst of times. A glance at the Statutes of the Realm for this reign will suffice to demonstrate that Henry VII found it difficult to hold local justices up to the mark. The question probably was one of means: it is easy to forget that the bureaucracy was miniature, and what there was tended to cluster in Westminster where important things were happening. The lines were not down between provinces and capital; they never had been constructed for any but exceptional or specified occasions. This did not put the monarchy at the mercy of dissentients; quite the contrary, for if the king had only limited contact with the rest of his country, rebels had none. This lack of communication may have been more instrumental in maintaining the two first Tudors on their thrones than any effective countermeasures which they may have taken.

## Chapter X

### THE BRAINTRUST: SOME ASPECTS OF THE COUNCIL

When, in July 1497, that bug-bear of the decade, Perkin Warbeck, pronounced his anathema upon Henry VII, he listed 19 men, "caitiffs and villains of simple birth, which by their inventions & pilling of the people, have been the principal founders, occasioners & counsellors of the misrule & mischief now reigning ..."<sup>1</sup> The list might have been extended into a "who's who" of Tudor administration without any loss of accuracy, though its magnitude would have caused despair among those who hoped to unseat a narrow, unpopular despotism. However, though not definitive, this list is of great value in determining who was considered most clearly identified with the interests of the Tudor monarchy. No doubt, Warbeck felt that his adherents would append the names of others who were locally obnoxious when the time came for proscription.

With the possible exception of Sir Reginald Bray, there never was an indispensable figure in Henry's government. Most students would hesitate to ascribe indispensability to any personage of our time, yet many historical figures have been conceded such an importance primarily on the basis of available materials. In a period such as that of the first Tudor's reign, where there is a paucity of private and to some extent even a shortage of public records, the recurrence of a particular name in the remaining documents tends to convince the researcher of that person's significance. This is not necessarily true, for it leaves out

---

<sup>1</sup>

(DM) MS Add.4160. Printed in Pollard, Reign of Henry VII, I, 152.

of account those categories of documents which no longer are accessible and treats the vagaries of time and private collection as if they equated with an ancient and reasoned policy of archival preservation.

This danger is present when one considers the problem of the council under Henry VII. With the exception of the material still available at least in circumscribed form at the Public Record Office, the only records are certain transcripts and lists compiled at a later date from sources no longer in existence. These are the manifold copies of the "liber intrationum", or book of entries, and the lists of justices in the prerogative courts, which were made under the direction of Sir Julius Caesar in the reign of Elizabeth I.<sup>2</sup>

Caesar compiled with a purpose. He wished to defend the antiquity of the Court of Requests, and hoped to prove that it was the true heir of the king in council. Therefore, it is reasonable to assume that only

---

<sup>2</sup> (BM) MSS Add.4521, 11595, 25248, 36112; MSS Harl.97, 297, 305; MSS Lansd.1, 83, 125, 160; MSS Hargrave 216, 240. (PRO) E.28/93,94,96. Caesar printed his conclusions in 1597, The Ancient State and Proceedings of the Court of Requests. The BM copy was destroyed by enemy action in WW2. His notes and a few corrected leaves are in (BM) MS Add.36112. The 17th century conception of the Star Chamber, so influential in shaping most historical thought until now, is exemplified in the "Treatise on the Court of Star Chamber" by William Hudson, printed by Francis Hargrave in his Collectanea Juridica (London, n.d.), II, 1-240, and found in manuscript form in (BM) MS Add.48067, MSS Harl.736,1226,1688,4274,5350,6235,6236. In the 19th century John Bruce wrote two articles: "An Outline of the History of the Court of Star Chamber" and "A Second Letter on the Court of Star Chamber" in Archaeologia, XXV (1834),343-93. There is an exhaustive bibliographical essay in I.S. Leadam's Select Cases in the Court of Requests (Selden Soc., XII, 1898) and his edition of Select Cases before the King's Council in the Star Chamber (Selden Soc., XVI, 1903). See also R. Somerville, "Henry VII's 'Council Learned in the Law'," EHR, 54 (1939), 427-42; T.F.T. Plucknett, "Place of the Council in the 15th Century," RHS-Trans., 4th Ser. I(1918),157-89; L.W. Labaree and R.E. Moody, "Seal of the Privy Council," EHR, XLIII(1928),190-202; and A.F. Pollard, "Council, Star Chamber and Privy Council," EHR, XXXVII(1922),337-60,516-39 and ibid., XXXVIII(1923),42-60.



material which tended to bolster this claim was used. What the remainder involved is unknown to us. An example of Caesar's unwillingness to discuss certain difficult problems concerns the question of the splitting of the council into two segments, one accompanying the king on royal progresses, the other remaining in Westminster. To admit this would have damaged Caesar's claim that where the king was, there was his council. Nevertheless, in his book, The Ancient State and Proceedings of the Court of Requests, he mentions that Guildford was appointed to attend the council continually during the royal progress of 1494, while others were to join at specified dates; yet in the very few extracts from the book of entries for that year there is no mention of any business transacted either away from Westminster or away from the king.<sup>3</sup> The conclusion must be that Caesar saw such references and mentioned them in his study, but did not copy the authority, either because it was "irrelevant" or damaging to his argument.

Even after these strictures are recorded, however, there remains much of value in the work which Caesar undertook. For instance, a comparison of the available lists proves that in many cases those who sat in the Star Chamber also sat in the Requests. Moreover, we have Caesar's word for it that "all and every of the aforementioned Judges in the Starchamber sat also alterius vicibus in the said yeres respectively in the K's Court at Whitehall, or wheresoever the K. helde his Counsell for the hearing of private causes betwene partie & partie,

---

<sup>3</sup> Cited in Robert Steele, ed., Tudor and Stuart Proclamations, 1485-1714 (1910), I, lxxvi.

as appeareth by the acts of the said Court."<sup>4</sup> In Guildford's case this seems to be true.<sup>5</sup> Further, the same names which appear in these lists also appear (or at least some of them do) in the book of entries, the sole record which purports to embody decisions reached in council.<sup>6</sup>

Under such circumstances, it is extremely difficult to complete a definitive list of councillors for this reign. Indeed, in the absence of certain materials, it is unlikely that it can be accomplished. However, one can list those whose names are quite certain, always with the understanding that such a list is tentative and subject to expansion. The one modern writer who drew up such a roster compiled 43 names, with the express warning that it stood for the entire reign and not for any moment within this 24 year period.<sup>7</sup> Yet, many others are found in the "Liber Intrationum", and no one pretends that it ends there. A case might be made for the proposition that certain men, a handful of the total number, were preeminently councillors, while the remainder were councillors on occasion, for some special

---

<sup>4</sup> (BM) MS Lansd. 125, f.3; printed in Leadam, Select Cases ... Requests, cviii-ix.

<sup>5</sup> (BM) MS Hargrave 240, f.197; MS Add. 11595, f.74 (these two have the same list of 59 men); MS Add. 36112, f.2 (37 named, 18 of whom also sat in Star Chamber); MS Lansd. 160, ff.305b, 308b.

<sup>6</sup> (BM) MS Harl. 297, ff. 2b-7 (only covers a portion of 1 H.7); MS Add. 4521, ff.104-19b. The "Liber Intrationum" was described incorrectly in the latter volume as business transacted "in Camera Stellata tempore Regis Henrici Septimi." It is far more than this, however, or rather, it includes matter pertaining to that segment of the council detailed for duty in the Star Chamber as well as matter involving policy.

<sup>7</sup> Dorothy M. Gladish, The Tudor Privy Council (Retford [UK], 1915), pp. 139-40. See appendix II of this study.

cause within their competence, or for their proximity to the scene of difficulty. Guildford, Bray, Lovell, Archbishop Morton (and after his demise, Warham), and others, such as Fox, appear to be men in the former category, yet this is understandable without reference to any obscure criteria: all were major figures in the state or household, and hence invariably available. In a general way, one might say that Henry VII was counselled by several concentric groups.

First, and closest to the king, came a number of select councils, or little councils, councils ad hoc, such as those which sat in the "sterred chambre" or in "the court of Whitehall, commonly called the house of Requests." The "Counsaille lerned in the Lawe" is of this genre, too; though the word here means council, it often meant counsel in other circumstances. There was a council of lawyers, and there were lawyers who gave counsel, as Pickthorn once said.

In the second ring was the council which included royal officials and a host of experts on various subjects. This great council, not to be confused with the ancient Magnum Concilium, rarely sat as a body - it was too unwieldy for that - but from its ranks came most of the executants of royal policy. Most of Henry's instruments was written advisedly, because he could and did use men not of the council, or not "sworn of the council." (See Kenneth Pickthorn, Early Tudor Government: Henry VII [Cambr., 1949], pp. 28-30). At the lowest reckoning, this council contained the 43 men named by Miss Gladish; in all likelihood, it held between 100 and 200 men, not at one time, but throughout the reign. The Caesar lists and the extracts from the "Book of Entries", however, show that attendance varied from 19 to

42 men. Of course, it is possible that names were omitted, or even added, but a denial of this sort renders any argument impossible. A select group within this council, probably an organizing committee, which would be called the privy council in a later age, apparently dealt with the inner secrets of government in session at the "sterred chambre."

There was nothing inconsistent with membership in this as well as other selective councils: Guildford, for example, sat in the Requests and the Star Chamber as well as in the "privy council" (which normally sat in the Star Chamber, also). There was no real conflict in this arrangement: inner conciliar business was transacted in this room, and after the act of 1487 there was simply a statutory basis for doing a small portion of what had been done all along. It seems clear now that the act was no limitation upon the council's authority, whatever later lawyers may have claimed to the contrary. On at least one occasion Guildford was one of 44 councillors who sat with the king in the Star Chamber to determine a cause pending between the Merchant Adventurers and the Merchants of the Staple at Calais. (CPR, 1494-1509, p.388 [17 Dec 1504]) This is a bit unwieldy for a privy council, doesn't fit the statutory requirements for the "court" of Star Chamber, and is in fact as much of his council as the king desired for that purpose on that day. Nothing more should be read into this. When men are referred to as being "of oure counsaile" (spelling is irrelevant here, as Professor Pollard made clear years ago), it is this council which is meant. Some men, such as Guildford, sat on several tribunals, others only on one, but all were members of the greater body which

served the king as an advisory board, and was the reserve group from which came special consultants.

The outermost ring included the lords (this is anterior to Skelton's jeering verse, "Why come ye nat to court?," before the surveyor of the king's prerogative and master Wolsey had persuaded noblemen to base their chances for happiness on the faulty premise, out of sight, out of mind), what later were known as the gentry, economic barons from the City and some churchmen. Within this loose frame substitutions were infrequent, since it existed mainly to provide policy with the sanctions of morality and tradition.

Under these circumstances, it is necessary to argue from analogy. There is not enough material for a study of Guildford as a councillor, or any other man; therefore, references to him will be used to illustrate the workings of the council, and references to others will be used to supplement our scanty knowledge of his efforts in this role.

The principal impression gained from a study of Henry's council is that it was highly mobile. There was little sedentary direction, little bureaucratic control from Westminster. Mention already has been made of Guildford's travels as master of ordnance and supervisor of naval construction, and the same experience befell those concerned with all other government matters. Frequently, men engaged in affairs of state were scattered about the realm, not by commission but by circumstance. Of course, there was nothing scientific in this, it was not prearranged, but every area, by the very nature of feudal land law and the vast irregularity of crown holdings, was host to someone who had the entry at Westminster. On the county level the sheriff and justices of

the peace preserved a continuity of administration, while variegated commissions introduced new or unusual policy, but over these figures stood men who enjoyed a personal relationship to the king.

In other words, the council was a great network of agents cast over the country, each member often living in his home county, yet of the council just as much as if he were closeted with the king at Richmond or Westminster.<sup>8</sup>

As might be expected, such men often were clerics, like the bishop of Carlisle, for instance. Powers entrusted to them were considerable, especially in the more remote regions where the royal writ ran under serious handicap. An example of the position occupied by these worthies comes from a letter addressed to Roger Leybourne, Bishop of Carlisle, and Sir Robert Southwell by John Lynsey, "my lorde prynces s[er]vant & hys baylly."<sup>9</sup>

My lorde I recomend me on to yow/Wher as my lorde prynces cortt callyd the cowoth cortt [sic] of custom holdyn at Lynne euery tewsdai/Wherin are afformed many playnttys And many of them declared awnswerd & ar at poyntt of Iugementt in to ye good sped of sewrty//Nowe of lat by sottylle & crafty labor made on to ye steward watter hoberd of ye same curtt//or ellys at ye lest no labor vn to hys clerk Reppys who the tewsdai ye evyn of seyntt John baptyst [28 August] Reffusyd to hold ye seyde cowrtt sayinge to me yt hys master watter hoberd comanded hym to hold yt day no curtt wt out he hym self wer ther And so yt tewsdai cowrtt was dyspoynttyd

---

<sup>8</sup> That counsellors came great distances to attend certain sessions is suggested by this entry in the Dover port book: "Item paid for oure parte of a dyner yeuen bi all the [Cinque] portes to my maistre lieutenant [of Calais, Sir Gilbert Talbot?] beyng atte counsell — vii<sup>s</sup> 1<sup>d</sup>." (BM) MS Egerton 2107, f.54 (12 H.7).

<sup>9</sup> E.36/213, f.114 (29 Aug 1505, Lynne). This book is a Latin declaration of royal revenues for 19 & 20 H.7, plus arrearages from 17 H.7, made by Southwell. As with most accounts of this nature, it was checked by the king.

to the Rebuk & losse of ye seyd cowrtt And caryyng of maters of the storz merch[a]nttes//And so yt ys to be supposyd yt the defendanttes in mene tyme may haff leysor to Remove all ye holle matter fro ye seyd cowrtt of my lorde prynces in to ye chawncery by cercerari or otherwyse so yt in my lorde prynces curtt schalbe no sped for pleynttyffyz sutors//Whych ys not in me to Amende Wherffor myght yt please yo goode lordschyp by yor grett wysdom & auctoryte to provyd an hasty remedy asse ayenst whom ar mony playnttes & alle delayd by favor/Wrett at Lynne ye day of seyntt John baptyst ye xxith [sic] yere of owr souverayn lorde Kynge harry ye viith.

A number of questions arise from this petition. Why, for instance, did Lynsey address the bishop, when the matter more properly belonged to the prince's council? Surely, as a bailiff he drew his authority from the prince rather than the king. And what impelled him to appeal to the bishop of Carlisle from the county of Norfolk?

The letter is intelligible only as an appeal to one member of the government to forestall the efforts of another official. Walter Hobart, or watter hoberd as he is called by Lynsey, was a Norfolk squire who appeared on virtually every commission of the peace or gaol delivery for that county after 1499.<sup>10</sup> He was a trusted figure. Now, the court in question was a customary one which dealt principally with the law merchant. It was in fact precisely the sort of court which felt the standardizing, centralizing pressures applied by the first Tudor.

The loss of liberties in the criminal sphere has been publicized by the efforts of Miss Thornley.<sup>11</sup> These losses occurred elsewhere, too.<sup>12</sup>

---

<sup>10</sup> CPR, 1494-1509, pp. 247, 288, 322, 361, 379, 408, 474, 479, 546, 652.

<sup>11</sup> See appendix I of this study.

<sup>12</sup> The present writer's "Economic Policy of Henry VII" (M.A. thesis, Michigan State, 1952), pp. 70-4. See also Rot. Parl., VI, 431-2 (restriction of franchise in Northampton); Campbell, II, 456-7 (writ re controlled elections at Leicester, 1489); Leadam, Select Cases ... Requests, pp. 3-7 (elections at Exeter) and CPR, 1485-94, pp. 297-8 (franchise in York).

One can imagine the frustration which a writ of certiorari might cause among the "sutorz merchnttes"; a trip to Westminster and attorney's fees might well dissuade many men from contesting a grievance. It seems likely, then, that this suspension of proceedings in the local court was but one instance of a general tendency to destroy local exemptions, petty jurisdictions and enclaves of "foreign" allegiance. It should be mentioned in passing that Hobart's relation to the court was by no means an isolated one; this was the first step in the absorption of local liberties. As we have seen, once the officials of a court were royal agents or at least bound by self-interest in the king's behalf, such liberties could be extinguished in summary fashion. Against such a policy, it is not surprising that the Prince's council were powerless; indeed, they probably aided the King in his efforts. There seems to have been very little of that rivalry between father and son which was so common in the Hanoverian era.<sup>13</sup>

It is still necessary to consider why this particular Bishop was appealed to. A possible suggestion is that as a Churchman he was more likely to be sympathetic with Lynsey's efforts than a royal attorney or a rising lay administrator could be. In strict accordance with most of our early Tudor documents, only half the story is known to

---

<sup>13</sup> Besides, quite frequently rewards were made to such men by the king; and there was much interaction between the two councils, as is witnessed by this entry by Heron: "Item to oone Ric Jonson s[er]-geaunte at armes wt the prince for brynyng of two p[ri]soners vnto the kinges Counsaile from the princes Counsaile for ther coste - xl<sup>s</sup>". (E.36/214, f.241 [5 Mar 1508]) The relationship is exemplified, too, by one of his earlier entries: "Md that my Lord Cardonall hath offred for Vavasour the Juge v<sup>c</sup> marcs and to leave hys office of Juge to be of counsell unto the Duc of York". ([EM] MS Add. 21480, f.173 [Remembrances, post 16 Feb 1500]).



us; whether anything was done to preserve the liberties of the Tuesday court at Lynne isn't known, but one may express a doubt, a very strong doubt. This doesn't detract from the preeminence accorded to such persons as the Bishop of Carlisle; it merely demonstrates that the tide was running too strongly for this particular notion to make much headway, no matter what vehicle carried it. Still, the Bishop was entrusted with the burden.

It would be misleading to insist upon the diffuseness of the council to the exclusion of all other qualities. While it is quite true that Henry VII had trusted agents scattered in all parts of his realm, nevertheless, the great bulk of work probably was done by men who lived most of the time in the King's quarters, leaving them occasionally to perform the royal behest or supervise their own county affairs. Guildford, for instance, normally lived with the king after becoming Comptroller of the Household, yet he was frequently in Kent on his own business as well as that pertaining to the kingdom.

In the first months after Henry's accession Guildford was in Kent repeatedly, though not so soon after Bosworth as his father, Sir John, who proceeded to Sandwich to relieve the customs collectors of the late Richard, "kinge in dede but not of right," of their burdensome receipts on 27 August.<sup>14</sup> However, Sir Richard appears to have been at Dover around Christmas 1485, as was Lord Dynham and a "mes-

---

<sup>14</sup> No doubt urgency dictated such haste. The circumstances are set forth in a writ authorizing their discharge at the Exchequer. E.404/79, bdle 1, #41 (28 Feb 1486, Westminster).

sager [of the king] wyth wrytyng",<sup>15</sup> and again in Kent at Easter, calling at least once at New Romney.<sup>16</sup>

And so it was throughout the reign. During 1492-3, for example, the Dover corporation spent 30s.10d. "for expences wt hors hyre of the maier & divers of the jurates ridyng [to] Canterbury to comyn wt my lord [i.e. Archbishop Morton] and with maistr Gylford at certeyn tymes."<sup>17</sup> Shortly after Whitsuntide 1493 (in this year, 26-8 May) Robert Ffluce and the mayor traveled to Canterbury "to speke wt maister Gylforde",<sup>18</sup> and in the same period another 6s.8d. were laid out "for the expences of the maier & Robt Parker rydyng to Canterbury to comen wyt myst [lord crossed out in MS] Gylforde."<sup>19</sup>

Guildford of course was not the only man with whom the mayor and jurats did business. As was explained before these men were in constant contact with anbassadors, officers from Calais, representatives of the king, in short, almost everyone heading for or returning from the continent. From their account books one can see just how frequently officials were on the road in this age, and the limits to which hospitality was stretched.

---

<sup>15</sup> (BM) MS Add.29617, f.10b("expense bille"). Dover corporation books.

<sup>16</sup> (BM) MS Egerton 2107, f.5b; HMC, 5th Report, p.547.

<sup>17</sup> (BM) MS Egerton 2107, f.36b.

<sup>18</sup> (BM) MS Add.29617, f.75.

<sup>19</sup> Ibid., f.75b. This is very difficult to date, but in all likelihood comes from the summer of 1493.

Despite this intercourse between country and court, news facilities lacked system, especially in the case of foreign developments. There is an interesting letter from Thomas Spynelly (probably the same "Iuratori" and merchant of Genoa, a servant of the king, called Anthony in the CPR) to Sir Gilbert Talbot, deputy or governor of Calais, on this point.<sup>20</sup> After passing on the latest news from Sir Robert Wingfield (then on an embassy to the Emperor; see DNB), Spynelly added: "Sir I sende wt this by this berer John de Gant a great packett of letters directyd unto the lynges grace/Wher is many maters of greate importance/And also I wryte a letter unto my Lord Tresorer [Thomas Howard, Earl of Surrey] praing you all diligens the Saide letters may be conveyde and be cause ther is many thynges that Requyryth answer shortly I besech you to charge the messenger to delyver them unto the saide Lord Tresorer/And in his absens unto some other of the preuvy<sup>21</sup> counsoyle as please you/be cause that matenant the said counsoyle may haue ther knowlege of all maner things."

This establishes that Surrey was an important figure in more than military matters, but it is uncertain whether it was his personal influence or the fact that he held the high office of lord treasurer which

---

<sup>20</sup> (BM) MS Add.46455-6, bdle 18 (9 Sep[1507?], "Brauxilles").

<sup>21</sup> This is one of the very few references to the phrase "privy council" in this reign. In (BM) MS Egerton 2094, ff.1-13, the proceedings of the Dover common council for 1506-9, there is a reference to the "advice and commandment" given them re a prisoner by Sir Thomas Lovell, who is described as a privy councillor, but this is an isolated entry. Normally, as Pollard once pointed out, it is a misreading for the term "prince's council", which is written quite similarly, especially in contracted form. It may be that Spynelly, a foreigner, used a term current on the continent but as yet uncommon in England. One can only sigh for this "great packett of letters."

led the Genoese agent to entrust such weighty correspondence to his discretion. In any case, the path by which such communications reached the council seems certain. Calais evidently was the entrepot for more things than wool and armies. Similarly, we are confirmed in our belief that an inner council existed, whose members were known to Talbot, and which conceivably was presided over by the lord treasurer at this time (though this runs counter to Wedgwood's and Holt's assertion that Edmund Dudley was "paesidens concilii" from 1506-9). In all probability, the treasurer did preside over some inner group, though there is nothing impossible in a situation where things pertaining to one man ended in the hands of another. In fact, in this era it was quite common.

Records which might give us an idea of the problems handled by the council are in short supply. The book of entries or "liber intrationum" covers or refers to 52 meetings in the period 9 October 1485 - 3 June 1508, but for many of these sessions there have survived only lists of those in attendance, and for some not even these are complete. Still, when coupled with the other sources, for the most part scattered among the materials in the Public Record Office, it enables us to draw certain conclusions.

It does not appear that councillors were paid for their labor, except in unusual cases. No doubt the grants of land, offices and annuities enjoyed by those who were of the council were made at least partially in this behalf. Only one specific payment for attendance has been discovered, and that too suggests a reward rather than a fee. In the tellers' writs there is a warrant under privy seal ordering payment of 20 marks to John Kynge mylle, who "by oure comaundement

hath yeuen his attendaunce vpon vs in oure Counsell from the ffest of Pasche last passed vnto the ffest of Saint John Baptist then next ensuying."<sup>22</sup> There is an extraneous problem raised by this warrant, also. Easter came on 7 April in that year, but St John Baptist wasn't until 29 August, i.e. six weeks after the date of this privy seal. There are two alternatives: either Henry meant to pay him for services not yet rendered, so unlikely a thing that the only example which comes to mind is that earlier advance on Guildford's fees and annuity in 1490, or the feast day meant was St John Nativitas (24 June). This seems likely from the tense employed in the writ. But it constitutes a solemn warning to those who are tempted to rely upon contemporary documents because they are contemporary.

We know that on 14 July 1486 the council considered the feud between some inhabitants of Galloway and a Bristol merchant,<sup>23</sup> and that two days later the council drew up a proclamation for the protection of Imperial ships and crews in English harbors,<sup>24</sup> and that in January 1488 it was decided that "the Gent. of the countrie [sic] of Kent, Sussex, Suff & Essex shall agree with the Kinge to bringe a certaine numb of armed men to the aide of Callais, and monie shalbe

---

<sup>22</sup> E.404/81, bdl. 2, unnumbered (13 Jul 8 H.7, Kenilworth). Kingsmill also sat in the Requests, according to (BM) MS Add. 11,595, f.74.

<sup>23</sup> (BM) MS Harl. 297, ff.5-7.

<sup>24</sup> (BM) MS Harl. 297, ff. 3-5. Guildford and his father were among 22 councillors present. The name is spelled "Gilvard" here. For text of this proclamation see Steele, Tudor and Stuart Proclamations, I, 2.

delivered att Canterburie - 1000 li or 1000 marks."<sup>25</sup> But little else of a public nature appears in the available records. The Selden Society has published some materials for both Star Chamber and Requests, and these illustrate the council in its technical aspect, exercising its criminal and civil jurisdiction, so to speak. It is in this category that council activities may best be demonstrated.

A writ in the PRO, which was directed to an unknown man, commanding his attendance upon the council, may stand as an example of conciliar technique. The text is as follows: "Ffor certain causes and consideracons us and our Counsaile moving We wol and charge you all excuses and delaies laid apartt ye be and p[er]sonnally apper afor us and t-he lordes of our said Counsaile Whersoever we shalbe wtin this our Roiaume in alle goodly haste after the sight of this oure l[ett]res tanswer unto suche thinges as at yor comyng shalbe laid and cessed againste you Not failling therof upon paine of C li And as ye wol answer unto us at yor farther p[er]ille Yeven under oure priue Seale at oure manor of Grenewiche the ii day of May."<sup>26</sup> The obligation which this laid upon the subject was of course tremendous, for behind it lay the entire power of the Crown, undiluted by passage through the murky channels of the common law courts. The accused was to appear in person, not by attorney, at a place conceivably remote (though in practice this probably meant Westminster), to answer the unnamed charges of an unidentified accuser. Further, a penalty of £100 was

---

<sup>25</sup> (BM) MS Add. 4521, f.106b.

<sup>26</sup> E.28/96, #47.



assessed for non-appearance.

Though it might be romantic to guess that the veiled threat of "farther p[er]ille" was of greater efficacy than the fine, it doesn't seem to square with the facts. It should be remembered that only later did prerogative courts get a reputation for dispensing a nose-slitting, ear-cropping sort of justice. In the period under consideration such things were virtually unknown. It would be unwise to rush to an opposite conclusion and assume that ministering angels were at the helm, but the medieval notion of punishment was different from that conceived by more up to date persons. Execution was not stigmatized as it is today, perhaps, but imprisonment, at least lengthy imprisonment, was held to be an evil and unnatural remedy for antisocial behavior.

