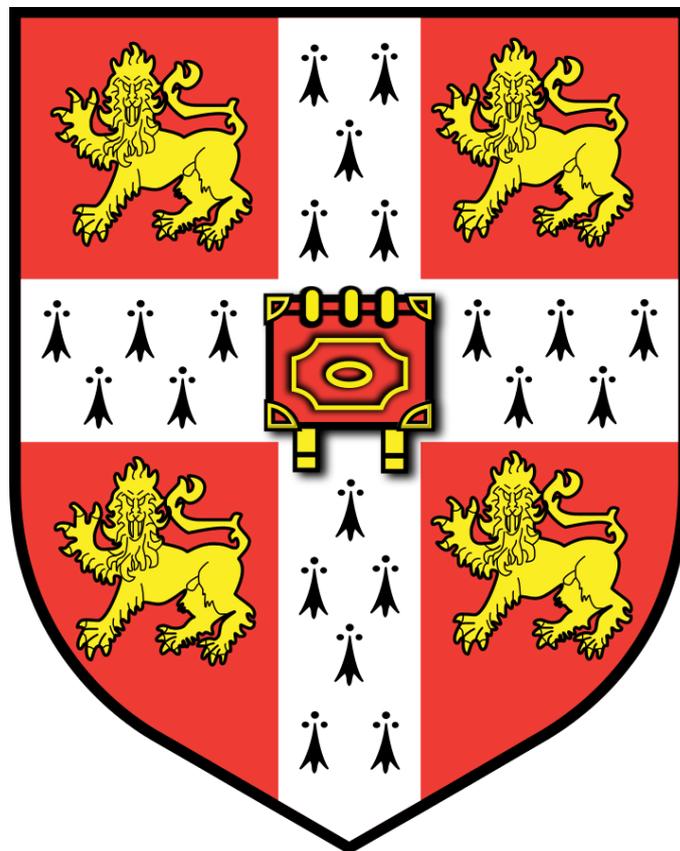


# The Lancashire Gentry in the Early Fourteenth Century, c. 1300 – 1360



This thesis is submitted for the degree of Doctor of Philosophy

April 2022

Gunnar Andreas Welle

Selwyn College, Cambridge



## **Declaration**

This thesis is the result of my own work and includes nothing which is the outcome of work done in collaboration except as declared in the Preface and specified in the text. I further state that no substantial part of my thesis has already been submitted, or, is being concurrently submitted for any such degree, diploma or other qualification at the University of Cambridge or any other University or similar institution except as declared in the Preface and specified in the text. It does not exceed the prescribed word limit for the relevant Degree Committee

Gunnar A. Welle, 4 April 2022.

## **Abstract**

### **The Lancashire Gentry in the Early Fourteenth Century, c. 1300 – 1360**

The topic of this dissertation is the gentry of Lancashire in the years from 1298 to 1361. It is a prosopographical study involving a limited number of prominent families, selected on the basis of status, tenure and service. After introductory chapters on the historiography of the field and the special circumstances of the county, there are chapters describing how these families were ordered socially, how they served in official capacities, and how they interacted with each other, the nobility, and the crown. In the second part, the same issues are analysed chronologically, to explore how circumstances changed over time, and were affected by external factors. Though the scope of the thesis is defined by the tenure of the county's dominant noble family – the earls, later duke, of Lancaster – the chronological chapters are divided according to events of local significance.

The first gentry studies of late medieval England tended to focus on the fifteenth century. As a consequence, the assumptions made for this period have often been applied also to the fourteenth. This study does not find the structures of bastard feudalism so familiar from the fifteenth and late fourteenth centuries, where a lord relied on his affinity not only for military recruitment, but also for control of the localities through official work and influence on the judiciary. Yet the county differed in too many ways from the rest of the nation for these results to be taken as representative.

At the same time, those same particularities allow an interesting study of how, as central government extended its reach, the situation at the centre affected local affairs. The county also provides multiple examples of measures taken, with varying degrees of success, by the gentry, nobility and crown to settle disputes and combat lawlessness. All in all, Lancashire highlights the great level of regional variety that characterised fourteenth-century England.

Gunnar A. Welle

## **Acknowledgements**

My greatest academic debt is to my supervisor, Professor Christine Carpenter, without whose endless patience and sage advice this thesis would never have existed. It owes as much to her as to me, though any errors or omissions are entirely my own.

I would like to thank Selwyn College, and in particular Dr David Smith, for providing a stimulating and supporting environment. Thanks are also due to the Cambridge Trust for their generous grant. Among the countless fellow students who made my experience at Cambridge so much richer, I would like to single out Dr Jackson Armstrong, who could always be relied on for friendly advice.

My greatest personal debt is to my mother and father, whose support was never in doubt, yet always appreciated. Sadly, my father did not live to see the completion of this thesis. He had generously promised that he would read the finished product. Though he is now freed from that unenviable task, I know he would have been immensely happy and proud.

## Table of contents

Declaration .....	iii
Abstract .....	iv
Acknowledgements .....	v
Table of contents.....	vi
List of Maps and Figures .....	vii
List of Abbreviations.....	xii
Introduction .....	1
1. Lancashire: Early History, Topography, Demography and Economy .	18
2. Social Structure .....	34
3. Service in Local Government .....	66
4. Local and Regional Networks.....	115
5. 1298 – 1315 .....	160
6. 1315 – 1328 .....	188
7. 1328 – 1345 .....	213
8. 1345 – 1361 .....	239
Conclusion .....	271
Appendix 1: List of Lancashire knights, 1298 – 1361 .....	276
Appendix 2: List of Lancashire officers, 1298 – 1361 .....	281
Bibliography .....	284

## List of Maps and Figures

### Maps:

Map 1 Topographical Map of Lancashire .....	viii
Map 2 Lancashire Feudal Baronage .....	ix
Map 3 Map of Major Lancashire Families .....	x
Map 4 Map of the Route Taken by the Rebels in 1315.....	xi

### Figures:

Figure 1 King's Bench, 1301 – 1350 .....	169
Figure 2 Radcliffe family .....	224



**Map 1** Topographical Map of Lancashire with Place Names Mentioned in the Text



Map 2 Lancashire Feudal Baronage from the Victoria County History (<https://bit.ly/2UWMmTI>)



Map 3 Map of Major Lancashire Families



**Map 4** Map of the Route Taken by the Rebels in 1315. From Tupling, *South Lancashire*, p. ii.

## List of Abbreviations

Add MS	Additional Manuscripts
BIHR	<i>Bulletin of the Institute of Historical Research</i>
<i>Biog. Sketches</i>	Hornyard-Strickland, <i>Biog. Sketches of Members of Parliament</i>
BL	British Library
CAD	<i>Descriptive Catalogue of Ancient Deeds</i>
CChR	<i>Calendar of Charter Rolls</i>
CCR	<i>Calendar of Close Rolls</i>
CFR	<i>Calendar of Fine Rolls</i>
CPR	<i>Calendar of Patent Rolls</i>
CIPM	<i>Calendar of Inquisitions Post Mortem</i>
ODNB	<i>Oxford Dictionary of National Biography</i>
EcHR	<i>Economic History Review</i>
EHR	<i>English Historical Review</i>
GMCRO	Greater Manchester County Record Office
KEI	Moor, <i>The Knights of Edward I</i>
LA	Lancashire Archives
LOS	<i>List of Sheriffs for England and Wales from the Earliest Times to AD 1831</i>
P&P	<i>Past and Present</i>
<i>Parl. Writs</i>	<i>Parliamentary Writs</i>
RMP	<i>Return of the Names of Every Member of Parliament</i>
TRHS	<i>Transactions of the Royal Historical Society</i>
VCH	<i>The Victoria History of the County of Lancaster</i>
RSLC	Record Society of Lancashire and Cheshire
UML	University of Manchester Library

## Introduction

On 6 March 1351, in the charter creating Henry of Grosmont duke of Lancaster, Edward III describes his cousin as ‘excelling others as well in wisdom as in noble bearing’.<sup>1</sup> This stands in sharp contrast to a statement of the author of the *Vita Edwardi Secundi* from a generation earlier. Thomas of Lancaster, Henry’s uncle, is here referred to as a man ‘who had so often opposed [Edward II] and so often forced the king to change plans already under way’.<sup>2</sup> What the two quotes have in common, however, is that they highlight the central position the earl – eventually duke – of Lancaster held in fourteenth-century English politics. From the union of the Lancaster and Lacy lineages in 1311, until the merger of the dukedom with the crown in 1399, the earl or duke of Lancaster, with his unrivalled landed wealth and vast regional following, was at the very summit of English politics. This dissertation will take as its subject the county that gave that family its name and eventually formed the basis for a palatinate. The focus of the study will be the gentry of the county of Lancashire and their relationship with the earls and duke of Lancaster and with the crown.

Ever since K.B. McFarlane’s refutation of the Stubbsian orthodoxy in the mid-twentieth century, a major trend in research on late medieval England has been to move away from constitutional and institutional studies, into the politics of personalities and personal interaction.<sup>3</sup> These studies have tended to take two major forms. The first, following more or less immediately upon the work of McFarlane himself, has been the study of individual magnates or noble families, their political activities, the management of their estates, their use of patronage and their local affinities.<sup>4</sup> The second kind, which took somewhat longer to materialise, has focused on the gentry of particular counties.<sup>5</sup> Though helpful in expanding

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<sup>1</sup> *The Charters of the Duchy of Lancaster*, ed. W. Hardy (London, 1845), p. 9.

<sup>2</sup> *Vita Edwardi Secundi*, ed. and trans. W.R. Childs (Oxford, 2005), p. 113.

<sup>3</sup> For more on this, see the discussion on ‘bastard feudalism’ below, p. 3.

<sup>4</sup> Two works in the early post-McFarlane school stand out, both focusing on magnates from the reign of Edward II: J.R. Maddicott, *Thomas of Lancaster, 1307-1322: A Study in the Reign of Edward II* (Oxford, 1970) and J.R.S. Phillips, *Aymer de Valence, Earl of Pembroke, 1307-1324* (Oxford, 1972). Similar works on the same reign, with an emphasis on royal, noble or ecclesiastical politics and patronage, include N.M. Fryde, *The Tyranny and Fall of Edward II, 1321-1326* (Cambridge, 1979); J.S. Hamilton, *Piers Gaveston, Earl of Cornwall, 1307-1312: Politics and Patronage in the Reign of Edward II* (Detroit, 1988); and, for a slightly later period, S.K. Walker, *The Lancastrian Affinity 1361-99* (Oxford, 1990). Of great importance is also the pioneering work of G.A. Holmes, *The Estates of the Higher Nobility in Fourteenth-Century England* (Cambridge, 1957).

<sup>5</sup> See e.g. N. Saul, *Knights and Esquires: The Gloucestershire Gentry in the Fourteenth Century* (Oxford, 1981); *Scenes from Provincial Life: Knightly Families in Sussex, 1280-1400* (Oxford, 1986); M.J. Bennett, *Community,*

our understanding of the period, both of these approaches have to a degree suffered from significant flaws. The noble studies offer insight into the relationships between magnates and the crown, and in some cases analyse local affinities, but remain mostly silent on the internal role of magnates within county society and on the interconnection between local and national politics. The county studies, on the other hand, tend to treat the county as an insulated unit, often with a focus on the so-called ‘county community’, sometimes without regard to the influence of magnates on local affairs, and with not much interest in their governance.<sup>6</sup>

Other studies attempt to integrate the different levels of the body politic, either bottom-up from the perspective of the county gentry, or top-down starting with magnates and their affinities.<sup>7</sup> These works explore the magnates’ roles in local society in all their various capacities, while at the same time looking at the interconnection between local and national politics. These studies, however, have focused primarily on the fifteenth century; few are concerned with the fourteenth century, and even fewer with the early and middle part of that century.<sup>8</sup> In fact, this is the case with most of the existing gentry studies on the late middle ages. The best and most extensive fourteenth-century gentry study remains Saul’s book on Gloucestershire, written in 1981.<sup>9</sup> This scarcity of research can easily lead to the assumption

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*Class and Careerism: Cheshire and Lancashire Society in the Age of Sir Gawain and the Green Knight* (Cambridge, 1982); S.J. Payling, *Political Society in Lancastrian England: The Greater Gentry of Nottinghamshire* (Oxford, 1991); E. Acheson, *A Gentry Community: Leicestershire in the Fifteenth Century, c.1422–c.1485* (Cambridge, 1992); P.R. Coss, *Lordship, Knighthood, and Locality: A Study in English Society, c. 1180–c. 1280* (Cambridge, 1996).

<sup>6</sup> For discussions of this issue, see M.C. Carpenter, ‘Gentry and community in medieval England’, *Journal of British Studies* 33 (1994), pp. 340-80; G. Dodd, ‘County and community in medieval England’, *EHR*, 134 (2019), pp. 779-87.

<sup>7</sup> The best example of a gentry study that takes into account a comprehensive view of the national political structure is M.C. Carpenter, *Locality and Polity: A Study of Warwickshire Landed Society, 1401-1499* (Cambridge, 1992). To a certain degree this is also the case with S.M. Wright, *The Derbyshire Gentry in the Fifteenth Century* (Chesterfield, 1983); and A.J. Pollard, ‘The Richmondshire community of gentry during the Wars of the Roses’, in Charles Ross (ed.), *Patronage, Pedigree and Power in Later Medieval England* (Gloucester, 1979), pp. 37-59. Works that look at affinities in this manner include Walker, *Lancastrian Affinity*; and the special case of the Lancastrian affinity under the Lancastrian kings: H. Castor, *The King, the Crown, and the Duchy of Lancaster* (Oxford, 2000). For a top-down approach with a focus on royal justice, see: E. Powell, *Kingship, Law, and Society: Criminal Justice in the Reign of Henry V* (Oxford, 1989).

<sup>8</sup> Walker’s subject is John of Gaunt, and, even though Castor gives a good account of the royal affinity under the reign of Richard II, her main focus is the history of the Duchy immediately following the death of Gaunt.

<sup>9</sup> Saul, *Knights and Esquires*. See also: Saul, *Scenes from Provincial Life*, and: Acheson, *A Gentry Community*, which covers the period from the late fourteenth to the early fifteenth century. Some of the abovementioned works also contain chapters on noble affinities: Holmes, *Estates of the Higher Nobility*, ch. III; Maddicott, *Thomas of Lancaster*, ch. II; Phillips, *Aymer de Valence*, ch. IX. See also the more general coverage of the gentry in M.H. Keen, *Origins of the English Gentleman: Heraldry, Chivalry and Gentility in Medieval England, c.1300–c.1500* (Stroud, 2002), and P.R. Coss, *The Origins of the English Gentry* (Cambridge, 2003), and the gentry study of a more limited scope found in R. Gorski, *The Fourteenth-Century Sheriff: English Local Administration in the Late Middle Ages* (Woodbridge, 2003).

that the fourteenth century was in most respects similar to the fifteenth, an assumption for which there now seems less basis than was the case until recently.<sup>10</sup> The fourteenth century differed both from the century that preceded it and the one that followed, because of developments in several different areas. These areas include central and local administration, the law and methods of peacekeeping, warfare and the organisation of armies, and not least the organisation of society that has become known as ‘bastard feudalism’.

The term ‘bastard feudalism’ was originally coined by Charles Plummer, the editor of Fortescue’s *Governance of England*, published in 1885. The original idea was that tenurial feudalism in the later middle ages was replaced by service in return for payment, in the form of a written contract, and the creation of retainers. This, in turn, produced an unruly, unstable society, and so-called ‘over-mighty subjects’, men like Thomas of Lancaster, Henry of Bolingbroke or Warwick the Kingmaker, who were able to compete with the king himself for political influence, thereby weakening the ‘constitutional’ (i.e. public) elements of the state in favour of personal power.<sup>11</sup>

Plummer’s term has since been most strongly associated with William Stubbs,<sup>12</sup> and it was Stubbs who was McFarlane’s main target when challenging the established tradition. McFarlane showed that the instrument known as the indenture of retainer – a contract between lord and a retainer for service in war and peace – was not inherently conducive to civil unrest. As McFarlane eventually argued, the indenture’s main objective was to ensure loyal service in peacetime rather than in war, and as such it had a cohesive effect. The civil unrest of the late middle ages, according to McFarlane, was the result of weak kingship rather than structural weaknesses in the political system.<sup>13</sup> This view he expressed in his well-

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<sup>10</sup> See especially: M.C. Carpenter, ‘Bastard feudalism in England in the fourteenth century’, in S. Boardman and J. Goodare (eds.), *Kings, Lords and Men in Scotland and Britain, 1300-1625: Essays in Honour of Jenny Wormald* (Edinburgh, 2014), pp. 59-92; *Bastard Feudalism in Fourteenth-Century Warwickshire*, Dugdale Society Occasional Papers, 52 (2016). This realisation stems initially from the dismantling of Putnam’s framework of the devolution of local justice, discussed below, p. 106.

<sup>11</sup> C. Plummer, ‘Introduction’, in Sir John Fortescue, *The Governance of England*, ed. C. Plummer (Oxford, 1885), p. 15; K.B. McFarlane, ‘Bastard feudalism’, *BIHR*, 20 (1945), pp. 161-2; M.C. Carpenter, ‘Political and constitutional history: before and after McFarlane’, in R.H. Britnell and A.J. Pollard (eds.), *The McFarlane Legacy: Studies in Late Medieval Politics and Society* (New York, 1995), pp. 177-8; *The Wars of the Roses: Politics and the Constitution in England, c.1437-1509* (Cambridge, 1997), p. 8.

<sup>12</sup> See H.G. Richardson and G.O. Sayles, *The Governance of Medieval England* (Edinburgh, 1964), pp. 30-1; K.B. McFarlane, ‘Parliament and “bastard feudalism”’, *TRHS*, 4<sup>th</sup> series, 26 (1944), p. 53; J.M.W. Bean, *From Lord to Patron: Lordship in Late Medieval England* (Manchester, 1989), p. 4; M. Hicks, *Bastard Feudalism* (London, 1995), p. 3.

<sup>13</sup> K.B. McFarlane, *The Nobility of Later Medieval England: The Ford Lectures for 1953 and Related Studies* (Oxford, 1973); *England in the Fifteenth Century*; in particular: ‘Bastard Feudalism’, pp. 23-44; and G.L.

known aphorism ‘It is only under-mighty kings who have over-mighty subjects’.<sup>14</sup> Thus the king’s distribution of patronage to the nobility was not to be considered inherently evil; with the strongly personal nature of government, patronage was in fact what enabled the crown to make the fullest use of the political resources its nobility represented.<sup>15</sup> McFarlane pointed out the fundamental ‘community of interest’ that existed between king and nobility and that ‘the area of possible conflict was extraordinarily small’.<sup>16</sup>

McFarlane, however, did not publish widely in his own lifetime, and his main area of research was the fifteenth rather than the fourteenth century. It was left to McFarlane’s students and followers to expand his work to the fourteenth century. The first, and arguably most significant, of these works was that by McFarlane’s student J.R. Maddicott on Thomas of Lancaster, published in 1970. In this book he puts the baronial opposition to Edward II in its true context of royal ineptitude and conflicting personalities, rather than of any fundamental differences over constitutional ideas. Maddicott describes the baronial reform of the household as a fiscal one, rather than administrative, as T.F. Tout and J.C. Davies had seen it.<sup>17</sup>

Similar ideas can also be found in other works from the same period. J.R.S. Phillips, in his book on Aymer de Valence, Earl of Pembroke (1972), exposes the idea of the ‘middle party’ – to which Pembroke supposedly belonged – as an anachronism. The phrase ‘middle party’ was introduced by Stubbs, to describe a group of magnates, led by Pembroke, who had allegedly emerged in the middle years of Edward II’s reign.<sup>18</sup> These men offered a compromise to the extremes represented by the king on one hand, and the group centred on Thomas of Lancaster on the other, and effectively took control of government with the Treaty of Leake in 1318. Whereas Tout saw the council created for Edward by this treaty as a complete humiliation of the king, Davies thought of it as mostly acceptable to him. Both

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Harriss, ‘Introduction’, pp. ix-xxvii; Carpenter, ‘Political and constitutional history’, pp. 186-93; *Wars of the Roses*, pp. 7-18. The same view can be found earlier in: Holmes, *Estates of the Higher Nobility*, pp. 83-4.

<sup>14</sup> McFarlane, *Nobility of Later Medieval England*, p. 179.

<sup>15</sup> Carpenter, ‘Political and constitutional history’, pp. 175-206; Castor, *King, Crown, and Duchy of Lancaster*, p. 183.

<sup>16</sup> McFarlane, *Nobility of Later Medieval England*, p. 121.

<sup>17</sup> Maddicott, *Thomas of Lancaster*, p. 327. Admittedly, Maddicott does allow for a certain amount of constitutional idealism in the resistance of Thomas of Lancaster: *Thomas of Lancaster*, p. 333.

<sup>18</sup> W. Stubbs, *The Constitutional History of England in its Origin and Development*, vol. II (Oxford, 1877), p. 341.

agreed, however, that the treaty represented a victory for the ‘middle party’.<sup>19</sup> This, according to Phillips, is wrong. There was never such a thing as a ‘middle party’; the men described as such were simply moderate supporters of the king. These men, together with the prelates, had succeeded in negotiating a treaty that was largely beneficial to the king.<sup>20</sup> In this sense, Phillips perfectly epitomises the McFarlane school: in his view, the nobility could either be loyal to the king or in rebellion, but never anything in between.

The benefits brought by the McFarlane legacy are clear: research moved away from an almost exclusive focus on institutional issues, to a greater involvement with the personal, real politics so central to the world of the nobility and gentry of late medieval England. It also led to work on political society: first on the nobility, later on the gentry. Yet later work has also shown serious flaws in these post-McFarlane studies. There was, among other things, an exaggerated emphasis on patronage as the binding force in noble affinities, over other potential benefits and attractions.<sup>21</sup> Most significantly, though both Maddicott and Phillips included noble affinities in their studies, there is scant attempt in neither to integrate this into the account of national politics, which would be the natural implication of a ‘bastard feudal’ conceptual framework.<sup>22</sup> Once in place, the very concept of ‘bastard feudalism’ was rarely explored at this early date. Rather it was assumed, following McFarlane, that the phenomenon emerged fully developed in the early fourteenth century, and remained practically unchanged until the modern period.<sup>23</sup>

The reassessment of the subject reached a climax with a debate in *Past & Present* in 1991, between David Carpenter, David Crouch and Peter Coss.<sup>24</sup> The authors agreed, to a

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<sup>19</sup> T.F. Tout, *The History of England from the Accession of Henry III to the death of Edward III (1216-1377)* (London, 1905), pp. 272-4; *The Place of the Reign of Edward II in English History* (Manchester, 1914), pp. 111-21, 144-5; J.C. Davies, *The Baronial Opposition to Edward the Second: A Study in Administrative History* (Cambridge, 1918), pp. 429, 433-4, 437. Tout and Davies were largely followed by J.G. Edwards, ‘The negotiating of the Treaty of Leake, 1318’, in H.W.C. Davis (ed.), *Essays in History Presented to R.L. Poole* (Oxford, 1927), pp. 360-78, and B. Wilkinson, ‘The negotiations preceding the “Treaty” of Leake’, in R.W. Hunt, W.A. Pantin and R.W. Southern (eds.), *Studies in Medieval History Presented to Frederick Maurice Powicke* (Oxford 1948), pp. 333-53. See also: P. Dryburgh, ‘Tout and the middle party’, in C.M. Barron and J.T. Rosenthal (eds.) *Thomas Frederick Tout (1855-1929): Refashioning History for the Twentieth Century* (London, 2019), pp. 137-52.

<sup>20</sup> Phillips, *Aymer de Valence*, pp. 134-177; *Edward II* (New Haven, 2010), pp. 303-5.

<sup>21</sup> For more on this, see below, p. 122.

<sup>22</sup> As far as Phillips is concerned, this deficiency could to a large extent be due to Pembroke’s lack of a gentry base for his position: Phillips, *Aymer de Valence*, p. 258-9.

<sup>23</sup> Carpenter, ‘Bastard feudalism in the fourteenth century’, pp. 62-4.

<sup>24</sup> D.A. Carpenter, D.B. Crouch and P.R. Coss, ‘Debate: bastard feudalism revised’, *P&P*, 131 (1991), 165-203. Other works on the subject from the same period include J.G. Bellamy, *Bastard Feudalism and the Law* (Portland, 1989); D.B. Crouch, *William Marshal: Court, Career and Chivalry in the Angevin Empire 1147-1219*

greater or lesser extent, that recent research made it impossible to define ‘bastard feudalism’ as a purely late medieval phenomenon, and that elements of this form of social and military organisation could be traced back at least as far as the Angevin legal reforms, or – according to Crouch – even further.<sup>25</sup> This revision raised new question about magnate affinities in their early period, such as how they emerged, what their use and purpose were, how far they overlapped with bonds of tenancy, and what were their size and composition. Much of the work that followed has taken these new findings into account when discussing noble political connections in the thirteenth century.<sup>26</sup> More recently, the question has been asked whether the structures that existed in the thirteenth or fourteenth centuries are truly comparable to those we now know so well from the fifteenth.<sup>27</sup> What is lacking, therefore, is more studies of noble-gentry relations in this early period, to determine whether or not it is appropriate to speak of ‘bastard feudalism’ in its classical, McFarlane-derived sense.<sup>28</sup>

Because of the central role of the noble affinity, the bastard feudal debate is also highly relevant to studies of the landed gentry. On a county level, the debate has been over whether the noble affinity had a formative effect on local networks, or if there existed an independent ‘county community’, largely free from external influence.<sup>29</sup> On a more fundamental level – before these questions can be addressed – there is the question of what constituted the county elite. The early fourteenth century was a formative period for the English gentry and the class is not perhaps as readily definable as it was later to be. There

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(Harlow, 1990), pp. 133-49; *The Image of Aristocracy in Britain, 1000-1300* (London 1992); Hicks, *Bastard Feudalism*.

<sup>25</sup> Crouch, *William Marshal*, p. 170; *The English Aristocracy, 1070-1272: A Social Transformation* (London, 2011), pp. 158-9. Similar ideas can be found as early as 1963, in: Richardson and Sayles, *Governance of Medieval England*, p. 31: ‘Now, it is true that, however we define feudalism, there are elements other than feudal in the law and social structure of the fifteenth century. But what seems very doubtful is whether this is any less true of the fourteenth or thirteenth or twelfth century; whether English feudalism was not bastardised (if that unpleasant word is admissible) at its very birth.’ Carpenter has since revised his views somewhat on the survival of tenurial feudalism: D.A. Carpenter, ‘The second century of English feudalism,’ *P&P*, 168 (2000), pp. 30–71.

<sup>26</sup> J.R. Maddicott, *Simon de Montfort* (Cambridge, 1994), pp. 59-76; M. Morris, *The Bigod Earls of Norfolk in the Thirteenth Century* (Woodbridge, 2005), pp. 59-73, 138-53, though Morris’s interest in bastard feudalism is limited: *Bigod Earls of Norfolk*, p. xi.

<sup>27</sup> A.M. Spencer, *Nobility and Kingship in Medieval England: The Earls and Edward I* (Cambridge, 2014), pp. 128-52; Carpenter, ‘Bastard feudalism in the fourteenth century’, pp. 59-92.

<sup>28</sup> Two recent studies of fourteenth-century affinities are: A. Marshall ‘An early fourteenth-century affinity: the earl of Norfolk and his followers’, in N. Saul (ed.), *Fourteenth Century England V* (Woodbridge, 2008), pp. 1-12; and C. Burt, ‘A “bastard feudal” affinity in the making? The followings of William and Guy Beauchamp, Earls of Warwick, 1268-1315’, *Midland History*, 34 (2009), pp. 156-80.

<sup>29</sup> For opposing views on this, see: J.R. Maddicott, ‘The county community and the making of public opinion in 14<sup>th</sup> century England’, *TRHS*, 5<sup>th</sup> ser., 28 (1978), pp. 27-43; Carpenter, ‘Gentry and community’. For more on this subject, see below, p. 126.

have been questions regarding both the fate of the knightly class during this period, and the composition of the sub-knightly gentry.<sup>30</sup> These topics will be discussed in Chapter 2, which deals with social stratification, and Chapter 4, on local and regional networks.

Much attention has been given to developments in central administration, culminating in the reform of the exchequer under William Edington in the 1340s and 1350s.<sup>31</sup> From this point on we have an easily recognisable system of royal administration. Meanwhile the picture in the localities is less clear. The early fourteenth century was a period of change and experimentation within local administration and justice. For the most ancient local officer, the sheriff, the period of greatest change was already in the past. The process David Carpenter describes as ‘the decline of the curial sheriff’ is now well understood, in that the office – stripped of much of its power and profitability throughout the thirteenth century – became less attractive to the more powerful men of the realm, and devolved to men of lesser standing.<sup>32</sup> And yet, the status and identity of the sheriff was far from settled. The issues that concerned political society in fourteenth-century England were largely the same that concern today’s historians: the provenance, social status and professional background of the sheriffs. Not least significant, historiographically, is the question of how we define terms such as local

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<sup>30</sup> Of greatest relevance: Keen, *Origins of the English Gentleman* and Coss, *Origins of the English Gentry*. For more on this, see below, p. 38.

<sup>31</sup> Tout, *Chapters in the Administrative History of Mediaeval England: The Wardrobe, the Chamber and the Small Seals*, vol. II (Manchester, 1920), pp. 125-6, 156-7; vol. III, pp. 69-71; *English Historical Documents IV, 1327-1485*, ed. A. R. Myers (London, 1969), pp. 497-8; M.C. Prestwich, ‘Exchequer and Wardrobe in the Later Years of Edward I’, *BIHR*, 46 (1973), pp. 1-10; G.L. Harriss, *King, Parliament, and Public Finance* (Oxford, 1975), pp. 208-28; M.C. Buck, ‘The reform of the Exchequer, 1316-1326’, *EHR*, 98 (1983), pp. 241-60; W.M. Ormrod, ‘The protecolla rolls and English government finance, 1353-1364’, *EHR*, 102 (1987), pp. 622-32; *The Reign of Edward III* (New Haven, 1990), pp. 88-9; ‘Accountability and collegiality: the English secretariat in the mid-fourteenth century’, in K. Fianu and D.J. Guth (eds.), *Écrit et pouvoir dans le chancelleries médiévales: espace français, espace anglais* (Louvain-la-Neuve, 1997), pp. 58-61, 68-9; N. Barratt, ‘Finance on a shoestring: the exchequer in the thirteenth century’, in A. Jobson (ed.), *English Government in the Thirteenth Century* (Woodbridge, 2004), pp. 83-5; M.C. Carpenter, ‘War, government and governance in England in the later middle ages’, in L. Clark (ed.), *Conflicts, Consequences and the Crown in the Late Middle Ages* (Woodbridge, 2007), pp. 1-22. For more on the various offices of the royal administration, see: Tout, *Chapters*, vols. I-VI; *Place of the Reign*; H.C. Maxwell-Lyte, *Historical Notes on the Use of the Great Seal of England* (London, 1926); J. Otway-Ruthven, *The King’s Secretary and the Signet Office in the XV Century* (Cambridge, 1939); B. Wilkinson, *The Chancery under Edward III* (Manchester, 1929); W.A. Morris, and J. R. Strayer (eds.), *The English Government at Work, 1327-1336*, 3 vols. (Cambridge, Mass, 1947); H.M. Jewell, *English Local Administration in the Middle Ages* (Newton Abbot, 1972); A. L. Brown, *The Governance of Late Medieval England 1272-1461* (London: Arnold, 1989).

<sup>32</sup> F.W. Maitland, *The Constitutional History of England* (Cambridge, 1908), pp. 233-4; W.A. Morris, *The Medieval English Sheriff to 1300* (Manchester, 1927), pp. 167-8; H.M. Cam, *Liberties and Communities in Medieval England* (London, 1963), p. 28; A.L. Poole, *From Domesday Book to Magna Carta, 1087-1216* (Oxford, 1951), pp. 390-1; D.A. Carpenter, ‘The decline of the curial sheriff in England 1194-1258’, *EHR*, 91 (1976), pp. 1-32; W.L. Warren, *The Governance of Norman and Angevin England 1086-1272* (London, 1987), pp. 135-6; Coss, *Origins of the English Gentry*, pp. 61-2; Spencer, *Nobility and Kingship*, p. 112; Carpenter, ‘Bastard feudalism in the fourteenth century’, pp. 62-4.

and non-local, professional and non-professional. Gorski's extensive prosopographical work on the topic sheds light on these questions, but at the same time invites further, more detailed studies of the shrievalty within specific counties.<sup>33</sup> Here Lancashire is of particular value, since the office was held by the earls and duke of Lancaster for most of the period. This offers a special case for studying the importance greater magnates ascribed to the office, the way in which they recruited for it, and the preferred background and experience of the men who held it.<sup>34</sup>

The major historiographical issues regarding local government concern local law and peacekeeping. The legal reforms of Henry II – including the possessory assizes, the writ of right and the itinerant justices – not only moved much litigation from private to royal courts, but also drew in a great number of knights as jurors or royal officials. According to Coss, the baronage compensated for this new reality by enlisting lesser landowners in bastard feudal relations.<sup>35</sup> This is a side of bastard feudalism that is often conflated with the structural side: the use by magnates of their affinities to influence the law and control local peace-keeping. For this to occur, legal procedures and peace-keeping had to be devolved to the localities, employing local men as local officers, largely unsupervised by interventions and commissions from the centre.<sup>36</sup> The process of involving the local gentry in royal administration escalated throughout the fourteenth century. Recent scholarship, however, has shown this process of devolution to be a much more gradual process than previously assumed, moving at a slower pace.<sup>37</sup> This again demonstrates the centrality of the early fourteenth century to an understanding of the development of bastard feudalism.

The most extensive changes of this period – and those that probably had the greatest effect on the majority of people – were those within the administration of local justice. Questions of violence and peacekeeping in the localities are central to the debate on bastard feudalism. Stubbs and his followers claimed that bastard feudalism had a disruptive effect,

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<sup>33</sup> Gorski, *Fourteenth-Century Sheriff*, p. 157. The best such study for a single county in the fourteenth century remains: Saul, *Knights and Esquires*, pp. 107-19.

<sup>34</sup> For the general advantages of this right, see: Spencer, *Nobility and Kingship*, p. 105.

<sup>35</sup> P.R. Coss, 'Bastard feudalism revised', *P&P*, 125 (1989), pp. 41, 49-54.

<sup>36</sup> For maintenance of justices, both central and local, see: N. Denholm-Young, *Seignorial Administration in England* (London, 1937), pp. 37-8; J.R. Maddicott, *Thomas of Lancaster*, pp. 49-50; 'Law and lordship: royal justices as retainers in thirteenth- and fourteenth-century England', *P&P*, supplement no. 4 (1978); M.C. Carpenter, 'The Beauchamp affinity: a study of bastard feudalism at work', *EHR*, 95 (1980), pp. 524-5; 'Law, justice and landowners in late medieval England', *Law and History Review*, 1 (1983), p. 217; Bellamy, *Bastard Feudalism and the Law*, pp. 80-1; C. Burt, *Edward I and the Governance of England, 1272-1307* (Cambridge, 2013), pp. 33-4.

<sup>37</sup> See below, p. 106.

not only on national politics, but also on local society. When magnates extended their protection to a number of lesser men, these men felt at liberty to take the law into their own hands, which led to an escalation of lawlessness.<sup>38</sup> Much work on the thirteenth and early fourteenth centuries still holds this view, tending to take the legal sources at face value.<sup>39</sup> Among late-fourteenth and fifteenth-century historians, however, the current consensus is that this appearance of greater lawlessness is an illusion caused by the growing business and expanding records of the legal system, particularly the central courts.<sup>40</sup> Studies of that earlier period should also take into account the potentially deceptive impression from the sources used. That the legal system could also be used for purely political purposes threatens to skew further the historian's perspective.

Was there an increase in disorder and lawlessness in the early fourteenth century? The sources certainly seem to support this view. This impression, however, could equally well stem from new legislation and legal proceedings, particularly the so-called trailbaston commissions. As will be seen in the second half of this dissertation, Lancashire experienced as much alleged 'gang' activity as any region in England. The conflicts described in the sources as gang-related involved some of the most prominent members of local society, and resulted at different times in both armed rebellion and multiple homicide. For this reason, the county provides a good case for the study of the connection between the trailbaston proceedings and local conflict, and of the role in this of the various interests of the crown, magnates and local society.<sup>41</sup>

The trailbaston commissions originated with the 1305 ordinance of trailbaston, which was an effort to deal with a perceived surge of lawlessness and gang activity.<sup>42</sup> These commissions were *oyer* and *terminer* commissions that also had presentment and gaol

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<sup>38</sup> Stubbs, *Constitutional History*, vol. III, p. 536; R. L. Storey, *The End of the House of Lancaster* (London, 1966), pp. 10-17.

<sup>39</sup> M.C. Prestwich, *War, Politics and Finance under Edward I* (Totowa, 1972), pp. 287-9; R.W. Kaeuper, *War, Justice, and Public Order: England and France in the Later Middle Ages* (Oxford, 1988), p. 286; A. Harding, *England in the Thirteenth Century* (Cambridge, 1993), p. 35.

<sup>40</sup> McFarlane, *Nobility of Later Medieval England*, p. 115; Carpenter, 'Law, justice and landowners', pp. 207-8; *Wars of the Roses*, pp. 17, 53; Bellamy, *Bastard Feudalism and the Law*, pp. 79-80; Powell, *Kingship, Law, and Society*, pp. 11-12, 97; G.L. Harriss, 'Political society and the growth of government in late medieval England', *P&P*, 138 (1993), pp. 50-1.

<sup>41</sup> This has already been a topic of study in A. Musson, 'Peacekeeping in early-fourteenth-century Lancashire', *Northern History*, 34 (1998), pp. 41-50. See also G.H. Tupling, *South Lancashire in the Reign of Edward II*, Chetham Society, 3<sup>rd</sup> series, vol. 1 (1949).

<sup>42</sup> The exact rationale behind the trailbaston commissions is a matter of some dispute: A. Phelan, 'Trailbaston and attempts to control violence in the reign of Edward I', in R.W. Kaeuper (ed.), *Violence in Medieval Society* (Woodbridge, 2000), pp. 129-40; Burt, *Edward I and the Governance of England*, pp. 209-11.

delivery in their power. From 1323 onwards, the King's Bench, when itinerant, was sometimes empowered to hear both felony and trespass indictments, and therefore effectively became a trailbaston commission.<sup>43</sup> The commissions were a response to the failure of the eyre to deal with an expanding case load, but they also provided additional advantages. For the crown, the crime of conspiracy – included in the articles of trailbaston – was a convenient legal tool; the punishment was fines, generating crown revenues without invoking felony and the threat of execution.<sup>44</sup> The crown was indeed often more than willing to extend pardons to the criminals in exchange for service in war, and later sometimes to use these same men in official capacities in the shires.<sup>45</sup> In the light of this, it is not unreasonable to interpret many of these processes as the result of feuds between local factions, rather than government attempts to combat lawlessness. The crown itself was not above using trailbaston commissions as a political tool, to suppress or extort from its enemies.<sup>46</sup> The records of these proceedings present a unique source to the historian of medieval English crime and justice.<sup>47</sup>

At the heart of the debate over fourteenth-century legal developments are the keepers, later justices, of the peace. The long-accepted consensus was Putnam's account of devolution: after the demise of the eyre in 1294, a protracted battle between the crown and the Commons in parliament was decided in favour of the latter, by the 1361 statute granting peace commissioners the power to hear and determine cases of trespass and felony.<sup>48</sup> This version of events is no longer viable, as we know that the process was much more gradual, guided by more complex factors, and far from over by 1361.<sup>49</sup> Today, the period is seen as

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<sup>43</sup> See below, p. 189.

<sup>44</sup> A. Harding, 'The origins of the crime of conspiracy', *TRHS*, 5<sup>th</sup> series, 33 (1983), p. 100.

<sup>45</sup> E.L.G. Stones, 'The Folvilles of Ashby-Folville and their associates in crime, 1326-47', *TRHS*, 5<sup>th</sup> series, 7 (London, 1957), pp. 128-9; J.G. Bellamy, 'The Cotereel gang: an anatomy of a band of fourteenth-century criminals', *EHR*, 79 (1964), pp. 712-13; R.E. McLaughlin, 'Gentry perceptions of violence in fourteenth-century England' (Unpubl. Ph.D. thesis, University of York, 2014), pp. 217-19. For different periods, see also: N.D. Hurnard, *The King's Pardon for Homicide before A.D. 1307* (Oxford, 1969) and Powell, *Kingship, Law, and Society*, pp. 240-6.