The decisions reached by the council in the Star Chamber were destroyed or mislaid early in the 18th century, but basing the argument upon the slender materials available, one can maintain that most of the time Henry VII relied on the deterrent value of pecuniary penalties rather than corporal punishment.<sup>27</sup> He did not, for instance, institute a reign of terror in Yorkshire after the tax rebellion of April - May 1489, nor did he liquidate the opposition in the southwest in 1497. But in both cases the inhabitants were made to pay heavily for their sins.<sup>28</sup> This attitude is illustrated by a writ

---

<sup>27</sup> See Appendix I of this study.

<sup>28</sup> And in Yorkshire there was a shake-up in town and march administration. Henry VII emerged from that affair very nearly in complete control of the north.



directed to Sir William Courtenay, Walter Courtenay, squire, and Roger Holand, squire and sheriff of Devonshire, in January 1489.<sup>29</sup> They were notified to put to bail 12 men who had been imprisoned for nine weeks because of an alleged riot. Good securities were to be taken for their appearance "before us & oure Counsell at oure Palaice of Westminster" on the morrow of the Purification of Mary the Virgin. Now it is absurd to imagine a modern government in which personal liberties had such a slender basis worrying itself about bail for men accused of rioting. Almost as absurd as to suppose that they would be released to find their own way to Westminster. The explanation seems to be that the government was handicapped with scruples, found lengthy imprisonment expensive as well as abnormal, and placed a good deal of faith in restraint by bond.

These preconceptions are displayed even more noticeably in a writ addressed to the sheriff of Middlesex, in which he was ordered to detain without bail or mainprise five men who had been ordered by prior writs under privy seal to appear before the king and council, the said writs having been certified to the council as duly delivered, despite which they had refused attendance. Now they were to remain in gaol until they found "good & suffisant suretie bounde unto us to be & apper p[er]sonnally before us & our Counsell wthin v[ix is scratched from MS] daies next aftre ther enlargyng & latting to bail."<sup>30</sup>

---

<sup>29</sup> E.28/93, #91. Not dated, but since Holand was sheriff in 1488-9, and the bailed men were to appear on 3 Feb, the writ most likely was delivered in Jan 1489. Holand is an excellent example of the new administrative figure who lacked (or more probably avoided) the trappings of dignity. He went to his grave a squire, yet was a power in his county.

<sup>30</sup> E.28/93, #90 (undated). The distinction between bail and mainprise, in law, was this: one who was bailed was in the custody of whoever placed

Here was conduct deserving commination, surely, yet at worst their term of imprisonment depended upon their ability to find sureties, and not on the government's whim. This was not a particularly vindictive attitude for a government possessed of such broad powers. That bonding was not necessarily an effective method of control is obvious from the dozens of privy seals in which mention is made of men who had forfeited for non-appearance. Normally such forfeitures were used by the king to reward personal servitors, such as yeomen of the crown. The correct procedure was to order a tally cut for the benefit of the favored person on the goods and cattle of the offending party, to the extent of the bond or such fraction thereof as had been assigned by the king.<sup>31</sup> Since such revenue was extraordinary and variable, its use in this way was logical, as it was assigned by way of reward, not wage, and forestalled raids upon the household and Exchequer coffers. If in no other manner, bonding was a financial success.

Although there was no irrevocable split between the jurisdiction

---

the bond, and hence technically in a state of arrest; one who was mainprized, on the other hand, was free, for his mainpernors were sureties only and not custodians. See [William Rastell] Les Termes de la Ley (London, 1721), p.72 and Sir William Holdsworth, History of English Law, IX, 105-6. In practice they were interchangeable terms, representing a distinction without a difference. There is a certain contradiction in this writ, for the sheriff first is ordered to detain them without bail or mainprise, and secondly to hold them until they find sureties. It probably should be glossed as a determination that their sureties must pledge an inordinate amount before their release.

<sup>31</sup> See for instance E.404/81, bdlle 1, #109 (25 Oct 7 H.7) and E.28/93, #86 (undated), where it is recited that men who had not appeared, and men who had escaped from gaol, are said to have forfeited bonds of £20 average. In both instances the Receipt was ordered to cut tallies for the benefit of certain household servants and yeomen of the crown, to be levied on goods and cattle, without prest or charge.

Of the council in the Star Chamber and the jurisdiction which it enjoyed outside that room, it is probably true that the bulk of the criminal matters before the council was discussed in that place. However, one felony which seems not to have been entertained there was treason, perhaps because a broader base was desired by Henry in so serious a matter, especially since the usual method of passing upon traitors was attainder by act of parliament. In the very early case of Humphrey Stafford discussion was carried on in the Exchequer Chamber before all the justices of England,<sup>32</sup> and in the record of events leading up to the execution of the Earl of Warwick there is no mention of the Star Chamber.<sup>33</sup>

That the act of 1487 limited its jurisdiction to matters other than ultimate felony is no answer to this problem since it has been shown already that many matters not pertinent to this statute were discussed there. It may be that since this was a question primarily for the judges there was no occasion for a meeting in the Star Chamber. From the scanty materials which are available, however, it is apparent that a suitor to the council would not have understood the later distinction between council and Star Chamber, or council and Requests.<sup>34</sup>

---

<sup>32</sup> M. Hemmant, ed., Select Cases in the Exchequer Chamber before all the Justices of England (Selden Soc., vol.64 [for 1945], London, 1948), II, 115-24; Thornley article in Tudor Studies, p.199.

<sup>33</sup> Deputy Keeper of the Public Records, 3d Report, Appendix II. (Hereafter DK) Admittedly, the indictment may have been framed there.

<sup>34</sup> This is put very well by J.R. Tanner in his Tudor Constitutional Documents (Cambr., 1951), pp. 249-53.

All petitions are addressed to the king and the lords of his council, and the wrongs for which redress is sought turn out to be identical with those commonly before the prerogative courts. The prioress of Jelryngton, for instance, is ordered to leave off persecuting a nun of her nunnery, Dame Johane Dampton, whose pursuit of Divine truth and Christ-like discipline allegedly was hindered by some rather petty behavior.<sup>35</sup>

From one of the Elizabethan extracts we learn what transpired on 10 July 1486, finding in it much that antedates the "so-called Star Chamber Act".<sup>36</sup> The king and 33 of his advisors "concluded and agreed that euerie Lord and gent. if any of his servants make a ryott, or other excesse, the msr [master] of the same trepassor shall haue in commandment to bringe forth the same servant and if he soe do not to bide euery disression and punison as by the Kinge, and his counsell, shall be thought convenient, And over that if the same ryott or excesse arise, by cause or occasion of anie quarrell or displeasure concerninge the msr of him that soe exceedeth the same msr shall answare ffor the same excesse in euery wise, as shalbe thought to the Kinge and his said counsell expedient."<sup>37</sup> Riot of course was one of the evils which the act of 1487 (3 H.7, c.1) was designed to extirpate.

---

<sup>35</sup> E.28/93, #88 (8 Feb ? H.7).

<sup>36</sup> For a clever summary of A.F. Pollard's knowledge on this point, see C.H. Williams, "The So-Called Star Chamber Act," History, NS XV (1930-1), 129-35.

<sup>37</sup> (BM) MS Add. 4521, f.106. The meeting, but not its purpose, also briefly noted in (BM) MS Hargrave 216, f.145.

In another petition the facts alleged are precisely those with which the Star Chamber supposedly was concerned, ie. riot and the giving of liveries. Though it would be too much to let this case stand as typical, and on the strength of it contend that the morality of the period was shockingly low, it is sufficiently outrageous to be noteworthy. According to the prior and convent of a monastery at Leominster, co. Hereford, Sir Thomas Cornwall and his retainers "armed in fencible aray" had shattered the door of the convent gaol with a great beam, rescued two prisoners awaiting trial, rode them off (triumphantly, no doubt) on the battering ram and struck off their irons in the High Street. Of the two indicted felons, one was accused of murder, while the other was "a common bra[w]ler and a nyght walker". Soon after this, Sir Richard Corbet and his men rode into town, breaking up a fair in the course of this unwelcome visit, and publicly proclaimed the extent to which they would redress any future action taken against "innocent" men by the prior and convent. In the face of such lawlessness the community was paralyzed, therefore the aid of Henry and his council was sought.<sup>38</sup>

The bundle from which this violent tale was extracted contains no further information. However, from another source comes tentative confirmation that nothing much was done about it. On 27 May 1490 one John Mortimer of Leominster was pardoned of an unjust indictment upon which he had been outlawed. The information from which the king drew

---

<sup>38</sup> E.28/93, #89. Action occurred on St Peter's day (perhaps Petrus Mediolanus, 29 April), but the year is not known. However, see the following paragraph in text on reasons for dating it 1490. See Appendix I, this study.

his conclusions in this unfortunate miscarriage of justice was supplied by his trusty subject, Sir Thomas Cornwall.<sup>39</sup> Not conclusive, perhaps, but suggestive, certainly. No one has asserted seriously that Henry was able to eradicate the problem of livery and maintenance, though he certainly tried. Not only did such things occur in the later years of his reign,<sup>40</sup> they were a problem to which Wolsey addressed himself with characteristic vigor in the next reign. The giving of tokens was punished, where possible, by Henry VII, but what couldn't be handled was ignored or converted into an instrument of state. It was not only in Ireland that ungovernable men were left to govern; in the north, and especially in the west, men who were thugs by any standard occupied positions of trust.<sup>41</sup>

Perhaps the best illustration of this point is afforded by a petition among the manuscripts in the British Museum.<sup>42</sup> It is a bill of

---

<sup>39</sup> CPR, 1485-94, p.309.

<sup>40</sup> As late as Dec 1507, George Neville, Lord Abergavenny, forfeited £69,000 (!) for retainers given. (E.36/214,f.534 [Book of King's payments, 20 H.7-1 H.8]) This is Heron's last chamber account for the reign. See also CPR, 1494-1509, pp.286-7 (10 Mar 1502), where a proclamation forbidding men to "use any reteynders or to be reteyned by lyverey wages cognisaunce or promise," is sent to Guildford and certain of the sheriffs and bailiffs in Kent.

<sup>41</sup> The desired attitude is stated by Henry (?) Prince of Wales in a letter ordering the attendance of one of his councillors, Sir Gilbert Talbot, who was sabotaging an action at Ludlow by his non-appearance, as well as by a distraint of cattle which he had ordered: "we undoubtedly thinke [a member of our council] wolbe a furtherer of iustice rather than to suffre any[of]your servauntes to do the contrary." The remark was hopeful, not descriptive. ([BM] MS Add.46454, #11 [6 Nov ? H.7, Ludlow castle]) See A.L. Rowse, "The Turbulent Career of Sir Henry Bodrigan," History, NS XXIX (1944), 17-26 for the record of one individualist.

<sup>42</sup> (BM) MS Royal 14 B.XXI.

remembrance or petition to Sir John Turbervile (called Turberfelde), one of the king's council, written in 1498 or later, from which an astonishing tale of venality, brutality and unrepentant extortion emerges. The chief malefactor supposedly was Harry Uvedale of Corfe castle, the bailiff of the borough of Wareham, Dorsetshire, who, aided by the "lerning counsell and sotell practyse" of others, engaged in some very successful rackets, ranging from sheep stealing to the reassessment of tithes. He was alleged to have avoided military service, to have shipped wool without license, retained men and so on. It is probably true that a spirit of exaggeration permeates this document, an exaggeration caused by envy of those like the under-bailiff, Richard Alen, who "came thider within this iii or iiii yere not wurth a grote how be it by his sotell practyse and fals ymaginaciouns William Rawlins counsell and Uvedale is mayntenans is as well apwynted in his howse at this owre and as clenly appareld as any manne of his degree within that toune."

Clearly, we are dealing with a closed society. While in later times such success will indicate either godliness or shrewdness, or both, the Tudor period is a little premature for that philosophy to take root. Previous efforts to inform the king's council of the state of local affairs had been blocked. And this effort very likely proved no more efficacious, for Uvedale seems to have included Turbervile in his connection.<sup>43</sup>

Yet a third evidence of the lack of control over peripheral auth-

---

<sup>43</sup> In E.101/413/2, pt 3, f.35 (27 Jan 18 H.7), Heron's chamber accounts for 1 Oct 1502-1 Oct 1505, there is the following entry: "Item rec of Henry Uvedale for the sale of certain godes of Sir John Turbrevilds in Dors", etc. Moreover, Uvedale at various times was an MP, JP and controller of customs at Poole.

orities is found in six documents from a file of matters before the council.<sup>44</sup> In this case the Crown was concerned directly, since the issue between the parties involved two lordships in Wales which pertained to the king, Penkeley and Cantrekelly.<sup>45</sup> The first document is a petition addressed in normal fashion to "the King our Souuerain Lord and to alle the Lordes and othres of his most honorable & discrete Counsell", alleging that Watkyn Vaughan, squire, fermor of the lordship of Canterfelly [sic], had resisted efforts to determine the king's exact interest in the said lordship.<sup>46</sup> The petitioners, John ap Jenkyn and seven others, were Sir Charles Somerset's deputies for the performance of this commission.

Vaughan specifically denied such action. In his answer he refers to having "attended upon your grace the last yere in your voiage roiall ayenst your Ennemyes to Blak heth", which puts this suit in 1498.<sup>47</sup>

The next document appears to have been submitted in amplification of the original petition. It sets out that on 19 June Sir Charles

---

<sup>44</sup> E.28/96, #34-9 (undated, but probably late in 1498).

<sup>45</sup> The spelling varied considerably, but there is no doubt that these are the two lordships of which Sir Charles Somerset was fermor in 1504-5, rendering yearly £58.14s.6d. to the king, via the chamber. (E.36/247, ff.60-3 ["Ffirmes & Ffeodfirmes anno 20 H.7"]) This is a Latin book of wards, 19-21 H.7. The declared accounts, many of them belonging to William Lichefelde, clerk and general receiver, bear the sign manual of attestation.

<sup>46</sup> E.28/96, #34. Reference is made to Sir Charles Somerset as Vice-Chamberlain to the king, an office he received circa 1501, according to the DNB. But this is almost certainly wrong, as will appear. This case has interest for the student of the royal prerogative, too; see p.213ff., this study.

<sup>47</sup> E.28/96, #35.



Somerset had been granted authority under privy seal to enter the two lordships. Soon after this, however, he was sent overseas on royal business (see DNB for his activities in June and July 1498). Before sailing he deputed Richard Herbert and Roger Vaughan in his stead. They, pursuant to the original authority vested in Somerset, entered the lordship on 12 July but were prevented from their task by Watkin Vaughan, his brother Henry, and 200 or 300 (these figures undoubtedly are rhetorical) armed men who controlled the castle there. It was the opinion of the deputies that Vaughan claimed the lordship by descent rather than by royal appointment.<sup>48</sup>

At this time Somerset, himself, entered the arena. He claimed Vaughan as his tenant, though an unruly one, for he charged him with raising armed men, in consequence of which Vaughan had forfeited £100, and with interference in manorial courts. Unable to contend with such rebellious actions, Somerset prayed the king and council (of which he was a member) for relief.<sup>49</sup>

Vaughan denied Somerset's charges as set forth in his bill and held himself in readiness "to abide the determinacions of this high court", which may be a lawyer's set answer, but tells us something about the meaning of the word court in the 15th century and the relationship of the council to it.<sup>50</sup>

---

<sup>48</sup> Ibid., #36.

<sup>49</sup> Ibid., #37. As a councillor Somerset also sat in the Requests. ([BM] MS Add.11595, f.74b) But not apparently in the Star Chamber. ([BM] MS Add.36112, f.2b) Watkin Vaughan may be the Walter Vaughan who held the offices of constable and steward of Pains castle in Ellewell, Wales. (CPR, 1494-1509, p.348 [21 Feb 1504])

<sup>50</sup> E.28/96, #39 (bound out of sequence).

Somerset's replication introduced new matter. It seems that Vaughan had been ordered by a privy seal to cause his brother's appearance before Somerset (who was steward of the lordship), and had not done so. As with his antagonist, Somerset was prepared to accept a verdict "like as this court wol awarde."<sup>51</sup> Apart from an answer made to some of the original complainants, there is nothing further to be found on this quarrel. One thing is clear, though, Vaughan's claim to hold the lordship by descent, if ever he did so claim, failed, since, as was mentioned in the note above, the lordships later were listed among the royal lands.

Before concluding that these efforts were pretty ineffectual, however, some cases should be cited on the other side. We have to thank an accountant for our first example, thank him both for his scrupulous devotion to detail and the unwieldy manner in which members of that profession then set out their accounts.

In his declaration of rentals for various crown lands in and about London, Thomas Lucas asked "to be allowed money layd out for necessary coste of the kynges counsail in Mychilmas term anno xii wt iii<sup>s</sup> iiiid rewarded by advyse of the said counsail unto the jury which indicted Sir Thomas Grene and wt xvi<sup>d</sup> paid atte white ffreres in reward[ing] the juge[s] and others of the kynges counsail beyng ther and also wt v<sup>s</sup> viii<sup>d</sup> paid for the coste of the Escheator of Suff and jury fyndynge an office at Bury after the deth of dame Thomasyn Hopton for the kinges tithe and increase."<sup>52</sup>

---

<sup>51</sup> Ibid., #38 (bound out of sequence).

<sup>52</sup> (BM) MS Royal [Rot.Reg.] 14 B.XXIV. Lucas here accounted for the period 11-4 H.7, by virtue of "lettres of plakard." Green was from

Apart from the fact that Green's career was by no means halted, this seems to indicate that the council at least occasionally wished to influence the course of events, or reward those who had reached a desired verdict. This might be a method for strengthening the subject in his desire to make an honest finding, be it true bill or ignoramus, or it might be a discreet reward for fulfillment of contract. It is not too hard to believe that the grand jurors might have discovered the government's opinion prior to examination of the matter. Judging from the sum recommended by the council, Henry could have continued to bribe or reward juries indefinitely.

The second payment, again a paltry sum, is more than usually obscure, but perhaps refers to alms dispensed at some service in that church, which was next to Serjeants' Inn on Fleet Street. It is noteworthy that the judges are considered councillors.<sup>53</sup>

Lastly, the reference to the inquest in Suffolk is suspicious. It suggests that extraordinary efforts were made to insure the king's connection with her lands. It is notable, too, that the costs of finding an inquisition were high by comparison with those arising from an in-

---

Northamptonshire, is mentioned fairly often on commissions in the CPR, but his offence in this instance is unknown. We do know that he was before the council learned in the law in Michaelmas term 21 H.7 (1505), receiving license to depart on 12 Dec, after process had been made out of the Exchequer relative to his offence. But, again, we don't know wherein he offended. (D.L.5/4.f.73) Dame Thomasine's lands are described in IPM, II, #200 (writ: 22 Jan 1498; inquest: 1 Oct 1498).

<sup>53</sup> Sir Robert Rede, CJ of the Common Pleas, for instance, is described as one of the councillors who sat in the Requests. Despite the act 3 H.7, c.1, which specified that both chief justices were to sit in the Star Chamber, his name does not appear in Caesar's list for that court. ([BM] MS Add.36112,f.2b) Generalization of any kind isn't much good in this area.

dictment. In any case, we have two clear examples of conciliar activity, one in the sphere of criminal law, the other in a matter pertaining to that heightened sense of the royal prerogative which characterized Henry's reign.

The subject of civilian turbulence, never at rest for long, was taken up again in 1500-1, when an extract tells us "the council discharged of all matters of Ryotts assaultes, affraies and other misbehaviores against certain of the Kinges servantes, Injuncctions and Recognizaunces taken of the same p[er]sons, discharged by the Kinge['s letters directed] to the Bishopp of Ely the keeper of the great seale/". There were 42 men present at this session, among them Guildford.<sup>54</sup>

Two other notices, which leave us dissatisfied with their brevity, suggest the variety of matters brought before the council in the last years of the reign when, supposedly, criminal matters were the responsibility of the Star Chamber and civil matters went to the Requests. The first is an entry by Heron noticing payment of 53s.4d. to "oone William Clayton that p[re]sented the Kinges Counsaill certain maters towchyng Bawmfeld Crowner [coroner] and Turbervild whiche is nowe in the Towre of London."<sup>55</sup>

The second, from a miscellany of memoranda and obligations, informs us that "Sir William Capelle knyghte hath day tappere xv Pasch

---

<sup>54</sup> (BM) MS Add. 4521, f.114b (anno XVI<sup>to</sup>). The reference presumably is to John Morton, but why one of his lesser offices (he occupied the temporalities of Ely from 1479-86) should be specified is not clear. This session took place sometime within the month 22 August to 25 September, the date of his death.

<sup>55</sup> E.36/214, f.181 (c. Friday, 6 Aug 22 H.7).

next comyng to shewe how he [be] holding his londe in Essex vpon payne of xl li.". <sup>56</sup>

In each of these terse entries enough is said to arouse the imagination but hardly enough to permit a wholly rational explanation of their significance. To begin with, this man Clayton may be the one who was clerk of the peace and clerk of the crown in co. Hereford at this time. <sup>57</sup> This seems all the more likely from the size of the reward given him for the information concerning these men. The prisoners have not been identified, nor does their offence appear. At most one can suggest that this entry confirms the statement that there was no distinction between Star Chamber and council. With the other citation, though, we have greater reason to be happy. From the phraseology one might suspect that this unfortunate knight was called before one of the courts of record, yet this is unlikely since the £40 bond would have been entered with the other business of the court concerned, and not by itself in such a way that it ultimately came to rest among the miscellany of a statutory office. The suggestion is tentative, but it appears that Capel may have been summoned before either the surveyor of the king's prerogative or some segment of the council (such as the council learned) engaged in similar business.

---

<sup>56</sup> E.315/263, no pagination, under heading Trinity term 22 H.7. This is among the records of the Augmentation Office, which evidently absorbed records of the period prior to its own establishment. Capel is the man whom Guildford owed money to and the same one who, according to Bacon, fell afoul of the king's agents in the matter of an obligation. A few documents pertaining to him are among the Cassiobury Papers of the Capel family in the British Museum. (MS Add.40631A)

<sup>57</sup> CPR, 1494-1509, p.539 (18 Apr 1507).

Quite early in his reign Henry VII appointed commissioners, of whom the most important figures were of the council, to investigate the problem of tenure throughout England, and there is no reason to believe that such a commission might not have interested itself in Capel's lands. There is another alternative: Capel may have faced such indefatigable title-searchers as Dudley or Empson, who concerned themselves with just such problems.<sup>58</sup>

One last illustration of the varied matters taken in hand by the Council: "Item to John Power riding wt l[ett]res to the Bussshop of Herford & the maire of Herford for to bryng ye Suffrigan ther to the Kinges grace for certan of his mysbehauyng wordes - xiiis iiiid".<sup>59</sup> There is no doubt about the bishop's intimate connection with the King, nor does it seem likely that the suffragan's "mysbehauyng wordes" would have reached any ears at Westminster without assistance from his cathedral superior. Just what it was that the suffragan said isn't known, but one can sympathize with the sinking feeling he must have experienced when the writ arrived at Hereford. Invitations to speak with the king lost their savor when issued under privy seal or signet. The suffragan's case is proof also that councillors still acted as councillors whether seated in the "sterred chambre" or busy

---

<sup>58</sup> It is unfortunate for their reputations that only they are remembered among a crowd of identical attorneys. Almost invariably they are linked in this business with such men as Lovell, Lucas, Brian, Hobart and Ernley, as may be discovered by an examination of the CPR, passim.

<sup>59</sup> E.36/214, f.237 (Monday, 6 Feb 1508). Richard Mayhew, Mayo, Mayowe or Maycrowe, as the name is spelled alternatively, advanced from the office of King's Almoner to the bishopric of Hereford in 1504. As a councillor, he sat in both the Star Chamber and the Requests. (BM) MS Add. 36112, f.2b.

elsewhere.

One other committee or branch of the council remains to be considered. Very often in the legal materials of the reign one comes across the phrase, council learned in the law. Despite its frequent appearance in this reign, this rather esoteric body was of earlier origin, as is illustrated by a privy seal of the previous ruler. One Alexander Culpeper had been attainted and certain of his lands were granted to Sir Charles Pilkington. Later, it appeared that the lands in question had belonged in fact not to Alex Culpeper, but to John Culpeper and his wife, Agnes. She, now a widow, made petition for recovery. Upon examination it was discovered that her claim was legitimate, and upon the advice of the "Lordes of our Counsaill wt divers othre of oure Counsaill lerned [in the law]," Richard III made restitution.<sup>60</sup> It seems there was the council, whose members bore the collective appellation "Lordes and othre", even when the prime movers invariably were commoners, and there were councillors learned, or perhaps uncommonly learned, in the law. These latter, naturally enough, gave their opinion upon legal matters. What Richard really is saying here is this: "I have been advised, not only by the ancient officers and dignitaries of the realm and my own especial instruments of policy, but also by those among them who possess peculiar gifts or training in that direction, that your petition should be allowed."

---

<sup>60</sup> E.28/93, #82 (22 Mar [2?] Ric.3). This is a file of privy seals, council memoranda, bills and injunctions, generally undated, temp. H.5-H.8. Seven of them clearly are assignable to Henry VII's reign.

The sources for an appreciation of this hitherto unknown council are two bound sets of papers filed among the records of the Duchy of Lancaster in the Public Record Office.<sup>61</sup> Until Somerville wrote his article in 1939, they were thought to be records of the Duchy council. However, there seems no doubt today that they are in fact the unofficial records of another esoteric body, presided over by Bray and later by Empson. Perhaps because each was Chancellor of the Duchy, the books finally were deposited among Duchy archives. The first volume appears to be principally in the hand of William Heydon, clerk of the Duchy council and may have belonged to Empson. Sessions appear to have been held in Westminster, but within that city there seems to have been some movement from building to building. The council had an equitable jurisdiction; they subpoenaed defendants, normally under privy seal, but occasionally by signet. As in the Star Chamber and Court of Requests, proceedings were by English bill. Some parties were summoned by the council, presumably upon the initiative of the king, while others were summoned at the request of plaintiffs suitors. The distinction between these two methods of instigating an action is shown in the introductory phrases for each recorded case. These in the first category normally began: "AB had a privy seal to appear ..." or "Upon an information laid ...", while those in the latter group generally were noticed by the phrase, "As for the matter in variaunce between A & B ..." The cases, themselves, embrace every

---

<sup>61</sup> D.L.5/2 (Pasch 1500-Hil 1509) and D.L.5/4 (Mich 1504-Pasch 1509). The leading article here is R. Somerville's "Henry VII's 'Council Learned in the Law'," EHR, 56 (1939), 427-42. Also see the same author's History of the Duchy of Lancaster. Vol.I, 1265-1603 (London, 1953), pp.260-83.



type of action entertained in the other prerogative courts, thus demonstrating the source of jurisdiction and the Crown's limitless power of delegation. Some random samples involve "wool stealers", intrusions, i.e. unlicensed entries upon estates, and Crown debts. Both the Attorney-General and the Solicitor (especially Hobart and Lucas) figure in these notes.

The second volume contains some similar but much different matter, also. Parts of it appear to be in Heydon's hand again, for one thing. But the bulk of these entries are concerned with matters which were favorite concerns of Henry VII, for example the entry into and collection of recognizances and obligations. The standard entry in the book relates that AB has a privy seal to pay so many pounds to John Heron or else appear before the council learned at Westminster. Space was left after the original entry in many instances, especially where debts were concerned. There is notice that sheriffs have been directed to arrest men and force them to find sureties for their appearance before the council learned. With the council willing, men might appear by attorney, which differs markedly from the normal imperative "be and appere in person". And there are frequent references to commissions to investigate intrusions, all of which suggests a sort of precursor to the office of surveyor of the King's prerogative.<sup>62</sup>

---

<sup>62</sup> Somerville believes that D.L.5/4 may have belonged to Dudley and that it is related to his other book of recognizances ([BM] MS Lansd. 127) as well as Heron's numerous memoranda on the subject. That both the above begin at the same time may be coincidental, of course. But, it seems quite clear that Dudley did, in fact, begin operations in September 1504, for not only does the Lansdowne manuscript bear this notation, but the record of obligations forfeited in the King's Bench

Several unexplained questions remain. First, what is the relationship between the presidency of the council and the chancellorship of the Duchy? If there is none, then it seems curious that Bray, who was not a lawyer, should have headed this technical body. It is possible that the council learned was originally at least the Duchy council acting as a sort of Star Chamber for Duchy causes. It doesn't seem likely that the necessary work will be done, but one way to discover the jurisdiction of this body would be to trace back the origins of each action, where possible, to see if it did indeed spring from Duchy property, or involve men with Duchy residence. Secondly, why was such a noted lawyer as Sir Thomas Lovell not a member? With the exception of Bray, all seem to have been lawyers, but not necessarily the most noted members of the profession. This, too, looks as if the council learned might have had a narrower jurisdiction, not legally but geographically, than Somerville suggests or the records appear to indicate.

Normally, the council learned in the law concerned itself with legal matters of direct interest to the king. For instance, in November 1495 Heron recorded that the "lerved counsell engrose and make suche covenantes as is betwixt his grace and Sir Richard Guylforde for ii lordeshippes one in Northampton shire and the other in Surrey in recompence for Gerves Horne & for a license of mortemayn to the

---

tells us that "E Dudley hath taken charge [from Mich 20 H.7] to make out proces for alle thoes that be unpaid". E.101/516/17. It is possible that this council is the "commission" which Bacon says Dudley and Empson held at a house in the Strand as part of their campaign to mulct the lords and gentry for the king's benefit. In his Introduction to the History and Records of the Court of Wards and Liveries (Cambr., 1953), pp.4-5, H.E. Bell suggests that the council learned was the predecessor to the court of wards and liveries.

value of xl li."<sup>63</sup> The history of these two manors provides some interesting glimpses into the fortunes of the Guildford family. Both had been granted to Sir Richard's father in 1487. He held in fee tail male, which meant that after his death in 1493 they passed to Sir Richard. They were rated at £20 a year apiece, i.e. of equal value to the lands which Guildford wished to transfer to the church. When he released these manors to the crown Sir Richard also secured the royal assent to another of his desires, that the late Gervase Horne, whose lands were forfeit sometime prior to October 1495, and who was threatened with a posthumous attainder which worked to the prejudice of his son and heir, William, should receive plenary remission. This was arranged in the parliament of that year. This was not the only occasion on which Guildford interceded on behalf of his neighbors, for in 1497 we are told he also settled a dispute between Sir William Scott and James Isaak.<sup>64</sup>

Again in 1495 we learn that "Sir Henry Heydon hath shewed the kynges attorney [Hobart] of a bondeman in Norff called pyme which off-reth xl li if he can discharge hym & if he cannot then is it worth CC li."<sup>65</sup> That this particular fowl was ready for plucking is obvious; more ingenuous questions may have been put, but not very often. The

---

<sup>63</sup> E.101/414/6, "Kinges Memoranda" (27 Nov 11 H.7). Crossed out as if transacted. These are the manors which puzzled Richardson (see Tudor Chamber Administration, p.469). Sir Richard "mortgaged" nine marks worth of land in 1500, also, securing permission from the king by agreeing to rebate £50 of the £100 "that he shuld haue for Cheynes landes" which had been in wardship. (BM) MS Add.21480,f.175b (post 16 Feb 1500).

<sup>64</sup> Rot.Parl.,VI,461. Exemplification at Guildford's request in CPR, 1494-1509,p.352. Until the heir was 24 lands of Gervase Horne were supervised by a crown receiver. For this affair see ibid.,p.107.

<sup>65</sup> E.101/414/6, "Kinges Memoranda" (27 Nov 11 H.7).

student of social history may take pleasure in contemplating a serf who could find £200, even if he seemed anxious to throw it away. It is probably true that in 1495 bondmen were nearly as rare as £200 fees.<sup>66</sup>

That the council learned did engage in private matters would seem to be the explanation for an otherwise wholly inscrutable entry in one of Heron's accounts, in which three private obligations are set out and followed by the announcement that the last-named creditor, William Pratt (who was owed £12 of £98 involved), "is bounde in an obl[igation] in CC marces to pay asmoche of the forsaid iii somes as cannot be recovered by the Kinges lerned counsaile."<sup>67</sup>

It is possible that Pratt was or claimed to be a crown debtor, and that the council learned was set in motion much as the machinery of the court of Exchequer began operating when the fictitious writ quo minus was submitted by a suitor. That is, before he could pay an alleged obligation to the king, a series of private ones had to be paid him. The entry is ambiguous, however, and the explanation tentative.

A more dramatic, if less pleasant, example of the sort of thing done by the council learned involves Guildford. Sometime after 1 October 1499, Heron noted that Guildford offered "on the behalve of Rog Vernon to haue the kinges lauffull favor to geve v<sup>c</sup> marces."<sup>68</sup> The only notorious

---

<sup>66</sup> For this difficult question see Alexander Savine, "Bondmen under the Tudors," RHS-Trans., NS XVII (1903), 235-89.

<sup>67</sup> E.36/214, f.481 (1 Jan 21 H.7).

<sup>68</sup> E.101/415/3, "Memoranda". The same entry, but dated 1 Oct 1501, is found in (BM) MS Add. 21480, f.183.

event in Veron's life, which has been uncovered at any rate, was his abduction of Margaret Kebill, for which he and 115 of his associates were pardoned on 9 December 1503 (CPR, 1494-1509, p. 336). Though not conclusive evidence, there may be a relation between the offer of 500 marks, through an intermediary in favor with the king, and the eventual pardon. What is certain, though, is that there was nothing untoward in such an offer.

Quite clearly, the notion of royal interference in the administration of justice was not abhorrent as it was a century later. Not only was the idea not repellent to thinking men, it probably seemed the only way in which justice could be assured. In other words, intellectuals and lawyers, merchants and civil servants probably would have agreed that there was a harmonious concurrence in their wishes and those of their monarch. This is not to excuse abuses, but it is only fair to reiterate that a reward to a jury for a finding can as easily prove that the crown was interested in the independent, unparochial behavior of jurors as in the corruption of the common law. So too the securing of the king's "lauffull favor", even at the cost of 500 marks, does not necessarily prove the venality of the ruler. One can argue just as well that it demonstrates Vernon's recognition that it was impossible to secure a fair trial because of the preponderant influence of some interested magnate who was amenable only to the king.

Except in passing, very little has been said about recognizances and obligations. Their significance is such, however, that they can be neglected no longer. More than any other device at hand these two instruments enabled Henry VII to control a turbulent nobility and a

restive populace. Their uses were infinite, but one of the most common is suggested by the following, a sample which probably served for clerks engaged in drawing up such instruments:

BY THE KINGE

Trusty and welbeloued we grete you well. And wher as our trusty and welbeloued A.B. or other stonden bounden vnto vs in the some of C li by ther recognisaunce made vnto vs the iide day of Aprill in the xixth yere of oure Reigne for the oonly payment of C marces to be made vnto vs by the said A.B. and other there heyres executours or assignors or any of them in the fest of the Ascension of oure lord god M<sup>l</sup> Dv as by the said recognisaunce wt the condicion of the same remaigning amonge our recordes beinge in your kepinge more playnly it doth and may appere We late you wyt that We haue received the said C marces by the hande of the tresourer of oure chambre accordyng to the said recognisaunce/Wherfor we woll and demaunde you that incontinent vpon the sight herof ye do cause the said recognisaunce of C li made for the only payment of the said C marces to be cancelled and made voide. And this bille signed wt our hande shalbe vnto you sufficient warrant & discharge in that behalf. Yeven at p of Westm the v<sup>th</sup> day of May in the x<sup>x</sup>th yere of our reigne.<sup>69</sup>

The chief distinction between an obligation and a recognizance is that the latter bond was matter of record, i.e. enrolled in some court of record, whereas the former was not. The terms seem to have been convertible though, if the usage of the period is accepted at face value. Without being cynical, one can imagine that an obligation to the king might be just as binding as a recognizance entered into with a private person. In the following paragraphs the two instruments will be treated as different aspects of the same device.

---

<sup>69</sup> E.36/124, f.4. Book of receipts kept by Robert Fowler, 18-9 H.7. This is a miscellany of receipts, obligations, recognizances, profits, customs, subsidies, prisage, butlerage and payments checked by John Heron, who seems to be addressed by Fowler in many of the memoranda. It is probable that Heron's chamber accounts were based on some such reference as this. The form warrant in the text above was addressed to "oure trusty and welbeloued clerk and counseilloure maister Cristofer Daynbrig kep[er] of oure recordes in oure chauncerye."

Entry into recognizances was obligatory upon most royal officials. Sheriffs, customers and escheators, for example, made them to guarantee the crown against their conduct in office. At least in the case of the sheriffs, it was customary to involve two other reputable men from the same county in such instruments.<sup>70</sup> In Kent the sum pledged normally was £40. One of Guildford's last public actions involved a sheriff's bond: "Thomas Kempe miles vic ac Ricus Guldeford de Rolvenden in com Kanc miles & William Kempe cl[er]icus Recor de Stepnoth in com Midd ven xvii<sup>o</sup> die Januarii & re dmo Regi - xl li." (E.165/8,f.31[*Hil 21 H.7*]) Furthermore, the same sum was demanded of customers; for example, Sir Richard came with the £40 required of the customer of Great Jernemouth on 4 May 1502 (*ibid.*,f.31).

Similarly, military men posted such bonds upon receiving command of key installations. When Sir Anthony Brown became keeper of the castle at Calais he signed an instrument for £4,000, while certain of his associates, Poynings, Tyrell, Bouchier and Guildford, each was bound in £500 for Brown's performance.<sup>71</sup> Bray, Lovell, Mordaunt, Hobart, Empson, Lucas and Vaux all indented with the king when Vaux became lieutenant (or locum tenens as it originally was) at Guisnes.<sup>72</sup>

---

<sup>70</sup> In the register of recognizances for these offices (4-24 H.7) such entries as this are standard: "Kanc - Johes Darelle armig[er] vic[ecomite] Johes Guldeford de Tenterden in com Kanc miles & Johes Herenden de Stapulhurst in eodem com Gent - xl li." (E.165/8,f.180 [*Mich 7 H.7*]) It is interesting to note that two years later, when Sir John's son became sheriff, Herenden again entered into the recognizance. (*Ibid.*,f.198) Guildford stood surety for a yeoman of the crown in 1490 when the latter became collector of subsidies in Kent. (CPR,1485-94,p.333)

<sup>71</sup> CCR,I, #1006 (15 Feb 1497).

<sup>72</sup> *Ibid.*, II, #118 (9 Jul 1502).

Doubtless, in the great majority of cases these were routine, but on occasion they had disastrous results for sureties. In this, as in many other legal matters, the king demanded his due, whether justice was satisfied or not. Sir Robert Curzon, whose career still contains blank periods, but whose character was impugned so ably by Mr Gairdner, was responsible for involving seven men in a forfeiture amounting to £3,200. There is no more disagreeable testimony to Henry's legalistic sense of morality than that obtained from two entries made at an interval of three months by Heron in 21 Henry VII.

The first, on 1 October 1505, is a memorandum of forfeitures to which Curzon's sureties were liable as a result of his earlier connection with the earl of Suffolk (Curzon had been cursed as a traitor, but this seems to have been part of the cover established to enable him to secure Suffolk's confidence).<sup>73</sup>

The second, dated 22 January 1506, records that Curzon received £153.6s.8d. in fees and allowances for the last half year.<sup>74</sup>

Those who had to pay for the activities of a man now reinstated with his sovereign well might question the justice of the demand. This would be true even if Curzon were a genuine defaulter, but it was believed by most of his contemporaries that he had acted as an agent provocateur. In any case, these bonds must have been posted for Curzon's conduct while lieutenant at Hammes; yet the forfeitures were occasioned by his conduct after his release from that position in 1499.

---

<sup>73</sup> E.36/214, f.380.

<sup>74</sup> Ibid., f.31.



Naturally, all of these bonds weren't so deserving of condemnation. Frequently, they were entered into as guarantees for one's own performance, as is suggested by the very common £100 obligations to appear before the king and council touching riot and other allied causes.<sup>75</sup> And on occasion they were made to guarantee another's conduct, as Guildford did on 15 July 1501 when he was "bounde in xx li. for the good aberyng of Richard Barkeley of Wynchelsey."<sup>76</sup> A combination of these is found in a recognizance stating that "John Badcok Nicolas Capper Will Brian & Thomas Brian er bounden by Recognis every of them in C li that John Serle priour of Sent Germaine in Cornvaille shall apper befor the kinges counsell by a month after Ester last passed ther to answer all thinges alleiged ageinst hym and also the said priour is bounden by Recog to p[er]fourme the same in CC li."<sup>77</sup>

---

<sup>75</sup> E.101/517/11, "the Boke of certen obligaciones aswelle contenyng of Apperaunce. good aberyng. & true Allegeaunce. as also oblig towching dyuerse other matyers." This volume is headed by an indenture witnessing that John Heron delivered all the following records to Edmund Dudley and his servant, John Michelle, for the king's use on 1 Feb 1505. The obligations commence on 15 Jul 1487. The other book handed to Dudley is E.101/516/17, a Latin record extending from Trin 1 H.7 to Mich 20 H.7. The inside rear cover has this notation: "A declaration of all the recognicences forfait in the kynges bench from anno primo of [Henry VII's] Reigne vnto Mich anno xx<sup>o</sup> Md that E Dudley hath taken charge to make out proces for alle thoes that be unpaid." Dudley's accounts began on 9 Sep 1504. The original is in the BM (MS Lansd.127). In MS Lansd.160,f.311 there is a list of those who compounded with the king and subsequently were pardoned. It comprehends Dudley's list from 25 Jan 20 H.7 to 28 May 23 H.7. This is printed as an appendix to John Bruce's article in Archaeologia, XXV, 390-3.

<sup>76</sup> E.101/517/11 (no pagination). Berkeley was or had been searcher in that port. E.101/414/6, "Kinges Memoranda" (27 Nov 11 H.7).

<sup>77</sup> E.101/414/16, "Kinges Recognisaunces primo die Augusti anno xii Rex H vii." A marginal note indicates that it was vacated, presumably because the prior did appear within the appointed time.

Collection was as great a problem here as in any other area; mere enrollment of a claim was not tantamount to satisfaction of the obligation. This is obvious from an entry in the Close Rolls, wherein we find that a William Carsuyowe of Dokelly in Cornwall was bound in £20 to Guildford, Lord Broke, Bray and Lovell for the continued loyalty of Thomas Polgreve, said bond being forfeit. Furthermore, he was bound in another 40 marks (£26.13s.4d.), apparently to guarantee payment of the first bond. But if £10 were paid to the king by Allhallows next, the second recognizance would be avoided.<sup>78</sup>

This suggests that (1) household officials were involved in the assessment and collection of fines in the west in 1497, for the men to Carsuyowe whom ~~he~~ was bound were but agents of the king, and (2) that £10 in the hand suited the king better than greater amounts at large.

There is in the Record Office a consolidated list of desperate debts compiled in the reign of Elizabeth I which makes extremely interesting reading. Among such uncollected obligations one finds that Guildford's son Edward owed £20 to Sir Edward Belknap, for the king's use. (E.165/22,f.63b) When put in this register it had been outstanding for at least 60 years, and one is entitled to doubt that it ever was paid. The names Lovell, Empson, Dudley, Hobart and Lucas are most prominent in this register, which means that most of these obligations date from the last, rather unsavory years of Henry's reign. It is quite possible that many of them were consigned to oblivion in the early years of the next monarch, without formal cancellation or vacation.

---

<sup>78</sup> CCR, I, #1090 (29 May 1499).

While on the subject of obligations, the two most stupendous sums ever demanded by Henry VII might profitably be discussed. Under date 1 October 1505, Heron recorded the result of what must have been an exceedingly earnest conversation between the king (or more likely his attorney, Sir James Hobart) and three councillors to the 5th earl of Northumberland. From his entry we learn that an "office" had been returned to the Exchequer by a Yorkshire escheator, whereby the earl was "cast in Damage in X<sup>ml</sup> li for Rauisschement of Elizabeth hastynges the kinges warde." The term at this time rarely stretched to violation. Properly, abductus is the equivalent.

This immense sum was "putt in sussesence" during the king's pleasure, but the earl and four others were to enter into a recognizance by next St Andrewstide (30 November), pledging 6,000 marks for six annual payments of 500 marks by the earl.<sup>79</sup>

In the other case, that of George Lord Abergavenny, which arose two years later, Heron's entry says that Neville "levied a ffyne and put

---

<sup>79</sup> E.36/214,f.474. These terms were rehearsed on f.479 (6-20 Dec 21 H.7). The original memo to file an action in the Hastings matter is in Heron's account book. ([BM] MS Add.21480,Memoranda) The next step is recorded in D.L.5/4,f.20b (Hil 20 H.7), where Heydon notes that a letter is to be sent or has been sent to "Sir John Hussy & other justices of pear to se it ffound ffor finding an office ayenst therle of Northumbland towchyng Elizabeth the doughter & heiress of Sir John Hastynges." The office was found, but not until 23 April was a copy of it provided for the earl's inspection. Here she is referred to as dead, the implication being that Northumberland was responsible. (D.L.5/4,f.32b) Negotiations were conducted by the earl's "counsel lerned", which illustrates the normal meaning of the phrase. This was not the only time that Henry Algernon Percy found himself in difficulties. Thomas Savage, Archbishop of York and president of the council (in the north?), charged him with maintenance, the giving of liveries and tokens and with the illegal arming of his tenantry sometime in the period 1501-7, probably at about the time of Mistress Hastings' abduction. His charges, the earl's lengthy denial and a set of undated interrogatories are contained in E.163/8/27.

certain of his lordships manors and landes in Recovery exemplified to the Kinges use for his forfaictor of his Reteynders oonely. Vpon hym condempned. And also by hym before my lorde Chiff juge & also the Cheife Justice of the comyn place confessed. Alle which fforfaictours amounte to the some of - lxxix<sup>m</sup> ix<sup>c</sup> li."<sup>80</sup>

Obviously, no one could meet such a demand. Instead, Abergavenny was to pay £500 a year for a decade, "and over that to pay vnto the Kinges grace the Resydue of his debtes at his [i.e. Henry's] pleaser."<sup>81</sup>

If anyone has ever doubted Henry Tudor's hold upon the nobility, such transactions should convince him that it was most decidedly firm. The great danger of such a policy was the chance that it might impel some bankrupt earl with a numerous tenantry to take the field. However, Henry's cunning was very much to the fore. He never demanded the last farthing. Neither did he relinquish his claim to it.

Other men were bound in large sums during this reign, but none had either the means or the capacity to excite the king as these two lords had done. Coming after these monstrous sums, other large obligations fail to impress us. Thus, we can sympathize with William Buttry, a mercer who was bound to pay £800 at Michaelmas in 1509, but we are not astonished.<sup>82</sup>

---

<sup>80</sup> E.36/214,f.534 (10 Dec 23 H.7). The presence of the two justices suggests that the hearing took place before the statutory segment of the council in the Star Chamber.

<sup>81</sup> E.36/214,f.535 (12 Dec 23 H.7).

<sup>82</sup> E.36/214,f.406 (1 Jun 23 H.7). It is a moot point whether the entry which followed proves official zeal or the hope of illicit gain: "Memorand that Edmonde Dudley quitteth and hymself byndeth to se the kynges grace answered of the said some of DCCC li at the day of payment aboue written."

There is some evidence that a few merchants were willing to take their chances with the customs regulations. For instance, in October 1495 Heron writes "that Berkeley sercher of Winchelsie arrested certayn clothes of clothe of gold and silke as uncutomed wherfor Aldebrond and other merchauntes owners thereof offred the kinges counsell C marces which is to be payed."<sup>83</sup> In other words, they were trapped but unrepentant.

On the same date Heron made a note of "diverse m[er]chauntes of England that hath bene beyond the see wt tharcheduc - & brought ware theder contrary to the kinges p[ro]clamacions whereof som of them have bene be fore the kinges counsell & confessed the same."<sup>84</sup>

These entries also illustrate another facet of the council's jurisdiction, its examination of the economic condition of the state. However, it would be unwise to press this line of argument too far. There seems little doubt that commercial regulation was based wholly upon political considerations at this time. In this connection there is a memorandum "to take the accomptes of the price [of] wines of and in all the portes of England" some two years later.<sup>85</sup>

---

<sup>83</sup> E.101/414/6, "Kinges Memoranda".

<sup>84</sup> Ibid.

<sup>85</sup> (BM) MS Add.21480, f.181 (1 Oct 1501). Sir Reginald Bray was in charge of this venture. Perhaps he gained his familiarity with such problems from purchasing wine in large quantities for the king. On one occasion Guildford was associated with Bray in procuring this household beverage for the royal domicile. Ibid., f.176b (post 16 Feb 1500).

The quest for money was nothing original with Henry VII, but he neglected so few opportunities in this line that he has received an unwarranted reputation for parsimony. In public finance he was cautious, perhaps even too cautious, but his personal affairs were conducted with great liberality, pace Bacon. This penchant for saving apparently was infectious. Time and again one encounters suggestions for economy in this operation or an increased fee on that transaction, suggestions coming from men surrounding the throne. Cardinal Morton suggests to the king, and Heron quickly jots it down for future reference, that it would be worth 500 marks to Sir John Vavasour, a puisne justice of Common Pleas, if he could "leave hys office of Juge to be of counsell unto the Duc of York."<sup>86</sup> Guildford hints, at a later date, "that ther may be won M<sup>l</sup> li in makyng of newe officers" now that Lord Dynham is dead.<sup>87</sup> And Guildford joins Lovell in handing the king "an inventorie of certeyn plate to the value of CC li and more belongyng to a thef fled," with the promise that a list of similar persons soon would be ready.<sup>88</sup>

The other major method for gaining money, one thoroughly in disrepute, was the levying of benevolences or forced loans, which had characterized Richard III's reign and had been repudiated by Henry at his accession. It is not known whether Guildford managed to evade participation in all of these sordid assessments, but there are records for

---

<sup>86</sup> (BM) MS Add.21480, f.173, "Remembrances" (post 16 Feb 1500). Three years earlier Guildford had made his bid for the captaincy of Hammes keep.

<sup>87</sup> Ibid., f.178b. Dynham, the lord treasurer, died on 28 Jan 1501.

<sup>88</sup> Ibid., f.170b, "Remembrances" (post 26 Feb 1500).

the benevolences of 1492 and 1497, both for military campaigns, in which the obligations of all government personnel are listed, and in neither is Sir Richard numbered. Certainly he was not too important to be approached, since others far more significant, such as Bray, were put down for contributions. But it may be that his assets were untouched because he had laid out his own money for ordnance in the first instance, and in 1497 he may have been unable to loan the king anything, for he already was behind in the ferm for Winchelsea.<sup>89</sup>

Like the ferm of Winchelsea, another of Guildford's responsibilities caused him endless worry. The first notice of this task is in August 1497, when Heron noted that there were "diverse folk in Kent wherof ther be some of them thrifty & Richemen that have conveyed wulles over the see wt oute licence as Sir Ric Gylford & Sir Thomas Lovell knoweth & able to make good fynes."<sup>90</sup>

These two were not alone in their knowledge of trade illegalities, for "Sir Reigonold Bray & others of the kinges counsell" also were aware

---

<sup>89</sup> E.36/1, ff.1-28; E.36/214, ff.225-373. The technique seems to have been this: commissioners were appointed for each county, as were Sir Henry Marney and Sir Richard Fitz Lewis for Essex in 1497, and signets in a standard form were sent to men of substance within the county. These signets had blanks which were filled by the commissioners in the suggested amount before reaching the fortunate subject. The amount compounded for, usually less than that asked for, was attested by the commissioners, thus becoming matter of record. There is a book of these, plus a few single signets, re a loan for the Scottish war (of 1497?). All bear the same date, 1 December, and place of origin, Westminster, and are cited as E.34/2.

<sup>90</sup> E.101/414/16, "Memoranda". Essentially the same entry was made two years later. ([BM] MS Add.21480, f.168b, "Remembrances" [1 Oct 1499]), which indicates that at the head of each new set of remembrances Heron put down those of continuing or recurrent interest.

that the King was losing his customs by the machinations of "certayn falshe wollpakkers".<sup>91</sup> But the problem became Guildford's when, in 1499, he and Sir Edward Poynings (then Warden of the Cinque Ports) were held to "answer for parte of Kent for stolyn wolle as Wodward can show - V<sup>c</sup> marcs".<sup>92</sup> Guildford also was in charge of process against wool stealers in Sussex and Hampshire, in this instance receiving his information from William Ambrose.<sup>93</sup>

That same winter the first half of the 500 marks must have been paid into the treasury, since sometime after 16 February 1500 Heron says "that Wodeward and James Anger [or Auger, this name invariably was scrawled] haue p̄myssed in the p̄sence of Sir Richard Guylford [Sir Thomas] Lovell & Sir R Bray to bring in CCL marcs at Estre next comyng at the farthest in full payment of V<sup>c</sup> marcs that is due for the forfayte of woulle in Kent."<sup>94</sup> At the same time another £150 and more in fines was recorded, with a residue still to be collected from other persons who had forfeited wools.<sup>95</sup> Several weeks later another information reached Guildford from Sussex and Hampshire. That this was

---

<sup>91</sup> E.101/414/6, "Kinges Memoranda" (1 Oct 1495).

<sup>92</sup> (BM) MS Add. 21480, f.155, "Debits" (1 Oct 1499). Woodward and Anger apparently investigated mercantile activity regularly. See D.L.5/4, f.13 (Mich 20 H.7) where an exporter confesses fraud to them.

<sup>93</sup> E.101/415/3, "Memoranda" (post 1 Oct 15 H.7).

<sup>94</sup> (BM) MS Add 21480, f.176.

<sup>95</sup> Ibid., f.177b.



additional to Ambrose's first report is proved by the notation "over and above the other informacion whych was yeven before tyme that Sir Richard Gilford hath charge of".<sup>96</sup>

For over three years the records are barren of information and then in June 1503 there is a terse entry in the atrocious Latin of the period, informing us that £32 had been received in fines levied on various merchants in Kent and Sussex.<sup>97</sup> Further references to small payments are found in the records for that year and the next two as well. The first of these states specifically that it is the original 500 marks which is being discharged.<sup>98</sup> Moreover, Guildford, Poynings and Prior Goldstone of Christ Church, Canterbury, entered into an obligation to pay £100 by next Assumptiontide, and the Prior also agreed to bind himself by convent seal to pay an additional £200 at the same date, which obligations apparently are linked to the wool fines.<sup>99</sup>

The final reference to this 500 marks was dated 1 October 1505, i.e. the beginning of a new fiscal year. At that time, according to Heron, "Sir Richard Guylford Sir Edwarde Poyntez [error for Poyning] William [sic, but probably an error for Richard] Woodewarde and James

---

<sup>96</sup> Ibid., f.172.