<sup>46</sup> See below, p. 182.

<sup>47</sup> A. Harding, 'Early trailbaston proceedings from the Lincoln roll of 1305', in R.F. Hunnisett and J.B. Post (eds.), *Medieval Legal Records* (London, 1978), pp. 144-9; 'The origins of the crime of conspiracy', pp. 89-108; Kaeuper, *War, Justice, and Public Order*, pp. 171-3; A. Musson and W.A. Ormrod, *The Evolution of English Justice* (Basingstoke, 1999), pp. 48-9.

<sup>48</sup> B. H. Putnam, 'The transformation of the keepers of the peace into the justices of the peace 1327-1380', *TRHS*, 4<sup>th</sup> series, 7 (1929), pp. 19-48.

<sup>49</sup> The most central works relating to this revision can be found in: E. Powell, 'The administration of criminal justice in late medieval England: peace sessions and assizes', in R. Eales and D. Sullivan (eds.), *The Political Context of Law* (London, 1987), pp. 49-59; A. Verduyn, 'The politics of law and order during the early years of Edward III', *EHR*, 108 (1993), pp. 842-67; Walker, 'Yorkshire justices of the peace', pp. 281-313; A. Musson,

one of experimentation with various replacements for the eyre, including an itinerant King's Bench, *oyer* and *terminer* and trailbaston commissions. Questions remain, however, over how external factors like war or magnate influence affected the commissions. Likewise, particular local circumstances influenced the size and composition of the commissions. The exceptionally lawless conditions that governed Lancashire at the time can be seen reflected in the appointment of two commissions of unusual size, corresponding with episodes of local disturbance.<sup>50</sup> Lancashire is of further particular interest because the county was held by palatinate rights from 1351. From this point on, the documents of the central administration become more or less irrelevant with regards to Lancashire, and the documents of the palatinate emerge as the most important source.<sup>51</sup> The final chapter, Chapter 8, in particular will consider what effect this change had on the county, and why the change came about.

The issue of law in this century is, historiographically speaking, closely related to that of war. In the early years of the reign of Edward III, from 1330 to 1360, England was in an almost constant state of war. The transformation that took place from the humiliating defeat against the Scots at Bannockburn in 1314, to the successful early stages of the Hundred Years' War, some choose to term a 'military revolution'.<sup>52</sup> The earliest significant work, by J.E. Morris, N.B. Lewis, A.E. Prince and M.R. Powicke, tended to focus on the methods of recruitment for war, particularly the indenture system.<sup>53</sup> This had a major impact on the early scholarship on bastard feudalism.<sup>54</sup> Later, attention shifted to the organisation and conduct of

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*Public Order and Law Enforcement: The Local Administration of Criminal Justice, 1294-1350* (1996); Carpenter, 'War, government and governance', pp. 16-22. For more on this, see below, p. 106.

<sup>50</sup> See below, pp. 188 and 222.

<sup>51</sup> R. Somerville, *History of the Duchy of Lancaster, Vol. I, 1285-1603* (London, 1953), pp. 40-45.

<sup>52</sup> A. Ayton, *Knights and Warhorses: Military Service and the English Aristocracy under Edward III* (Woodbridge, 1994), p. 9; 'Sir Thomas Ughtred and the Edwardian military revolution', in J.S. Bothwell (ed.), *The Age of Edward III* (York, 2001), pp. 109-10; C.J. Rogers, 'The military revolution of the Hundred Years War', in Rogers (ed.), *The Military Revolution Debate: Readings on the Military Transformation of Early Modern Europe* (Boulder, Colorado, 1995), pp. 55-94; "'As if a new sun had arisen": England's fourteenth-century RMA', in M. Knox and W. Murray (eds.), *The Dynamics of Military Revolution, 1300-2050* (Cambridge, 2001), pp. 15-34; M.C. Prestwich, 'Was there a military revolution in medieval England?', in C. Richmond and I. Harvey (eds.), *Recognitions: Essays Presented to Edmund Fryde* (Aberystwyth, 1996), pp. 19-38; *Armies and Warfare in the Middle Ages: The English Experience* (New Haven and London, 1996), pp. 334-46.

<sup>53</sup> J.E. Morris, *The Welsh Wars of Edward I* (Oxford, 1901), pp. 68-9; N.B. Lewis, 'An early indenture of military service, 27 July 1287', *BIHR*, 13 (London, 1935-6), pp. 85-9; A.E. Prince, 'The strength of English armies in the reign of Edward III', *EHR*, 46 (1931), pp. 353-71; 'The indenture system under Edward III', in J.G. Edwards, V.H. Galbraith, E.F. Jacob (eds.), *Historical Essays in Honour of James Tait* (Manchester, 1933), pp. 238-97; 'The Army and Navy', in J.F. Willard and W.A. Morris (eds.), *The English Government at Work, 1327-1336: Volume I, Central and Prerogative Administration* (Cambridge, Mass., 1940), pp. 332-393; M.R. Powicke, *Military Obligation in Medieval England: A Study in Liberty and Duty* (Oxford, 1962).

<sup>54</sup> For more on this, see below, p. 116.

war itself, and the study of tactics and strategy, in the work of historians like H.J. Hewitt, M.C. Prestwich, C.J. Rogers and A. Ayton.<sup>55</sup> Another recent trend has been towards thorough prosopographical studies of the personnel of the armies of the time, by D. Simpkin on the reign of Edward I and Ayton on the reign of Edward III, as well as the extensive collaborative project on the soldiers of the later phases of the Hundred Years' War.<sup>56</sup> The fourteenth-century 'military revolution', as we understand it today, was a set of developments in the fields of recruitment, army composition and tactics. Fully paid aristocratic retinues replaced the shire levy, while mounted archers came to make up equal numbers with men-at-arms in so-called 'mixed retinues', much smaller in number and (like archers) mostly mounted.<sup>57</sup>

Yet in spite of the advances in this field, there is a tendency to ignore military matters in studies concerned more generally with landed society. An example of this can be found in the otherwise broad and illuminating study of the origins of the English gentry by Peter Coss.<sup>58</sup> It is impossible fully to understand the dynamics of gentry life without incorporating major military developments, and the effects these had on local society, particularly in a period when those developments were as significant as they were in the early fourteenth century. Lancashire was here in a special position: close to the Scottish border, though not an actual border county.<sup>59</sup> This made the county essential for purposes of defence, provisioning and recruitment in the Scottish wars. Later in the century, national attention would turn towards continental campaigns. This presented career opportunities for the landed gentry, especially in poorer regions like Lancashire, but also meant that the county's leading magnate, Henry of Grosmont, spent long parts of his career overseas. Some work has been

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<sup>55</sup> H.J. Hewitt, *The Organization of War Under Edward III, 1338-62* (Manchester, 1966); Prestwich, *War, Politics and Finance; Armies and Warfare*; C.J. Rogers, *War Cruel and Sharp: English Strategy under Edward III, 1327-1360* (Woodbridge, 2000).

<sup>56</sup> Ayton, *Knights and Warhorses*; D. Simpkin, *The English Aristocracy at War: From the Welsh Wars of Edward I to the Battle of Bannockburn* (Woodbridge, 2008); A.R. Bell, A. Curry, A. King and D. Simpkin, *The Soldier in Later Medieval England* (Oxford, 2013); and database: [www.medievalsoldier.org](http://www.medievalsoldier.org).

<sup>57</sup> Ayton, *Knights and Warhorses*, pp. 10-15. For more on this, see below, p. 244.

<sup>58</sup> Coss, *Origins of the English Gentry*. See below, p. 38. See, however, Coss's recent article on military activity's effect on the evolution of the gentry: 'Andrew Ayton, the military community and the evolution of the gentry in fourteenth-century England', in G.P. Baker, C.L. Lambert and D. Simpkin (eds.), *Military Communities in Late Medieval England: Essays in Honour of Andrew Ayton* (Woodbridge, 2018), pp. 31-49.

<sup>59</sup> As King has pointed out, the inhabitants of the northernmost hundreds of Lancashire thought of the area as subject to border law: A. King, 'Pur Salvation du Roiaume: military service and obligation in fourteenth-century Northumberland', in C. Given-Wilson (ed.), *Fourteenth Century England II* (Woodbridge, 2002), p. 23; Tupling, *South Lancashire*, pp. 63-6.

done on war and the gentry in the north-east of England in the later middle ages, but in this respect the north-western part of the country has largely been ignored.<sup>60</sup>

Nationally, attempts have been made at broader syntheses of the social impact of all these administrative, legal and military developments. Richard Kaeuper has suggested a division between an English 'law state' and 'war state' before and after 1272. The age of the Angevin kings was one of extensive reforms of the central government, especially within the field of law, and the expansion of the common law to all English subjects. By the later thirteenth century, according to Kaeuper, such reforms were abandoned, and a new phase began with the wars of Edward I. This king's wars in Wales and Scotland, and the wars of his grandson in France, exhausted the resources of the crown, and diminished the king's ability to dispense justice. The result was an increased reliance for the purpose of taxation on his subjects, in particular the greater landowners of the higher aristocracy. As a trade-off, judicial responsibility devolved on the localities, increasing the local power of these men.<sup>61</sup>

Contradicting this interpretation is Mark Ormrod, whose point of departure is the reign of Edward III, arguably the most bellicose of the late medieval English kings. During Edward's reign, Ormrod argues, royal authority was by no means diminished, quite the opposite; war stimulated a stronger kingship. As for the crown's ability to generate revenues, there was a consistent policy behind this, whereby the king was careful not to compromise his authority.<sup>62</sup> John Gillingham, studying the politically more turbulent period 1369-1422, agrees with this assessment, claiming that royal authority was not undermined, nor revenues diminished, during this period.<sup>63</sup>

Harriss, who gives an outline of the controversy in an article in *Past and Present*, sees the debate as somewhat misleading. Political order or government, he argues, needs not be equated with a centralised state. 'Political authority was not a finite cake, to be divided by

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<sup>60</sup> See, e.g.: A. King, 'War, politics and landed society in Northumberland, c. 1296-c.1408' (Unpubl. Ph.D. thesis, University of Durham, 2001); C.D. Liddy and R.H. Britnell (eds.), *North-East England in the Later Middle Ages* (Woodbridge, 2005); C.D. Liddy, *The Bishopric of Durham in the Late Middle Ages: Lordship, Community, and the Cult of St. Cuthbert* (Suffolk, 2008); M.L. Holford and K.J. Stringer (eds.), *Border Liberties and Loyalties: North-East England, c. 1200 – c. 1400* (Edinburgh, 2010). A recent exception is a study of the Scottish Marches in the fifteenth century by J.W. Armstrong: *England's Northern Frontier: Conflict and Local Society in the Fifteenth-Century Scottish Marches* (Cambridge, 2020).

<sup>61</sup> Kaeuper, *War, Justice, and Public Order*, pp. 127-33.

<sup>62</sup> W.M. Ormrod, 'Edward III and the recovery of royal authority in England, 1340-60', *History*, 72 (1987). See also: A. Musson, 'Second "English Justinian" or pragmatic opportunist? A re-examination of the legal legislation of Edward III's reign', in J.S. Bothwell (ed.), *The Age of Edward III* (York, 2001), p. 87.

<sup>63</sup> J. Gillingham, 'Crisis or continuity? The structure of royal authority in England 1369-1422', in R. Schneider, *Das spätmittelalterliche Königtum im europäischen Vergleich* (Sigmaringen, 1987), pp. 59-80.

king, magnates and gentry.<sup>64</sup> Every part of government was expanding, offering more opportunities for everybody. The king, if he could win the respect of his subjects, *gained* in authority by including those very subjects in the governing process. More specifically, as Harriss had already explained in his seminal *King, Parliament, and Public Finance*, with respect to taxation, what one sees in this period is not a general resentment towards taxation among the gentry and townspeople, but rather a political education of the Commons in parliament, whereby a consensus arose that taxes should fulfil certain basic conditions in order to be considered legitimate. These conditions were necessity and assent, and a general agreement that the cause of taxation was the common benefit of the nation.<sup>65</sup> In the late middle ages in England, political consciousness and political society grew to include more of the king's subjects, through parliament, through contact with the council or the judicial system, and through the expanding system of taxation. In accordance with the McFarlane inheritance, the nobility has been seen as playing a key role in this multi-purpose expansion of government. This growing political society was an asset, not a challenge, to royal government.<sup>66</sup> A gentry study is the natural method for examining this expansion of the emergent political consciousness.

As should be clear from the above, the early part of the fourteenth century was pivotal to the development of the English state. The period saw extensive and enduring changes to the administrative and judicial systems – including the beginning of the devolution of local peace-keeping – as well as the emergence of a national representative body, and a far-reaching military revolution. In addition to this, the period was one of momentous historical events, foremost of which was the Black Death, with its wide-ranging demographic, social and political consequences.<sup>67</sup> Yet in the field of gentry studies, there is a relative dearth of works covering this period, especially compared to the wealth of fifteenth-century equivalents. This dissertation sets out to amend that shortfall, by a study of the county of Lancashire in the period from 1298 to 1361, covering the tenures of Thomas of Lancaster, his

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<sup>64</sup> Harriss, 'Political society and the growth of government', pp. 28-57.

<sup>65</sup> G.L. Harriss, 'War and the emergence of the English parliament, 1297-1360', in C.J. Rogers (ed.), *The Wars of Edward III: Sources and Interpretations* (Woodbridge, 1999), pp. 321-42; *King, Parliament, and Public Finance*; J.L. Watts, 'Ideas, principles and politics', in A.J. Pollard (ed.), *The Wars of the Roses* (Basingstoke, 1995), pp. 110-33; 'The Commons in Medieval England', in J.-P. Genet (ed.), *La Légitimité implicite* (Paris, 2015), pp. 207-22.

<sup>66</sup> G.L. Harriss, 'Introduction', in K.B. McFarlane, *England in the Fifteenth Century* (London, 1981), pp. ix-xxvii; Carpenter, 'Political and constitutional history', pp. 175-206.

<sup>67</sup> P. Ziegler, *The Black Death* (1969); W.M. Ormrod and P.G. Lindley (eds.), *The Black Death in England* (Stamford, 1996)

brother Henry of Lancaster, and Henry's son, Henry of Grosmont. As already indicated and as the next chapter will show further, Lancashire is a county of special interest for geographical, demographic, economic and administrative reasons.

The long and relatively stable reign of Edward I was followed by the turbulent reign of his son. From the accession of Edward II in 1307, through his deposition in 1327, including the years until the start of Edward III's personal rule in 1330, the king was in almost constant conflict with parts of his nobility, and the crown was for long periods under tutelage. For much of this time, the opposition to the king was led by his cousin, Thomas of Lancaster. Ever since Tout and Davies, historians have given much attention to the constitutional significance of this period, and specific events and documents, including Edward II's coronation oath, the Ordinances of 1311 and the king's eventual deposition.<sup>68</sup> Yet the consequences of the political chaos were felt beyond the confines of central government. The rudderless situation at the centre of national politics affected the situation in the localities, not least as a result of the failure in the war effort against Scotland. This makes the period particularly fruitful for a local study, since it can offer insight into how national affairs influenced the situation on the ground.

Over half of the period at hand falls into the reign of Edward III. To Stubbs, Edward was a man who '...saw no risk in parting with prerogatives which his grandfather would never have resigned'.<sup>69</sup> Stubbs could have found no better example of this than the grant of palatinate rights to Henry of Grosmont in 1351, from where a direct line could be drawn to Henry's grandson's usurpation in 1399, and the disorder of the fifteenth century.<sup>70</sup> Since then, as already suggested, a more nuanced view has emerged of Edward III, and today's historians are more likely to judge him on his own terms than on abstract modern-day principles.<sup>71</sup> Yet the reign is still imperfectly understood, and more work is needed on the legal, military and administrative developments in their local manifestations.

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<sup>68</sup> See below, p. 169.

<sup>69</sup> Stubbs, *Constitutional History*, vol. II, pp. 374-5.

<sup>70</sup> Stubbs' concern was in fact primarily with the king's provisions for his sons: *Constitutional History*, vol. II, pp. 415-18.

<sup>71</sup> The re-evaluation began with McKisack and McFarlane in the 1960s: M. McKisack, 'Edward III and the historians', *History* 45 (1960), pp. 1-15; K.B. McFarlane, 'The Wars of the Roses', *Proceedings of the British Academy*, 50 (1964), pp. 87-119, reprinted in *England in the Fifteenth Century*, pp. 231-61, see especially pp. 238-9. For a more recent view of Edward's dispensation of prerogative rights, see: J.S. Bothwell 'Edward III and the "New Nobility": Largesse and Limitation in Fourteenth-Century England', *EHR*, 112, (1997), pp. 1111-40. Significant is also the work of Ormrod: 'Recovery of royal authority', pp. 4-19; *The Reign of Edward III* (New Haven, 1990).

The earls of Lancaster (duke from 1351) were not only the wealthiest and most powerful peers of the realm, they were also – at least from 1311 onwards – the only magnates with a major tenurial and retaining presence in Lancashire. For this reason, the county and its landowning elite were inextricably linked to central affairs, particularly the relationship between king and earl or duke. There was a direct, explicit connection between Banaster’s rebellion, that broke out in the county in 1315, and the acrimonious relationship between Edward II and Thomas of Lancaster. This is explored in Chapter 6. After the rather inactive career of Thomas’s brother Henry, Edward III and Henry of Grosmont then developed a much more fruitful companionship. Chapter 8 will explore how Edward and Henry, in partnership, used military recruitment, the legal system, and the palatinate to pacify a particularly turbulent part of England.

The paucity of private correspondence, or other sources that could shed direct light on the political ideas of the landed classes, makes it necessary to take an indirect approach, and deduce political attitudes from actions rather than words.<sup>72</sup> The following study is therefore a prosopographical one, based on available documentary information on individual gentry families and men. It has been necessary to make a selection of a limited number of subjects for study. The difficulties with this selection process, involving problems with the ill-defined social categories of the period, are outlined in Chapter 2. Care has been taken to make the selection as comprehensive and representative of the county elite as possible, while keeping its size manageable. As for the sources available, as always in the study of medieval landowners, it has been necessary to rely primarily on administrative and legal records, using private records where they exist.<sup>73</sup>

The main published central administrative records are the chancery rolls – primarily the Patent, Close, Fine, and Charter Rolls – and the inquisitions *post mortem*. The parliamentary rolls have also been helpful for information about parliamentary and military summons. Of unpublished documents, legal documents have been of crucial importance; in landowning and highly litigious societies like that of late medieval England, a great portion of the documents individual landowners left behind for posterity would be those involving disputes which reached the legal system. The records of the King’s Bench make up the

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<sup>72</sup> Carpenter, *Locality and Polity*, pp. 8-9; *Wars of the Roses*, pp. 267-8; S.J. Drake, ‘Since the time of King Arthur: gentry identity and the commonalty of Cornwall c.1300–c.1420’, *Historical Research*, 91 (2018), p. 236.

<sup>73</sup> Acheson, *A Gentry Community*, p. 79.

greatest bulk of this material, supplemented by assizes, gaol deliveries and *oyer and terminer* commissions visiting the county. Because of the aforementioned administrative changes from 1351 onwards, Duchy of Lancaster records become particularly important after this date. Once royal justice is replaced by that of the duke, the documents of the palatinate court emerge as the central ones, and are often more elaborate than those of the King's Bench. The documents of the palatinate, before it was in royal hands, have been somewhat haphazardly piled in with the Duchy of Lancaster documents dating from 1399 onwards. Their survival rates leave something to be desired, however; though the legal records mostly exist intact, many of the administrative documents fell victim to the raid on John of Gaunt's palace of Savoy during the Peasants' Revolt of 1381.<sup>74</sup> Finally there are private documents of great importance, primarily deeds and other documents concerning the administration of estates. These are to a large extent to be found in local record offices.<sup>75</sup>

The dissertation is divided into two main parts: one thematic and one chronological. This division gives an outline of the structure and functioning of local society, but does not ignore how these factors were affected by events, not least events of national scope. The thematic part starts with an outline of the county of Lancashire: its topography, demography, economy and early history. After this, it goes on to explore the central but complex issue of social stratification in the period in question. Then follow two chapters on the gentry of Lancashire in their various capacities: as officers in local administration, and as members of local and regional networks. The chronological half divides the sixty-three-year period into four approximately equal parts, with dividing points in 1315, 1328 and 1345. These years are chosen as far as possible to represent important dates for local society, as well as for the earls of Lancaster. This structure will necessitate a great deal of cross-referencing, and a certain amount of repetition will also be inevitable. Hopefully, though, the benefits of this approach will outweigh the drawbacks, to create a comprehensive – and comprehensible – whole.