<sup>97</sup> E.36/123, f.25 (16 Apr-4 Jun 18 H.7): "Item Ric Guilford & Edwarde Ponynge milit per m[a]n[us] Jac<sup>o</sup> A[u]ger & Ric Wodewarde ut de finibz divers p[er]sonare in com Kanc & Sussex per lana abducens vlt mare - xxxii li". In E.101/413/2, pt.3, f.81, however, this entry is dated 8 July 18 H.7.

<sup>98</sup> E.101/517/2. Heron's paper roll in which are entered debts for Pasch and Trin terms 18 & 19 H.7. As late as May 1505 Guildford and Poynings owed £82.5s., although it was paid. (E.101/516/30)

<sup>99</sup> E.36/214, f.616.

Auger owe for ye Rest of the ffynes of the vlle stellers in Kent xlii li.  
Wherof resteth vpon Wodewarde xv li and upon Sir Ric. Gylford xxvii li  
in alle - xlii li".<sup>100</sup>

There is one remaining topic: the relationship between the council and the king's prerogative, which, octopus-like, stretched its tentacles into corners ever more distant from Westminster.<sup>101</sup> The prerogative was asserted first by increasingly numerous commissions which were authorized to investigate the manner of holding a large variety of properties, then by the appointment of particular persons to be receivers and surveyors of wards and marriages in outlying portions of the kingdom, and finally in 1508 by the appointment of Sir Edward Belknap to the new post of surveyor of the king's prerogative, an office designed to put the whole system on an efficient footing.

One can begin the descent by citing a case in which the King did not gain control of an estate. In Michaelmas term 1494 one Richard Wolverson of Suffolk, who had been returned insane by an escheator, was adjudged to be compos mentis in the Exchequer, before Richard Fox, Bishop of Bath and Wells and Keeper of the Privy Seal, Thomas Savage, Bishop of Rochester, John Lord Dynham, Sir Thomas Lovell, Sir Reginald Bray and others, "sergeants and King's Council at Law". For this

---

<sup>100</sup> (BM) MS Add. 21480, f.104.

<sup>101</sup> The standard article is by W.C. Richardson, "The Surveyor of the King's Prerogative," EHR, 56 (1941), 52-75. Two additional converging essays are: Helen M. Cam, "The Decline and Fall of English Feudalism," History, NS 25 (Jun 1940-Mar 1941), 216-33 and J.B. Hurstfield, "The Revival of Feudalism in Early Tudor England," Ibid., NS 37 (Jun 1952), 131-45. See also R. Stewart Brown, "Cheshire Writs of Quo Warranto in 1499," EHR, XLIX (1934), 676-84, for activity in Chester and the county palatine.

reason the King's hand was to be removed from his estate ("quod manus Regis amoveantur").<sup>102</sup>

Cases of this sort were fairly common, but the decision was unusual; land once seized by the crown was not often relinquished. Sir George Tailboy's difficulties are illustrative of this revived interest in feudal tenures. According to Tailboy, or Talbois as it originally was, certain evil-disposed persons had suggested that his recent illness actually was a complete mental collapse; on account of which he had been vexed exceedingly for fear of being declared non compos mentis and in the king's charge. Therefore, at the request of his friends, and in consideration that he pay 800 marks to Lovell, Bray, Hobart and Empson, to the use of the king (which had been done in part and the remainder secured by divers obligations), Henry guaranteed (1) that he would heed no information to commit George to ward, and (2) if George were committed, his friends, who were his feoffees, should hold his lands. (CPR, 1494-1509, pp.176-7 [15 May 1499]) It would be rather surprising if the evil-disposed persons were unrelated to Lovell, Bray, Hobart and Lucas.

This is by no means an unusual case, particularly after 1497, when Henry exerted himself to gain an effective control over the feudal system as practiced in the outlying regions. In the summer of that year we have it on Heron's authority that "the Kinges grace hath signed a placard to the Bishop of Carlisle forto be Receyvor & Surveyor of all new Wardes mariages & all other duetes belonging to his

---

<sup>102</sup> (BM) MS Add. 4569, section i, ff.212-3 (extracts from court rolls).

grace by the kinges proगत्य in Cumbland & Westmerland & York shire wherfor he must yerly make a due accompte to the kinges grace for the same".<sup>103</sup>

In the same week Heron noted that a royal ward named Huntley who lived somewhere in Somerset had "married wt oute licence it is thought he shold pay C li by the kinges counsell".<sup>104</sup> Precisely what council advised Henry on this matter is not known. And, in fact, if the the analysis previously advanced holds water, it is not vital to identify the particular group which expressed the opinion that Huntley's venture into matrimony should cost him £100, for all councilors could and upon occasion did give their opinions on similar subjects. The point is, Henry was advised by some segment of his council, which may or may not have concerned itself almost exclusively with prerogative matters.

Guildford was not exempt from a rather unseemly participation in the scramble for wardships. Such men had an advantage over others by virtue of their position on the council and the contact which this provided with men of affairs. Heron mentions, among his memoranda

---

<sup>103</sup> E.101/414/16, "Memoranda" (1 Aug 12 H.7). Placard, as current in this time, generally signified a letter of authority, often under privy seal. William Sever or Senhouse was the bishop. This business of rendering accounts for such enterprise had its own headaches. For instance, Richard Woodward and James Auger, Guildford's assistants in the investigation of illegal wool shipments from Kent, were delinquent in returning money to the chamber, which they had derived from wards in that county. Sometime after 16 February 1500, they promised to bring in "the C li for the residue of the newe ffynes whych they cessed as wardes withoute any further delaye." (EM) MS Add. 21480, f.176.

<sup>104</sup> E.101/414/16, "Kinges Wardes" (6 Aug 12 H.7).

for the period following 1 October 1499, "the warde of Oxenbrige in Sussex that Sir Richard gylfort laboureth fore..."<sup>105</sup> Apparently he labored well, for elsewhere at the same time we are told that "Sir Rich Gylford oweth for the warde of Oxenbrige 1 li over 1 li payd by Sir R Bray".<sup>106</sup>

Bray again acted for Guildford in the Oxenbridge matter in the early summer of 1503. This time, however, he seems to have been more than an agent, for Heron's entry says "that Sir Raignold Bray p[ro]mysethe to pay 1 li nowe in hand & 1 li at Michelmas after for the warde of Oxenbryge that Sir Ric Gylford hath".<sup>107</sup> Previously, he had transmitted money from Guildford to Heron; in this case he seems to pledge his own word for payment. That payment of the first £50 was made on the same day is confirmed by another of Heron's accounts.<sup>108</sup>

It is possible that an undated letter among the Westminster Abbey muniments has some bearing here. "Master Braye ye wer yesterday gone or y cowde speke with yow for the kynge comanedde me to wayte upon the prynses [sic; query whether the reference is to princess Mary or princess Margaret, or to the princes, Arthur and Henry?] tyll ye wer gonne Sir y send yow a boke how yt ys betwene yow and me and ye schal

---

<sup>105</sup> E.101/415/3.

<sup>106</sup> (BM) MS Add. 21480, f.158. This left Guildford owing £50 by "guyd obligacion."

<sup>107</sup> Ibid., f. 186b (4 Jun 1503).

<sup>108</sup> E.101/413/2, pt.3, f.74. But this again looks as if Bray may only have transmitted the money: "Item rec of Sir Ric Gylford by the hande of Sir Reignold Bray in ptie of payment of C li for the warde of Oxenbrige - 1 li".

perscyve be the same and as wylllyame Auger [or Anger, the general receiver appointed by Guildford in his will] thes berare schalle schue yow to whome yt maye plesse yow to yeve credense Sir so yt ys thet I moste desyre yow spesyallye that y maye haue of yow at thys tyme C li. for ormoston moste haue of me xlvi li. xiiis. iiijd and oder grette charges byforthe Sir y hartely beseche yow to helpe me at thes tyme and yf ther be eny thyng that y can do to your plesure ye alway fynd yt redy to my lytylle powre and the blessyd try[n]yte kepe yow".<sup>109</sup>

Perhaps Bray assumed responsibility for Guildford's payment to the Crown in order to discharge his own liability for an equal amount to Guildford. This system of payment by assignment and transfer of obligation of course was favored in an age of limited credit and scarce money.



## Chapter XI

### COURTS OF LAW

Having examined all of Guildford's offices, and some of collateral interest as well, we shall turn in this final chapter to his involvement with the courts of record and the prerogative courts. One can finish a study of Sir Richard rather neatly in this fashion, since much of his last year in England was taken up with the legal difficulties into which his son George had plunged. Further, one can illustrate institutional history by so doing.

For a man who was involved in nearly every aspect of public life, Guildford avoided private controversy in a truly remarkable manner, considering the extreme litigiousness of the age. Of all vices this must have been the most expensive; however, expense was no deterrent. From the papers of the Cely, Paston, Stonor and Plumpton families one receives impressive verification of the reputed love which Englishmen had for judicial as well as other quarrels. Nevertheless, Guildford was an exception to this rule. One case in the Exchequer of Pleas, one in Star Chamber, five in Chancery and none in the Requests, this isn't a bad record for one whose holdings extended into a dozen counties. Despite his restraint, and the brevity of the notices and records pertaining to his cases, what few difficulties in which Sir Richard was involved are representative.

His first involvement was on 26 November 1478, when a writ of attachment was directed to the sheriff of Kent against "Richard Gylforde



alias Gilford late of Rolvenden, co. Kent" and others, touching their appearance in Chancery on 2 February next to answer the archbishop of Canterbury in a debt of 400 marks.<sup>1</sup> It is interesting to note that this arose shortly after the abbot and convent of Robertsbridge had aliened land to Guildford. Precisely why he was referred to as late of Rolvenden doesn't appear. Perhaps it was inserted to prevent him from ignoring the summons on the grounds of insufficient identification, perhaps because at this period Guildford left his father's home and established residence in Cranbrook with his first wife, Ann Pympe.

The second Chancery case, this time after the accession of Henry VII, also arose from debt. Here, according to a memorandum of a writ delivered to the sheriff of Kent, Guildford and a relation by marriage admitted a debt of £160 to Sir William Capell, an alderman of London, and William Capell, a mercer of the same city. Admission of indebtedness had been recorded on 14 December 1482, yet they had not paid. Now a valuation of their lands and chattels was ordered, so as to satisfy this obligation, and both were to be arrested. Similar writs were directed to the sheriffs of London and Surrey.<sup>2</sup> The same writ was reissued two years later, from which we infer that the Capells somehow were frustrated in their attempt to recover.<sup>3</sup>

That this refers to a profligate period in young Guildford's life is not absolutely clear. Both these writs puzzle in the same respect:

---

<sup>1</sup> CCR, 1476-85, #424.

<sup>2</sup> CCR, H.7, I, #63 (11 Feb 1486).

<sup>3</sup> Ibid., I, #339 (31 Jan 1488).

they describe Guildford in a manner appropriate to 1482, but hardly fitting for the period after Bosworth field. Normally lawyers update their references to avoid the allegation of insufficiency. This is not to say that these writs are misdated, but it is curious that so little account was taken of recent developments in English politics.

In the summer of 1490 a commission was addressed to six men, justices of the Kentish circuit, authorizing any two of them to hold an assize of novel disseisin concerning lands which the Guildfords and a number of others had "arraigned" against Sir John Bouchier and his wife. The outcome is unknown.<sup>4</sup>

The next case is similarly obscure. In Hilary term 8 Henry VII Sir Richard was involved with a gentleman named Westebald in a matter of debt at the Exchequer of Pleas, but apart from this notice, nothing of the case has been discovered.<sup>5</sup>

Sometime after that Guildford was defendant in a suit brought in the Star Chamber by a John Mille.<sup>6</sup> Only Guildford's answer remains, so much of this case has to be reconstructed by inference. Apparently, a bargain and sale of the manors of Gevyngton and another (mutilated MS) had been made in 8 Henry VII, whereby Mille was to receive from Guildford, in consideration of the transfer, £40 a year for his life and the

---

<sup>4</sup> CPR, 1485-94, p.326 (6 Jul 1490). Arrain here refers to civil rather than criminal trial, in the sense of preparation for joining issue: "Sicome il est dit arrain un Brief de Novel Disseisin en un county en que il devoit estre port pur trial devant les justices de cel Circuit." Rastell, Les Termes de la Ley, p.54.

<sup>5</sup> Ind. 9995 (3). Index to Exchequer pleas, 1-14 H.7.

<sup>6</sup> St.Ch.1/2, #129. This Mille probably is the citizen and merchant of London occasionally mentioned elsewhere.

life of his wife, and an unspecified annuity from the issues of New or East Guldeford, co. Surrey. On his part, Mille was to deliver to Guildford an obligation of 600 marks as security for performance. He never did so. Yet he brought suit against Guildford to recover what he termed a debt.<sup>7</sup>

Guildford answered that the agreement was void for non-performance. Further, he claimed damages of £100, the sum which he already had paid Mille. And, lastly, he argued that the annuity flowed from the original bargain and sale, that it was derived from the £40 per annum (this is obscure), and besides the lands in question had been entailed to feoffees by a recovery, as was matter of record.

Whether Mille collected his debt is not shown; certainly Guildford never possessed a manor of Gevyngton. There is, however, an interesting writ among the Tellers' authorities for payment, which, if it concerns the same parties, is a sequel to this tale. In 1505 Guildford collected £20 due to the Crown from two mainpernors whose bond was forfeit by the non-appearance of those whom they had mainprised. One of these mainpernors was a John Mille, gentleman of London, and the county in which default had been made was Surrey.<sup>8</sup> It is otherwise inexplicable that Guildford would concern himself in this fairly small, commonplace matter, unless we assume that he had personal reasons for witnessing the embarrassment of a man whose trust had been

---

<sup>7</sup> The only manor of Gevyngton or Jevyngton which has been uncovered was in Surrey and was held of the king in unknown service by Sir Richard Harecourt and his son and heir, Miles. IPM, H.7, I, #202. This case demonstrates how erroneous it is to limit Star Chamber jurisdiction solely to the offenses specified in the act of 3 H.7.

<sup>8</sup> E.404/85, bdl 2, unnumbered (12 Dec 21 H.7).

misplaced.

In Chancery the records touching Guildford are no more complete than elsewhere. In general, only the petitions have survived for this early period and what action was taken must be gathered, if at all, from extraneous sources. Sometime in the period 1486-93, for example, Guildford and John Abbot of Robertsbridge petitioned the Lord Chancellor (then John Morton, Archbishop of Canterbury) to subpoena Thomas Pynde to answer upon a debt. The facts, as alleged, are as follows: Guildford and a previous abbot, William, were bound in an obligation on a debt which Guildford owed Pynde. Notwithstanding that a "grete part" thereof had been repaid, Guildford had received no acquittance. However, by mediation of friends an accord was reached upon this and divers other unspecified matters, according to which Guildford and the abbot were to pay Pynde £190 and the abbot stood condemned of £200 should Guildford default. Since the accord Guildford had repaid £150 and frequently offered the remainder, with a request for a discharge of the abbot's bond, all of which Pynde had rejected and instead sued for the £200 bond from the abbot and convent. Since there was no remedy at the common law, Guildford and the abbot prayed the Chancellor's aid.<sup>9</sup>

In the other cases in Chancery Guildford was one of a number of defendants, and in each the same central problem was involved, the divorce between the equitable and legal interests which arose when a use was created. In the first instance, Guildford, John Ffogge,

---

<sup>9</sup> C.1/138/60. Early Chancery proceedings.

esquire, and Richard Hertwelle were feoffees to uses of a messuage in Asshetisford, co. Kent. According to the plaintiff, Richard Wodward, he had agreed to pay 40 marks to Cecile Cosyn and 42 to her son, Robert, in return for which he was to receive, by bargain and sale, the messuage in question. Pursuant to this agreement he had paid 40 marks to the mother, and yet her son retained the messuage and the defendants, feoffees to uses of the said messuage, refused to "make astate". For this reason he prayed that a subpoena might be issued for the defendants' appearance to make answer.<sup>10</sup>

No other documents survive from this case, but at a later date, Wodward again brought suit for the same purpose, in an amended form, which indicates that he was nonsuited in his first attempt. This time he made Robert Cosyn a party to the suit. There is no decree but we at least know the line of defense taken by Guildford and his fellow feoffees: they argued that they had no knowledge, except by hearsay, of an agreement to alienate the messuage in dispute, and that, in any case, they had no interest in the messuage "for themselves". This latter was true, of course, for they were feoffees to the use of Cecile and Robert Cosyn. This case suggests that the feoffees disapproved of a transaction favored by the mother at the expense of her son, and illustrates the power which feoffees to uses might exercise on behalf of the cestui que use.<sup>11</sup>

---

<sup>10</sup> C.1/233/51 (1493-1500).

<sup>11</sup> C.1/234/2 (1493-1500). The file contains the following documents, all in bad shape: (1) Wodward's bill, (2) answer of Guildford, Fogge and Hertwell, (3) answer of Robert Cosyn, (4) Wodward's replication to 2 and 3, and (5) rejoinder by Cosyn.

In the last Chancery proceeding which affected Guildford he was again a feoffee to uses, and once more a widow seems to have had notions about the disposability of property at variance with those of her offspring. Here, Agnes, late wife of Nicholas Sheldewych, brought suit against Guildford, Sir Thomas Burcher (Bourchier), Sir Edward Poynings, Thomas Iden and John Boteler, who were feoffees to uses for the performance of her husband's will, in respect of the manor of Walters atte Hoo in Monketon, isle of Thanet, co. Kent. According to plaintiff's bill, which was addressed to Henry (Dean), Archbishop of Canterbury, Keeper of the Great Seal of England (allowing us to date the case 1501-2), the defendants, despite the last will of him who enfeoffed them to the uses of the said will, refused to perform, to wit, to make an estate of the said manor to the plaintiff, his widow.<sup>12</sup>

The answer made by one of the defendants, John Boteler, is suspiciously similar to that made by the defendants in the previous case: he denied any knowledge of or interest in the manor or will.<sup>13</sup> Boteler's answer is filed as one document in a new case, which, if correct, means that dame Agnes failed in her first attempt.

That she also failed in her second attempt (if it was the second try) is proved by the existence of another bill which she laid against the same defendants in the same cause. However, in her rehearsal of the affair she this time added that the defendants claimed they could

---

<sup>12</sup> C.1/251/4. Only the petition exists.

<sup>13</sup> C.1/251/5. From this case only the answer survives.

not comply with the instructions in the will because her sons (more accurately, the sons of Nicholas Sheldewych), by name William, Richard and Stephen, who claimed as heirs of the blood, had convinced them that the manor was in gavelkind, and hence divisible equally among the heirs of the blood.<sup>14</sup> If such were the case, the feoffees to uses of course would have been in a most uncomfortable position. For, grant that the last will called for delivery to the widow, and they would, at least in conscience, be bound to honor such a provision. But if this bequest were made to the exclusion of heirs who evidently were not the plaintiff's own children, but who would have taken by descent in the fashion peculiar to Kent, the feoffees would run the risk of an action no matter what their decision might be. Here, they evidently favored the claim put forward by the sons.

There is some negative evidence for Guildford's reliability in the fact that only twice did he become involved in disputes concerning the duty of a feoffee to uses, and that his name never arose in the Court of Requests. Still, he was a feoffee to uses in over a dozen instances (excluding the King's will), with responsibilities for lands in numerous counties, and it is the present writer's contention that this is an argument for his general trustworthiness. Clearly, no one would go out of his way to choose an unreliable trustee for the performance of his last testament; and since he was named feoffee to various uses from 1494 to 1506, we may assume that the tongue of scandal did not wag in his direction, at least persistently enough to

---

<sup>14</sup>C.1/251/6. Only the bill remains.

dissuade men from seeking his assistance in evasion of the common law.<sup>15</sup> The bulk of these enfeoffments appear to have involved either close friends or powerful personages, for reasons which will be set forth in a few significant cases.

An example of this tendency to seek one's feoffees among the great administrative figures is offered by an enfeoffment which Sir Richard Nevyll and Robert Willoughby, esquire, and their wives made in 1500 to 22 men. Great holdings were involved: 20 knights' fees and five manors in co. Beds.; two manors in Yorks; and two manors in N'hants.; and the feoffees were of equal importance. Among them were Guildford, Archbishop Morton, Lord Dynham, Bray Lovell, Bryan, Frowike, Empson, Kyngesmill, Poyntz and Bouchier, to name the best known.<sup>16</sup> Among these men one finds an adequate cross-section of the best brains in legal, financial and executive circles, as well as figures close to Henry's ear. If an estate were unsafe in such hands, there was no hope for

---

<sup>15</sup> It perhaps should be pointed out to the non-specialist reader that real property could not be willed at the common law. Hence the great vogue of the use, by which A transferred title to B, C and D to the use of A's heirs and the performance of his last will. Pedants found it more gratifying to refer to him to whose use the land was held, in the law French, hence the phrase cestui que use. In his will A normally would request that the lands in question be devoted to his heirs' use. This obligation was not cognizable at the common law; title was in B, C & D; but in the 15th century the Chancellor gradually began to enforce performance on the grounds of morality. This split in interests - legal title in B, C & D and equitable title in A's heirs - caused endless confusion, defrauded the King of his feudal prerogatives (wardship, escheat, forfeiture, marriage, etc.) and made the purchase of realty a hazardous enterprise. The lengthiest discussion is by Holdsworth in his History of English Law.

<sup>16</sup> CPR, 1494-1509, p.198 (3 Apr 1500). License was granted upon payment of £30 "in the hanaper", i.e. to the clerks responsible for recording all instruments issued. See Appendix I.



one's heirs in England.

Again, in the last year of the century Sir Richard was named as a feoffee to uses by Thomas West, Lord de la Warre, and William Sampford. By the former he and eleven others were granted manors in Devon, Somerset, Wiltshire, Hampshire and Sussex. West made a number of stipulations in his will: one of his creditors was to take the issues until his claim was satisfied; a manor in Kent was to be disposed of for his son's benefit; provision was to be made for his widow; sums derived were to be put in a chest in the keeping of the dean and chapter of Chichester; after performance of the said will, the feoffees were to demise the remaining property to his son and heir, Thomas, and the heirs of his body.<sup>17</sup> The other grantor, Sampford, enfeoffed Guildford and others of all his lands in Devon (13 tenements and messuages).<sup>18</sup>

It is interesting to note how far afield Guildford's interests went. Obviously, he couldn't administer a tithe of the lands entrusted to his care, especially in the remote reaches of Devon; whether his reputation preceded him, or whether he was familiar with persons like Sampford through business dealings in London, is hard to say. The point is that Guildford's neighbors in Kent were not the only or the most significant group to deliver their property into his hands. Perhaps, the inclusion of a figure well-known at court was a natural desire at a time when titles were disputed frequently in a vindictive

---

<sup>17</sup> Calendar of Close Rolls, Henry VII, I, #1182 (dtd 31 May; acknowledged 28 Nov 1499). This calendar, hereafter referred to as CCR, H.7, is not yet available generally. An unbound copy in the Round Room of the Public Record Office was consulted.

<sup>18</sup> Ibid., I, #1224 (dtd 3 Dec 1499; acknowledged 26 May 1500).

spirit by men more endowed with means and capacity than Christian charity. Sir Robert Plumpton's long struggle with Sir Richard Empson is sufficient evidence that defense of one's own might be a hazardous task. After many an effort to shake Empson loose, Plumpton wrote to his wife Agnes: "and as for my matter there is no moveinge of it as yet, but the kings grace is the same man he was at my last departinge from his grace; and my lord of Winchester, and Mr Lovell, Mr Gylforth, Mr Weston, with all our good friends, are to me as they were at my last departinge."<sup>19</sup> In other words, one's salvation might depend upon one's connection.

The available records have by no means been ransacked in support of this statement, but it is the writer's opinion that most of the cases involving non-performance by feoffees to uses (the sort of thing which the Chancellor began to entertain when the common law courts wouldn't) were not predicated upon simple defiance of a testator's wishes, but rather upon genuine dilemma.

This puts a different construction upon the ethical position of the feoffee to uses. This is not to say that some persons couldn't have frustrated the wishes of grantors and testators; but this possibility is understood to exist at present, also; the point which should be made here is this: if one assumes that the large number of cases involving uses had their origins in original sin, one's notion of English society and even political conditions will be colored unduly. Just as the great bulk of present-day contractual disputes which reach

---

<sup>19</sup> T. Stapleton, ed., Plumpton Correspondence (Camden Soc., 1839), cxiii (13 Feb 19 H.7). The very complex nature of this contest is discussed at length by the writer.

the courts probably are based on dogged misunderstanding rather than consciously sharp practice, so in the 15th century the same was true. Our sympathies tend naturally towards the cestui que use, for title rests in his antagonists and recourse is denied him at the common law; we feel that a father should have the right to transmit what he possesses to his heirs; but we sometimes forget that the duties of a feoffee to uses were not always easy, not always lucrative and not necessarily explicit.

Plumpton's letter is proof that to counter the moves of an opponent well-placed in the royal circle, one needed allies from the same milieu. This goes far towards an explanation of Guildford's inclusion in so many enfeoffments to uses. Integrity by itself was not sufficiently attractive to prospective alienors; coupled with influence it was irresistible. But of the two qualities the latter would appear to have been of greater importance to men anxious to secure to their families the blessings of property without responsibilities. Otherwise, it is hard to explain precisely why Empson and Dudley so often were included among feoffees to uses throughout the length and breadth of England. Miss Brodie has explained away much of the more malicious fiction surrounding the person of Edmund Dudley, Empson's chief associate (at least popular opinion held he was, though the records reveal numerous competitors for this post), but she has not replaced the old picture with a more convincing portrait.<sup>20</sup>

---

<sup>20</sup> D.M. Brodie, "Edmund Dudley: Minister of Henry VII," RHS-Trans 4th Ser. XV (1932), 133-61. Dudley's book, The Tree of Commonwealth, was first published by the Rosicrucians in 1859 at Manchester; Miss Brodie's edition of this work was published at Cambridge in 1948. (FM) MS Add. (Yelverton MSS XXV) 48022 contains a copy of Dudley's MS.

Many years ago Professor Dietz suggested that much of the so-called popular fury against these two came from the landed interest, whose holdings were of course imperilled by their probing researches among the records of the Chancery. This is true, no doubt; still, there remains the unfortunate impression left by Dudley's book, which has been characterized as a dreary work, presenting the familiar if nauseating spectacle of a tool of despotism slyly denouncing its wielder. That he actually tried to save his neck by writing this little treatise is probably true, but that he hoped such a labored vehicle would carry his point, indicates a curious deficiency of insight. In any case, the points he makes are old stuff; it is very unlikely that Henry VIII bothered to look at this most improbable plea for mercy, which combined allegorical diffuseness and obscurity with the most pedestrian language.