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<sup>74</sup> Somerville, *History of the Duchy of Lancaster*, pp. 62-4.

<sup>75</sup> Of special value can be mentioned deeds such as the Blundell of Little Crosby Deeds (DDBI), the Molineux of Sefton Deeds (DDM) and the De Trafford of Trafford Deeds (DDTr), all held at the Lancashire Record Office, and the Legh of Lyme Muniments held at the John Rylands University Library in Manchester.

## 1. Lancashire: Early History, Topography, Demography and Economy

When speaking of the county of Lancashire, we are dealing with a far from unambiguous term. First of all, as we shall see, the geographical boundaries of the county took longer to be permanently defined than those of most other counties of England, and its boundaries have also undergone more extensive changes in recent times. Secondly, there is the administrative unit known as the Duchy of Lancaster, originally dating back to the creation of a palatinate for Henry of Grosmont, first duke of Lancaster, in 1351.<sup>1</sup> Though this grant entailed palatinate rights over the county of Lancashire, it was a different entity altogether from the Duchy of Lancaster created in 1399, which was the private possessions of the duke of Lancaster merged with the crown, but maintained as a separate administrative unit.<sup>2</sup> To avoid confusion, it is therefore more convenient to use the term ‘palatinate’ when speaking about the honour granted to Grosmont in 1351, since this applied to Lancashire alone.<sup>3</sup>

In order to know exactly what we are dealing with when we speak of ‘the county of Lancashire’, and furthermore to know how this county came into being as an administrative unit, it is therefore necessary to look more closely at the early history of this particular part of north-western England.

### Early History

For reasons of geography and topography that will be discussed in greater detail below, the area that was later to become the county of Lancashire was one of the last parts of England to become widely populated and cultivated.<sup>4</sup> While settlements had long existed in the eastern parts of the county, it was the Anglo-Saxons who cleared the woodland of the south-east, preparing the richest soil for cultivation.<sup>5</sup> At some point between 613 and 616 Æthelfrith, the king of Northumbria, defeated the Britons, led by the king of Powys, Selyf Sarffgadau, at

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<sup>1</sup> Hardy (ed.), *Charters of the Duchy of Lancaster*, p. 9.

<sup>2</sup> Somerville, *History of the Duchy of Lancaster*, pp. 42, 142; E.H. Kantorowicz, *The King's Two Bodies: A Study in Mediaeval Political Theology* (Princeton, 1957), p. 370; Hardy (ed.), *Charters of the Duchy of Lancaster*, pp. 137-8; Castor, *King, Crown, and Duchy*, pp. 27-9.

<sup>3</sup> Somerville, *History of the Duchy of Lancaster*, pp. 142-3.

<sup>4</sup> For more on the topography and demography of the region, see separate sections below.

<sup>5</sup> F. Walker, *Historical Geography of Southwest Lancashire before the Industrial Revolution*, Chetham Society, new series, vol. 103 (1939), pp. 1-2.

Chester, and thereby extended Northumbrian rule all the way to the Irish Sea.<sup>6</sup> There is little documentary evidence on the area after this, and the battle of Hwælleage in 798 may or may not have taken place at Whalley in Blackburnshire.<sup>7</sup> The area seems to have been settled by Norsemen in the ninth century, and been under Danish control at the start of the tenth, but there is very little documentation of Viking settlements. The best remaining evidence is in the place names but, while numerous names of Norwegian origin can be found along the coast, there are only a few settlements in the Manchester area that show any sign of Danish etymology.<sup>8</sup>

Meanwhile, the kingdom of Mercia was busy building defences along the Mersey.<sup>9</sup> In 923, control of the land between the Ribble and the Mersey passed from Northumbria to Mercia.<sup>10</sup> This conquest was to result in the ecclesiastical division of the county between two dioceses, and indeed two provinces. The southern part belonged to the diocese of Coventry and Lichfield, while the northern part remained with the diocese of York, a division that would last up until the Reformation.<sup>11</sup> In 930, King Æthelstan made a gift of the area north of the Ribble, known as Amounderness, to the cathedral of York, an area purchased, in his own words, ‘with no little money of my own’.<sup>12</sup> The cathedral seems to have had little interest in the area, however, and by the time of the Conquest it had been returned to Earl Tostig of Northumbria.<sup>13</sup> Earl Tostig also held the lands of Kendal, Cartmel and Furness.<sup>14</sup> The north-south division we see here, though later obliterated as a political boundary, was by no means arbitrary but, as we shall see later, dictated by geography.<sup>15</sup> This two-part division of the county would be one of its defining characteristics in the centuries to come. Several geographers and historians have taken the consequence of this, and chosen only the southern part of the county as their topic of study.<sup>16</sup> Of greatest relevance here, M.J. Bennett preferred to subsume the part of Lancashire south of the Ribble with Cheshire, as a more natural social

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<sup>6</sup> *Bede's Ecclesiastical History of the English People*, ed. B. Colgrave and R.A.B. Mynors (Oxford, 1969), p. 140; Walker, *Historical Geography*, pp. 18-19; R. Cramp, 'Æthelfrith (d. c.616)', *ODNB*; *VCH*, II, p. 175.

<sup>7</sup> D. Kenyon, *The Origins of Lancashire* (Manchester, 1991), pp. 99-100.

<sup>8</sup> Walker, *Historical Geography*, pp. 23-6; *VCH*, II, pp. 176-7.

<sup>9</sup> Walker, *Historical Geography*, p. 20; *An Anglo-Saxon Chronicle*, ed. M. J. Swanton (Exeter, 1990), p. 99.

<sup>10</sup> *Anglo-Saxon Chronicle*, p. 104; *VCH*, I, p. 270; II, p. 178.

<sup>11</sup> *VCH*, I, p. 270, II, pp. 4-5.

<sup>12</sup> *English Historical Documents I, c. 500-1042*, ed. D.C. Douglas and D. Whitelock (London, 1955), pp. 548-551; *VCH*, I, p. 271.

<sup>13</sup> *VCH*, I, p. 271.

<sup>14</sup> *VCH*, I, p. 271; P.A. Clarke, *The English Nobility under Edward the Confessor* (Oxford, 1994), pp. 191-4.

<sup>15</sup> See below, p. 25.

<sup>16</sup> A. Wilmore, *South Lancashire* (Cambridge, 1928); Walker, *Historical Geography*; Tupling, *South Lancashire*.

and geographical unit.<sup>17</sup> This unity relied to a great degree on Henry IV's assumption of power, and will therefore be of less relevance to the current study, but the two-part division's influence on the social and political dynamics of the county will be a major theme throughout.<sup>18</sup>

There is little evidence that the Norman Conquest had much immediate influence on Lancashire,<sup>19</sup> but a later northern rebellion and its subsequent suppression had great consequences for the northern part of the county. This suppression, in 1069-70, known to posterity as 'the harrying of the north', came shortly after a rebellion in the same area in 1065-6 by certain English enemies of Earl Tostig, and a Scottish invasion in 1061.<sup>20</sup> Together these events may have thrown the region into a serious crisis. At the time of the compilation of Domesday Book, in 1086, the area was almost completely ignored.<sup>21</sup> The reason for this could be that it was so wasted by this point that it could not be surveyed, though it could equally well be that the area had less use as a source of revenue since it had not yet been fully incorporated.<sup>22</sup> Rather than a full county survey, the area that was later to become Lancashire was included in the surveys of Cheshire and Yorkshire. There are one and a half pages under Cheshire covering the land between the Ribble and the Mersey. This land was divided into six wapentakes, corresponding with the situation of the chief royal manors. The six were: West Derby, Salford, Leyland, Blackburn, Newton and Warrington.<sup>23</sup> Of these, the last two became part of West Derby at some later point.<sup>24</sup> Meanwhile, the northern parts are briefly included under Yorkshire. Amounderness is treated as a separate wapentake, but the area north of this, what was to become the wapentake of Lonsdale, is referred to simply as 'the king's land in Eurvicscire'.<sup>25</sup>

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<sup>17</sup> Bennett, *Community, Class and Careerism*, pp. 3, 7-8.

<sup>18</sup> See below, p. 273.

<sup>19</sup> Walker, *Historical Geography*, pp. 26-7.

<sup>20</sup> *VCH*, II, p. 273; W.E. Kappelle, *The Norman Conquest of the North: The Region and its Transformation, 1000-1135* (London, 1979), pp. 92-3; Clarke, *English Nobility*, pp. 16, 93; I.W. Walker, *Harold: The Last Anglo-Saxon King* (Stroud, 1997), pp. 103-19; D.C. Douglas and F. Barlow, *William the Conqueror* (New Haven, 1999), p. 221.

<sup>21</sup> *VCH*, I, p. 273.

<sup>22</sup> For the wider debate over the effects of the harrying, the state of the north by the time of Domesday Book, and the meaning of the word 'waste' in that document, see W.E. Wightman, 'The significance of "waste" in the Yorkshire Domesday', *Northern History*, 10 (1975), pp. 55-71; D.R. Roffe, 'Domesday Book and northern society: a reassessment', *EHR*, 105 (1990), pp. 310-36; D.M. Pallister, 'Domesday Book and the "harrying of the north"', *Northern History*, 29 (1993), pp. 1-23.

<sup>23</sup> J. J. Bagley, *A History of Lancashire: With Maps and Pictures* (London, 1956), pp. 14-15; *VCH*, I, p. 270-1.

<sup>24</sup> *VCH*, III, pp. 316-24; IV, pp. 132-7.

<sup>25</sup> Bagley, *History of Lancashire*, pp. 4-5; *Domesday Book: A Complete Translation*, ed. A. Williams and G.H. Martin (London, 2002), pp. 737-40, 795-6.

The landowning and administrative history of this region in the years following the Conquest is a complex one.<sup>26</sup> It is not until 1091 that we see the makings of the historic county of Lancashire.<sup>27</sup> This year, a grant was made to Roger the Poitevin, including not only his previously held lands between the Ribble and the Mersey, but also Amounderness and Lonsdale, including the Cartmel and Furness peninsulas.<sup>28</sup> This grant explains the rather unnatural geographical composition of the county, with the land on the far side of Morecambe Bay belonging to Lancashire for almost nine hundred years, rather than to Westmorland or Cumberland. It seems clear that the king's intention by granting this rather incongruous unit to one of his mightier subjects was to create a military fee that could function as a bulwark against the Scots in a region where the new Anglo-Norman nation was particularly vulnerable.<sup>29</sup> As we shall see, this strategic function would be a central part of the history of the county in the following centuries.

In 1102, Roger the Poitevin joined his brother, Robert de Bellême, in rebellion against the new king, Henry I. The rebellion was suppressed, Roger's land was confiscated and he himself was banished from the realm.<sup>30</sup> During the Anarchy, the area then became the object of power struggles between King Stephen, David I of Scotland and Ranulph, earl of Chester.<sup>31</sup> The earldom of Chester, to the south of Lancashire, had been created in the aftermath of the Conquest as one of several marcher earldoms on the border of Wales. These counties shared some palatinate rights with the county of Durham.<sup>32</sup> At this point, the county was once more split into a southern and northern part, along the Ribble. The whole area

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<sup>26</sup> Bagley, *History of Lancashire*, pp. 18-19; J.F.A. Mason, 'Roger de Montgomery and his sons (1067-1102)', *TRHS*, 5<sup>th</sup> series, 13 (1963), pp. 1-28; K. Thompson 'The Norman aristocracy before 1066: the example of the Montgomeries', *Historical Research*, 60 (1987), pp. 251-63; C.P. Lewis 'The king and Eye: a study in Anglo-Norman politics', *EHR*, 104 (1989), pp. 569-89; V. Chandler, 'The last of the Montgomeries: Roger the Poitevin and Arnulf', *Historical Research*, 62 (1989), pp. 1-14; J.F.A. Mason, 'Montgomery, Roger de, first earl of Shrewsbury (d. 1094)', *ODNB*.

<sup>27</sup> Mason, 'Montgomery, Roger de', *ODNB*.

<sup>28</sup> The grant also included Kendal, later given to Westmorland, and parts that would later revert to Yorkshire: Bagley, *History of Lancashire*, pp. 18-19; *VCH*, I, pp. 291-2. By 1094, William Rufus had made a division of the northern lands between Roger and Ivo Taillebois, lord of Spalding, Lincolnshire, thereby setting the borders to where they would remain for centuries: *VCH*, II, p. 181.

<sup>29</sup> *VCH*, I, pp. 291-2; Walker, *Historical Geography*, pp. 26-7. Roger of Poitevin was also the one who started the building of Lancaster Castle: *VCH*, II, p. 182.

<sup>30</sup> Bagley, *History of Lancashire*, pp. 18-19; *VCH*, I, p. 291; II, 184; Mason, 'Montgomery, Roger de', *ODNB*.

<sup>31</sup> *VCH*, I, p. 291; II, 184-6; Bagley, *History of Lancashire*, pp. 18-19; J.W. Alexander, *Ranulf of Chester, a Relic of the Conquest* (Athens, Georgia, 1983); R.H.C. Davis, *King Stephen, 1135-1154* (London, 1990), pp. 118-19; D. Crouch, *The Reign of King Stephen, 1135-1154* (Harlow, 2000), p. 242; D.A. Carpenter, *The Struggle for Mastery: Britain, 1066-1284* (Oxford, 2003), pp. 178, 185; G. White, 'Ranulf (II), fourth earl of Chester (d. 1153)', *ODNB*; Mason, 'Montgomery, Roger de', *ODNB*.

<sup>32</sup> P. Morgan, *War and Society in Late Medieval Cheshire, 1277-1403* (Manchester, 1987), pp. 28, 63.

reverted to the crown in 1164, however, and in 1189, King Richard I granted it to his brother John.<sup>33</sup> At this point it would be correct to speak of a ‘county of Lancashire’, as this term had now come into use, an expression used for the first time in 1168.<sup>34</sup> Almost exactly a century after the conquest, Lancashire had taken its place among the counties of England.

John took great interest in his northern fief, and his influence on the county was a significant one.<sup>35</sup> Perhaps the greatest lasting legacy he left was founding the town of Liverpool in 1207, providing the county with a port that would before long prove of great strategic value to the area.<sup>36</sup> In 1194, Lancashire once more reverted to the crown, as a result of John’s rebellion during his brother’s absence on crusade. The land was not restored to John in his private capacity before his own accession, and it consequently remained a crown possession until 1267. During this time, however, the earl of Chester’s influence in the county was still great, since he held the shrievalty and had the right to appoint deputy sheriffs to act in his name.<sup>37</sup> This privilege was revoked in the reign of Henry III, as a result of the opposition of the new earl, Ranulph de Blundeville’s, to the king’s favourite Hubert the Burgh, and it was instead given to William Ferrers, earl of Derby.<sup>38</sup> Ferrers also had a great landed interest in the county, but in 1269 Robert de Ferrers, son of William, was disinherited as a result of his involvement in the Barons’ War. Henry III exploited the Ferrers forfeiture to establish a powerful cadet branch of the royal family through his son Edmund who, in 1267, had been made sheriff and earl of Lancaster.<sup>39</sup> By this creation was established the earldom that was to continue, with a hiatus or two, up until 1399, and was to become the most powerful force in English politics. In Lancashire, the only other comital family present was that of the earl of Lincoln, which merged into the Lancaster family in 1311.<sup>40</sup>

Edmund, known as Crouchback, did not spend much time in Lancashire; his focus was on his more profitable possessions across the Midlands – in Derbyshire, Lincolnshire,

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<sup>33</sup> *VCH*, II, p. 189; W.L. Warren, *King John* (London, 1961), p. 39; J.T. Appleby, *England without Richard* (London, 1965), pp. 6, 34; J. Gillingham, *Richard I* (New Haven, 1999), p. 119.

<sup>34</sup> *VCH*, II, p. 187.

<sup>35</sup> J.C. Holt, *Magna Carta* (Cambridge, 1965), pp. 52-5.

<sup>36</sup> *VCH*, II, pp. 191-2.

<sup>37</sup> J.C. Holt, *The Northerners: A Study in the Reign of King John* (Oxford, 1961), p. 241; B.E. Harris, ‘Ranulph III earl of Chester’, *Journal of the Chester Archaeological Society*, 58 (1975), pp. 99-114; Alexander, *Ranulf of Chester*; R. Eales, ‘Ranulf (III), sixth earl of Chester and first earl of Lincoln (1170–1232)’, *ODNB*.

<sup>38</sup> *VCH*, II, p. 193; E. Acheson, ‘Ferrers family (per. c.1240–1445)’, *ODNB*.

<sup>39</sup> Somerville, *History of the Duchy of Lancaster*, pp. 3-11; Spencer, *Nobility and Kingship*, pp. 13-14, 182-4. For a discussion of the claim made by Henry IV that Edmund was in fact the oldest son, and the meaning of his nickname, see P.J. Edlin, ‘The Crouchback legend revisited’, *The Ricardian*, 14 (2004), pp. 95-105. See also: N. Saul, *Richard II* (New Haven, 1997), pp. 419-20. For more on the Ferrers forfeiture, see below, p. 161.

<sup>40</sup> For more on this, see below, p. 160.

Staffordshire and Northamptonshire.<sup>41</sup> This preference would be shared by his successors, and would have an important influence on the internal politics of the county. Still, Crouchback set great store by the association with this earldom, and was the first to use the title ‘earl of Lancaster’.<sup>42</sup> The name of Lancaster was more than a title, however, and soon took on the status of a family name. This can be seen by the fact that it was used also for sons of incumbent earls, as in the case of the young Henry of Grosmont.<sup>43</sup>

With this outline in mind, of the political history of the county in a national context, we can return to a subject already briefly touched upon: the topography of the region. It was the elevation of the land, the fertility of the soil and the accessibility of the various regions that dictated the distribution of the population, the distribution of wealth and, eventually, also the local politics of the county.

## Topography

Before embarking on a discussion of the topography, we must establish the exact boundaries of the county with which we are dealing (see **Map 2, p. ix**). The incorporation, discussed above, of parts of Westmorland and Yorkshire into Lancashire, was a short-lived one; by the late tenth century, northern Lancashire was clearly limited to Amounderness and Lonsdale, including Cartmel and Furness.<sup>44</sup> The next major realignment of the boundaries of the county took place in 1974, with the Local Government Act of 1972 coming into force. This act was, at least as far as the county of Lancashire was concerned, an effort to deal with the major changes in population patterns caused by the industrial revolution. The cities of Liverpool and Manchester, both now greater in population than most English counties, were separated into the metropolitan boroughs of Merseyside and Greater Manchester respectively.<sup>45</sup> For the period in between, however – for almost nine hundred years – the boundaries of the county were firmly set, and it is with the county within these boundaries we will be dealing here.

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<sup>41</sup> Lloyd, ‘Edmund’, *ODNB*.

<sup>42</sup> The use of the title can be traced back to December 1276: W.E. Rhodes, ‘Edmund, earl of Lancaster’, *EHR*, 10 (1895), pp. 19–40, 209–37; Somerville, *History of the Duchy of Lancaster*, pp. 1–16; *VCH*, ii, p. 196; S. Lloyd, ‘Edmund, first earl of Lancaster and first earl of Leicester (1245–1296)’, *ODNB*. Edmund was most often referred to as “the king’s brother”, see e.g., *Annual Report of the Deputy Keeper of the Public Records*, vol. 44 (London, 1883), p. 94; Somerville, *History of the Duchy of Lancaster*, p. 9.

<sup>43</sup> C 81/1724/49.

<sup>44</sup> See above, p. 21.

<sup>45</sup> C. Arnold-Baker, *The Local Government Act 1972* (London, 1973); D. H. Harrington, *Local Government Act 1972* (Croydon, 1984).

Lancashire is clearly defined on its western side by the coast of the Irish Sea. To the south, the boundary that divides the county from Cheshire is formed by the course of the river Mersey. Then, just east of Manchester, around Oldham, the border takes a northward turn, and follows the woodlands of the western slopes of the Pennines. Around Clitheroe it moves inland and north through the forest of Bowland, before it cuts west to the sea, at the mouth of Morecambe Bay, north of Lancaster. The remaining part of the county, on the far side of Morecambe Bay, is made up of the two peninsulas of Cartmel and Furness, with the more elevated parts of High Furness in the north.<sup>46</sup> Southern Lancashire, delineated thus by the Mersey in the south and the Pennines in the east, is furthermore cut off from the northern part of the county by the river Ribble. The county can therefore be said to consist of three separate parts: southern Lancashire, between the Mersey and the Ribble, northern Lancashire south-east of Morecambe Bay, and Furness and Cartmel in the far north. Each one of these parts has its own geographical characteristics, as well as internal geographical variations (**see Map 1, p. viii**).

Southern Lancashire was originally dominated by vast expanses of forest and peat moss. The importance of this factor for the development of the region can hardly be exaggerated, for, while the forests were largely cleared by an early date, the marshland remained until the eighteenth century.<sup>47</sup> The bogs extended all the way around the coast, along both the Ribble and Mersey rivers, as well as in a belt going roughly north-west to south-east across the land.<sup>48</sup> The remaining land was of diverse value. In the higher parts of east Lancashire, low temperatures and heavy rainfall combined to make any form of agriculture extremely problematic, which helps explain why so much of this area remained woodland – often referred to collectively as Rossendale Forest – throughout the middle ages.<sup>49</sup> The south-western part of the county, however, not only enjoyed higher temperatures and lower precipitation, but was also largely shielded by the mountains of Wales from the worst effects of the prevailing south-western winds blowing in from the Atlantic. This region

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<sup>46</sup> For a comparison with a county whose external boundaries were even more clearly defined, see Drake's study of gentry identity in Cornwall: Drake, 'Since the time of King Arthur', pp. 237-8, 240-1.

<sup>47</sup> Walker, *Historical Geography*, p. 9.

<sup>48</sup> Walker, *Historical Geography*, p. 9.

<sup>49</sup> Walker, *Historical Geography*, p. 35; R. Millward, *Lancashire: An Illustrated Essay on the History of the Landscape* (London, 1955), pp. 13, 36-8.

was far more amenable to cultivation, and was in fact for a long time the only significant area of arable land in all of north-western England.<sup>50</sup>

North of the Ribble, the eastern part of the country was again dominated by woodland, in this case the forest of Bowland.<sup>51</sup> Towards the coast stretches the peninsula known as the Fylde, another area of predominant mossland.<sup>52</sup> The northernmost part of the county, beyond Morecambe Bay, is even more inhospitable, but this area was saved from utter desolation by the establishment of monasteries, particularly Cistercian houses. The landscape was ideal for monks who came looking exactly for hostile terrain, far from human habitation. Furness Abbey came to dominate the region almost completely, both the lowland, where a certain degree of arable farming was possible, and the pastoral hill-country known as High Furness.<sup>53</sup>

The distinctive geography of the county, in particular the peat bogs, dictated patterns of human activity. One area where this can be seen quite clearly is the network of roads crossing the county. The Mersey and the marshy land that spread from its banks isolated Lancashire from Cheshire in the south, while west of Warrington, the river could be crossed only by ferry for travel between Widnes and Liverpool. The bridge at Warrington was the only crossing point throughout the middle ages, and the bogs were considered unsafe territory up until the early nineteenth century.<sup>54</sup> Further north, by the Ribble, the situation was a similar one; here the river could be crossed at Preston alone. A third point of entry into south-western Lancashire was through a corridor between the southern marches and the northern moors, going from Wigan to Bolton.<sup>55</sup> This situation explains the course of the main road through Lancashire: across the bridge at Warrington, through Wigan, across the bridge at Preston and further north to Lancaster, where it continued into Kendal. This road has been the main thoroughfare through the country since Roman times, and can be clearly seen on the earliest road map of Britain, the fourteenth-century Gough Map.<sup>56</sup> From this we can also see

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<sup>50</sup> Walker, *Historical Geography*, pp. 35-6; R.C. Shaw, *The Royal Forest of Lancaster* (Preston, 1956), p. 296.

<sup>51</sup> Shaw, *Royal Forest of Lancaster*, pp. 217-30, 365-80.

<sup>52</sup> Millward, *Lancashire*, p. 21.

<sup>53</sup> Millward, *Lancashire*, p. 41.

<sup>54</sup> Walker, *Historical Geography*, p. 10.

<sup>55</sup> Walker, *Historical Geography*, p. 13.

<sup>56</sup> E.J.S. Parsons, *The Map of Great Britain circa A.D. 1360, Known as the Gough Map: An Introduction to the Facsimile* (Oxford, 1958); J.J. Bagley and A.G. Hodgkiss, *Lancashire: A History of the County Palatine in Early Maps* (Manchester, 1985); M.C. Higham, 'Through a glass darkly: the Gough Map and Lancashire', in A.G. Crosby (ed.), *Lancashire Local Studies: In Honour of Diana Winterbotham* (Preston, 1993), pp. 29-41; A.G. Crosby, 'The towns of medieval Lancashire: an overview', *Regional Bulletin for the Center for North-*

how the landscape and the roads together dictated patterns of settlement: of the towns mentioned – Warrington, Wigan, Preston and Lancaster – the latter three, together with the royally founded port of Liverpool, were in fact the only four boroughs in the county ever to send representatives to a medieval parliament.<sup>57</sup>

## Demography

During the industrial revolution, the county of Lancashire experienced population growth on an unprecedented scale. In the century following the first national census in 1801, the population of the county increased from 673,486 to 4,372,958 – an increase of over 550%.<sup>58</sup> This brought Lancashire's proportion of the total population from about 7.5% to nearly 14%. In the census of 2001, the combined populations of Lancashire, Merseyside and Greater Manchester – an area roughly corresponding to historical Lancashire – still made up almost 10% of the national population, with 4,979,328 of 52,041,916.<sup>59</sup> The demographic situation of Lancashire in the later middle ages stands in sharp contrast to this later image. With its 1,929 square miles, Lancashire placed seventh among the counties of England in size, but its population was highly scattered.<sup>60</sup> In number of taxpayers per square mile, based on the lay subsidies of 1327 and 1332, Lancashire ranks last of 42 counties.<sup>61</sup>

Making reliable estimates of medieval population numbers is of course extremely difficult. Estimates for the population of Lancashire at the time of the Domesday inquest range from around 6,000<sup>62</sup> to 7,385,<sup>63</sup> with the true number probably closer to the lower range. Russell gives the higher estimate, but bases this on 'the assumption that the population

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*West Regional Studies*, new series, 8 (1994), pp. 7-18; M.C. Higham 'The roads of dark age and medieval Lancashire', in A.G. Crosby (ed.), *Leading the Way: A History of Lancashire's Roads* (Preston, 1998), pp. 29-52.

<sup>57</sup> *Return of the Names of Members of Parliament*, part I: *Parliaments of England, 1213-1702*, Parliamentary Papers (London, 1878), pp. 5-167; *VCH*, II, p. 197; H. Hornyold-Strickland, *Biographical Sketches of the Members of Parliament of Lancashire, 1290-1550* (Manchester, 1935), pp. 109-18. Lancashire was generally exempt from sending borough representatives, see below, p. 28.

<sup>58</sup> *VCH*, II, p. 332.

<sup>59</sup> Office of the Population Census and Survey, *Census 2001: Key Statistics for Local Authorities in England and Wales*, (London, 2001), pp. 9-11.

<sup>60</sup> This also made for hundreds, or wapentakes, of much greater size than in the rest of England; F. Pollock and F.W. Maitland, *The History of English Law before the Time of Edward I* (London, 1968), p.556.

<sup>61</sup> B.M.S. Campbell and K. Bartley, *England on the Eve of the Black Death: An Atlas of Lay Lordship, Land and Wealth, 1300-49* (Manchester, 2006), pp. 330-1.

<sup>62</sup> Walker, *Historical Geography*, p. 32.

<sup>63</sup> J.C. Russell, *British Medieval Population* (Albuquerque, 1949), pp. 53-4.

was fairly evenly spread throughout the agricultural sections of the north of England',<sup>64</sup> which – as we have seen – was clearly not the case. Using Russell's estimate would also give a population increase for the county, from Domesday till the poll tax of 1377, of 4.85%, a growth rate beaten only by Yorkshire, with Westmorland, Cumberland and Northumberland showing a similarly high increase.<sup>65</sup> There is no basis for assuming such extraordinary growth for the north of England as a whole, and a much more likely explanation is general under-reporting in the north in Domesday, resulting from the inaccessibility of the region, and the waste caused by the preceding years' devastation.

By the early fourteenth century the tax returns mentioned above showed a total number of 1,946 taxpayers in the county in 1327, and 2,564 in 1332.<sup>66</sup> Campbell and Bartley operate with a mean household size of 4.75, based on early modern estimates.<sup>67</sup> They further make the assumption that only between a quarter and a third of households paid taxes. For the whole of England, this gives them a population of 3.9 to 5.25 million.<sup>68</sup> If we apply these same criteria to the population of Lancashire, we get a number ranging from 27,730 (1,946 x 4.75 x 3) to 36,974 (1,946 x 4.75 x 4) for 1327, and between 36,537 and 48,716 for 1332. On average these numbers give us around 37,500 inhabitants in the county of Lancashire, less than one percent of the national population. If we add 10% to this number based on losses during the Great Famine of 1315-1317, we end up with a total of around 40,000 people at the start of the fourteenth century.<sup>69</sup>

Russell's estimate of the population of Lancashire in 1377, based on the poll tax, is 35,820.<sup>70</sup> This number corresponds quite well with the 36,000 arrived at by Bennett, using primarily the poll tax returns of 1377, 1379 and 1381.<sup>71</sup> This shows a surprisingly small decline from the pre-Black Death estimates; a number only barely lower than the average of the estimates from around 1330, noted immediately above. It is possible that the 1332 subsidy was more comprehensive than that of 1327, and that the higher estimates therefore reflects reality better than the lower ones. Furthermore, the 1377 poll tax certainly reveals the size of

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<sup>64</sup> Russell, *British Medieval Population*, p. 52.

<sup>65</sup> Russell, *British Medieval Population*, pp. 132-3, 146.

<sup>66</sup> Campbell and Bartley, *England on the Eve of the Black Death*, pp. 330-1.

<sup>67</sup> P. Laslett, 'Mean household size in England since the sixteenth century', in P. Laslett and R. Wall (eds.), *Household and Family in Past Time* (Cambridge, 1972), pp. 125-58; Campbell and Bartley, *England on the Eve of the Black Death*, p. 329.

<sup>68</sup> Campbell and Bartley, *England on the Eve of the Black Death*, p. 329.

<sup>69</sup> For more on mortality during the Great Famine, see below, p. 181.

<sup>70</sup> Russell, *British Medieval Population*, pp. 132-3.

<sup>71</sup> Bennett, *Community, Class and Careerism*, pp. 53-66.

the population more comprehensively than any of the previous lay subsidies, so the decline in the 45-50 years could be greater than it appears. Nevertheless, when compared to national totals, we still get a decline for Lancashire far short of the national average. While Campbell and Bartley estimate England's population around 1330 to have been approximately 4.6 million, Russell's 1377 estimate for the country is less than half of that.<sup>72</sup> If the national population was reduced by more than 50% by the Black Death, it appears that Lancashire suffered less from the Black Death than the rest of England. Exact assessments are of course impossible to make; A.G. Little, on the basis of a contemporary document, calculated the casualties from ten different Lancashire parishes as 13,180, but he considers this number highly inflated. Yet one thing the document seemingly does, is to indicate that the plague arrived in the county later than in other parts of the country.<sup>73</sup> It is possible, then, that the relative isolation of the county, discussed above, helped spare Lancashire from the worst ravages of the Black Death.<sup>74</sup>

But this remained a sparsely settled area, and the scarcity of the population is also reflected in its distribution; the population of Lancashire was unable to sustain significant urban formation, and was therefore overwhelmingly rural. In the years before 1361, there were eighteen places in the county that can be found in one context or another referred to as boroughs. Of these, only six were royal boroughs – Lancaster, Liverpool, Penwortham, Preston, West Derby and Wigan – nine were seigniorial and three ecclesiastical.<sup>75</sup> These numbers do not reflect any significant levels of urbanization, however. Of these boroughs, as already noted, only four were ever parliamentary boroughs throughout the middle ages. Thanks to exemptions for economic reasons, even these rarely sent representatives to parliament, eventually ceasing altogether.<sup>76</sup> As late as 1550, there were no more than about a dozen sizeable towns in south Lancashire and Cheshire taken together, by contrast with some 120 east of the Pennines.<sup>77</sup> Preston may have had 1,000 inhabitants in the later fourteenth

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<sup>72</sup> Russell, *British Medieval Population*, p. 146 (2,232,373).

<sup>73</sup> A.G. Little, 'The Black Death in Lancashire', *EHR*, 5 (1890), p. 525.

<sup>74</sup> For more on the Black Death and its consequences on the county, see below, p. 256.

<sup>75</sup> M.W. Beresford and H.P.R. Finberg, *English Medieval Boroughs: A Handlist* (Newton Abbot, 1973), pp. 131-5. The seigniorial boroughs were Bolton, Chorley, Clitheroe, Hornby, Manchester, Salford, Ulverston, Warrington and Warton; the ecclesiastical boroughs were Dalton, Kirkham and Ormskirk.

<sup>76</sup> *VCH*, II, p. 197. The 'Model Parliament' of 1295 saw representation from Lancaster, Liverpool, Preston and Wigan, but no other boroughs were ever represented in parliament, and there were in fact no borough representatives at all between the years of 1331 and 1529: Stubbs, *Constitutional History*, vol. III, p. 470 n.1; *Biog. Sketches*, pp. 109-18.

<sup>77</sup> D.M. Palliser (ed.), *The Cambridge Urban History of Britain: vol.1, 600-1540* (Cambridge, 2000), p. 679.

century, Wigan, Manchester and Liverpool less than half that each. This can be compared to the estimate of over 4,600 inhabitants in nearby Chester,<sup>78</sup> or the approximately 70,000 in pre-plague London.<sup>79</sup> The low level of urbanisation, and the generally sparse population, may also count among the reasons why the Black Death seems to have spread more slowly, and taken fewer lives in Lancashire than elsewhere.

The extent to which the low population of the county of Lancashire was caused by its topography can be seen when we look at a third factor: the economy of the county.

## Economy

A recent study of the state of the English economy in the early fourteenth century concludes that ‘On this criterion [wealth in movable goods] Lancashire stands out as the least developed and least prosperous county of all.’<sup>80</sup> The poverty of the county is an undeniable fact. When we look at wealth per vill, the 358 Lancashire vills found in the 1327, 1332 and 1334 lay subsidies returned only an average of £18. 16s. 7d. per vill, placing the county – at 42% of the national average – number 42 among 42 counties, as it was with regard to population density.<sup>81</sup> All the more pronounced is its poverty from the perspective of wealth per acreage; as we have seen above, Lancashire was the seventh largest county in England.<sup>82</sup> Ranking low in county-wide wealth in each of the three subsidies, Lancashire again ranks last when the 1334 subsidy is used to calculate wealth per square mile. A return of £2. 18s. 0d. per square mile amounts to only 22% of the national average of £11. 3s. 7d.<sup>83</sup>

When we turn our attention to development over time, the state of the county changes relative to the rest of the nation, but this is due more to demographic than economic conditions. A comparison of the number of people taxed in 1327 and 1332 with the corresponding number from 1377 shows an almost exact five-fold increase on a national level.<sup>84</sup> Lancashire, however, has an increase of 10.35 times the earlier returns, which is the

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<sup>78</sup> Bennett, *Community, Class and Careerism*, pp. 60-1.

<sup>79</sup> M.C. Prestwich, *Plantagenet England: 1225-1360* (Oxford, 2005), p. 473.

<sup>80</sup> Campbell and Bartley, *England on the Eve of the Black Death*, p. 348. See also: Bennett, *Community, Class and Careerism*, pp. 53-66; Gorski, *Fourteenth-Century Sheriff*, pp. 54-5.

<sup>81</sup> Campbell and Bartley, *England on the Eve of the Black Death*, pp. 314-15.

<sup>82</sup> See above, p. 26.

<sup>83</sup> Campbell and Bartley, *England on the Eve of the Black Death*, pp. 324-5.

<sup>84</sup> Even though the total national population was significantly lower in 1377, this return shows a higher number of tax payers than the earlier ones because it was a poll tax, not a lay subsidy.

third highest increase in England, only surpassed by London and the West Riding of Yorkshire.<sup>85</sup> These numbers seem to confirm what has been suggested earlier: that Lancashire was less severely hit by the Black Death than the rest of England.<sup>86</sup>

In a longer perspective, this development had little effect on the economy of the county. A comparison between the 1334 subsidy and the subsidy of 1515, made by R.S. Schofield in 1965, gives an impression of the county's economic development in the later part of the middle ages.<sup>87</sup> The 1515 subsidy was a so-called 'Tudor' subsidy, a much more complex and also more efficient system of assessment that was gradually to replace the more rigid rates set by the 1334 assessment.<sup>88</sup> Yet, even though the two subsidies are radically different in methods and returns, taken together they still offer a good basis for county-to-county comparison. In 1515, Lancashire was still the poorest county in terms of taxation per acre. Even more noteworthy is that Lancashire turns out to be the only county in England with negative growth over these 181 years; while the national average was a wealth 3.14 times higher in 1515 than in 1334, the corresponding number for Lancashire was -0.83.<sup>89</sup>

Caution must be taken when using lay subsidies and other tax returns to assess general levels of wealth. Medieval tax collectors – primarily men with extensive local connections – could be corrupt. Though Schofield sees 'no reason to suspect the existence of regionally patterned undervaluation', and claims that 'these assessments appear to provide an economically plausible picture of the geographical distribution of wealth at that date [1334]',<sup>90</sup> J. F. Hadwin, on the other hand, warns against the practice of trusting 'that all areas cheated to roughly the same degree'.<sup>91</sup> It is only natural to assume that royal officials would have less oversight in the more remote and inaccessible parts of the realm, and that leeway for fraud and evasion would be greater here. Yet the surrounding topographical and demographic evidence supports the picture of Lancashire as a region that could simply not support great economic prosperity in a pre-industrial society.

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<sup>85</sup> Campbell and Bartley, *England on the Eve of the Black Death*, pp. 336-7. Yorkshire as a whole has a lower increase than Lancashire, with 10.02.

<sup>86</sup> The similar situation of the West Riding could lead us to tentatively speculate that it was largely the Pennines that served as a protective wall against the pestilence.

<sup>87</sup> R.S. Schofield, 'The geographical distribution of wealth in England, 1334-1649', *EcHR*, 18 (1965), pp. 483-510.

<sup>88</sup> Schofield, 'Geographical distribution', p. 490.

<sup>89</sup> Schofield, 'Geographical distribution', p. 504.

<sup>90</sup> Schofield, 'Geographical distribution', p. 497.

<sup>91</sup> J.F. Hadwin, 'The medieval lay subsidies and economic history', *EcHR*, 36 (1983), p. 200.

It would be desirable to be able to assess regional differences in wealth and population within the county. Poll taxes are preferable for estimating population numbers, though they say little of relative wealth. For this the lay subsidies are better suited. Unfortunately, the poll tax returns from 1377, 1379 and 1381 give good data for the county as a whole, but the details on a sub-county level for Lancashire are too incomplete to allow a detailed assessment. The best they will permit us is, on the basis of the 1381 returns, to make a rough estimate of the wapentake of West Derby – the south-western corner of the county. In this year, 8,371 people were taxed in the entire county; 2,748 of these lived in the wapentake of West Derby.<sup>92</sup> This gives us a proportion of almost exactly one third of the population: 32.83%. When we compare this number to the tax returns from the 1332 and 1334 lay subsidies, it is quite remarkable how well they correspond. On those two occasions West Derby contributed 32.86% and 33.11% respectively.<sup>93</sup> On this basis, it is not unreasonable to assume that the lay subsidies reflect the distribution of the population quite accurately, and that wealth per capita was reasonably evenly distributed across the county. The two lay subsidies mentioned above – and there is very little divergence between the two, in spite of different methods of assessment – show an average contribution to the whole of 33% for West Derby, 13% for Salford, 10% for Leyland, 13% for Blackburn, 18% for Amounderness and 13% for Lonsdale. Or in other words: 31% for Lancashire north of the Ribble, 69% for the rest.

As has been indicated above, there was a clear geographical division of types of livelihood. South of the Ribble was primarily arable land, while the northern parts of the county, with the exception of the Fylde and the lower Furness peninsula, were dedicated to sheep farming.<sup>94</sup> The fact that wool production was less labour intensive than agriculture also made it more suitable for this area. Wool could be lucrative, and in other parts of England it surely was, but the Lancashire wool was of too inferior quality to be of much value, so the – relatively speaking – profitable areas remained the parts where the land could be cultivated for crops.<sup>95</sup>

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<sup>92</sup> *The Poll Taxes of 1377, 1379, and 1381*, vol. I, ed. C.C. Fenwick (Oxford, 1998), pp. 434-441.