The great trouble with so much of the chronicle literature relating to the early Tudor government, is that it was written from the view of the gentry of the later 16th century, most of whom had strong notions about "illegal" government and all of whom felt an antipathy towards persons who suggested that power has a relationship to responsibility; this nexus didn't appeal to the rising middle class, for implicit in their philosophy were two contradictory or mutually exclusive points: government existed to protect society, and government existed to leave society alone in its private affairs. Interpreted in their fashion, society meant landed people; thus, the middle class was to be protected and at the same time not hindered in its ventures. This had rather harsh effect upon the other members of the social compact, for it seemed unfortunate that the interests of one class should be regarded

as the goal of all others. Historians like Hall, for instance, were faced with a class of readers who felt strongly about these questions, and in fact themselves adhered to the same beliefs; to such a group, interested in contracting out of any society which attempted to turn the clock back to an earlier, more imperfect state of affairs, the machinations of Henry's agents, especially those arch-fiends, Empson and Dudley, could only be reprehensible, proof of an evil disposition and a cramped outlook.

They were, as is pointed out elsewhere, but two among many who performed such work for the king. If they excelled others, it represented a difference in degree rather than kind. Besides, it is doubtful whether they were more proficient than, to instance a few names, Sir Thomas Lovell, Hobart, Lucas and Heydon. All of them became wealthy, some, like Lovell, very wealthy, but somehow they escaped the full force of outraged opinion, which induced Henry VIII to drop the advocates and continue the program. It may be that Dudley and Empson excited jealousy among competitors as well as hatred among their victims, in other words, that they went to the block for deficiencies of personality as much as anything. The great difficulty in defending them, of course, derives from the distaste occasioned by Dudley's little book, which is as naked an example of the gratuitous confession as may be encountered during the period. However, Dudley's unwillingness to die for a cause may be based on his inability to distinguish any cause to die for; and in this we must concur, for there was no crusade involved in Henry VII's efforts to reestablish the English monarchy, merely methodical, business-like practice, strongly tempered

with a capacity for distinguishing what was unpopular with the gentry from that which created unrest among the bulk of the populace. Dietz's comment still is instructive: the popular outcry against Empson and Dudley in 1509, when examined carefully, boils down to the audible discontent of a small group possessed of broad acres and no desire to submit to discipline, at least of this sort.

It is against this background that one must consider the whole question of the use in English law and society. While it perhaps did evolve in the period of great civil unrest, as a device to insure one's family against the destitution consequent upon attainder, there is another, less dramatic, but just as reasonable explanation for the mushrooming popularity of the device. It is this clearly marked desire to avoid or at least commute the onerous aids and incidents which operated on lands in the framework of military service. If one could avoid payment, either in cash or kind, of a fee for entry into an estate, and a fee for permission to marry while in wardship, one was rid of an impressive drain upon yearly income. If, in addition, one could avoid military service and still remain in actual possession of a manor, one clearly had an advantage over others in similar circumstances. This, in effect, was what the cestui que use managed to accomplish, so long as the feoffees to uses were trustworthy, at any rate. The present writer contends strongly that most of the difficulties between feoffees to uses and the cestui que use which appeared on the Chancery rolls were occasioned not by criminal or at least unethical intent so much as honest misunderstanding, impossibility of performance or other genuine conflict.

It is worth noting that a large number of cases of this description concern opposing demands placed upon feoffees to uses by the feoffors' widows and children. To be in this quandary, whether to honor the contentions of widows, or to accede to demands made by the sons, one needn't be a villainous character. In fact, it would help to be exceptionally trustworthy, for the conscientious often involve themselves where others would avoid implication.

At any rate, Guildford's general behavior, or that part which has been recorded for posterity, seems to indicate that he at least met certain difficulties as a feoffee to uses for these reasons. While not committed to the proposition of his purity in a muddy world, the writer feels that his conduct was such that his enfeoffment by numerous third parties indicates his public reputation as well as anything could. However, as has been pointed out, character was only one faculty which feoffors looked for in a prospective feoffee to uses. Position and skill were at least as important, and in some cases appear to have been the determining factors in a choice. Thus the two reprobates, Empson and Dudley, were frequent feoffees to uses. No doubt their personalities were subjected to vicious slander, yet they probably were not loved by landholders, which makes it surprising that they were chosen so consistently to preside over the fortunes of landholders' families; surprising, though, only if one feels that business associates must of necessity be comrades in other quarters. Their skill, not their friendship, was required, and perhaps their influence in high places, too.

A few figures fit into all three of these categories: men such

as Bray, Lovell, perhaps even Guildford, were eminently qualified on all three counts; they were possessed of the king's confidence, they were able to inspire trust, they were qualified to manage the affairs of deceased property-holders. The two former persons were better qualified than Guildford, at least in the last area, but perhaps a surplus of the two former commodities would go a long way towards covering a deficiency of the latter, in the estimation of men who had to make a choice in reposing trust.

Middle class strictures upon those maneuvers designed to reassert royal control over lands in military tenure must be regarded not as pleas for free enterprise or foreshadowings of 18th century laissez faire thought, but as the indignant murmurs of a group who feared that their families might lose this carefully fostered gentility if the old prerogatives were reestablished. In other words, they were fretful about the possible escheat of their lands, not about the possibility that land could be concentrated into a few hands. They didn't fear that Empson and Dudley or county escheators or any other commissioners ad hoc might cost them money in the event of a war, most them were prepared for that, as reasonable and patriotic men, but they did fear that if their lands once went on record as holdings in chief, then the possibility of eventual recovery by the Crown existed. Thus, it is a mistake to conclude that condemnation of men like Empson and Dudley necessarily meant condemnation of the feudal structure: in actuality it indicated a dissatisfaction with a feudal structure which did not include themselves.

One aspect of this discontent with royal procedure centered on



the great expansion of business assigned the escheators in the various counties. Henry VII, through his Chancery, ordered that inquisitiones post mortem be held in as many instances as possible, partly to determine what rights, if any, the Crown had in the lands of the deceased, partly to determine if some interest couldn't be feigned. Before taking too much stock in the complaints that the latter mission was paramount, however, we should realize that much of the grievance occasioned by this business was the result of guilty knowledge, in other words of culpability. During the antecedent years, especially those in which the dynastic struggle burst out afresh, the role of the escheators was minimized, and as a result, much land undoubtedly escaped investigation.

Here, the peculiarly English devotion to prescriptive right played a part, for the possessors of lands which should have been but were not subjected to royal examination felt that continuance of evasion constituted a right of evasion. Hence, when Henry VII began to press upon the families of deceased landholders, there was a general feeling that the Crown was engaged in something almost illegal, but certainly unwise. True, there is at least sketchy evidence that Henry's agents were over-zealous in their devotion to duty, and we have some notice that escheators' juries were rewarded for "finding" offices, but even this statement is not so damning as one might hope. There is nothing impossible in the proposition that juries were rewarded for giving true verdicts despite pressures exerted by local property owners; certainly, one who argues in this fashion has as much reason as he who suggests that this is evidence that juries were

bribed to support the Crown's case, the implication being that the Crown's case necessarily was the weaker one. If such a stand is taken, it seems possible that behind it is the desire to identify the cause of justice and progress with the middle class, and to assert the existence of evil by the evidence of a monarchical form of government. This, clearly, is a modern reading of English history which doesn't bear scrutiny: one can interpret pre-Stuart events through whig glasses, also.

On the other hand, one can go just as far afield in an effort to provide a rationale for what one preconceives as a good thing, the extension of central, i.e. royal power at the expense of centrifugal tendencies. In this view, Henry VII, seeing that England's troubles had stemmed from a preponderant influence possessed by a few noble families, wished to eliminate this factor from future consideration in national affairs. There may be a slender basis for this statement in the facts of his reign, but for the most part it is a gross exaggeration of Henry's political acumen. His primary reason for the revival and insistence upon such rights was financial, and while it may be that royal independence was what England needed, this is an indirectly positive result of a policy which was designed with less noble motives. On this ground, then, to support the king in his policy one must entertain the equally dangerous preconception that English justice and progress were irrevocably associated with the cause of royalty: whig historians aren't the only fallible students.

By now it must be quite clear that Guildford somehow managed to avoid entangling himself in the net of recognizances, obligations and

indentures which Henry and his more efficient servitors cast over English society. How Guildford did this is a mystery; certainly he was a conspicuous figure, often at court and constantly engaged in royal business, but somehow he managed neither to volunteer nor be accused of playing the laggard's part where money was involved. On one occasion, however, he was plunged into a most unsavory controversy, a struggle which cost him money, earned imprisonment for one of his sons and incidentally left posterity an ample record concerning some finer points of the common law. For this last reason, and because it reopens the perennial problem of livery and maintenance, the case of *George Guildford v. Robert Gainsford and others* shall receive here what appears to be its first modern notice.<sup>21</sup>

From the surviving portions of the Star Chamber file in which this case was discovered, come the following allegations: George Guildford was involved in some way in proceedings before the bailiff's court at Aylesford, co. Kent. On a Monday shortly after Easter he and three of his servants rode to the court. At noon the defendants (among whom were some household servants of Lord Abergavenny), in all 26 men, arrived at court, which they proceeded to interrupt, breaking halberds on the bar in a series of vicious but badly-aimed blows at Guildford, severely wounding one of his servants, beating up a constable who was foolish enough to intervene, burning the records of the court, and dispersing its hapless personnel. Not content with

---

<sup>21</sup> St. Ch. 1/2, #75 (Pasch 19 H.7). There are three membranes, sewn in reverse order: "the replicacon of George Guldeford to the answer of Robert Gaynesford & others," "the answer of Robert Gaynesford gentilman [et alia] to the bill of complaint of George Guldeford

this, two days later the defendants, to the number of 30 or 40, made an armed assembly at Hormondon, where it became obvious that they were indeed retainers of Lord Abergavenny. Therefore Guildford prayed that the council might bring these rioters to justice.<sup>22</sup>

Gainsford's answer, were it not identical to every other filed in this age, might convince a modern reader that it had to do with some other situation than that averred in the petition. In the first place, he said, there was no riot committed by any of the defendants. True, he, Gainsford, had been in town that day on business connected with Lord Abergavenny, but beyond that he knew not whereof the complainant spoke. However, sometime earlier at a fair in Maidstone, Guildford had threatened to kill any "chorlis" from that town whom he caught alone. At that time Guildford was heading an armed band of 40 men. Some of the defendants, after receiving this threat, appealed to the local authorities for protection, despite which Guildford shortly arrived with 34 men and assaulted all the defendants in the present cause.<sup>23</sup>

As to the facts alleged by Gainsford, Guildford flatly denied them and asserted he was quite certain he could prove his case. Not only didn't he call "eny p[er]sones chorlys of Madeston", but he never had assaulted anyone either. Instead, after receiving threats at the bail-

---

squyer," and Guildford's prayer "to the kyng oure sovreyn lord." George was Sir Richard's fifth child by Ann Pympe, his first wife, and heir male to his older brother Edward. Though never as prominent as Edward or his half-brother Henry, he did become sheriff of Kent in 15 H.8. At the risk of wearying the reader: Star Chamber was not a court of record; all decrees have been destroyed or lost; we are fortunate to have anything.

<sup>22</sup> St.Ch.1/2, #75, petition.

<sup>23</sup> Ibid., answer.

iff's court (presumably, their difficulties had some prior basis, but wherein the two clashed never is clear), Guildford went home, intending to return to the custody of the court within two weeks. But first, because he had to ride through Maidstone to reach the court, he asked "Sir Richard Guldeford Knyght hys fader" to write the Maidstone authorities, explaining his son's intentions to them. Next, evidently fearing that more precaution was requisite, he arranged for his brother-in-law and 24 others to accompany him. Thus, they rode "in pesable maner" through the streets of Maidstone.<sup>24</sup>

Gainsford's rejoinder is missing, and of course the decree is unknown. Nothing conclusive is suggested by the next development in this contest. In some way Guildford secured a jury trial of the defendants in the Common Pleas on a charge of "trespass pur batterie". According to an Elizabethan note on this point, "if the plt or deft after a suite exhibited unto the Court [of Star Chamber] comence suite at the Comon law concerning the same cause the court upon a morow taketh order for the staying of the p[ro]ceedings at the Comon law untill the cause be heard here."<sup>25</sup> Granted that matters heard in Star Chamber in 1504 were not subject to the same precedents which were binding nearly a century later, it is probably true that the Council's prerogative judicial power would have been offended by such fickleness from a complainant. Therefore, and because at least a

---

<sup>24</sup> Ibid., replication. No two numerical estimates are in agreement; this, too, is to be expected in the period.

<sup>25</sup> (EM) MS Hargrave 216, f.135b. "The Ordinary course of proceedings in causes depending in her Ma<sup>ties</sup> most honorable Court of Star Chamber".

term elapsed, it seems probable that Guildford either was given no satisfaction in the Star Chamber and so brought an action in the Common Pleas, or won and proceeded for damages in a civil action. The latter explanation probably is correct, since it is rather odd that one should seek relief at the common law from a decision in Star Chamber, when one is plaintiff in both instances. According to the standard interpretation, one went to the prerogative court to seek redress of some wrong which the common law was powerless to rectify.<sup>26</sup> Be that as it may, the case was heard before Frowyk, C.J. and his associates, and several interesting points have been preserved in the reports published under the name of Keilway.<sup>27</sup> The following extracts have been translated from the original law French:

Note that in the case concerning George Guildford and Robert Gainsford and others, defendants, in battery, it was said by Frowike and all his associates that where battery is brought against several defendants who are tried for the assault upon the plaintiff, and none of them gives in evidence that he is not guilty of trespass, because all are cognizable of the battery, as in this case; nevertheless, if any of them is not guilty he could plead not guilty, and then the jury should assess damages on each according to his deed, etc. But, query this, for all who are in the company and come for the same cause are principal trespassers, and so in battery are not accessories. But, one who comes merely by chance, not thinking malice against the party, should be excused of battery if he pleads not guilty, etc.<sup>28</sup>

---

<sup>26</sup> Incidentally, one would like to know whether Sir Richard sat when his son's petition was considered.

<sup>27</sup> Robert Keilway, Reports d'ascuns Cases...[Henry VII, etc.] (London, 1688). In the table Guildford is called Gregory.

<sup>28</sup> Ibid., p.55b (Mich 20 H.7). Apparently, Gainsford's attorney argued that some of the persons involved in the trial for "trespass pur baterie" in the Common Pleas were not liable as principals in the action, evidently on the ground that they did not participate. Frowike seems to have agreed to this statement of the law, taking a

There was no doubt that battery had been committed by all the defendants. This is made even clearer in the second extract. Here we are told "the jury found the battery for the plaintiff, and this was a good finding; and beyond this they found the threatenings and other injuries for the plaintiff, and this was falsely found, for their intent was none other but of finding all things incident to battery for the plaintiff, of which the defendants clearly were guilty; but not of the threatenings, for this was put in the writ according to form. And on this point, among others (but principally on this point), and secondly for excessive damages they brought attaint."<sup>29</sup>

Here, then, are the principal facts in this case: Guildford won his suit for battery, being so clearly the aggrieved party that the jury went one step further than necessary and also found the defendants liable for damages incurred by threat. The award to Guildford was based on both assault and battery, in other words, though the inclusion of such an allegation in the plea was a mere matter of form.<sup>30</sup> This technical mistake upon the part of Guildford's lawyer had catastrophic consequences and became the basis for a grave warning to

---

distinction from actions performed or withheld, but the reporter's demur seemingly is based on the question of malice prepense rather than anything done or not done by a member of a group. In any case, the argument is negatived by the admission that none of the defendants put this plea in bar of proceedings, which leaves us with an interesting albeit rather pointless argument.

<sup>29</sup> Ibid., p.67b (Trin 20 H.7). Guildford was awarded £60, according to a statement in Sir John Maynard, ed., Les Reports des Cases en les Ans des Roys ... Henrie vii (London, 1679), #10, Mich 20 H.7. This is the famous edition of the Year Books. Hereafter YB.

<sup>30</sup> The operative phrase was "& eidem A tales [talīs?] & tantas

students of the law.<sup>31</sup>

So Gainsford sued for a writ of attaint in the King's Bench before Fineux, C.J., alleging that the petit jury had perjured itself and that excessive damages had been assessed.<sup>32</sup> The question of excessive damages, however, was secondary to his technical charge that the jury, by attending to a routine allegation of injury by threat, had committed perjury, for they ought to have known the distinction between fact and that which is alleged in form only.

After at least two jurors were challenged, but neither seemingly dismissed, evidence was given to the jury for over five hours, at the end of which time, by agreement of the parties the justices allowed the jurors to adjourn to the Exchequer Chamber to dine "pur ceo que al' Kings Bench ne fuit un convenient lieu de ma[n]ger & boir ..." That tampered juries were not unfamiliar in the common law courts is suggested by the statement per curiam "que ils ne poient manger ne boir hors del' view des Justices."

In the end, the jury found one point<sup>33</sup> against Gainsford, for which

---

minas imposuit & tantas injuriis & gravaminibus affecit, ob quod quereus circa negotia sua etc ..." (and the same A imposed many such threats, etc., and dealt so many injuries and wrongs, with which complaint about his terror, etc.) Set forth in Keilway, p.67b.

<sup>31</sup> With this tactical error in mind, the reporter urged future practitioners "to leave this point out of the writ unless it be of the very truth of the matter, for many times this point is not directly answered because of oversight." Keilway, p.67b.

<sup>32</sup> YB, Mich 20 H.7, #10. It may be pertinent to bear in mind that Gainsford was a fellow of Gray's Inn.

<sup>33</sup> In the YB the phrase is "& l'3 vs. luy", but another MS gives what must be the correct reading, "l' iiiiird", etc. (BM) MS Hargrave 105,f.228.



he was amerced, and two points for him, in accordance with which all the panoply of medieval justice was assembled to grind out the ferocious, if by this time somewhat empty, verdict of outlawry against the eleven jurors and Guildford.<sup>34</sup> Their chattels and lands were forfeited to the king, and at least in theory their property was to be systematically wasted. Evidently all of them were imprisoned, but the Year Book mentions only that "G. Gilford soit pris."

There is a problem in chronology here which needs clearing up, for the citations as given cannot be correct. The matter before the Star Chamber can be dated in the early summer or spring of 1504. And the suit in the Common Pleas could have been brought to trial in the fall of the same year. But it is highly improbable that Gainsford's writ of attaint was sued out and trial held in the same term in the King's Bench. Yet this is what we are told by both the Reports and the Year Book, i.e. the entries for both the suit in battery and the prosecution for "faux serment" are listed under Michaelmas term, 20 Henry VII.

However, Keilway also has two notes on Guildford under Trinity term, 20 Henry VII, having to do with both the Common Pleas and King's Bench cases.<sup>35</sup>

---

<sup>34</sup> There seems to be no mistake in the number of jurors; their names are given in CPR, 1494-1509, pp.468-9 (13 May 1506). Either the twelfth man evaded the attainder, died in the interval, remained in prison or variable numbers were impaneled for petit jury duty on occasion.

<sup>35</sup> There is a puzzling statement in the note on attaint. The jury found for the plaintiffs and they prayed for judgment, because there were divers plaintiffs, and if any of them died the action would fail (est perie). To which Fineux, C.J. replied that the plaintiffs "nestes a ascun mischief", because there were some weeks left in the term. We must concur with the reporter: "mes il ne monstra l' raison purquoy, etc." Keilway, p.61b.

A tentative solution of this obviously confused sequence is that the case was heard in King's Bench in June 1505, and that the case before Frowike in the Common Pleas had been tried in Michaelmas term last passed. The note on this latter case which is entered among the cases for Trinity term 1505 probably explicates the niceties of Gainsford's contention that justice had miscarried in the previous autumn, i.e. mention of the Common Pleas case was made during the trial at King's Bench.<sup>36</sup>

If this suggested sequence of events is valid, then the case seems to have developed in this fashion: (1) Star Chamber, circa May 1504, (2) Common Pleas, circa November 1504, (3) King's Bench, circa June 1505. This construction is borne out by an entry in Dudley's notebook, to the effect that George Guildford, "atteynted for a false verdict", sought a pardon on 2 August 1505.<sup>37</sup> Two months later Heron noted that "Sir Thomas West Edwarde Guylford & George Guylford owe by an obl CC marces. And also the said George shalle fynde iiii sufficient suerties by halotid next comyng to be bound by Recoig or statute marchaunt to pay CC marces at Michelle yerely duryng iiii yeres in alle- M<sup>l</sup> marces."<sup>38</sup> Dudley's entry on the same topic indicates that another 200 marks was

---

<sup>36</sup> It is only fair to point out that there is yet another reference to the trial in King's Bench for Easter term, 21 H.7 (1506). (Keilway, p.83) It is a Latin record of judgment against Guildford and the petit jurors. There is nothing for it but to claim a misdate.

<sup>37</sup> (BM) MS Lansd. 127, f.11.

<sup>38</sup> E.36/214, f.474 (1 Oct 21 H.7). The statute merchant mentioned by Heron was a popular device among businessmen, whereby an obligation to repay a sum was sealed before the mayor of a corporate town. Upon default the debtor could be seized, and if after three months the debt were unpaid, the sheriff was empowered to levy upon the debtor's goods.

paid to Heron, but it isn't certain whether this came from Guildford or the jurors.<sup>39</sup>

There was a lengthy interval between this comment about pardons and their actual issue. The jurors, or nine of them, received theirs on 13 May 1506.<sup>40</sup> Guildford was granted one a week later.<sup>41</sup> He still owed money in the first year of the next reign,<sup>42</sup> which should interest those who entertain the notion that the reign of law and the repudiation of avarice were the young Henry VIII's stock in trade. One shouldn't mistake the sacrifice of Dudley and Empson for anything more than a propitiatory gesture to the landed interest. Their persons were consigned to ignominy, but their records went marching on; or to put it another way, their bodies, not their policies, were decapitated.

That this case had significance for greater persons than George Guildford and Robert Gainsford is indicated by a cryptic phrase in the report on the attaint brought in King's Bench, where it is said that this case "fuit mainten per le Seignior Burg[av]eny & Sir Richard Gilford, un de l'un part & l'aut del' l'autr' part."<sup>43</sup>

---

<sup>39</sup> "Item for the pardon of the jure attainted and for the pardon of George Gilford oone thousande marks by Recognizaunce besides CC marks paid to John Heron." (BM) MS Lansd.127, f.12b (15 Nov 1505).

<sup>40</sup> CPR, 1494-1509, pp.468-9.

<sup>41</sup> *Ibid.*, p.482 (20 May 1506).

<sup>42</sup> L&P, H.8, I, 110, #777. "Hereafter ensue divers recognizances & other weighty matters drawn by our special commandment out of divers books signed with the hand of our dearest father ... to the entent ... they stand the more especially bounden unto us, and therefore truly and faithfully to serve us ..." Also mentioned in (BM) MS Egerton 986, f.13, a list of bonds and obligations to the crown, 1-14 H.8.

<sup>43</sup> YB, Mich, 20 H.7, #10.

Whether this means that these two interested parties attended the hearings, or whether it means they were represented by counsel, does not appear. But that Guildford was concerned because of his son, and Abergavenny because of his servant is quite clear.

With this case in mind, Lord Abergavenny's stupendous obligation to the king several years later takes on a clarity which does not emerge from Heron's laconic entry. Abergavenny was convicted of offenses against the statutes forbidding livery and maintenance, indeed, as was mentioned above, he confessed as much to a council committee. But when he offended we are not told. Nevertheless, it is reasonable to suppose that the behavior of Gainsford formed at least one link in the chain of circumstances which ultimately dragged Lord Abergavenny into his humiliating agreement with the king. Sir Richard may have been revenged posthumously for the slippery pleading which sank his son's case.

After all his entanglements with the law have been recited, Guildford still does not come off badly, particularly for that age. There is no evidence that he was involved in dubious transactions; nor are there contemporary suggestions that he traveled with such legal sharks as Empson, Dudley, Hobart, Lucas or Lovell. On the contrary, Plumptre's comment suggests that at least one man thought of him as unsympathetic with Empson's attitude. Admittedly, this argument from silence is a tentative one, but it is the best we have for analyzing Guildford's character in relation to the courts of law.

## Chapter XII

### CONCLUSION

Though each chapter in this study is in great measure an entity, it may be useful to summarize the main conclusions under one heading.

Guildford's one position which seemed to entail little or no work was the mastership of the horse, one of the very few sinecure posts maintained by Henry VII. In the brief chapter devoted to that office it was demonstrated that a rather frequent turnover occurred. Moreover, the annuity of £40 which was attached to it, at least in Guildford's case, was paid after he ceased to perform even the token functions, which leads one to suppose that the fee was paid primarily upon a pretext, i.e. was paid to various men because of their personal relations with the king rather than because of any specific duties they performed. Further, that this office was obscure is suggested by the writ ordering research to determine what fees had been payable "of oold tyme", an indication that modern students are not the only ones who are confused by the proliferation of medieval offices.

With respect to Guildford's brief tenure as chamberlain of the Exchequer of Receipt, again little definite can be said. It is certain that he ran into trouble with the other officials, but precisely what these problems were cannot be determined now. One may infer, however, that the treasurer and barons were striking at the tendency, already explicit in Henry's early years, to minimize their importance in the royal financial system, and took the opportunity to attack a man whose



appointment must have appeared to be a result of favor rather than merit. To this extent, the quarrel well may have been one of personalities instead of principles; certainly one armed with a knowledge of later Exchequer degradation runs the risk of seeing too much in a conflict from earlier years. There is some reason to believe that Guildford's trouble may have arisen from his exercise of the serjeanty of the armory. He later refused to account for this post in the Exchequer of Account. It is possible that he refused even while still a chamberlain, of course with royal approval, and that the barons chose to attack a chamberlain for the serjeant of the armory's misconduct.

It is at the ordnance office that Guildford's career can be traced most fully. Much information about the Tudor military establishment comes from an examination of the various writs addressed to the master of the ordnance, though even here there are material gaps. In any case, certain conclusions can be drawn: Henry VII did not spend a disproportionate amount upon the military except in times of acute stress. There was little effort to maintain a standing army, in fact, only the technical artillery arm was even a permanent nucleus. It is quite certain that most of the English ordnance was of foreign provenance, though gunpowder became an indigenous product. Artificers engaged in such work rarely were forced to demand back-wages from the Receipt. It is safe to say that ordnance affairs were handled efficiently by an office capable of expansion, but there was no correspondence in the rest of the military. Methods used to insure accurate control within the Tower of London did not extend to the armies, so that artillery frequently was employed badly or wastefully in the field. In general, then, the

centralized responsibility which had resulted in a superior technical establishment did not extend to the combatant branches. Fear for its abuse may be just as important as lack of transport in explaining Henry's reluctance to employ artillery.

The related office, the serjeanty of the armory, appears to have been concerned with weapons, though not ordnance, and not for war. While occupying this post Guildford dispensed numerous bows, arrows, lances and much body armor for hunting and jousting. Apparently, such materiel was kept in the Tower, but presumably in a place separate from the normal ordnance stores. Expenses frequently extended to the repair or construction of stands and lists and the preparation of grounds. Such expenditure was accountable before the barons of the Exchequer, though Guildford, and his son after him, refused to do so, being justified in this course by privy seals. This is another illustration of Henry's gradual withdrawal from the cognizance of the barons of all accounts relative to the royal household.