<sup>93</sup> *Lancashire Lay Subsidies*, ed. J.A.C. Vincent, RSLC, 27, (1893); *The Exchequer Lay Subsidy Roll for Lancashire, 1332*, ed. J.P. Rylands, RSLC, 31 (1896); *The Lay Subsidy of 1334*, ed. R.E. Glasscock (Oxford, 1975).

<sup>94</sup> Walker, *Historical Geography*, pp. 35-6.

<sup>95</sup> Walker, *Historical Geography*, pp. 35-6.

A more detailed picture of the local economy can be gained from studying the estate accounts of landowners. The fortunate survival of two *compoti* of Henry de Lacy, earl of Lincoln, offers a unique glimpse into the agricultural economy of the region.<sup>96</sup> The documents show a tendency, at the turn of the century (1294-96 and 1304-5), to cultivate wasteland in the vicinity of towns. Mining of both coal and iron was underway in the county as far back as the thirteenth century, if on a small scale.<sup>97</sup> Lacy's properties were concentrated around his honor of Clitheroe, in the hilly terrain at the foot of the Pennines. As we saw directly above, this was the poorer, more scarcely populated part of the county. Most profitable for the earl seem to have been his twenty-nine vaccaries, valued at £3 yearly each.<sup>98</sup> It is interesting to note the complete absence of sheep in the accounts.<sup>99</sup> One reason for this could have been the prevalence of wolves in the Rossendale Forest, apparently a worse killer – even of cows – than murrain.<sup>100</sup>

The preceding has given us an outline of the geographic, demographic and economic conditions that shaped the county of Lancashire, and as we shall see later, these conditions greatly influenced the structure of Lancashire society. The most important characteristic of the county was its two-part division into a southern and northern part, separated by natural boundaries. Between these two parts there were great differences in the fertility of the land, and the size and wealth of its population. In addition to this, other natural boundaries also contributed to isolating the county from the rest of the country, primarily to the west and east, partly also to the north and south.

As far as the gentry were concerned, these conditions affected their numbers, distribution, activities and internal relations. The relative poverty of the land allowed only a limited landowning class, and an overwhelming proportion of these resided in the southern part of the county. The county being a large one, the population dispersed, and the internal geographical boundaries unfavourable for travel, it was natural that social networks would emerge within smaller geographical areas. At the same time, the relative isolation of the county, both geographically and politically, prevented the gentry from seeking their fortunes

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<sup>96</sup> 'Two "Compoti" of the Lancashire and Cheshire manors of Henry de Lacy, Earl of Lincoln, 24 and 33 Edward I', ed. P.A. Lyons, *CS*, old series, 112 (1884).

<sup>97</sup> Lyons (ed.), 'Two "Compoti"', pp. xxii, 109, 182; *VCH*, II, pp. 356, 360, 419.

<sup>98</sup> Lyons (ed.), 'Two "Compoti"', pp. xx, 11, 123.

<sup>99</sup> Lyons (ed.), 'Two "Compoti"', pp. xx-xxi.

<sup>100</sup> Lyons (ed.), 'Two "Compoti"', pp. xix-xxi, 20, 129.

beyond the county's boundaries, making the struggle for resources internally all the more intense. We shall now explore all these points further, in the next chapter, and in Chapter 4.

## 2. Social Structure

It is a truism that medieval society was hierarchical, but this is not to say that the hierarchy was in any way static in its nature.<sup>1</sup> Social, economic and demographic developments were reflected both in the structures of society and in the terminology used to describe these structures. The early fourteenth century up until around 1330 saw the establishment of a parliamentary peerage, a development which gave a clear division of the upper levels of the aristocracy. As for the lower levels, the case was much less clear, with the knight being the only easily identifiable member of the lesser landowning society. A major historiographical question has therefore been how this social group, normally referred to as the gentry, was structured. The following chapter will look, first, at the development of these structures and the corresponding terminology, and then at how this applies to the county of Lancashire.

At the outset of the fourteenth century the numbers of the upper ranks of the English aristocracy were quite low. Through an accident of history, Edward I was left with no more than nine earls in 1300; an unusually low number. This number remained relatively stable throughout Edward II's reign.<sup>2</sup> When Edward III succeeded to the throne in 1327, the higher nobility was no more numerous than it had been a generation earlier; in 1330 there were in fact only eight English earls.<sup>3</sup> A watershed then occurred with the active reign of Edward III, in particular his creation of six new earls on one day in 1337.<sup>4</sup> These fluctuations in the numbers of the higher nobility have in the past been interpreted as a direct expression of royal will. It was assumed that Edward I deliberately tried to dominate, and even enfeeble, his nobility by keeping their numbers at a low level.<sup>5</sup> In this light, Edward III's strategy was seen as carelessly indifferent to the dangers of a powerful nobility.<sup>6</sup> However, as McFarlane showed, this theory of Edward I's 'policy of limitation', and its subsequent

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<sup>1</sup> P.R. Coss, 'An age of deference', in R. Horrox and W.M. Ormrod (eds.), *A Social History of England, 1200-1500* (Cambridge, 2005), p. 40.

<sup>2</sup> M. McKisack, *The Fourteenth Century: 1307-1399* (Oxford, 1959), pp. 1-2; Phillips, *Aymer de Valence*, pp. 9-12.

<sup>3</sup> C. Given-Wilson, *The English Nobility in the Late Middle Ages: The Fourteenth-Century Political Community* (London, 1996), p. 34.

<sup>4</sup> J.S. Bothwell 'Edward III and the "New Nobility"', p. 1112.

<sup>5</sup> T.F. Tout, 'The earldoms under Edward I', *TRHS*, 2<sup>nd</sup> series, 8 (1894), pp. 129-55.

<sup>6</sup> Stubbs, *Constitutional History*, vol. II, pp. 415-18.

repudiation by his grandson, does not quite stand up to historical realities.<sup>7</sup> Indeed, the low number of earls in the later years of Edward I's reign was due more to chance circumstances than to any deliberate action on the king's part.<sup>8</sup> Likewise, Edward III's policy was not as revolutionary as previously assumed: his creations of 1337 were partly dictated by the recent depletion of the ranks of the higher nobility,<sup>9</sup> and partly intended as a preparation for war.<sup>10</sup>

A group that probably experienced greater change than the higher nobility in this period was the remaining baronage, but through structural change more than royal initiative. Even though it was in theory a status associated with the tenure of a barony,<sup>11</sup> which historians have generally defined as an estate held in chief of the crown, by the early fourteenth century this distinction no longer fully described reality.<sup>12</sup> After this, the criteria for differentiation must be sought elsewhere.<sup>13</sup> By the mid-fourteenth century, an unambiguous condition for nobility had evolved that separated the peerage from the gentry, namely an established, hereditary right to receive a personal summons to parliament.<sup>14</sup> By the 1320s, the baronial list had become stabilised, and this distinction was made clear in the 1330s through the

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<sup>7</sup> K.B. McFarlane, 'Had Edward I a 'policy' towards the earls?', *History*, 50 (1965), pp. 145-59, reprinted in *Nobility of Later Medieval England*, pp. 248-67.

<sup>8</sup> Phillips, *Aymer de Valence*, p. 9; M.C. Prestwich, 'Royal patronage under Edward I', in P.R. Coss, and S.D. Lloyd (eds.), *Thirteenth Century England I* (Woodbridge, 1986), pp. 41-52; *Edward I* (London, 1988), p. 546; Harding, *England in the Thirteenth Century*, p. 258; M. Morris, 'The "murder" of an English earldom? Roger IV Bigod and Edward I' in M.C. Prestwich, R.H. Britnell and R. Frame (eds.), *Thirteenth-Century England IX* (Woodbridge, 2003), pp. 89-99; A. M. Spencer, 'Royal patronage and the earls in the reign of Edward I', *History*, 93 (2008), p. 21.

<sup>9</sup> Given-Wilson, *English Nobility*, p. 34; S.L. Waugh, *England in the Reign of Edward III* (Cambridge, 1991), p. 13.

<sup>10</sup> McFarlane, *Nobility of Later Medieval England*, pp. 156-9; Given-Wilson, *English Nobility*, pp. 33-42, pp. 118-19; A. Ayton, 'Edward III and English aristocracy at the beginning of the Hundred Years War', in M. Strickland (ed.), *Armies, Chivalry and Warfare in Medieval Britain and France* (Stanford, 1998), pp. 188-90; J.A. Tuck, *Crown and Nobility: England 1272-1461* (Oxford, 1999).

<sup>11</sup> Stubbs, *Constitutional History*, vol. II, pp. 176-7; Maitland, *Constitutional History*, pp. 78-81; R.R. Reid, 'Barony and thanage', *EHR*, 35 (1920), pp. 161-99; S. Painter, *Studies in the History of the English Feudal Barony* (Baltimore, 1943), pp. 15-16.

<sup>12</sup> I.J. Sanders, *English Baronies, A Study of their Origin and Descent, 1086-1327* (Oxford, 1960); pp. v-viii; F.M. Stenton, *The First Century of English Feudalism, 1066-1166*, rev. ed. (Oxford, 1961), pp. 38-40; Crouch, *The Image of Aristocracy*, p. 22; Given-Wilson, *English Nobility*, pp. 11-12.

<sup>13</sup> Given-Wilson, *English Nobility*, pp. 55-6. See also: Bothwell, *Edward III and the English Peerage*, p. 2; Crouch, *The Image of Aristocracy*, pp. 11-15, 20-2.

<sup>14</sup> This differentiation probably came about since the crown was under tutelage for long periods between 1307 and 1330, as a result of which the summons lists were simply copied from one parliament to the next, rather than reflecting the royal will: E. Powell and K. Wallis, *The House of Lords in the Middle Ages: A History of the English House of Lords to 1540* (London, 1968), pp. 305-15; Brown, *Governance of Late Medieval England*, p. 180; Given-Wilson, *English Nobility*, pp. 56-7; Bothwell, *Edward III and the English Peerage*, p. 3.

separation of parliament into an upper and lower house.<sup>15</sup> The early fourteenth century was therefore a formative period for the class later referred to as the peerage. In the period for which we have sources documenting parliamentary attendance – starting in the 1290s – there is not the consistency in personnel that we are to find at a later date. Though there is no single criterion for deciding who the early fourteenth-century barons were, we can still discern an upper layer of the local landowning aristocracy by looking at several different indicators. Tenure in chief, the size of the estate, possession of a *caput honoris*,<sup>16</sup> and personal summons to great councils, military campaigns and parliaments must all be brought into the equation.<sup>17</sup>

Below this group of men, we find the gentry. By gentry is meant the lower layer of the landowning aristocracy; the class of men between the freeholding yeomanry and the peerage.<sup>18</sup> The gentry has here been defined as landowners, though an argument has also been made for a late medieval urban gentry, whose wealth was based on trade and commerce.<sup>19</sup> Though commercial activity could generate great amounts of capital, landownership still remained the aspiration for achieving upwards social mobility, and tradesmen were generally disparaged by the landed elite, as can be seen for instance in the Paston letters.<sup>20</sup> In any case, urban gentry were less common in the fourteenth than in the fifteenth century, and certainly less relevant to Lancashire than to more urbanised parts of the country.<sup>21</sup> More interesting is the question of the existence of a professional gentry, who earned a place in the local elite through their expertise in administration and the law.<sup>22</sup> As will be seen in the next

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<sup>15</sup> Powell and Wallis, *House of Lords*, pp. 309-15, 328-9; G. Dodd, 'Parliament and political legitimacy in the reign of Edward II', in Dodd and A. Musson (eds.), *The Reign of Edward II: New Perspectives* (Woodbridge, 2006), p. 176.

<sup>16</sup> Given-Wilson, *English Nobility*, p. 11; D. Crouch, *The Birth of Nobility: Constructing Aristocracy in England and France, 900-1300* (Harlow, 2005), pp. 280-92.

<sup>17</sup> R.J. Wells, 'Recruitment and Extinction among the English Nobility from 1216 to 1300' (St. Andrews, M. Litt., 1984); referred to in C. Given-Wilson, *The English Nobility in the Late Middle Ages: The Fourteenth-Century Political Community* (London, 1996), pp. 56-9. See also: J. Horace Round, "'Barons" and "Peers"', *EHR*, 33 (1918), pp. 453-71.

<sup>18</sup> D. Simpkin, 'The English "proto-gentry" in the reigns of Edward I and Edward II', *History Compass*, 10 (2012), pp. 918-19.

<sup>19</sup> R. Horrox, 'The urban gentry in the fifteenth century', in J.A.F. Thomson (ed.), *Towns and Townspeople in the Fifteenth Century* (Gloucester, 1988), pp. 22-44.

<sup>20</sup> Carpenter, *Locality and Polity*, p. 77.

<sup>21</sup> See above, p. 28.

<sup>22</sup> A.L. Storey, 'Gentlemen-Bureaucrats', in C.H. Clough (ed.), *Professional Vocation and Culture in Late Medieval England: Essays dedicated to the Memory of A.R. Myers* (Liverpool, 1982), pp. 90-129; Musson and Ormrod, *Evolution*, pp. 62-3; Coss, *Origins of the English Gentry*, pp. 187-201. For the

chapter, however, at least as far as Lancashire was concerned, there was no clear-cut division between the regular and the professional gentry, and even the most frequently employed local officials held sufficient land to support their social status.

Even with these qualifications, the gentry as a group are not readily definable as a social category, and an exact categorisation is impossible at such an early point as the first half of the fourteenth century. For one thing, the dividing line between the gentry and the nobility is not entirely clear-cut prior to the emergence of the parliamentary peerage in the early fourteenth century. Between these categories existed the class of men labelled bannerets. These were likely to be men who had no ancient right to parliamentary summons, but received it because of service to the king or a magnate, or by virtue of newly acquired landed wealth.<sup>23</sup> As for knights, this had earlier been an ambiguous title, but by 1300 the title had become synonymous with belted knights, who had been through a dubbing ceremony.<sup>24</sup> The gentry class below the level of knights was more blurry, ranging from non-knights with landed wealth far above the knightly requirements, to those at the lower end 'hovering perilously close to the level of the richer peasantry'.<sup>25</sup> Once these men became officially stratified, a process to which the granting of armigerous status was central, categorisation becomes easier, but this was still a future development in the early fourteenth century. Esquires did not become armigerous until around 1370; gentlemen had to wait another half century.<sup>26</sup>

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substantial overlap of the two groups in the fifteenth century, see: Carpenter, *Locality and Polity*, pp. 72-8, 92-5.

<sup>23</sup> Saul, *Knights and Esquires*, p. 7; P.R. Coss, 'Knights, esquires and the origins of social gradation in England', *TRHS*, 6<sup>th</sup> series, 5 (1995); Given-Wilson, *English Nobility*, p. 61; R. Dace, 'Lesser barons and greater knights: the middling group within the English nobility c.1086-1265', *Haskins Society Journal*, 10 (2001), pp. 57-79; Crouch, *The Birth of Nobility*, pp. 247-8.

<sup>24</sup> Saul, *Knights and Esquires*, pp. 10-12; M.C. Carpenter, 'England: the nobility and the gentry', in S. H. Rigby (ed.), *A Companion to Britain in the Later Middle Ages* (Oxford, 2003), p. 246.

<sup>25</sup> Carpenter, *Locality and Polity*, p. 38.

<sup>26</sup> The sumptuary legislation of 1363 and the Statute of Additions of 1413 were important to the process by which esquires and gentlemen, respectively, became armigerous: *Statutes of the Realm*, vol. II, Record Commission (London, 1816), pp. 399-402; N. Denholm-Young, *The Country Gentry in the Fourteenth Century with Special Reference to Heraldic Rolls of Arms* (Oxford, 1969), p. 4; G.G. Astill, 'The medieval gentry: a study in Leicestershire society, 1350-1399', (Unpubl. Ph.D. thesis, University of Birmingham, 1977), p. 2; Saul, *Knights and Esquires*, pp. 6-29; C. Dyer, *Standards of Living in the Later Middle Ages: Social Change in England, c. 1200-1520* (Cambridge, 1989), p. 15; Acheson, *Gentry Community*, p. 33; A. Ailes, 'Up in arms: the rise of the armigerous valetus', in A. Curry, (ed.), *Thirty Years of Medieval Study at the University of Reading: A Celebration* (Reading, 1996), pp. 9-15; Given-Wilson, *English Nobility*, pp. 69-73; Coss, 'Knights, esquires'; *Lordship, Knighthood, and Locality*, p. 310; *Origins of the English Gentry*, pp. 155, 178; 'Andrew Ayton', pp. 37-9. The process

Before this time the class must be defined by other means, namely an assessment of local importance in terms of royal or noble office holding or commissioning, and wealth, specifically landed wealth, which was at the core of gentility.<sup>27</sup> This, however, is not a straightforward process, and the sources can be ambiguous.<sup>28</sup> Peter Coss has suggested a definition based on six criteria, whereby the medieval English gentry is defined as a lesser nobility, one that is based on landownership, but also incorporates other forms of wealth, as well as professionals. It is a territorial elite, an elite that relates to a distant public authority, seeks to exercise social control, and has a collective identity. From these conditions he concludes that the gentry emerged in the period from the mid-thirteenth to the mid-fourteenth century.<sup>29</sup>

This interpretation presents several problems. The last criterion especially causes some difficulties; it could be argued that Coss places too much emphasis on the communal aspect of the gentry class. He writes of a forum, or fora – chief among these being that of parliament – providing a basis for a county community.<sup>30</sup> Christine Carpenter, however, has argued that these fora were not significant enough to provide a basis for a strong shire identity. A less restrictive view would be one placing the lesser county landowners within a wider context of both horizontal and vertical bonds, where both noble and crown connections are studied.<sup>31</sup> Furthermore, it is possible to define gentility without reference to office holding, simply as lordship over other men through manorial landownership.<sup>32</sup> Put in a different way: landed wealth was a

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was not entirely straightforward, however, and a clear division is still problematic even after these milestones; Carpenter, *Locality and Polity*, ch. 3; Coss, *Origins*, pp. 3-4; Wright, *Derbyshire Gentry*, p. 6; Acheson, *Gentry Community*, p. 34; D.A.L. Morgan, 'The individual style of the English gentleman', in M. Jones (ed.), *Gentry and Lesser Nobility in Late Medieval Europe* (Gloucester, 1986), pp. 15-35.

<sup>27</sup> Carpenter, *Locality and Polity*, pp. 1, 36, 283-5; Coss, *Origins of the English Gentry*, p. 9; Gorski, *Fourteenth-Century Sheriff*, pp. 66-9.

<sup>28</sup> Saul, *Knights and esquires*, p. 225; Acheson, *A Gentry Community*, pp. 30-32, 49; Carpenter, *Locality and Polity*, pp. 35-49.

<sup>29</sup> P.R. Coss, 'The formation of the English gentry', *P&P*, 147 (1995); *Origins of the English Gentry*, p. 11.

<sup>30</sup> Coss, *Origins of the English Gentry*, pp. 11, 122-7, 180-1, 212-15.

<sup>31</sup> Carpenter, *Locality and Polity*, pp. 340-4; 'Gentry and community', pp. 340-80. See also: C.E. Moreton, 'A social gulf? The upper and lesser gentry of later medieval England', *Journal of Medieval History*, 17 (1991), pp. 255-62; Crouch, *The Birth of Nobility*, pp. 183-4.

<sup>32</sup> Carpenter, *Locality and Polity*, pp. 35-49, 75-7, 244; Simpkin, 'The English "proto-gentry"', p. 924.

prerequisite for service, but service was not necessarily an inevitable corollary of landownership.

Coss's perhaps exaggerated focus on the official perspective, means also that he largely ignores the military aspect of service. This allows him seriously to underplay one arena of extensive gentry-noble interaction, in favour of a more exclusive focus on royal service. As Prestwich has pointed out: 'War was more important to medieval knights than to many of their historians'.<sup>33</sup> Perhaps better than Coss's image of the local gentleman as the lord of the manor, attender of the county court and local officer, is that presented by Maurice Keen of a gentry class emerging from a warrior class. In Keen's view, the hard-fought right of first esquires and then gentlemen to bear arms in a *heraldic* sense is inseparable from their ideal duty to bear arms in a *military* sense.<sup>34</sup> Even in the later fifteenth century, when this duty was all but theoretical for most, the predominant gentry culture was still a martial one; in their own eyes they still belonged to the same warrior caste as the nobility and the king.<sup>35</sup> Giving more weight to military service, and also territorial lordship, Nigel Saul makes a rather different case for a gentry in the fourteenth century in his works.<sup>36</sup>

As mentioned in the introduction, the bibliography on the fifteenth-century gentry is much richer than that on the gentry of the fourteenth century.<sup>37</sup> The history of the fourteenth-century gentry must often build on the extensive work done on its fifteenth-century counterpart, but it cannot uncritically accept the conclusions and definitions reached about this later period as valid also for an earlier one. Rather it must look at social structures with the fullness and global approach of some fifteenth-century studies, to give a better understanding of their evolution.

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<sup>33</sup> M.C. Prestwich, 'Miles in armis strenuus: the knight at war', *TRHS*, 6<sup>th</sup> series, 5 (1995), p. 201.

<sup>34</sup> Keen, *Origins of the English Gentleman*, pp. 22-3; 'Chivalry', in R. Radulescu and A. Truelove, *Gentry Culture in Late Medieval England* (Manchester, 2005), p. 46. See also: A. Ayton, 'Knights, esquires and military service: the evidence of armorial cases in the Court of Chivalry', in A. Ayton and J. Price (eds.), *The Medieval Military Revolution: State, Society and Military Change in Medieval and Early Modern Europe* (London, 1995), pp. 81-2; R.W. Kaeuper, *Medieval Chivalry* (Cambridge, 2016), pp. 102-3.

<sup>35</sup> Carpenter, *Locality and Polity*, p. 49. For the same point applied to an earlier period, see: Kaeuper, *Medieval Chivalry*, p. 86.

<sup>36</sup> Saul, *Knights and Esquires*, pp. 12, 25, 254, 256-7; and see also Saul's direct rebuttal of Coss's book in his review in *EHR*, 119 (2004), pp. 498-9. For more on this, see Carpenter, 'England: the nobility and the gentry', pp. 262-7.

<sup>37</sup> See above, p. 2.

As far as Lancashire is concerned, the history of the upper nobility is a story of only two families, and eventually only one. From the dispossession of the Ferrers in the mid-thirteenth century, to the creation of the Stanleys as earls of Derby two centuries later, this was the extent of the comital presence in the county. We have already seen how a cadet branch of the royal family was established as earls of Lancaster in 1267,<sup>38</sup> now we need to look at the second family of great landowners in the county with national significance – the Lacys.

The Lacy name comprises not one but two separate lineages. The original line, for whom Roger the Poitevin created the barony of Clitheroe in the reign of William Rufus, died out in 1193. When Robert de Lacy died that year, the honours of Clitheroe and Pontefract passed to his cousin and heir, Albreda or Aubreye. She was the grandmother of Roger, constable of Chester, and, when she granted these possessions to him, he assumed the surname of Lacy. This was the line that was eventually to become earls of Lincoln.<sup>39</sup> Roger's son, John, was in 1232 able to gain the title after the death of Ranulph de Blundeville, whose sister was John's mother-in-law.<sup>40</sup> The next important event in the history of the earldom was its merger with that of Lancaster, which will be discussed in detail below.<sup>41</sup>

The question of the stratification of the landowning class, and what constituted a baronage, has been discussed above.<sup>42</sup> Before going into details on the personnel of the Lancashire aristocracy, it is worth looking at the territorial baronies of the county. We will return later to the parliamentary peerage, as it would eventually emerge,<sup>43</sup> but first we need to look at the much more loosely defined tenurial barony. Of the nine main thirteenth-century baronies William Farrer names in the *Victoria County History* for Lancashire,<sup>44</sup> two had terminated before the fourteenth century.<sup>45</sup>

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<sup>38</sup> See above, p. 22.

<sup>39</sup> Baines, *Lancaster*, vol. III, p. 316; S. Painter, *The Reign of King John* (Baltimore, 1949), pp. 23, 39-40, 126, 255-6; Holt, *The Northerners*, p. 26; C.L. Kingsford, 'Lacy, Roger de (d. 1211)', rev. P. Dalton, *ODNB*.

<sup>40</sup> *Lancashire Inquests, Extents and Feudal Aids, part I, 1205 to 1307*, ed. W. Farrer, RSLC, 48 (1903), p. 156; *VCH*, II, pp. 313-14, 319; Painter, *The Reign of King John*, pp. 255-6; N. Vincent, 'Lacy, John de (c.1192-1240)', *ODNB*. John de Lacy's involvement with Magna Carta is described in detail in: Holt, *The Northerners*, p. 26 *et passim*.

<sup>41</sup> See below, p. 160.

<sup>42</sup> See above, p. 35.

<sup>43</sup> See below, p. 48.

<sup>44</sup> *VCH*, I, p. 297-366

Three were in the Lacy family by 1311: Chester within Lyme,<sup>46</sup> Clitheroe,<sup>47</sup> and Penwortham.<sup>48</sup> The remaining four were held by different families: Grelley by the la Warre family of Sussex and Gloucestershire,<sup>49</sup> Butler of Amounderness by the Butlers of Ireland,<sup>50</sup> Newton by the Langton family of Leicestershire,<sup>51</sup> and Butler of Warrington by the only local family, carrying the name of the barony.<sup>52</sup>

All of the extant baronies of early fourteenth-century Lancashire, with the sole exception of the barony of Butler of Amounderness, were located in the four southern hundreds: West Derby, Salford, Leyland and Blackburn. This meant that the county north of the Ribble, with less concentrated territorial lordship, became subject to external influence, especially by the border lords of Westmorland and Cumberland. Although their honours were located in the counties to the north of Lancashire, some of these held substantial land south of the county border, and were deeply involved in Lancashire affairs. This circumstance contributed to the clear north-south divide of the county, so central to its internal politics.

The most prominent of the northern families were probably the Dacres, lords of the barony of Gilsland in Westmorland. Ralph Dacre, who died in 1286, established his younger son Edmund with the manors of Tatham and Heysham in Lancashire.<sup>53</sup> At the same time, the main branch of the family also had a landed

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<sup>45</sup> The barony of Montbegon and the Lancaster fee of Warton and Garstang: *VCH*, I, pp. 326, 357-65; vii, pp. 300-5; Sanders, *English Baronies*, pp. 126-7; *KEI*, vol. III, p. 11; Holt, *The Northerners*, p. 68.

<sup>46</sup> *Annual Report of the Deputy Keeper of the Public Records*, vol. 43 (London, 1882), pp. 212-30; *VCH*, I, pp. 297-8

<sup>47</sup> J. Tait, *Medieval Manchester and the Beginnings of Lancashire* (Manchester, 1904), pp. 192-3, 195-6; *VCH*, I, p. 312-19.

<sup>48</sup> *The Derby Household Books*, ed. F.R. Raines, CS, old series, 31 (1853), pp. xvii-xviii; *Lancs. Inquests*, pp. 35-6; *Testa de Nevill*, vol. I, p. 403; *VCH*, I, pp. 313, 336; Holt, *The Northerners*, p. 240

<sup>49</sup> *Final Concords of the County of Lancaster, part II (Edward II and Edward III), A.D. 1307 to A.D. 1377*, ed. W. Farrer, RSLC, 46 (1910), p. 4; *CIPM*, IX, 51; Tait, *Medieval Manchester*, pp. 191-2; *VCH*, I, pp. 281-2, 333; Sanders, *English Baronies*, pp. 130-1; P. Fleming, 'Warr [Warre], de la, family (per. c.1250-1427)', *ODNB*.

<sup>50</sup> W. Dugdale, *The Baronage of England*, vol. I. (London, 1675) p. 633; *VCH*, I, pp. 350, 352, 356-7; M.T. Flanagan, 'Butler, Theobald (d. 1205)', *ODNB*.

<sup>51</sup> Tait, *Medieval Manchester*, pp. 196-7; *VCH*, I, pp. 366, 372-3; M.C. Buck, 'Langton, John (d. 1337)', *ODNB*.

<sup>52</sup> *Testa de Nevill*, vol. I, p. 402; *The Chartulary of Cokersand Abbey of the Premonstratensian Order*, vol. II, part II, ed. W. Farrer, CS, new series, 43 (1900), p. 713; *Lancs. Inquests*, part I, pp. 9-11; *VCH*, I, pp. 337-49.

<sup>53</sup> *Biog. Sketches*, p. 28. Edmund Dacre, who was knight of the shire for Lancashire in 1313, also held land in Yorkshire and Nottinghamshire; *RMP*, p. 39; *CPR 1321-1324*, p. 220; *CCR 1318-1323*, p. 346.

interest in the county; with the manors of Halton, Fishwick and Eccleston.<sup>54</sup> Both branches were frequently involved in Lancashire affairs.<sup>55</sup>

The Harringtons (normally written ‘Haverington’ in contemporary documents) of Harrington in Cumberland established junior branches with lands in Lancashire twice during the period. Robert de Harrington (d. 1297) gave his younger son Michael the manor of Allithwaite in Cartmel.<sup>56</sup> At a later date, Robert’s oldest son and heir John (d. 1347) had a son Robert who predeceased him, leaving the family inheritance with John’s grandson by the same name. Meanwhile, the younger Robert’s younger brother, also called John, received the manors of Farleton and Hornby in Lonsdale, establishing the family of the Harringtons of Farleton.<sup>57</sup> From the point of this grant onwards, which took place around 1335, John de Harrington can be said to belong to the gentry of Lancashire. This John was particularly active in Lancashire affairs, representing the county in parliament three times, in 1343, 1352 and 1357.<sup>58</sup> His uncle Michael was also a knight of the shire for Lancashire, in 1327.<sup>59</sup> At the same time, the members of the main branch of the family also occasionally got involved in official business involving Lancashire, though often in the context of military commissions spanning more than one county.<sup>60</sup>

The north-western family with the most extensive international connections were the Gynes of Westmorland. Known as the lords of Coucy, they had political influence spanning France, England and Scotland, and in 1366, Ingelram de Coucy was created earl of Bedford.<sup>61</sup> A cadet branch was established in Westmorland, with the manors of Mooreholm, Warton, Ashton and Whittington in Lancashire.<sup>62</sup> Though

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<sup>54</sup> *KEI*, vol. I, pp. 260-1.

<sup>55</sup> See e.g. William Dacre’s appointment to the commission to investigate the Banaster rebellion in 1315; *CPR 1313-1317*, p. 421.

<sup>56</sup> *Biog. Sketches*, p. 45.

<sup>57</sup> G.E. Cockayne, *The Complete Peerage*, vol. VI (Gloucester, 1982 [1910-59]), pp. 313-16; R. Horrox, ‘Harrington family (per. c.1300–1512)’, *ODNB*.

<sup>58</sup> *RMP*, pp. 137, 152, 159.

<sup>59</sup> *RMP*, p. 78.

<sup>60</sup> See e.g.: *Parl. Writs*, vol. II, ii, p. 661, where John de Harrington and Richard de Hoghton were given responsibility for the 1324 muster in Lancashire, with special powers over similar commissions in other counties.

<sup>61</sup> Tuck, *Crown and Nobility*, p. 163; M. Brown, *The Wars of Scotland, 1214-1371* (Edinburgh, 2004), p. 141; M.H. Keen, ‘Coucy, Enguerrand (VII) de, earl of Bedford (c.1340–1397)’, *ODNB*. Ingelram, or Enguerrand, is best known as the central character in Barbara Tuchman’s *A Distant Mirror: The Calamitous 14<sup>th</sup> Century* (New York, 1978).

<sup>62</sup> Cockayne, *Complete Peerage*, vol. VI, pp. 224-9; *KEI*, vol. II., pp. 164-5.

not resident, they were nevertheless occasionally involved in Lancashire affairs. Ingelram de Gynes (Bedford's great-grandfather) was in 1310 attorney for the Travers family over a grant of land in Garstang.<sup>63</sup> Baldwin de Gynes, a younger son of Ingelram, was one of four men appointed to head the commission of the peace of November 1323.<sup>64</sup> This same Baldwin was also involved in Harclay's treason, though he claimed to have taken an oath to support the venture under duress.<sup>65</sup> These northern families were closely interconnected, as was natural in the scarcely populated environment of the Border region.<sup>66</sup> John de Harrington was a ward of William Dacre for five years from 1297, and his wife Joan was probably also William's daughter.<sup>67</sup> When Baldwin de Gynes took an oath, allegedly against his will, to support Andrew de Harclay, he was induced to do so by John de Harrington, Harclay's agent.<sup>68</sup>

There is one last major Lancashire landowner that must be mentioned, though not within the scope of the present study, namely the church. There were at least twenty-four religious houses in Lancashire, founded some time between the Conquest and the dissolution.<sup>69</sup> Two houses stand out, however, for the size and value of their endowments: the abbey of Furness, and the priory of Cartmel. The Cistercian abbey of Furness was founded in 1127 by King Stephen, then count of Blois, and endowed with the forest and demesne of Furness peninsula, with the manor of Ulveston and Walney Island.<sup>70</sup> The abbey had great strategic importance to the crown, and its abbot enjoyed a liberty in Furness that the sheriff of Lancashire was not allowed to infringe.<sup>71</sup> The second, and smaller, peninsula on the western side of Morecambe Bay was occupied by the priory of Cartmel. This Augustinian priory was

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<sup>63</sup> Ferrer (ed.), *Final Concords, part II*, p. 8.

<sup>64</sup> *CPR 1321-1324*, p. 382.

<sup>65</sup> Tupling, *South Lancashire*, pp. 18-19.

<sup>66</sup> As Holt wrote about the thirteenth century: 'Northern administration was a family affair.': *The Northerners*, p. 202.

<sup>67</sup> Cockayne, *Complete Peerage*, vol. VI, pp. 314-15; Horrox, 'Harrington family', *ODNB*.

<sup>68</sup> Tupling, *South Lancashire*, pp. 18-19. Harrington later received a royal pardon.

<sup>69</sup> *VCH*, II, pp. 1-174.

<sup>70</sup> *VCH*, II, pp. 114-31; *The Lancashire Pipe Rolls of 31 Henry I and of the reigns of Henry II, Richard I and John*; also early Lancashire charters of the period from the reign of William Rufus to that of King John, ed. W. Farrer (Liverpool, 1902) p. 301; Crouch, *Reign of King Stephen*, pp. 22, 317.

<sup>71</sup> Robert de Radcliffe, as under-sheriff around 1340, learnt this in court: *Year Books of the Reign of King Edward the Third, Volume 5, Years XIV and XV*, ed. L.O Pike (London, 1889), pp. 88-9. F.M. Powicke writes that 'So far as England was concerned Furness was like an island; the abbot's relations with Scotland were...those of a border baron': *VCH*, II, pp. 114.

founded, shortly after the accession of Richard I, by William Marshal, who had been given the land in 1187.<sup>72</sup> The grant included all of Cartmel and, by a charter of King John in 1199, the priory was additionally given extensive liberties. Through these two grants, the territory in the far north-west of the county was almost entirely church property, and must be considered virtually a separate part of the county.<sup>73</sup>

This survey of the main Lancashire landowners allows us to make some general observations on the distribution of landownership.<sup>74</sup> The greatest landowners in Lancashire were without comparison the earls and duke of Lancaster. Their comital lands, in combination with the three baronial fees inherited from Lacy, made up around 38% of the manors of the county. The baronial fees of the two major non-residential landowners, Grelley/la Warre and Langton, made up practically the entire remainder of non-residential lay landownership in the county, which was around 18% of the manors.<sup>75</sup> Neither of these, however, held more than a minor part of their manors in demesne. The rest was sub-infeudated, primarily to the local gentry. Looking just at the manors held in demesne by magnates, or sub-infeudated to minor tenants, we get a number of only around 16%.<sup>76</sup> In addition to this, around 7.5% was church property. This leaves more than three quarters held in chief or in sub-tenancies by local Lancashire gentry. These numbers correspond well with other studies, which have found gentry landownership to range from 60% to 75%.<sup>77</sup>

In other respects, however, the county of Lancashire constitutes a distinctive case in the structure of its landownership. First of all, more than half the manors in the county were owned by a few non-residential families. Greatest among these, and the only one to exert any significant political influence on a national stage, were the earls and duke of Lancaster, who owned more than a third of the manors in the county.

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<sup>72</sup> Crouch, *William Marshal*, p. 55.

<sup>73</sup> *Lancashire Pipe Rolls*, p. 341; *VCH*, II, pp. 143-8.

<sup>74</sup> The following calculations are based primarily on information from the *Victoria County History*. It lists only the number of manors, not the value of individual manors, as such a calculation would be impossible to make with any degree of certainty.

<sup>75</sup> The Ferrers family still held a few manors in the county, primarily in Leyland.

<sup>76</sup> The Butler barony of Warrington is here included in the gentry land, since the family did not transition into the parliamentary peerage, and cannot be considered magnates, with political influence extending much beyond their own locality.

<sup>77</sup> Saul, *Knights and Esquires*, p. 5; Bennett, *Community, Class and Careerism*, p. 81; B. Webster, 'The community of Kent in the reign of Richard II', *Archaeologia Cantiana*, 100 (1984), pp. 219-20; Carpenter, *Locality and Polity*, p. 36.

Secondly, and as a consequence of this, the majority of local Lancashire landowners would hold at least part of their estates as tenants of that magnate. Finally, there was no permanent crown land in the county.<sup>78</sup> After Henry III had created his younger son earl of Lancaster, the crown was present as a landowner in the county only temporarily, such as after the forfeiture of Thomas of Lancaster.<sup>79</sup> As a result of this, the crown took little interest in the county; minor landowners were of no interest at all, a fact that is reflected in Lancashire's infrequent occurrence in the inquisitions *post mortem*. The dual factors of the central position of the earls and duke of Lancaster, and the high level of non-resident landownership, would shape events in the county throughout the period in question.

Another salient point to emerge from the above survey is that, by the early fourteenth century, the only family resident within the county in possession of a baronial fee was the Butlers of Warrington.<sup>80</sup> Of the nine baronies mentioned initially, two have been discounted (the terminated Montbegon and Lancaster fees), three were in the possession of the Lacy family already by the early thirteenth century (the constablership of Chester within Lyme, Clitheroe and Penwortham), and three were held by outsiders (Grelley, Butler of Amounderness and Newton in Makerfield). Should we interpret this as a sign that the resident aristocracy was weak, or is it simply a manifestation of the changing structure of the social hierarchy?

To answer this question, we need to move on from a general survey of landownership to a more detailed tenurial study.<sup>81</sup> This is a much more complicated issue. Tax returns are far too unreliable to use as a basis for assessing individual wealth. The 1332 lay subsidy, which is the last such tax levied on an individual, rather than a communal basis, shows no meaningful correlation between tax rates and wealth.<sup>82</sup> A better alternative is to look simply at lordship over manors, since this

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<sup>78</sup> This can be seen in a feudal aid from 1302, where there is a complete absence of crown land, and no land held in chief, except for that held by Lacy, Lancaster and Grelley. The only other exception is William Dacre, who was a forester for the king in Halton and Fishwick in Lonsdale; *Lancashire Lay Subsidies*, p. 245. Of the sixty sub-tenants listed, twenty-eight held their land of Henry de Lacy, twenty-seven of Thomas of Lancaster and eleven of Thomas de Grelley (the surplus is explained by certain tenants holding land from several lords): *Lancashire Lay Subsidies*, pp. 241-8.

<sup>79</sup> For more on this, see below, p. 194.

<sup>80</sup> Bennett also categorises the Langtons as a local Lancashire family, but this does not seem to be the case for this early period; Bennett, *Community, Class and Careerism*, p. 74

<sup>81</sup> A map from the Victoria County History is reproduced on p. ix (see **Map 2**).