When one turns to the navy sufficient material is available to suggest some conclusions. As with the military, Henry did not spend vast sums regularly. Rather, he encouraged private enterprise in ship construction, relying upon merchant craft to transport his armies, and concentrating upon the building of a few large warships to defend such convoys. That his navy, which was small at his accession, was not regarded as a permanent force seems clear from the frequent rentals to merchants for passage to Italy. It is strange, too, that he gave a ship to Guildford, if a navy was regarded as the palladium of English liberty. The close connection between the ordnance office and the navy is seen



in the numerous writs empowering Guildford to supervise ship construction, to see to their armament and provide crews and troops. His connection with the one office concluded at about the same time as he severed ties with the navy. Naval construction also demonstrates how casual were the Tudor administrative arrangements, and provides further evidence for the contention that personal relations with the king meant far more than did the possession of any office when it came to function and responsibility. Of Guildford's private maritime activities nothing has been discovered. He was given a vessel in 1485, but it is uncertain whether he rented it to merchants, used it himself or simply sold it. After 1487, however, there is no further mention of him as a ship owner, nor has the Martin Garsya appeared in any later writs, accounts or indentures.

The chapter of Guildford's life which least lends itself to generalization is that concerned with household office. The comptrollership was a position of great prestige and considerable importance, but little has been learned of its daily routine. That the comptroller was responsible for the audit of the cofferer's accounts is clear, and that he also was included as witness to most royal transactions likewise is certain. But what does emerge in this as well as all other household posts is the flexibility and casualness of such relations with the king. It appears that no general pattern of office and function can be established for early Tudor government. Men were as likely to perform tasks because of their relations with Henry VII, as because they held specific offices. In other words, it is unsafe to hold that Guildford or any other officer did something qua officer. In all of these posts confusion

has been engendered by too strict an adherence to the mythical equation of patent with function, and by too rigid a reliance upon the equally misleading notion of chronological development. The earlier view of an organization, of a series of offices, recently has been challenged, and the revisionist view of an unsystematic congeries of personal relationships presently is gaining ground in specialist circles.

Henry VII's efforts to remain au courant with foreign developments involved a considerable amount of correspondence with men primarily operating from Calais, though of course his ambassadors at other courts also posted lengthy appreciations to their master. Much of this was nonsense calculated to flatter what the agents took to be royal prejudices, and some of it at this distance is inexplicable. But that Henry steered a course between the perils of ignorance and misinformation is the conclusion drawn from the fact that Guildford and other officials never suffered from the gossip retailed about them. True, this could be used to substantiate a charge of royal obtuseness, but on the whole this is unlikely. In some few instances, Sir William Stanley's case, to cite one, Henry was reluctant to act upon information, but this doesn't mean that he suppressed further investigation, for Stanley did meet with a sudden and shocking death. It would seem that Henry was an astute judge of his men, who rarely if ever acted rashly, but was decisive when it came to it.

His diplomats, as his household and chamber officials, came from many places, reflected no particular background, were both clerics and laymen, and though the secretaries, who kept the royal signet and in consequence were privy to royal secrets, had a sort of ambassadorial

prerogative, nevertheless almost anyone in the royal confidence might be sent abroad. In this as in other matters Henry revealed his knowledge of men by sending the right persons to the right places, as was evident from his sending Guildford, the straightforward fellow with no bluff or unseemly cleverness about him, to persuade the coarse, patently arrogant Suffolk to return to England.

In the matter of commissions little need be said. Guildford may be used to illustrate a simple truth: the king spread his men over the entire country, each to his own county in normal circumstances, but in special cases, as with councillors, each was ex officio a justice of the peace in every county, regardless of property qualifications. This was the Tudor technique, to accomplish things unheard of in the recent past by a new emphasis upon conventional forms. In all of his numerous commissions Henry was attempting successfully to bridge the gulf between Westminster and the parish.

The councils (the plural is better here) have to be approached obliquely, since little direct evidence of their operation exists. In a general way the word can be applied to the large body of lords, clerics, officers of state and judges which constituted the upper House. Below this was a smaller group of officials and experts, from whose ranks came the ad hoc councillors so ubiquitous in this reign. All of their jurisdiction was derived from the royal prerogative, and any statutes which existed merely confirmed but could not limit their powers, a situation which was known and apparently approved at this time, something which 17th century lawyers did not note very carefully. Procedure was highly arbitrary, but understandable so long as one posits



a unanimity of royal and popular opinion and an unsatisfactory state in the courts of common law and at the quarter sessions. It is idle as well as unhistorical to impugn their practice for its undemocratic and arbitrary tendencies. Moreover, it is unreal to think of Tudor England as one thinks of the modern police state. The lack of communications, troops and apparatus renders any such comparison ludicrous. The best one can say is that with all this equipment Henry VII merely held his own in many districts. What the state of the country would have been without such paraphernalia is disquieting to consider.

The truth of this claim is demonstrated by the one case in which Guildford's family fell afoul of the king's courts. The unsettled state of so near a county as Kent, where Guildford's son George and Robert Gainsford of Gray's Inn disputed, suggests that the prerogative courts had laid no blanket of repression over the island.

Other than this, Guildford's relation to the royal courts, prerogative or common law, demonstrate two things: that he was not in step with many of his contemporaries, who chose the courts as but one arena for their combative lives, and that the duties of a feoffee to uses might entail considerable exercise of judgment, which frequently could result in headache.

All in all, Guildford appears in these pages, or so it seems to the writer, as a conscientious, competent man who possessed no flair as did, say Sir Reginald Bray or Sir Thomas Lovell, but had no unworthy pretensions to greatness, either. His career seems to illustrate the complexities of government in this period, tells something of the sort of men who manned the royal administrative machinery and perhaps



symbolically terminates in an already outmoded manner. If the shadows seem more prominent than the illuminated portions of his portrait, the same may be said with equal justice of Henry's government.

## APPENDIX I

### EXTENDED FOOTNOTES

#### Chapter I, note 78:

In his testimony re the age of Guildford's daughter-in-law, Larke mentioned that he was chaplain to Guildford in 1495-6, living with him at Halden while he was sick. This may be the key to an undated letter among the Christ Church muniments which hitherto had defied chronological classification. The following has been put into modern spelling throughout: [To the prior of Christ Church] "Right worshipful sir, after due recommendation to your mastership, may it please you at this time to show me your good mastership's succour and help, now in my most greatest need. As my right trusty and well beloved William Brent can inform you; for I may not help myself, being in great sickness. I thank our Lord of his Amending; and your succour and help to one at this time, must cause one ever to do you service and pleasure as to my most special good most [reasonable it is (?)]. And that it would please your mastership to give credence to my said friend William Brent, to whom I have broken my heart in every thing. And our Lord preserve you for ever. Written at Halden on Tuesday next after our Lady day in haste." It was signed originally "your servant Richard Gylford"; this was scratched, however, and amended to read: "by your sick servant, Gyldford". (Christ Church Letters, II, #115) It does not appear what Guildford was pressing for in this communication; but, probably it involved business that he wished the prior to pursue in his behalf. Had it been a question of his soul, Guildford would have been more explicit.





Chapter III, note 24:

There are tellers' writs which authorize £100 for each of the following: Sir John Mordaunt (E.404/79, bdle 3, #45 [21 Dec 3 H.7, Greenwich]); Sir Thomas Fitzwilliam (E.404/80, bdle 2, #260 [3 Mar 5 H.7, Westminster]); Richard Empson (E.404/81, bdle 1, unnumbered [4 Apr 7 H.7, Greenwich]); Sir Robert Drury (E.404/82, bdle 1, unnumbered [22 Dec 11 H.7, Westminster], also in (BM) MS Harl. 1777, f.75); Thomas Englefyld (E.404/82, bdle 2, unnumbered [16 Mar 12 H.7, Westminster]). The formula was invariable: "in consyderacyon of the laudable servyce to Vs doon ... [We will that ye pay AB] C li. in redy money or ells that ye make unto hym suffycent & sewer assignement for the same sume by tayll or taylles in dewe forme to be levied at the Receyte of over Eschequer ..." Englefyld evidently was a royal debtor, for Heron noted under the "Kinges Debtes" for 9 August 12 H.7 that "the Speker of the p[ar]liament hath a bille signed for C li wherof he promyseth when [he] receives it to Redelyver by the hande of Sir Reignold Bray - L li". (E.101/414/16) Sir Thomas Lovell was Speaker in 1485, while Edmund Dudley was spokesman for the Commons in 1504. Mordaunt, Drury and Empson all were members of the council, but didn't at this time hold office apart from the Duchy of Lancaster, unlike both Bray and Dudley. Perhaps Englefyld and Fitzwilliam also sat in some sessions of the council in one or another of its manifold guises, but there is no record of this. It may be that all of Henry VII's parliaments were governed strictly, but clearly in his first parliament he needed a strong representative, and the same might be said of his last parliament where the two feudal aids were demanded with little

show of reason. In the intermediate "courts", however, he may have hesitated to show his hand in this blatant manner, or perhaps he felt no compulsion for doing so. To put the picture in perspective, it should be noted that royal officials occasionally received various marks of favor from the borough members while parliament was in session. Thus, during the parliament of 5 H.7, William Waren, member from Dover, spent 18s.4d. "at London for a dyner yeuen to the undertresorer of Englande the chyfe baron of ye excheqor to maistre leutenant [of Calais, Giles Lord Daubeney] and maistre Ffyneux wt other." (HM) MS Add. 29,617, f.47b. Henry VII was not the only one who felt he needed understanding.

Chapter IV, note 66:

The essential facts of this revolt are stated easily: as a result of the extraordinary grant of 23 February 1488/89, commissioners made inquiry throughout Yorkshire, so that a moiety of the income tax of 10% and the additional levy of 20d. per ten marks of personalty might be collected with expedition. Encountering unprecedented resistance, the commissioners appealed to the "chiefe ruler of the Northe parties", Henry 4th Earl of Northumberland, who, fortified with an ad hoc commission, proceeded against the dissentients, meeting an untimely end on 28 April, near Thirsk, co. York. Faced with the prospect of retribution, the rioters turned rebels and prepared to meet the force which rapidly was assembling for the northern campaign. On 30 April a writ under privy seal ordered that sufficient money be paid the clerk of Ordnance for the "cariage and conveying into the said northe parties" of 14 cannon, 2400 pounds of gunpowder, 1300 bows, 2600

sheaves of arrows (at 24 arrows per sheaf), 1000 bills and other equipment. (Campbell, II, 444) According to the preamble, Henry intended to lead this army in person. In the same period four men were commissioned to impress gunners, smiths, carpenters and others, secure tent repair kits, and provide carriage for such impedimenta. (Ibid., II, 448 [10 May]) Cambridge was the assembly point and 12 May was the date of departure; it developed, however, that Henry could not finish his business with the ambassadors from Maximilian at Hertford castle until 22 May, so command was delegated to the Earl of Surrey, Thomas Howard, who had been given his liberty only a few months before. With his force, the "voward" of the army, he advanced from Cambridge, presumably on 12 May; there is a chance that he began his march at Hertford castle, proceeding from there to Cambridge, where the Earl of Oxford and his retainers were waiting, but nothing certain appears in this connection. Considering the distance traversed, the state of the roads, and that at least some of the artillery probably accompanied his command, five to seven days should not be an outrageous estimate for the length of time involved in Surrey's march northwards. Contact soon was made with the rebels, and after what all commentators considered a brief campaign, the Yorkshiremen were dispersed, badly beaten, and one of their leaders was taken. It was estimated that the rebels had at most 500 or 600 men, so the impressive armament which Henry launched against them, this almost ludicrous provision for the wildest contingencies, reveals the decisiveness, as well as the caution, so characteristic of the first Tudor.

Chapter X, note 11:

Isobel D. Thornley, "The Destruction of Sanctuary," in Tudor Studies, ed. R.W. Seton-Watson (London, 1924), 182-207. Henry's ruthless attitude towards liberties when thoroughly aroused is clearly demonstrated in the obscure case of Sir Robert Chamberlain. According to Stat. Realm, II, 566-7 (7 H.7), where his attainder is recorded, Chamberlain committed treason on 17 January 1491, but the specific act is not mentioned. The only other revolt in the north of which we have record supposedly occurred at Acworth near Pomfret, co. Yorks, in May 1492. It was terminated by the Earl of Surrey, which doesn't fit the circumstances. (Thomas Stapleton, ed., Plumpton Correspondence (Camden Soc., London, 1839), xcviix-ix) Whatever transpired, it met with failure, for on 5 February following, Henry VII wrote under signet to John Sherwood, Bishop of Durham, re Chamberlain's flight into the franchise of Hertilpole (19 mi. ESE of Durham in the county palatine). From the letter it appears that the bishop had besought Henry not to break the franchises by forcibly removing Chamberlain and his companions. He was assured of the king's respect for his liberties and promised the rebel's goods (but that Lord Clifford pretended an interest in them), though Henry wished a complete accounting for all writings and other goods "as shalbe found in their caskettes males tronkkes or in othre ther cariages". Further, the bishop's sheriff might conduct the prisoners and the royal force, under Sir Edward Pickering, while within the franchise. In other words, he would have them, nolens volens. (Printed in Gairdner, L.&P. - R.3 & H.7, I, 98-100) On 5 March the officers at the Receipt were instructed to pay £143.13s.4d. for Pickering's expenses in conveying 18 persons

"out of the north p[ar]ties of this oure Royaume", safeguarded by 140 mounted troopers, and for the travel expenses of the mayor and bailiff of Hertilpole. (E.404/80, bdle 2, #90) The final act in what might be termed "The Short Way with Traitors" is printed in IPM, H.7, I, #705 (writ: 7 Apr; inquest 1 Oct 1491), where it is asserted that Chamberlain "died" on 12 March. For a more famous revolt, see C.H. Williams, "Stafford's Rebellion," EHR, XLIII(1928), 181-9.

Chapter X, note 27:

As an example of the reluctance or inefficiency which the government displayed in dealing with serious problems, see the interesting case of the Coventry firebrand, Laurence Saunders, told by M.D. Harris in EHR, IX, 633-51, and in her edition of the Coventry Leet Book (London, 1907-13). There are some threats of imprisonment made during the reign, but they are obviously meant as a last resort. (See the case of the lawyer who advised his client to refuse to answer questions put by the council, in "Liber Intrationum") The only example of lengthy imprisonment which has been discovered in the course of this study, was self-inflicted. Sir Gilbert Debenham and Sir Humphrey Savage went into sanctuary at Westminster in the spring of 1493. Henry ordered that the archdeacon be paid 10 shillings per man per week for their sustenance (E.404/81, bdle 2, unnumbered [20 Apr 8 H.7, Westminster]). Two years later the "kychener" still received their support money (E.404/81, bdle 4, unnumbered [12 Apr 10 H.7, Shene]). Both were included in the general act of attainder against Warbeck's adherents in the year following (11 H.7, c.64), but as late as December 1498 they were still at Westminster (E.404/83, bdle 1, unnumbered [17 Dec 14 H.7, Westminster]),



though on shorter rations, apparently, for the "kechener" now received 6s.8d. per week for each man.

Chapter X, note 38:

For the horrendous offence of night walking, see G.T. Salusbury, Street Life in Medieval England (Oxford, 1948), pp. 137, 139-40, where the insecurity of the citizen in a world without municipal lighting is set forth admirably. Quite likely the word "rebel" meant something short of traitor at this time. Actual traitors were described invariably as "oure Rebelles and traitours," whereas there are a number of references to rebels whose actions may have been felonious yet not treasonable in the accepted medieval sense. This is hinted in a writ directed to the officials of the Receipt, by which they were authorized to pay some servants of Rice or Rhees ap Thomas £10 for bringing to the Tower "certain p[er]sonnes that of late Rebelled and made insurreccions wtin the lordship of Montgomery in Wales ..." (E.404/80, bdle 3, #89 [25 Jun 1491, Greenwich]) Another example concerns Robert Bulkeley, yeoman of the crown, who was granted £4 in reward on 3 February 1494 (E.404/81, bdle 3, unnumbered), and forfeited it by "rebellion" sometime prior to 24 February, when it was regranted to another, more grateful subject. (E.404/81, bdle 3, unnumbered) If an actual revolt occurred in that month it was a remarkably well-kept secret.

Chapter XI, note 16:

In Lit. Cantuarienses, III, 336 are two letters by Guildford which demonstrate the uses of the use. It is not clear what property in Kent was at stake, but the date for both seems to have been around Michaelmas



day 1501. In the first, to his good neighbors John Rynder and John Strykenbold, Guildford requested "inasmuch as ye be my cosin Bettenhams feoffees I praye yow as hertyly as I can that you wole cause John Hales to delyvere unto Nicolas Deryng such parte of his receyte of my seyde Bettenhams lands as shuld come to the seyde Nicolas And as for the fyndyng of the preest I shal se therto that hyt shalbe done as reason is at my next comyng downe ..." (29 September, Richmond)

The other, to John Hale, notified him of the above circumstances, "so hyt ys that my Naybor Swaham hath geven to Nicolas Deryng the <sup>de</sup>iii<sup>de</sup> parte of the profitz of Bettnammys londs wherof ye are resayvor," and requested that he render his account and deliver Deryng's portion "immediately after the sight herof."

Some of this is obscure. Bettenham was a common name in Kent, but Hasted's history of that county throws no light on this circumstance. John Hale lived at Tenterden where Guildford's father had had his manor. Nicolas Deryng may be related to William Deryng, who served Guildford as keeper of his park at Halden until 1497. Presumably, the Bettenham lands were held to the use of Swaham, Hale being the receiver of revenues. The cestui que use, Swaham, evidently assigned a portion of his income to Deryng, and Guildford (who may or may not have been related to Bettenham, the word cousin proves nothing), who was known to Deryng, requested that the feoffees to uses (to whom the receipts perhaps came before Swaham received them) honor the assignment made by him who had an equitable but no legal interest in the lands. The reference to the priest's contention perhaps relates to some other provision of the Bettenham will, but this of course is purely conjectural.



## APPENDIX II

### PARTIAL LIST OF COUNCILLORS

The following list does not purport to be a complete roster of councillors for the period 1485-1509; such a list or the conception of one is chimerical. However, as many names as possible and probable have been gathered from a variety of sources. Less familiar persons have been identified briefly, if they held office.

1. Sir Richard Guildford
2. Sir Reginald Bray
3. Sir Thomas Lovell
4. Sir Gilbert Talbot
5. Sir John Turberville, MP, treasurer of Calais
6. Sir John Guildford
7. Giles Lord Daubeney
8. Sir John Cheney (Lord Cheney), MP, JP, kt for the body
9. Sir Hugh Conway, treasurer of Ireland, treasurer of Calais
10. Sir Richard Empson
11. Edmund Dudley
12. John Alcock, bishop of Worcester
13. John Bailey, canon of Windsor, king's chaplain
14. Henry Bourchier, earl of Essex
15. Sir Richard Crofte, treasurer of household, steward to prince Arthur
16. Thomas Piennes, Lord Dacre of the south
17. John Lord Dynham
18. Sir Richard Edgecombe, MP, comptroller of household
19. Richard Fitzjames, bishop of Rochester (1497), Chichester (1504)
20. Richard Fox, bishop of Bath and Wells, keeper of privy seal
21. Edward Stafford, 2d earl of Wiltshire
22. George Lord Hastings
23. Thomas Howard, earl of Surrey
24. Thomas Janne, bishop of Norwich
25. Oliver King, bishop of Bath and Wells, French secretary
26. Sir John Mordaunt, MP, Sjt at Law, chancellor of Duchy (1504)
27. John Morton, cardinal archbishop of Canterbury
28. George Neville, Lord Abergavenny
29. Henry Deane, bishop of Salisbury, keeper of great seal (1500-2)
30. Henry Percy, 4th earl of Northumberland
31. Sir Edward Poynings, warden of Cinque Ports
32. John Ratcliff, Lord Fitzwalter, steward of household and Duchy
33. Sir John Risley, MP, JP
34. Thomas Ruthal, bishop of Durham, principal secretary

35. Robert Sherborne, bishop of Chichester, former dean of St Paul's
36. Sir Charles Somerset (Lord Herbert), "vicecamerarius", ambassador
37. Edward Stafford, duke of Buckingham
38. Thomas Stanley, earl of Derby
39. Sir William Stanley, lord chamberlain (to 1495)
40. Sir Richard Sutton, barrister of Inner Temple
41. Sir Nicholas Vaux, lieutenant of Guisnes castle
42. George Talbot, earl of Shrewsbury
43. Jasper Tudor, duke of Bedford
44. Sir Richard Tunstal, MP, JP, sheriff (Yorks)
45. John de Vere, earl of Oxford
46. William Warham, archbishop of Canterbury (1504)
47. Sir Robert Willoughby, Lord Broke
48. Lord Grey de Wilton (John, obit.1524, or Reynold, obit.1494)
49. Henry Wyatt, clerk of the king's jewels, clerk of the mint
50. John Kingsmill, puisne justice of Common Pleas (1503)
51. Dr Robert Middleton, "Admirallitatis Angliae Judex"
52. Geoffrey Blithe, dean of York (1497)
53. Sir Robert Rede, chief justice of Common Pleas (1506)
54. Sir Andrew Dimock, solicitor-general
55. John Arundel, bishop of Exeter (1502)
56. Edmund Grey, earl of Kent
57. Dr Henry Aynsworth or Kinsworth, in privy seal office
58. Dr William Sheffield, dean of York (1494)
59. Sir Richard Pole, kt for body, steward in Wales, chamberlain to prince
60. Dr Richard Mayowe, king's almoner, bishop of Hereford (1504)
61. Christofer Baynbridge, master of Rolls, bishop of Durham
62. Geoffrey Simeon, dean of chapel royal (1491)
63. Sir Robert Drury, speaker of Commons
64. Edward Vaughan, bishop of St David's, former prebendary of St Paul's
65. William or Cuthbert Tunstall, squire for body, constable of Scarborough
66. Sir John Digby, knight-marshal of household
67. Robert Ridon, clerk of council (1508)
68. Dr Richard Nickes, bishop of Norwich (1501), vicar to bishop Fox
69. John viscount Welles
70. Sir William Hussey, chief justice of King's Bench (to 1495)
71. David Williams, master of the Rolls (1487)
72. William Greville, puisne justice of Common Pleas (1509)
73. Dr Thomas Hutton, royal chaplain, ambassador
74. John Wats, "clericus", vice-chancellor of Oxford (1463)
75. Sir Robert Curzon, captain at Hammes castle, sheriff (Norf & Suff)
76. Thomas Lucas, solicitor-general
77. William Hody, chief baron of Exchequer, former attorney-general
78. Thomas Grey, marquis of Dorset
79. Sir John Fyneux, chief justice of King's Bench
80. Sir Thomas Bouchier, commissioner, sat in Star Chamber
81. Thomas Frowyk, chief justice of Common Pleas
82. James Hobart, attorney-general
83. Sir Robert Lytton, under-treasurer
84. Sir Walter Hungerford, MP, JP, sheriff (Wilts), envoy to Vatican
85. James Stanley, "clericus", archdeacon of Richmond, bishop of Ely (1506)

86. John Meautis, French secretary
87. Sir Robert Southwell, chief butler, receiver for royal estates
88. Sir Edward Belknap, surveyor of king's prerogative
89. Roger Leybourne, bishop of Carlisle
90. Sir Edward Pickering, kt for the body
91. Sir James Tyrell, MP, kt for the body, captain of Guisnes, sheriff
92. Sir Anthony Brown, lieutenant of Calais
93. Sir Henry Heydon, MP, JP
94. Sir John Vavasour, puisne justice of Common Pleas
95. Thomas Savage, bishop of Rochester, archbishop of York (1501)
96. William Sever or Senhouse, bishop of Carlisle
97. Sir Rice or Rhees ap Thomas, kt for the body, chamberlain of South Wales
98. Sir Thomas Brian, chief justice of King's Bench
99. Sir William Danvers, puisne justice of King's Bench
100. Sir John Sapcote, MP, JP, kt for the body
101. Sir Roger Cotton, kt for the body, captain in Ireland (1493)
102. Thomas West, Lord de la Warre
103. Sir John Fortescue, chief butler, MP, JP, sheriff, kt for the body
104. Sir John Pecche, commissioner for admiralty causes
105. Sir Edward Burgh, commissioner
106. Sir John Cutte, under-treasurer, receiver-general of Duchy
107. Sir Richard Nanfan, MP, JP, sheriff, kt for the body, deputy at Calais
108. George Stanley, Lord Strange
109. Sir Edmund Bedingfield, MP, adviser at Boulogne (1492)
110. Sir John or James Blount, MP, captain at Hammes
111. John Lord Zouch
112. Sir Walter Herbert, commissioner, steward and receiver in Wales
113. Sir Marmaduke Constable, MP, JP, sheriff (Yorks), kt for the body
114. Sir Sampson Norton, chamberlain of Exchequer, master of ordnance
115. Piers Courtenay, bishop of Exeter, keeper of privy seal
116. Sir Robert Clifford, master of ordnance
117. John Kendal, grand prior of St John's of Jerusalem (England)
118. John Morgan, bishop of St David's (1496), former clerk of parliament
119. Edmund Marteyn, master in Chancery, dean of St Stephen's (1496)
120. Richard Hatton, master in Chancery, clerk of parliament
121. Thomas Wolsey, dean of Lincoln (1509)
122. Christopher Urswick, king's almoner, archdeacon of Richmond and Norfolk
123. Sir Richard Poyntz, kt for the body, steward of various royal manors
124. John Blythe, bishop of Salisbury (1494)
125. Henry Algernon Percy, 5th earl of Northumberland
126. Henry or Humphrey Stafford, 2d duke of Buckingham
127. Thomas Maltravers, earl of Arundel
128. Edward Sutton, Lord Dudley
129. Thomas Lord Darcy
130. Thomas Butler, earl of Ormond
131. Sir Henry Marney, MP, sheriff (Essex)
132. Hugh Oldham, bishop of Exeter (1504)
133. Sir Guy Fairfax, puisne justice of King's Bench
134. Sir Amyas Paulet, MP, JP, sheriff (Somerset & Dorset)



APPENDIX III  
GUILDFORD'S LANDS

The following list demonstrates the diversified holdings of Guildford, and by extension, of others in similar circumstances. Though he did not have a freehold interest in all of these properties, he at least was concerned as a feoffee to uses. Contemporary spelling has been preserved throughout.

**Kent:**

1. Pronehill and Ivechurch parishes, 200 acres marshland(22 Jun 1478)
2. Kenarton manor, an interest in three parts (11 Sep 1481/2)
3. Knalton manor (held from 10 Feb 1483-Oct 1483, 31 Aug 1485-25 Mar 1488)
4. Other lands in Shrynklyn, Wannston, Wardon, Leghes, Sellyng, Margate, Sandwich and Shepardswelde (held for same periods)
5. Down manor, land in Farrenchehurst, lands in parishes of Cowdam and Keston and a mill in Sandehurst (supposedly acquired in 1460, then being a knight; either refers to his father or misdated)
6. Cranbrook, 900 acres in this parish (12 Mar 1497; he must have held here before this, for he is called of this parish in the act of attainder of Jan 1484)
7. Shorne manor to Guildford et alia, less one acre (14 Nov 1506, a posthumous enfeoffment to uses)
8. Farlegh and Pronehill, 3000 acres marsh (5 Jun 1497)
9. Traseis manor (14 Nov 1506, posthumous enfeoffment to uses)
10. Halden manor in Rolvenden parish and Hemsted manor in Benenden parish (family holdings)
11. Bocton Malherbe manor, tenements of Ponsyns and le Frithes in parish of Bocton, Shereves Court manor and Wardens manor or tenement in Egerton parish (9 Apr 1481, part interest as feoffee to uses?)
12. Trulegh manor (feoffee to uses prior to Oct 1491)
13. Otham and advowson of said manor, Rede and Pympe manors, a mill in Maideston and two meadows in Boughton (21 Sep 1494, feoffee to uses of another for her life)
14. Various parcels in Patrykeshorn parish, manor of Hoth in above and Bekeshorn, Yelding manor, lands in Addesham and Well, Ratlyng manor (three parts by one interest, the fourth through another), Grove in Wykham Breux parish, Heysted in Chisselet and Reculver, Port in Chisselet, Dene and Dane manors in Chilham, Freshe Eyland and Salt Eyland in Chisselet, Hopeland and Hersyng in Blengate Hundred, woods in Penycrek in Bysshapesborn, land

in St John parish, Isle of Thanet, Knoll and Pyrtye in Sturrey, land in Breg, Tylmaston, Herynden in Estre and land in Patrykeshorn (as feoffee to uses, prior to October 1502)

**Sussex:**

1. Mersham (manor held in socage of Lord Hastings)
2. Palyde, Iden, Pronehill, Farlegh and Ivechirch (1300 acres salt marsh acquired in these parishes, 22 June 1478; also held over 200 acres here from Lord Hastings)
3. Pett (messuage and 26 acres held in socage of Sir Roger Leukenore)
4. Palyden, Iden and Ivechirch (parcel of 3000 acres salt marsh acquired 5 June 1497)
5. Higham alias Iham manor (granted to Guildford, 6 Oct 1487; surrendered and regranted, 17 Jan 1506, together with many perquisites in Winchelsea, formerly parcel of said manor, by virtue of bailivry of town)
6. Bradwater alias Brodewater manor and chase (part interest; granted to clergy of Westminster in free alms, 20 July 1503)

**Surrey:**

1. Kenyngton manor (granted 28 Sep 1485; perhaps resigned prior to 4 Apr 1506)
2. Abyngworth manor (granted to Sir John in tail male, 6 Oct 1487; alienated to Crown c. November 1495)

**Essex:**

1. Reversion of manor of Martel Hall in Ardele, reversion of a moiety of manor of Great Bromley, reversion of 200 acres in Doversorte parish, messuage, 300 acres and a three shilling rent in Tendryng and Manytre, manor in soke of St Paul's, London, messuage and 200 acres in Ramsey, messuage and 100 acres called Panteryse in Doversorte parish (lands late belonging to Robert Mortimer, given in ward to Guildford, along with heiress, 31 Dec 1486)

**Middlesex:**

1. Lands on Tower wharf and Tower hill (by grant, perquisites of office, 8 March 1486)

**Herts:**

1. Bishops Hatfield, Little Berkhamstede, Hertyngfordbery, Bayford, Esynden, Wyndrich manor, moiety of manor of Northmymms (Guildford had an interest in fee, others had an estate for life of deceased grantor's wife)



**Berks:**

1. Manors of Woodhay and Enborne (feoffee to uses, 27 Apr 1501; vacated because surrendered 14 Mar 1503)
2. Ramenham manor (part interest; granted to clergy in free alms, 20 Jul 1503)
3. Wantyng (lands here as feoffee to uses, 11 Jun 1501)
4. Fyllberdes manor (acquired without title from Earl of Suffolk during his absence from the realm prior to January 1506)
5. Five manors late of Sir Thomas Delamare (granted to Guildford in wardship, along with heir, 1 Feb 1493; apparently disposed of prior to April 1494)

**Devon:**

1. Combe manor and other lands in Holbeton, Overcombe, Nethercombe, Efford, Alstan and Battokysburgh (feoffee to uses, 12 Dec 1501)
2. Lands in Hamme St George, Crakeway in Westdowne parish, Binford and Doddecote in parish of Hamme St George, Brodewyk, Bykesworth and Yard in parish of Knitesbery, Ten and Pattysforde in parish of Cholecomb (feoffee to uses, 12 Sep 1501)

**N'hants:**

1. Pytesley manor (granted to Sir John, 6 Oct 1487, in tail male; alienated to Crown c. November 1495)
2. Pottecote and Grymmescote manors (held 10 Feb 1483-Oct 1483, 31 Aug 1485-25 Mar 1488)
3. Corby and Bouseygate manors (part interest, 3 Apr 1500)

**Hunts:**

1. Alyngton manor (and other lands there), Copmanford and Tipton manors, various lands in Elyngton and Walton (feoffee to uses, 11 Jun 1500)

**Yorks:**

1. Manor and chase of Daneby in Blakhommore, manor of Thornton Pikeringlight (part interest, 3 Apr 1500)

**S'hants:**

1. Lands late of Anne Whitehed, whose daughter was an idiot (lands not identified in IPM, 4 Jul 1498)

**Wilts:**

1. Same as above



**Beds:**

1. **Manors of Wotton, Kerdyngton, Ronhale, Bromham, Dylwyk and Stacheden (as feoffee to uses [?], 3 Apr 1500)**
2. **Twenty knight's fees involving manors of Sharnebrook, Pabenh-  
ham, Hynkewyke, Thornecate, Carleton, Turvey, Stachedin, Wotton,  
Bromham, Bydenham, Houghton Conquest, Heccelleve, Eversholt,  
Podesgrove, Chykesand, Stolford, Stondon, Henlowe, Sutheyvale,  
Stanford, Wardon, Kerdyngton, Coupele, Willyton, Harewedon,  
Wrastlyngworth, Todelowe, Wyboldiston, Bereford, Ronhale, Rav-  
enesdon, Goldyngton, Risle, Bolnehurst, Caysho, Aspole, and  
Eastwyke (as feoffee to uses [?], 3 Apr 1500)**

APPENDIX IV  
BIBLIOGRAPHICAL ESSAY

Materials in the Public Record Office

At present a new guide to the staggering amount of material housed on Chancery Lane and numerous other locations in and about London, is in the making. To date, however, only the first portion is available: Guide to the Public Records. Part I. Introductory (London, 1953), a brilliant work by Hilary Jenkinson. Until the other parts are forthcoming the standard bibliographical aid will be M.S. Guiseppi, A Guide to the Manuscripts Preserved in the Public Record Office, 2 vols (London, 1923-4). The copy available at the Round Room in the PRO has been annotated to keep abreast of recent cataloguing, but even private copies will give some indication of the nature of the categories available to the student. An older work, S.R. Scargill-Bird, Guide to the Principal Classes of Documents in the Public Record Office (London, 1908), still may be of value, though the system of classification chosen is rather awkward unless one has a rather good idea of what he's looking for.

The reference system at the PRO is this: there are 78 groups, beginning with Admiralty and ending with the Ministry of Works. Within these groups are the classes, some 3,250 in all, and beneath these are the individual pieces which may be produced for inspection. A cautionary note before one concludes that this shouldn't entail much effort: the "individual" document may be anything from a single sheet of paper or parchment to a roll comprising 500 sewn membranes weighing 50 pounds.

To obviate the tedium and difficulty inherent in reference by full citation, a code has been devised, whereby numbers represent names. An illustration is the use of the symbol E.101/414/6 to represent Exchequer, King's Remembrancer, Various Accounts, Henry VII, Chamber Payments, 1495-7. The major categories or groups, the numerous classes, and the lengthy list of specific pieces which proved useful in this study are as follows:

#### I. Household

The most important records, those which Professors Dietz and Richardson used so extensively in their investigations of the chamber system, are the account books of John Heron, some of which are at the PRO, others in the British Museum, while a few have disappeared in the intervening centuries, almost certainly due to the attentions of "collectors". The Exchequer office holds all those at the PRO. The first, E.101/413/2, is in three parts: part one, in Heron's hand, but ostensibly the accounts of Sir Thomas Lovell as treasurer of the chamber, covers the period 9 July 1487-1 October 1489; part two, again in Heron's hand but still for Lovell, containing a contemporary index, extends from 30 September 1489 to 1 October 1495 (this volume, a particularly beautiful example of the medieval accountant's art, is on display in the PRO Museum); while part three is Heron's own account for the period 1 October 1502-1 October 1505. In this last, Heron notes that he has accounted for at least the three previous years as well, but these accounts are missing. In almost all of these books, which by the way are books of receipt, Henry VII has initialed the daily entries. The next record, an English roll, E.101/414/11, records payments made to Heron by the tellers at the



Receipt. The entries are not particularized, i.e. only general charges are expressed, as for instance, expenses contingent upon the rebellion in Cornwall. The period covered is 1497-9.

Another Exchequer category which contains germane material is E.36/123, ff.1-120, a book of receipts, profits, obligations and payments for the periods 1 October 1502-9 August 1503 and 1 October 1503-22 July 1504. Mainly in Latin (payments are in English) and kept by Robert Fowler, the book was checked by Heron and probably was the source for his final chamber accounts.

Other books of receipt are E.36/211, a Latin volume for 1505-8; E.36/212, a declaration of the profits of royal lands and arrearages due the king from 1505-6, in Latin by Robert Southwell (with the royal sign manual); E.36/213, a similar book for 1503-5, with a few arrears from 1501-2; and E.36/247, a "Book of Wards", declared accounts attested by the sign manual, in Latin, for 1503-6. At least some of these belonged to William Lichefelde, clericus, the "Receptor Generalis", particularly those from October 1504 to October 1505. The last document in this area of receipts is E.36/248, another volume by Lichefelde, in Latin, covering wardships during 1506-8.

Payments out of the chamber treasury are contained in E.101/414/6, Heron's accounts from 1 October 1495 to 30 September 1497, again initiated by the king. Business is recorded under such headings as revenue, debts, obligations, memoranda, tailles and wards, of which the memoranda section is extremely valuable. Heron's payments for the subsequent period, 1 October 1497-30 September 1499, are found in E.101/414/16, and the period October 1499-October 1502 is covered by E.101/415/3. The





final book in this series, that is for Henry VII's reign, is E.36/214, which contains Heron's payments for 1 October 1505-20 November 1509. It is sketchy after April 1509.

Documents subsidiary to Heron's accounts are contained in E.101/416/4, which is a miscellany, apparently temp. Henry VIII, containing notes on household personnel. Payments Heron made to various ambassadors from Michaelmas 1503 to Michaelmas 1504 are in E.101/517/5, a small paper roll. Another paper roll in English, evidently written by Heron sometime after May 1504, containing a new list of obligations and desperate debts, is in E.101/516/30. A similar list for Paschal and Trinity terms, 1503 and 1504, is E.101/517/2. The transfer of pertinent records from Heron to Dudley on 1 February 1505 is recorded in E.101/517/11.

There are two paper sheets available which give John Daunce's summary account of payments for construction work in 1503-4 (E.101/517/4), as well as receipts from certain lands for 1504-5. In E.315/263 there is a list of memoranda and obligations for 1504-9 in both English and Latin; and in E.165/22 one finds a list of consolidated desperate debts ranging from 8 Henry VII to the early years of Elizabeth I. An alternative use of the recognizance is demonstrated in E.165/8, a register for the period 1488-1509, in which are recorded the obligations of sheriffs and others upon appointment to office. A Latin roll, E.101/676/2, records the fees, wages and annuities coming from the Warwick and Spencer lands (crown possessions), and shows the great number of posts held by Sir Edward Belknap, first surveyor of the king's prerogative.

The accounts of the treasurer of the household cover only the earliest years of Henry's reign; either they have disappeared, or as I have reason to believe, were no longer kept once the chamber system was re-introduced or inaugurated (depending upon one's acceptance of the continuity thesis posited by Wolffe). For the period 1 October 1486-29 September 1487 we have those of Sir Richard Crofte, a Latin record of expenses incurred while provisioning the household, while purchasing horses and presenting rewards and gifts to sundry persons at court. (E.101/412/19)

With the comptroller of the household, too, one has little to go on. There are in existence three volumes which Guildford presented during his occupancy of the office: E.101/414/4 (10-1 Henry VII); E.101/414/10 (12-3 Henry VII); and E.101/415/4 (16-7 Henry VII). All are in Latin and follow a standard form: recepta scaccarii, alia recepta, daily expenses, oblaciones, dona et regard, le empciones equos and prestita et remans. The Latin is curious, containing many neologisms, e.g. buttery being rendered buttillia. The most important portion of such an account, at least for the political historian, is the daily expenditure section, from which the itinerary of the court may be traced.

The cofferer, a lesser but vital officer of the household, is well represented at the PRO, at least for the later years of Henry's reign. It was the cofferer's responsibility to accept, safeguard and pay out monies for the expenses of the household. The treasurer of the household was his ultimate superior, but in Henry's reign the comptroller seems to have been his immediate and most important supervisor. It was the latter to whom the cofferer rendered his annual accounts,

at least after Guildford's entry into office. Thus in great part the cofferer, treasurer and comptroller preserved identical accounts. The cofferer and the comptroller each kept a Latin book of expenses; from these a final Latin compotus roll was made up by the cofferer. Very few of the books are left; for the most part only the rolls remain. They are: E.101/413/12 (roll, 9-10 H.7); E.101/414/5 (roll, 11-2 H.7); E.101/414/9 (roll, 12-3 H.7); E.101/414/13 (roll, 13-4 H.7); E.101/415/1 (roll, 14-5 H.7); E.101/415/2 (book, 15-6 H.7); E.101/415/6 (roll, 17-8 H.7); E.101/415/9 (roll, 18-9 H.7); E.101/415/12 (book, 19-20 H.7); E.101/415/13 (roll, 19-20 H.7 [this is the only year for which both book and roll remain; unfortunately, the comptroller's book has not survived, else we would have another check for this year]); E.101/415/15 (roll, 20-1 H.7); and E.101/416/1 (roll, 20-1 H.7). The last two cover the same period; however, the first may be a bad copy of the second. A marginal note in a later hand identifies the first as a wardrobe account, but it appears to be a normal compotus roll.

In E.315/176 there are a few deeds and indentures between Henry's queen, Elizabeth, and such men as Sir Gilbert Talbot, illustrative of the measures taken in the queen's own household.

There are good lists of household personnel (also for the Prince's household), as well as much other material in L.C. 2/1, the lord chamberlain's records for the funerals of Prince Arthur, Lord Edmond, Queen Elizabeth and Henry VII. In the records from the lord steward's office there is much material copied from records which since have disappeared. In L.S. 13/277, a miscellany copied out in 1768 by order, there are judgments from the Court of Marshalsea, precedents

concerning the jurisdiction of the steward and an historical essay on that office. A 17th century copy of the "Black Book of the Counting House" (1478, Edward IV), a volume dealing with the organization and administration of the household, is found in L.S. 13/278. And L.S. 13/280 contains an early Stuart copy of precedents from the Board of Green Cloth, expenses and ordinances for royal households from Edward III to James I, with a brief view of the totals for the years 2,4,7,10, 13,16,19 and 23 Henry VII (f.60).

Brief glimpses at the great wardrobe (usually administered by the under-treasurer during Henry's later years) are afforded by Sir Robert Lytton's accounts for the period October 1498-October 1499 (E.36/209); while there is a single damaged membrane, a Latin petition for allowances from Sir Richard Crofte, apparently acting as keeper of the wardrobe in the household, which is of some value for a study of that minor office (E.101/624/49 [probably from the period 1485-94]).

## II. Council and Law Courts

What material has not been published by the Selden Society exists principally in scattered form throughout a number of categories. It is entirely possible that vital matter still may turn up from some hitherto unexplored location, but as it stands the available records are unsatisfactory.

Among the Duchy of Lancaster records two priceless books were uncovered just prior to World War II. They have attracted surprisingly little attention since the greatest scholar of the Duchy, R. Somerville, pointed them out in 1939. Contrary to prior views, Somerville (after

it was mentioned to him by a PRO official) demonstrated that D.L.5/2 (1500-9 and D.L.5/4 (1504-9) were the records of the "Council Learned in the Law" rather than those of the Duchy council. This enlarges the scope of the council and further confuses what had nearly become a clear picture of conciliar activity under Henry VII.

E.28/93 contains a number of (generally) undated privy seals, injunctions, bills and other council fragments covering the period Henry V to Henry VIII. Six clearly pertain to Henry VII's reign. E.28/94 contains fragments similar to those mentioned above; one is identifiable as a privy seal from 8 Henry VII. The last of this series, E.28/96, has a rather full series of documents concerning a case of livery and maintenance in the west, probably from c. July 1498.

There are two sets of papers in E.163/9/27, a dossier dealing with charges brought against Henry Algernon Percy, 5th Earl of Northumberland by Thomas Savage, Archbishop of York and President of the Council in the North, most likely shortly before October 1505, which illustrate the workings of the council at the very highest level.

E.101/516/27 and E.101/516/28 are paper rolls, in English, recording the fines assessed in Cornwall and Devon after the revolt of 1497; and E.34/2 provides us with an excellent picture of the method used in raising forced loans. There are a few signets and a record of all loans raised for the Scots war (probably 1497) in this volume.

There are two cases involving Guildford among the records of the Court of Star Chamber (St.Ch.1/2, #75,129), but none in the records of the Court of Requests.

Records for the other courts, those of record, include C.43/22



and C.43/23, pleas, etc., on the common law side of Chancery, many of which have been damaged by fire and mold; C.1/138/60, C.1/233/51, C.1/234/2, C.1/251/4 and C.1/251/6, early Chancery proceedings; and E.207/22/1-30 and E.207/23/1-30, which are "bille", i.e. collections of bills, petitions and reports re the court of Exchequer.

A record of all forfeited recognizances from the King's Bench during August 1485-September 1504 is contained in E.101/516/17, which was one of Dudley's basic books when he became royal bad debt collector.

### III. Exchequer

One of the most useful classes was the series of tellers' writs. Issued in English, they were noted in Latin at the Exchequer. For the reign of Henry VII they are coded as follows: E.404/79 (1-3 H.7), E.404/80 (4-6 H.7), E.404/81 (7-10 H.7), E.404/82 (11-3 H.7), E.404/83 (14-6 H.7), E.404/84 (17-9 H.7), E.404/85 (20-1 H.7) and E.404/86 (22-4 H.7). In E.407/6/137 one finds a Latin roll of abstracts from privy and great seals issued during the first six years of the reign, which can be useful as a check. E.403/2558 purports to be a complete list of privy seals and great seals directed to the Exchequer of Receipt during the first thirteen years of Henry VII's reign. These tellers' writs are valuable primarily because they are the authorities for all payments out of the Receipt. Such warrants were issued under either privy seal or signet, though in more formal cases the privy seal apparently was required to satisfy the officials at the Receipt.

E.163/9/7 is a series of rough notes, memoranda, indentures and receipts for payments from sheriffs and fermors of the ancient revenues,

for the period October 1485-January 1497. There is an interesting melange of tables for figuring rates of custom, wages, rates on jewels and other property, in French and apparently temp. Henry VII or perhaps Henry VIII, in E.163/9/21. A repertory of escheators, arranged by county and reign from Edward III to Elizabeth I, unfortunately slight on Henry VII, is available in E.164/48.

A set of sheriffs' accounts before the barons of the Exchequer of Account for the year 1505-6 is found in E.36/145. There is a single faded parchment referring to payment to sheriffs, coded as E.101/516/14, which tells a bit about procedure.

Receipts and payments are recorded in E.36/124 (1490-1), E.36/125 (1485-6, 1492-3), E.36/126 (1498-1505), E.36/130 (1488-91) and E.36/131 (1493-7).

An illustration of the difficulties which the barons faced in their attempts to enforce an accounting before them by all royal officers is found in E.101/612/56, a privy seal of Henry VIII ordering them to quash all process against Guildford's son, for his refusal to render an account in the Exchequer.

The other great classes used in this study are the originalia rolls and the memoranda rolls, both of the King's Remembrancer and the Lord Treasurer's Remembrancer. E.371/251-74 contain all the originalia rolls (LTR) for 1-24 Henry VII. The index or repertory to these rolls is Ind. 6954. The memoranda rolls, i.e. uncollected debts (as opposed to pipe rolls, where payment was recorded) of the King's Remembrancer, which debts pertained to the king immediately, are coded in E.159. The roll for 21 Henry VII, E.159/284, concerns Guildford. The repertory to this





series is Ind.7041. Memoranda rolls for the Lord Treasurer's Remembrancer (debts concerning the government, but not the king immediately) are found in E.368. That concerning Guildford is E.368/268. The repertory for this class is Ind.7025.

#### IV. Chancery

The class most used in this study was the series of accounts presented by the keeper of the hanaper, the financial section of the Chancery, where fees were received for all documents issued under the great seal, such as original writs, exemplifications, letters patent and records of alienation of fees held in chief. The standard charge came to about 16s. 4d., and in the single year 1485-6 enrollment fees totaled £1,559.13s.4d. The accounts used were the final versions of the originals sent to the Exchequer: E.101/217/14,15 (particulars of account, 1-3 Henry VII), E.101/218/1-12 (particulars of account, 2-17 Henry VII) and E.101/219/1-9 (particulars of account, 16-22 Henry VII).

#### V. Calais

There is a large amount of mainly undigested material dealing with the port of Calais in this period. E.101/200, 201 and 202 are the class numbers. Those used herein are cited in the next section.

#### VI. Military and Naval Affairs

Ordinance accounts are relatively scarce, in fact there is none for Guildford. Those which have survived are instructive especially on such things as cost of equipment, material used, origin of artificers and for the relationship which this office bore to the crown. E.36/3 is a

"reckoning" of artillery during the last years of Henry VII (Sir Sampson Norton) and the first years of his successor. E.36/7 accounts for the period 1 May to 20 November 1497, when the master, Sir Robert Clifford, was preparing for and recovering from the Scots war. E.36/8 records the indentures which Clifford made with a number of ship owners and captains in May 1497 for the transport of ordnance to the north. E.36/130, an Exchequer account plus a mass of unrelated material, contains three folios of a Latin ordnance account rendered by Sir Sampson Norton from 31 October 1506. A tattered requisition for ordnance and equipment, undated but in Guildford's name, is listed, erroneously as from the reign of Henry VI (E.101/54/28).

A military account for the period 25 February-7 April 1491 may be seen in E.101/55/21, a record of payments for this purpose out of the Exchequer. The accounts of the clerk of the marshalsea, William Hatcliff of later Irish fame, are valuable for the year 1492, while the Calais records reveal the method for maintaining a garrison there, in an indenture between Sir Hugh Conway and members of the Staple (E.101/201/30). A series of indentures for war service involving 84 of the major figures of the period are found in E.101/72/1065-1162 (1491-2).

The accounts of the treasurer for war are in E.36/1 (31 January 1492-31 January 1501), E.36/14 (1497) and E.101/55/22 (Easter terms 1501, 1502).

Naval accounts rendered by the clerk of the king's ships are found in E.36/7, ff.1-117 (Thomas Roger, 1485-8), E.315/316 (Robert Brigandyne, 1 May 1495-10 December 1497) and E.315/317 (Brigandyne, 21 February 1501-21 February 1502). The accounts of Adrian Whethill, controller of



the great customs at Lanterngate (Latin, October 1497-October 1499) are invaluable, since they mention dates, ships, ports of origin, owners, merchants having goods aboard and amounts levied (E.36/185). In this context the Calais accounts are significant, too, for they reveal the indentures between the treasurer and under-treasurer and various masters for convoy of the annual wool fleet. Those for 10 September 1492-8 April 1493 are in E.101/201/5, while those for the same months in 1494-6, 1502-3 and 1504-6 are in E.101/201/11.

An important document on the short campaign of 1492 (E.30/612) gives us a list of names useful for both military and council studies. This is the opinion rendered Henry VII by his councillors as to the advisability of accepting the French terms for peace.

#### Materials in the British Museum (Manuscripts Division)

Of the approximately 160,000 "producible units" found in this repository, some hundreds are applicable in some way to the period covered in this study; however, those which follow have proved especially pertinent.

The quickest introduction to the materials available comes from the British Museum: The Catalogues of the Manuscript Collections (Trustees of the British Museum, London, 1953), a pamphlet which summarizes the keys to the various groups. The Sloane MSS (4100) were purchased by parliament in 1753 and are the nucleus of the great Additional MSS collection, which begins at 4101 and reached 48,000 by 1953.

The story of the catalogues for these mountains of documents is rather complex, and peculiarly British in its development, but in essence may be stated in this fashion: Sloane MSS plus Additional MSS to

5017 are catalogued (not in numerical order, but by subject, which is most unsatisfactory) in A Catalogue of the Manuscripts Preserved in the British Museum ... (Clerkenwell, 1782) by Samuel Ayscough. Several later attempts to make Ayscough do proved unsatisfactory, but an Index to the Sloane Manuscripts in the British Museum (Trustees of the British Museum, London, 1904) which of course ended at 4100, was compiled by Edward J. L. Scott. First, in the decade 1817-27, then between 1829 and 1837, efforts were made to catalogue post-Ayscough accessions. Of these, Sir Frederic Madden's (a reworking and extension of the first, by Sir Henry Ellis), covering 5018 to 7079, is the better. Neither was published; they may be used in the Students' Room of the BM.

Annual lists of acquisitions began in 1828, but as an aid to the researcher these early ones leave much to be desired. An Index to the Additional ... Manuscripts Preserved in the British Museum and Acquired in the Years 1783-1835 (Trustees of the British Museum, London, 1849), principally compiled by Sir Edward Bond, takes us to the year 1836, when the annual acquisition notice was revamped to include an index, lengthier descriptions, and an effort to attain numerical order. Printed volumes go through the period 1921-5, and a handlist of recent gains (in two volumes) is available in the Students' Room. Much of the later material is not yet accessible, of course.

Besides the Sloane and Additional MSS (which as we have seen is a continuing project), there are numerous privately bequeathed collections, some complete in themselves, others forming nuclei to which additions are made with the proceeds of investment. Examples of the former which were used in this study are the Hargrave MSS (legal), the Harleian MSS,



the Stowe MSS, the Royal MSS (acquired by successive rulers from Edward IV to George II), the Lansdowne MSS and the Cottonian MSS. An example of the latter is the Egerton collection, which contains the original gift of 1829 plus MSS purchased with the income from £15,000. All of these collections have been catalogued separately. In addition there are numerous charters and rolls, for the most part catalogued.

#### I. MSS Dealing with Guildford (Biographical)

These are primarily collections of genealogical or armorial material in which the Guildfords may be traced. Among the Additional MSS they are: 5711, 5524, 14307, 15755 (knights of the Garter), 34766 (knights of England) and 38133 (ibid.). In the Harleian MSS one finds much the same thing in 833, 908, 1548, 1757, 2122, 4108, 5177, 6063 and 6166. Among the Cottonian MSS there are two pertinent: Claudius C III and Faustina E II. Guildford is one of those named in MS Add.4160, Warbeck's often-printed proclamation, which has been of some influence in persuading historians of the low origins of many of Henry's advisers. Though not ready for use, the Brockman charters for Kent (MSS Add.42586-710) may reveal additional information about this Kentish family.

#### II. Household

Ceremonies and the ordinances of 1494 are found in MS Add.4712(3), 18669 and 38174; MS Harl.69, 293, 369 and 642; and in MS Cotton. Julius B XII.

Some comparative figures for the household expenses of Henry VII, Henry VIII, Edward VI and Mary are found in MS Lansd.3, f.59, and comparative revenues for the period Henry VI-James I are in MS Lansd.165.





The charges of Henry VII's household for three separate weeks within the period 23 December 1492-31 August 1493 are set forth in MS Lansd.1, ff.112-3; they probably are from the accounts of Sir John Spelman, who was comptroller prior to Guildford.

Among the Royal MSS the following are pertinent: 14 B XXIV (declaration of royal rents in London, 11-4 Henry VII, by Thomas Lucas), 14 B XXXVIII (valor of crown lands in the west and Wales, 10 Henry VII) and 14 B XXXIX (household account, 1 October 1501-31 March 1502).

Another household account, by Sir John Bussy, for 30 September 1507-1 October 1508, is in MS Add.28623. There is a proclamation for payment of royal debts in MS Lansd.198 (19 Henry VII), and a number of warrants to Sir Robert Lytton, keeper of the great wardrobe, in MS Add.18825 (embracing the accounts for 1498-9 at the PRO [E.36/209]). The accounts of Thomas Warley, clerk of the king's works, for 1500-2, are in MS Egerton 2358.

Three remaining items are MS Add.21480 (Heron's chamber payments, 1 October 1499-1 October 1505), MS Add.7099 (early 19th century abstracts from the chamber payments book, 1491-1505) and MS Add.24518 (Joseph Hunter's extracts from Heron's payments, by which he constructed an itinerary for 2-5, 8-11, 13-4, 15-7 and 20-1 Henry VII). The first of these probably was removed from the government archives by Peter le Neve, an early 17th century official, and acquired by Craven Ord, who made the extracts which comprise the second volume while in the office of the King's Remembrancer in the early 19th century. It duplicates a volume at the PRO (E.101/415/3) and fills in a gap from 1502-5 in the files of that depository. Why there should be duplicates is an unresolved question.



The second volume is significant because it contains extracts from a missing account, the book of chamber payments prior to 1495. Selections from this were printed by Samuel Bentley, ed., Excerpta Historica (London, 1833). Taking the complete run of volumes in both the PRO and BM, we have the following gaps in the chamber accounts: receipts (1485-7, 1495-7, 1499-1502 and 1505-9); payments (1485-91).

### III. Council and Law Courts

The prerogative courts are well documented at the BM. In particular, the 17th century essay on the Star Chamber by William Hudson recurs almost monotonously: MSS Lansd.232 and 254; MSS Harl.736, 1226, 1688, 4274, 5350, 6235 and 6256; and MS Add.48058 (Yelverton MS LXIV). Lists of those who sat in these courts are found in MSS Lansd.1, 83, 125, 160; MSS Hargrave 216 and 240; MSS Harl.297 and 305; and MSS Add.4521, 11595 and 25248. The first student of the court of Request, Sir Julius Caesar, made some notes which are found in MS Add.36112. Some information about Star Chamber causes also is found in MS Harl.6811 and MS Lansd.1.

Material dealing with the council is in MS Lansd.127 (Dudley's notebook, 9 September 1504-28 May 1508), MS Lansd.160, f.311, MS Harl. 1877, f.47, MS Harl.297 (the book of extracts from council sessions records), MS Hargrave 216 (ibid.), MS Royal 14 B VII, MS Royal 14 B XXI and MS Royal 18 C XIV, MSS Add.29616, 29617 and 29619, MSS Egerton 2089, 2094 and 2107, and MS Add.46462. A series of obligations, one involving Guildford's son George, is in MS Egerton 986. The activities of the council under Richard III may be followed in MS Harl.433, the famous lord chancellor's docket book, a major source for the reign. The contents of this volume are analyzed in MS Add.11269.

Some MS copies of legal materials also are found in the BM. For instance, MS Hargrave 87 contains a number of law readings from the reigns of Henry VII and Henry VIII, mostly in Latin. MS Harl.1624 has reports of decisions from 4-24 Henry VII (ff.1-33b), while MS Hargrave 105 is a year book collection for 22 Edward IV-21 Henry VII.

Some notice of important figures may be gathered from MS Lansd.978 (notices and wills of eminent men; ff.5,14,20,77,127 for Henry's reign) and MS Sloane 1523 (maxims of eminent Tudor figures).

#### IV. Exchequer

MS Lansd.156 contains the lengthy and valuable under-treasurer's declaration of the state of the treasury for 20-1 Henry VII, perhaps the first and certainly one of the earliest examples of the sort of reform Henry introduced at the Exchequer. MS Harl 1777 contains a copy of the form warrant empowering the treasurer and chamberlains to pay out a sum.

#### V. Chancery

MS Harl.298 contains notes on the clerks and their duties, temp. Henry VII. MS Harl.736 has a collection dealing with Chancery, and MS Hargrave 240 includes matter bearing on the history and procedure of that ancient institution.

#### VI. Diplomacy and Security

In MS Cotton. Galba B II one finds the secret instructions given Guildford and Hatton in 1499, prior to their embassy. Two other Cotton. MSS which are useful are Vespasian A XXV (f.38, a brief "diary" of events) and Vespasian C XII (an account of the Archduke Philip's "reception" in 1506). Other accounts of this lavish ceremony are in MSS Harl.540,543.

The story of the meeting with the same man in France in 1500 is retold in MS Harl.1757.

Scottish relations, including a description of the proxy marriage of Henry's daughter Margaret to the Scots king, are the subject of MS Harl.289.

The importance of Calais is self-evident. Great numbers of documents pertaining to this entrepot are found in the Shrewsbury Talbot MSS acquired by the BM in 1947. Some of the pertinent material can be found in MS Add.46454 (privy seals sent to Sir Gilbert Talbot) and the rest in MSS Add.46455-6 (21 bundles of letters, principally in French, to such persons as Lord Daubeney, Nanfan and Talbot while at Calais).

## VII. Military and Naval

In the Talbot MSS (MS Add.46454) there are some privy seals which refer to military matters. MS Cotton. Titus B V, f.23 contains a military account from early in Henry's reign, and MS Lansd.804 contains a copy of a tract on war, apparently from the Italian, temp. Henry VIII. The same MS has a number of copies of military indentures from the office of the Pells, showing equipment requirements. MS Stow 440 likewise has 17th century extracts from the Pells office indentures, including many pertinent to this period.

Another Talbot MS which is of value is MS Add.46455-6, bdle 20, in which there is a military account concerning Calais, which was delivered to Lord Daubeney in July 1489. The Irish accounts of Hatcliff previously mentioned (MS Royal 18 C XIV) are valuable also. A list of ships provided by the Cinque Ports is in MS Add.28530, f.16.



## Subsidiary Collections

### I. Materials in Westminster Abbey (Muniment Room and Library)

Those who secure permission to use the materials in this, perhaps the best ordered of all monastic collections, are advised to familiarize themselves with the brilliant historical and descriptive article by Laurence Tanner, M.V.O., F.S.A., the present librarian, "The Nature and Use of the Westminster Abbey Muniments," RHS-Trans, 4th Ser. XIX (1936), 43-80.

The general collection which was most useful was the Bray Papers, containing some 60 letters from Guildford (WAM 16042) and others of high degree who sought Bray's interest. There are also three undated rolls: WAM 5398, two covenants signed by Guildford and Lovell for the construction of royal buildings at Westminster and WAM 12242, a holograph account concerning the estimated cost of horses.

### II. Materials in the Library of Christ Church, Canterbury

Reference to these Christ Church letter books may be found in HMC Report on Various Collections, I, 215f. Transcripts were made by J.B. Sheppard, the 19th century librarian who edited some portions for the Rolls Series and the Camden Society. Four of Sir Richard's letters are preserved here ("Christ Church Letters," II, 106-8, 115), as well as those of some contemporaries who had dealings with the monastery. The old family arms are on a glass set into the water tower off the library.

### III. Materials at the Principal Probate Registry, Somerset House

Some understanding of the old records of the Prerogative Court of



Canterbury, which were transferred here in the late 19th century, may be gathered from F. Fincham's "Notes from Ecclesiastical Court Records at Somerset House," RHS-Trans, 4th Ser. IV (1921), 103-39. Guildford's will (28 Fetiplace 1508) may be viewed, as can those of many of his associates in Henry VII's government.

#### Printed Works

The following, alphabetized list includes only those articles and books which have been cited in the text of this work, or which have led me to alter my views.

- Anstis, John. Register of the Most Noble Order of the Garter ... 2 vols. London, 1724.
- Archaeologia, XXXI (1846), 168ff.
- Archbold, W.A.J. "Sir William Stanley and Perkin Warbeck," EHR, XIV (1899), 529-34.
- Arnold, Richard. Customs of London ... Arnold's Chronicle. London, 1811.
- Bacon, Sir Francis. The History of the Reign of King Henry the Seventh. ed. Joseph Devey. London, 1852.
- Bell, H.E. An Introduction to the History and Records of the Court of Wards and Liveries. Cambridge, 1953.
- Bentley, Samuel, ed. Excerpta Historica. London, 1833.
- Birdsall, Paul. "Non Obstante-A Study of the Dispensing Power of English Kings," Essays in Honor of Charles Howard McIlwain. Cambridge (Mass), 1936.
- Blatcher, Marjorie [Mrs S.T. Bindoff]. "Working of the Court of King's Bench in the Fifteenth Century." Unpub. Ph.D. thesis, London University, 1936.
- Brodie, D.M. "Edmund Dudley: Minister of Henry VII," RHS-Trans, 4th Ser. XV (1932), 133-61.
- Brodie, R.H., ed. Letters and Papers, Foreign and Domestic, of the Reign of Henry VIII. 2d ed. London, 1920. Vol. I, pts 1-3.
- Brown, R.S. "Cheshire Writs of Quo Warranto in 1499," EHR, XLIX (1934), 676-84.
- Brown, W., ed. Yorkshire Star Chamber Proceedings. Yorks Archaeological Society, 1909.
- Bruce, John, F.S.A. "An Outline of the Court of Star Chamber" and "A Second Letter on the Court of Star Chamber," Archaeologia, XXV (1834), 343-93.
- Burke, Sir J.B. and Burke, John. Extinct and Dormant Baronetcies ... London, 1838.
- Busch, Wilhelm. England under the Tudors. Volume I. Henry VII, trans. A.M. Todd, London, 1895.



- Caesar, Sir Julius. Ancient State and Proceedings of the Court of Requests. London, 1597.
- Calendar of Charter Rolls, 1427-1516.
- Calendar of Close Rolls, Edward IV and Richard III.
- Calendar of Close Rolls, Henry VII.
- Calendar of Inquisitiones Post Mortem, Henry VII. 2 vols. Third in press.
- Calendar of Patent Rolls, 1476-85.
- Calendar of Patent Rolls, 1485-94.
- Calendar of Patent Rolls, 1494-1509.
- Calendar of State Papers-Spanish.
- Calendar of State Papers-Venetian.
- Callendar, Geoffrey. "The Evolution of Sea Power under the First Two Tudors," History, NS V (Apr 1920-Jan 1921), 141-58.
- Cam, Helen M. "Decline and Fall of English Feudalism," History, NS XXIV (1940-1), 216-33.
- Campbell, William, ed. Materials for a History of the Reign of Henry VII. 2 vols London, 1873-7.
- Clowes, William Laird. The Royal Navy. London, 1897. Vol.I, chaps 13-4.
- C[okayne], G[eorge] E., ed. Complete Peerage. 13 vols London, 1910-40.
- Collection of Ordinances and Regulations for the Royal Household. Soc. of Antiquaries, London, 1790.
- Collier, J.P. "Bull of Innocent VIII on the Marriage of Henry VII with Elizabeth of York," Camden Soc. Miscellany, vol.1, London, 1847.
- Collins, Arthur. The Baronetage of England. London, 1720.
- Conway, Agnes. Henry VII's Relations with Scotland and Ireland, 1485-1498. With a Chapter on the Acts of Poyning's Parliament, 1494-5, by Edmund Curtis, M.A. Cambridge, 1932.
- "The Maidstone Sector of Buckingham's Rebellion, Oct.18, 1483," Archaeologia Cantiana, XXXVII (1925), 97-121.
- Cooper, William Durrant. History of Winchelsea. London, 1850.
- Cruikshank, C.G. Elizabeth's Army. Oxford, 1946.
- Cussans, J.E. "Notes on the Perkin Warbeck Insurrection," RHS-Trans, I (1875), 61-77.
- Davis, E.J. "Goldsmiths in La Strada, London, 1497," History, NS XVII (1932-3), 47-8.
- Deputy Keeper of the Public Records. 3d Report, Appendix II.
- 53d Report, Appendix II.
- Dictionary of National Biography.
- Dietz, Frederick C. English Government Finance, 1485-1558. University of Illinois Studies in Social Science, vol. IX, no.3, Urbana, 1920.
- Dudley, Edmund, The Tree of Commonwealth. ed. D.M. Brodie, Cambridge, 1948.
- Ellis, Sir Henry, ed. The Pylgrymage of Sir Richard Gylforde. Camden Soc., London, 1851.
- Elton, Geoffrey R. The Tudor Revolution in Government. Cambridge, 1953.
- Fabyan, Robert. Chronicle. ed. Henry Ellis, London, 1811.
- Fincham, F. "Notes from Ecclesiastical Court Records at Somerset House," RHS-Trans, 4th Ser. IV (1921), 103-39.
- Fortescue, Sir John. De Laudibus Legum Angliae. ed. John Selden, London, 1616.
- Governance of England. ed. C. Plummer, Oxford, 1885.
- Fortescue, Sir John W. History of the British Army. London, 1899. Vol.I.

- Fry, George S., ed. Inquisitiones Post Mortem Relating to the City of London. Part I. 1 Henry VII-3 Elizabeth, 1485-1561. British Record Soc., London, 1896.
- Fuller, Thomas. History of the Worthies of England. 2 vols London, 1811.
- Gairdner, James. "Did Henry VII Murder the Princes?" EHR, VI (1891), 444-64.
- . Henry the Seventh. London, 1889.
- . History of the Life and Reign of Richard the Third. Cambr., 1898.
- , ed. Letters and Papers Illustrative of the Reigns of Richard III and Henry VII. 2 vols London, 1861-3.
- , ed. Memorials of King Henry the Seventh. London, 1858.
- , ed. Paston Letters. 6 vols London, 1904.
- . "The 'Spousells' of Princess Mary ... 1508," Camden Soc. Miscellany, vol. IX, London, 1893.
- . "A Supposed Conspiracy against Henry VII," RHS-Trans, NS XVIII (1904), 157-67.
- Gasquet, Francis Aidan. "Some Materials for a New Edition of Polydore Vergil's 'History'," RHS-Trans, NS XVI (1902), 1-19.
- Gladish, Dorothy. The Tudor Privy Council. Retford (UK), 1915.
- Grafton, Richard. Chronicle. 2 vols London, 1809.
- Gray, Howard L. The Influence of the Commons on Early Legislation: A Study of the Fourteenth and Fifteenth Centuries. Cambr. (Mass), 1932.
- Guisseppi, M. "Alien Merchants in England in the Fifteenth Century," RHS-Trans, NS IX (1895), 75-98.
- Hall, Edward. Chronicle. ed. Henry Ellis, London, 1809.
- Harding, John. Chronicle. ed. Richard Grafton, London, 1543.
- Hardy, J.W. and Page, W., eds. Feet of Fines for London and Middlesex. London, 1893. Vol. II.
- Harris, Mary Dormer. "Laurence Saunders," EHR, IX (1894), 633-51.
- , ed. The Coventry Leet Book. EETS, London, 1907-13.
- Harrison, W.E.C. "Maritime Activity under Henry VII." Unpub. M.A. thesis, London University, 1931.
- Hasted, Edward. History and Topographical Survey of the County of Kent. Canterbury, 1778-99.
- Hastings, Margaret. The Court of Common Pleas in Fifteenth Century England. Ithaca, 1947.
- Hay, Denys. Polydore Vergil: Renaissance Historian and Man of Letters.
- Hemmant, M., ed. Select Cases in the Exchequer Chamber ... Selden Soc., London, 1948.
- Historical Manuscripts Commission. 5th Report. Vol. IV.
- . Report on MSS of Lord de Lisle and Dudley. Vol. I.
- . Report on Various Collections. Vol. I.
- Holdsworth, Sir William. A History of English Law. 12 vols Boston, 1923-38.
- Hooper, Clarence, ed. "London Chronicle," Camden Soc. Miscellany, vol. IV, London, 1859.
- Howell, T.B., ed. State Trials. London, 1809. Vol. I.
- Hudson, William. "A Treatise on the Court of Star Chamber," ed. Francis Hargrave, Collectanea Juridica. London, n.d. Vol. II, 1-240.
- Hurstfield, J.B. "The Revival of Feudalism in Early Tudor England," History, NS XXXVII (1952), 131-45.
- Innes, Arthur D. England under the Tudors. NY, 1924.

- Ives, E.W. "Some Aspects of the Legal Profession in the Late Fifteenth and Early Sixteenth Centuries." Unpub. Ph.D. thesis, London Univ., 1955.
- Jay, Winifred. "List of Members of the 4th Parliament of Henry VII," Bulletin of the Institute of Historical Research (BIHR), III (1925-6), 168.
- Jenkins, Rev. Claude. "Cardinal Morton's Register," Tudor Studies. ed. R.W. Seton-Watson, London, 1924, pp.26-74.
- Jenkins, Canon R.C. "The Family of Guldeford," Archaeologia Cantiana, XIV (1882), 1-18.
- Jordan, William, ed. The Rutland Papers. Camden Soc., London, 1842.
- Keilway, Robert. Reports d'ascuns Cases ... Henrie VII. London, 1688.
- Kingsford, C.L., ed. The Stonor Letters and Papers. Camden Soc. 3d Ser. XXXIX, XXX. London, 1919.
- , ed. Supplementary [Stonor] Letters and Papers. Camden Soc. 3d Ser. XXXIV (Miscellany XIII). London, 1924.
- . "Proceedings in the Court of Star Chamber: Stonor v. Dormer & Others, 1491," EHR, XXXV (1920), 421-32.
- Labaree, L.W. and Moody, R.E. "Seal of the Privy Council," EHR, XLIII (1928), 190-202.
- Lapsley, Gaillard T. "The Problem of the North," AHR, V (1900), 440-66.
- Leadam, I.S. "Polydore Vergil in the English Law Courts," BHS-Trans, NS XIX (1905), 279-94.
- , ed. Select Cases in the Court of Requests: A.D. 1497-1569. Selden Soc. London, 1898.
- , ed. Select Cases in the Star Chamber: 1477-1509. Selden Soc. London, 1903.
- . "Security of Copyholders in the 15th and 16th Centuries," EHR, VIII (1893), 684-96.
- . "An Unknown Conspiracy Against King Henry VII." BHS-Trans, NS XVI (1902), 133-59.
- . More on the same in BHS-Trans, NS XVIII (1904), 167-94.
- Le Neve, John. Fasti Ecclesiae Anglicae. ed. T. Duffus Hardy. 3 vols. Oxford, 1854.
- Mackie, J.D. The Earlier Tudors: 1485-1558. Oxford, 1952.
- Malden, H.E., ed. The Cely Papers ... 1475-1488. Camden Soc. 3d Ser. I. London, 1900.
- Markham, R. "Richard III: A Doubtful Verdict Reviewed," EHR, VI (1891), 250.
- Miller, Helen. "The Early Tudor Peerage," thesis abstract, BIHR, XXIV (1951), 88.
- More, Sir Thomas. The History of King Richard the Third. ed. J.R. Lumby. Cambridge, 1883.
- Newton, A.P. "The King's Chamber Under the Early Tudors," EHR, XXXII (1917), 348-72.
- Nichols, J.G., ed. Chronicle of the Grey Friars of London. Camden Soc. London, 1852.
- Notes and Queries, 3d Ser. VI (Jul-Dec 1864), 543.
- Olipphant, T.L. Kingston. "Was the Old Aristocracy Destroyed by the Wars of the Roses?," BHS-Trans, I (1875), 437-43.
- Oppenheim, M. Naval Accounts and Inventories of the Reign of Henry VII. Navy Records Society. n.p., 1896.

- Otway-Ruthven, J. "The King's Secretary in the 15th Century," RHS-Trans, 4th Ser. XIX (1936), 81-100.
- Pickthorn, Kenneth. Early Tudor Government: Henry VII. Cambridge, 1949.
- Plucknett, T.F.T. "The Place of the Council in the 15th Century," RHS-Trans, 4th Ser. I (1918), 157-89.
- Pollard, A.F., ed. The Reign of Henry VII from Contemporary Sources. 3 vols. London, 1914.
- . "Sir Thomas More's 'Richard III'," History, NS XVII (1932-3), 317-23.
- . The Evolution of Parliament. London, 1926.
- . "The Clerical Organisation of Parliament," EHR, 57 (1942), 31-58.
- . "Receivers of Petitions and Clerks of Parliament," EHR, 57 (1942), 202-26.
- . "Clerk of the Crown," EHR, 57 (1942), 312-33.
- . "Council, Star Chamber and Privy Council," EHR, XXXVII (1922), 337-60, 516-39 and EHR, XXVIII (1923), 42-60.
- . "Tudor Gleanings - (1) The 'De Facto' Act of Henry VII," BIHR, VII (1929-30), 1.
- . "Tudor Bibliography," BIHR, XI (1933-4), 80.
- . "Fifteenth Century Clerks of Parliament," BIHR, XV (1937-8), 137.
- . "Medieval Under-Clerks of Parliament," BIHR, XVI (1938-9), 65.
- Polydore Vergil. Anglia Historia. ed. Sir Henry Ellis. Camden Soc. London, 1844.
- . The Anglia Historia of Polydore Vergil, A.D. 1485-1537. ed. Denys Hay. Camden Soc. London, 1950.
- Pugh, T.B. "The Indenture for the Marches' between Henry VII and Edward Stafford (1477-1521) Duke of Buckingham," EHR, 71 (Jul 1956), 436-41.
- Putnam, Bertha H. Early Treatises on the Practice of the Justices of the Peace in the Fifteenth and Sixteenth Centuries. Oxford, 1924.
- Rae, John, ed. The Statutes of Henry VII. London, 1869.
- Ramsey, P. "Overseas Trade in the Reign of Henry VII: The Evidence of the Customs Accounts," Economic History Review, 2d Ser. VI, no.2 (Dec 1953), 173-82.
- Reid, R.R. The King's Council in the North. London, 1921.
- . "The Office of Warden of the Marches," EHR, XXXII (1917), 479-96.
- Reports (law) of Sir F. Moore, Benloe, Dallison and Jenkins.
- Richardson, W.C. "The Surveyor of the King's Prerogative," EHR, 56 (1941), 52-75.
- . Tudor Chamber Administration, 1485-1547. Baton Rouge, 1952.
- Rotuli Parliamentorum ... 6 vols. London, n.d.
- Rowse, A.L. "The Turbulent Career of Sir Henry Bodrugan," History, XXIX (1944), 17-26.
- Ruddock, A.A. "Alien Merchants in Southampton in the Later Middle Ages," EHR, 61 (1946), 1-17.
- Rymer, Thomas. Foedera ... The Hague, 1741. Volume V.
- Savine, Alexander. "Bondmen Under the Tudors," RHS-Trans, NS XVII (1903), 235-89.
- . "Copyhold Cases in Early Chancery Proceedings," EHR, XVII (1902), 296-333.

- Shaw, W.A. Knights of England. London, 1906.
- Sheppard, J.B., ed. Christ Church Letters. Camden Soc. London, 1877.
- , ed. Litterae Cantuarienses. Letter Books of the Monastery of Christ Church, Canterbury. London, 1889. Volume III.
- Smith, Lucy Toulmin, ed. The Maire of Bristow Is Kalendar [Ricart's Calendar]. Camden Soc. Westminster, 1872.
- Sneyd, C.A., ed. Italian Relation ... Camden Soc. London, 1847.
- Somerville, Robert. "Henry VII's 'Council Learned in the Law'," EHR, 54 (1939), 427-42.
- . History of the Duchy of Lancaster. Vol. I, 1265-1603. London, 1953.
- Stapleton, T., ed. Plumpton Correspondence. Camden Soc. London, 1839.
- Statutes of the Realm. eds. Luders, Tomlins, Raithby, et al. 11 vols. London, 1816.
- Steele, Robert. Tudor and Stuart Proclamations. London, 1910. Volume I.
- Stow, John. Survey of London. ed. John Strype. 6th ed. 2 vols. London, 1754-5.
- Stubbs, Bishop William. Seventeen Lectures on Medieval and Modern History. Oxford, 1886.
- Tait, James. Taxation in Salford Hundred, 1524-1802. Chetham Soc., NS XVIII, 1924.
- Tanner, J.R., ed. Tudor Constitutional Documents, 1485-1603. Cambridge, 1930.
- Thornley, Isobel. "The Destruction of Sanctuary," Tudor Studies. ed. R.W. Seton-Watson. London, 1924, 182-207.
- . "Treason By Words in the 15th Century," EHR, XXXII (1917), 556-61.
- Tawney, R.H. and Power, Eileen, eds. Tudor Economic Documents. 3 vols. London, 1924.
- Vernon-Harcourt, L.W. "The Baga de Secretis," EHR, XXIII (1908), 508-29.
- Wedgwood, Josiah and Holt, Anna D. History of Parliament, 1439-1509. Volume I, Biographies. London, 1936. Volume II, Register. London, 1938.
- Weever, John. Antient Funeral Monuments ... London, 1767.
- Williams, C.H. "Henry VII," The Great Tudors. ed. Katherine Garvin. London, 1935, 1-19.
- . "Humphrey Stafford's Rebellion," EHR (1928), 181-9.
- . "The So-Called Star Chamber Act," History, NS XV (1930-1), 129-35.
- Wilkins [Wilke], David. Concilia Magnae Britanniae et Hiberniae ... 446-1718. 4 vols. London, 1737.
- Willis, Browne. Notitia Parliamentaria ... 2 vols. London, 1715-6.
- Wolffe, B.P. "The Management of English Royal Estates Under the Yorkist Kings," EHR, 71 (Jan 1956), 1-27.
- Wriothesley, Charles. Chronicle. ed. W.D. Hamilton. Camden Soc. NS XII, XXII. London, 1875-7.
- Year Books. Les Reports des Cases en les Ans des Roys Edward v. Richard iii. Henrie vii. & Henrie viii. ed. Sir John Maynard, London, 1679.

MICHIGAN STATE UNIVERSITY LIBRARIES



3 1293 03065 3562