<sup>82</sup> *Lancashire Lay Subsidies*, pp. 1-102.

takes into account the form of ownership as well as the amount. The difficulties with the counting of medieval manors, however, have been commented on by others.<sup>83</sup> Two problems in particular make this a problematic exercise: first of all, it is not always possible to know exactly who held the lordship of a manor at any particular time. This difficulty is caused both by problems of source material, and by the fragmentation of manors between multiple owners. Yet we run a risk by focusing solely on large-scale lordship and ignoring land held in fractions, since many families held a great part of their land in this way, and it was after all the combination of amount and form of landownership that defined status. The second problem is connected with defining exactly what constitutes a manor, which is not always straightforward.<sup>84</sup> Manorial structures were more complex in areas that were colonised later,<sup>85</sup> and, as we have seen, large areas of Lancashire were only cultivated at a gradual pace throughout the middle ages and beyond.<sup>86</sup> The manor of Gressingham in Lonsdale was a Domesday manor, but was at an early point held in portions by two foresters, one part consisting of six oxgangs and the other of two oxgangs. When the owner of the principal portion, Geoffrey de Gressingham, died in 1204, he left the manor to his daughter and her husband, Thomas, son of Adam de Kellet, but only after having allocated parts of it to his own brother Adam and to Lancaster Priory. These divisions continued to be further subdivided, and each one was apparently considered a manor, so that it eventually becomes impossible to trace the descent and lordship satisfactorily.<sup>87</sup> The township of Burnley in Blackburnshire consisted of several manors. While Burnley proper was occasionally referred to as a manor, it was actually part of Ightenhill manor in the honour of Clitheroe. The land of Heysandforth was a manor, in the possession of an Oliver de Stansfield, while the properties of Royle also occurs within the township as an independent entity, but not a manor.<sup>88</sup>

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<sup>83</sup> Saul, *Knights and Esquires*, p. 225; Acheson, *Gentry Community*, p. 46; Gorski, *Fourteenth Century Sheriff*, pp. 71-2. See also the classic study: J.P. Cooper, 'The counting of manors', *EcHR*, 8 (1956), pp. 377-89.

<sup>84</sup> Pollock and Maitland, *History of English Law*, pp. 594-5.

<sup>85</sup> M. Bailey, *The English Manor, c. 1200-c. 1500* (Manchester, 2002), p. 8.

<sup>86</sup> See above, p. 24.

<sup>87</sup> *VCH*, VIII, pp. 85-9; *Lancs. Inquests*, part I, p. 96.

<sup>88</sup> *VCH*, VI, pp. 441-54; *Lancs. Inquests*, part I, p. 214; part II, p. 7.

With these – rather significant – caveats in mind, we can at least attempt a categorisation of Lancashire landowners by the number of manors over which they had lordship. There was a wide dispersal of manors, with over seventy different families holding one manor each. For the purpose of this study, such a group is too large, and the names we encounter on this list are with few exceptions quite obscure. Once we expand the scope to two manors, however, we find nineteen local families among whom several are frequently found in commissions, and in other contexts.<sup>89</sup> Eight more families held three or four manors.<sup>90</sup> These are all prominent families in county affairs.<sup>91</sup> We find eight more local families holding between five and ten manors,<sup>92</sup> while only three resident families can be found to hold more than ten.<sup>93</sup> These were Butler of Warrington with twenty-one, Holland with twelve and Lathom with ten. As we have seen above, the main non-resident landowners in the county were the earls and duke of Lancaster, Grelley/la Warre, and the Langton family; these three account for 147, 45 and 19 manors each. Other outsiders worthy of mention are the Ferrers, formerly earls of Derby, with nine, the Dacres with six, the Flemings of Yorkshire with six, Beetham of Westmorland with three, and Butler of Ireland, Gynes and Redman with two each.<sup>94</sup> Among the ecclesiastical landowners, Furness Abbey is the most significant one, with lordship over seven manors.

Though this survey may not give an entirely accurate picture of the lower levels of landowning society, it becomes more reliable at the higher level of the spectrum. As such it confirms what we have seen above, with a weak local aristocracy, and local landowners dwarfed in wealth by a few absentee lords. In

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<sup>89</sup> Anderton, Barton, Burgh, Bury, Chadderton, Clayton, Clifton, Croft, Dewyas, Hesketh, Ince, Kirkby, Neville of Middleton, Norreys, Osbaldstone, Oxcliffe, Singleton, Tatham and Travers.

<sup>90</sup> Banaster of Bretherton, Booth of Barton, Byron, Pilkington, Trafford, Bradshaw, Hulton and Standish.

<sup>91</sup> The exception here is Booth of Barton. Though they had held the manor of Barton for a long time, they came into most of their properties in 1357, at the very end of the period in question: *VCH*, IV, pp. 363-76.

<sup>92</sup> Houghton, Southworth, Lea of Lea, Radcliffe, Harrington of Hornby, Molineux of Sefton, Prestwich and Walton.

<sup>93</sup> Robert de Holland received most of his manors in mesne lordship from Thomas of Lancaster in the early 1310s, and therefore only for a short period, since this land was forfeited along with that of the earl in 1322; T.C. Porteus, 'The Mab's cross legend, and the history of Sir William Bradshaigh', *Transactions of the Lancashire and Cheshire Antiquarian Society*, 55 (1941), pp. 9-10; J.R. Maddicott, 'Thomas of Lancaster and Sir Robert Holland: a study in noble patronage', *EHR*, 86 (1971), pp. 452-3.

<sup>94</sup> The Dacres and Gynes, though from Westmorland, had some association with the affairs of Lancashire; see above, p. 41.

landownership, as in status, the Butlers of Warrington are the only family resident in the county that can compare to those other lords.

With this background of the distribution of landownership, we can return to the issue of status. We have looked at baronies as defined by tenure, but before leaving this class we need to look at barons according to that other definition, the one that became established in the early fourteenth century, of a parliamentary peerage. The process by which the parliamentary baronage of England became clearly defined has been described above, and as we have seen, by 1324 the list of summons had become stabilized.<sup>95</sup> At the top of the list of summons of lay magnates were the earls, arranged in order of precedence, although it seems that this precedence could occasionally be politically determined.<sup>96</sup> Among magnates with ties to Lancashire, the earl or duke of Lancaster always figured highest, as the only representative of the titled nobility.

Further down the list, among the barons, order of placement was of less importance; this can for instance be seen in the case of the quite random place given to Henry of Lancaster – the king’s cousin and heir apparent to the richest inheritance in the country.<sup>97</sup> Yet it is still useful for studying the relationship between tenure and parliamentary status, and the place of Lancashire in all of this. Some summonses are quite regular throughout the period, from the time when continuous records begin, at the end of the thirteenth century, up until 1361. Ralph Dacre does not occur until 1321, but is summoned to each parliament from this point until his death in 1339.<sup>98</sup> His son William appears in 1350.<sup>99</sup> John de Harrington, who was knighted in 1306, appears in 1325 for the first time, and becomes a regular.<sup>100</sup> When he died in 1334, his son by the same name was of age, and continued the tradition.<sup>101</sup> John Lancaster, on the other hand, attended every parliament from the late thirteenth century until 1312,

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<sup>95</sup> See above, p. 35.

<sup>96</sup> In the parliament of April 1308, for instance, Thomas of Lancaster was relegated a lower position than usual, and Piers Gaveston figured higher than him on the list; *Parl. Writs*, vol. II, ii, p. 18.

<sup>97</sup> *Parl. Writs*, vol. II, ii, pp. 24-5, 41-2.

<sup>98</sup> *CIPM*, VIII, 229.

<sup>99</sup> *Parl. Writs*, vol. II, ii, pp. 235; 588-9 *et passim*.

<sup>100</sup> Horrox, ‘Harrington family’, *ODNB*.

<sup>101</sup> *Parl. Writs*, vol. II, ii, pp. 325-6, 465-6, *et passim*; Cockayne, *Complete Peerage*, vol. VI, pp. 314-16.

when he disappears from the records.<sup>102</sup> Ingelram de Gynes appeared from 1295 up until 1299, then there is an intermission before he reappears in 1315. He then occurs regularly until his death sometime shortly before 1323. His son William, however, is not found in the summonses.<sup>103</sup> Of other major tenants in Lancashire, the la Warres are summoned on a regular basis, while the Butlers of Warrington are only summoned at an early date, and not after.<sup>104</sup> The Langtons of the barony of Newton are not found in the lists.

A different group of attenders at parliament, apart from those who could claim a special status based on lineage and possessions, were those who enjoyed a special status at court.<sup>105</sup> The period 1307-1330 is peculiar in that royal power was usurped for longer periods, a situation we do not find in the thirty to forty years before or after.<sup>106</sup> This allowed some of the magnates, as well as the king, to swell the ranks of the parliamentary peerage with their close associates. As far as Lancashire is concerned, the only beneficiary of this kind of patronage was Thomas of Lancaster's favourite Robert de Holland. Holland's parliamentary career follows the path of Lancaster's fortunes: he received his first summons in 1315, and continued up until 1321.<sup>107</sup> Finally, a mention should be made of those summoned not as peers, but for their usefulness to the king in an official capacity. From Lancashire, we are here talking about Robert de Clitheroe, summoned regularly as a clerk of the king's chancery, and John Travers, who served as constable of Calais, constable of Bordeaux, and was summoned to parliament in 1329.<sup>108</sup>

We see from this summary that the one baronial family by tenure resident in the county of Lancashire, the Butlers of Warrington, did not receive regular summons to parliament, once this process became fixed. Also the non-residential Langton family was excluded. We should of course not expect an absolute correlation between the personnel of the tenurial baronage and that of the parliamentary peerage, but it is

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<sup>102</sup> *Parl. Writs*, vol. II, i, 52, ii, p. 73, *et passim*.

<sup>103</sup> *Parl. Writs*, vol. II, i, p. 29, *et passim*.

<sup>104</sup> *Parl. Writs*, vol. II, i, p. 52.

<sup>105</sup> Maitland, *Constitutional History*, p. 84.

<sup>106</sup> Powell and Wallis, *House of Lords*, p. 309.

<sup>107</sup> *Parl. Writs*, vol. II, ii, pp. 137-8.

<sup>108</sup> *Parl. Writs*, vol. II, ii, p. 73; C 61/35/4; *Reports from the Lords Committees Touching the Dignity of a Peer of the Realm*, vol. IV (London, 1829), pp. 391; Tupling, *South Lancashire*, pp. 71-3; M. Vale, *The Angevin Legacy and the Hundred Years War, 1250-1340* (Oxford, 1996), pp. 252-3; H.M. Jewell, 'Clitheroe, Robert (d. 1334)', *ODNB*.

nevertheless to be expected that a substantial amount of landed wealth should be reflected in the privilege of receiving personal summons to parliament. The answer to this disparity is probably to be found in the relative poverty of the land discussed above.<sup>109</sup> The reason why the lords of the counties to the north of Lancashire – whose lands were probably of no greater value – were summoned in higher numbers can probably be found in their strategic value as border lords.

This brings us to the gentry proper, those who neither held their land by barony, nor received a summons to parliament. As outlined above, this group is difficult to define precisely; but, whereas the upper division is simply a legal question, the lower cut-off line will also dictate the level of inclusion for a prosopographical study such as this. Ideally, a study of this kind should include a complete tenurial survey of the county, but such an analysis is not within the scope of this dissertation, if at all possible for this early period. Such a survey would also only tell part of the story, since, in the words of Acheson, ‘something more than form of tenure and mere income was involved in determining status.’<sup>110</sup> It could be debated whether this assertion actually applies to the fifteenth century, about which Acheson writes, but it is certainly correct as far as the fourteenth is concerned, for much of which there was no clear designation of gentry below the level of knights.<sup>111</sup> Instead, a selection must be made of the most significant figures in the county, based on a variety of factors. As mentioned above, it is desirable to avoid the somewhat localistic view of the gentry present in Coss’s definition.<sup>112</sup> These factors should therefore include title, tenure of land (the amount of land as well as the form of tenure), military service, service to magnates, and royal office in the locality. Service to magnates and the crown are subjects to which we will return in greater detail in the following two chapters. What follows is a short summary of these factors, simply as a way of identifying the relevant families and individual men.

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<sup>109</sup> See above, p. 24.

<sup>110</sup> Acheson, *Gentry Community*, p. 30. See also: Bennett, *Community, Class and Careerism*, pp. 30-6; Carpenter, *Locality and Polity*, ch. 3.

<sup>111</sup> See above, p. 37.

<sup>112</sup> See above, p. 38.

During the thirteenth century, the number of knights in England was greatly reduced. This development, no longer considered the result of a financial crisis among the lower levels of the landowning aristocracy, is currently seen as a consequence of the prohibitive costs associated with knighthood, leading to more families simply abstaining from taking it up.<sup>113</sup> Furthermore, the military service and – increasingly also – the local official work that the title entailed diminished its appeal for, respectively, the growing number of families that had no knightly traditions and those, conversely, with no intention to take up office.<sup>114</sup> By the early fourteenth century, the knightly class was a much more exclusive group than it had been a century earlier.<sup>115</sup> That this group maintained a special position among the local gentry can be seen from the way charter witness lists from the period reserve a position for knights at the top.<sup>116</sup>

A few contemporary documents give the impression that knighthood was particularly rare among the gentry of Lancashire. A parliamentary roll of arms, probably dating from 1308, lists the knights of the realm by county.<sup>117</sup> Saul, in his *Knights and Esquires*, points out the remarkably high number of Gloucestershire knights on the list – fifty-five – compared to the number for neighbouring counties. For Wiltshire and Hampshire the numbers are thirty-three knights each, for Hereford

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<sup>113</sup> For the debate over the supposed thirteenth-century crisis of the knightly class, see: P.R. Coss, 'Sir Geoffrey de Langley and the crisis of the knightly class in thirteenth-century England', *P&P*, 68 (1975), pp. 3-37; *Origins of the English Gentry*, ch. 4; D.A. Carpenter, 'Was there a crisis of the knightly class in the thirteenth century? The Oxfordshire evidence', *EHR*, 95 (1980), pp. 721-52; Saul, *Knights and Esquires*, pp. 208-10; A. Polden, 'A crisis of the knightly class? Inheritance and office among the gentry of thirteenth-century Buckinghamshire', in P.G. Fleming, A. Gross and J.R. Lander (eds.) *Regionalism and Revision: The Crown and its Provinces in England 1200-1650* (London, 1998), pp. 29-57.

<sup>114</sup> Saul, *Knights and Esquires*, pp. 46-7; *For Honour and Fame: Chivalry in England, 1066-1500* (London, 2011), ch. 4; Carpenter, *Locality and Polity*, pp. 39-40; Gorski, *Fourteenth-Century Sheriff*, pp. 96-9. Coss dismisses these factors as insignificant: Coss, *Origins of the English Gentry*, pp. 97-8; Kaeuper, *Medieval Chivalry*, pp. 112-13, 124-6.

<sup>115</sup> For numeric assessments of the knightly class over the course of the thirteenth century, see N. Denholm-Young, 'Feudal society in the thirteenth century: the knights', in *Collected Papers of N. Denholm-Young* (Cardiff, 1969), pp. 83-94; J. Quick, 'The number and distribution of knights in thirteenth-century England: the evidence of the grand assize lists', in P.R. Coss and S.D. Lloyd (eds.), *Thirteenth-Century England I* (Woodbridge, 1986), pp. 114-23; K. Faulkner, 'The transformation of knighthood in early thirteenth-century England', *EHR*, 111 (1996), pp. 1-23; Saul, *Knights and Esquires*, p. 35; Given-Wilson, *English Nobility*, p. 69; Simpkin, *English Aristocracy at War*, p. 23.

<sup>116</sup> Coss, *Lordship, Knighthood, and Locality*, pp. 214-17, 251; D.F. Fleming 'Milites as attestors to charters in England, 1101-1300', *Albion*, 22 (1990) pp. 185-98; Saul, *For Honour and Fame*, p. 65.

<sup>117</sup> For the dating of the document, see, Denholm-Young, *Collected Papers*, pp. 121-32.

twenty, for Oxfordshire twenty-three, while Berkshire only lists thirteen knights.<sup>118</sup> As far as Lancashire is concerned, however, the number is much lower than for any of these counties: out of the seventeen knights listed under the heading of Westmorland and Lancashire, only five can clearly be identified as Lancashire men.<sup>119</sup> Furthermore, these five represent only three knightly families, since three of the knights were from the Banaster family of Bretherton. The list is probably not complete; it seems to have omitted William de Clifton, who is styled knight from 1305 to 1323,<sup>120</sup> Robert de Lathom, who occurs from 1292 to 1322,<sup>121</sup> and Henry de Lea, who occurs from around 1300 to 1315.<sup>122</sup> Nevertheless, the number of Lancashire knights seems to have been comparatively low in the early fourteenth century, and higher later on.

Another parliamentary roll of arms of c. 1312 lists 1,110 nobles, prelates and knights, including some deceased men.<sup>123</sup> Here we find only six Lancashire men, of whom two are Hollands and three Banasters.<sup>124</sup> A similar picture emerges from the fairly comprehensive summons to a great council in Westminster in 1324, where knights and men-at-arms are listed separately for each county. As far as Lancashire is concerned, the list consists of sixty-nine men, among whom seventeen were knights (fifty-one were listed as men-at-arms, with the sheriff making up the total.)<sup>125</sup> On closer scrutiny, however, the list does not accurately reflect reality. On the one hand, there is the high level of repetition pointed out already by Denholm-Young, where certain knights are listed in every county wherein they held land.<sup>126</sup> This can be seen in the case of Lancashire, where families from the northern counties, like the Dacres and the Harringtons, are represented by several members. There are also knightly landowners from other parts of the country, like the Derbyshire knight Nicholas de

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<sup>118</sup> Saul, *Knights and Esquires*, p. 30. See also: Coss, *Origins of the English Gentry*, pp. 168-9.

<sup>119</sup> These were Adam, William and Thomas Banaster, Adam de Walton and William de Holland; *A Roll of Arms of the Reign of Edward the Second*, ed. N.H. Nicolas (London, 1829), pp. 88-9.

<sup>120</sup> *RMP*, p. 19 (1305); Tupling, *South Lancashire*, p. 89 (1323).

<sup>121</sup> LA, DDIn 6/17 (1292); LA, DDB1 46/3 (c. 1300); LA, DDM 49/8 (1302); LA, DDIn 23/37 (1308); *Parl. Writs*, vol. II, ii, p. 392 (1309); LA, DDM 17/7 (1315); LA, DDIn 22/5 (1321); LA, DDF 617 (1322).

<sup>122</sup> LA, DDB1 46/3 (c. 1300); *CIPM*, V, 279; Tupling, *South Lancashire*, pp. 38, 42-6 (1315).

<sup>123</sup> *Parl. Writs*, vol. I, pp. 410-20.

<sup>124</sup> In addition to Robert and William de Holland, and Adam, Thomas and William Banaster, Adam de Walton is also listed.

<sup>125</sup> *Parl. Writs*, vol. II, ii, pp. 638-9.

<sup>126</sup> Denholm-Young, *The Country Gentry*, p. 17. See also: Coss, *Origins of the English Gentry*, p. 172; King, 'Pur Salvation du Roiaume', p. 21.

Longford, who held the Lonsdale manor of Whittington and parts of Goosnargh in Amounderness, but had little involvement in Lancashire affairs.<sup>127</sup> On the other hand, the list is compiled at an unfortunate point in Lancashire history, and can therefore be seen as incomplete. One major reason for this was the political turmoil of the preceding years, when several knights had lost their lives and not been replaced by their heirs.<sup>128</sup> By 1324, Adam Banaster, Ralph de Bickerstaffe, Henry de Lea, Henry de Bury and William de Holland had all fallen victim to the factional strife in the county. Robert de Holland and Roger de Pilkington were out of royal favour because of their association with Thomas of Lancaster, as were William de Bradshaw and Richard de Holland because of their alleged gang activities. This depletion of the highest level of Lancashire gentry left only eight men among the 1324 knights who were unequivocally local.

A more comprehensive study of contemporary records reveals a knightly class more numerous than the 1308 and 1312 rolls or the 1324 summons imply. The identification of knights is not entirely fool-proof, as only occasionally is there incontrovertible proof that a man had been knighted.<sup>129</sup> In most cases, one has to rely on the form of the name as entered into deeds, summons, court cases and so on. Titles such as ‘sir’ and ‘dominus’ were often used about clerics or the lord of a manor, while ‘miles’ and ‘chivalier’ are less ambiguous.<sup>130</sup> Furthermore, entries where a person is listed as a knight just once can often be explained by clerical errors, confusion of names or other anomalies. To establish with any certainty if a man was actually a knight, it is necessary to look at the frequency with which the title occurs, as well as the knightly tradition and general social and economic condition of his family. Such an investigation leaves us with a list of fifty-two men who took up knightly status, representing twenty-seven families (**see Appendix 1, p. 276**).<sup>131</sup> This list underpins

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<sup>127</sup> *VCH*, IV, pp. 288-93; VII, 190-206. A Nicholas de Longford, perhaps the same man, was sub-keeper of the peace for Salford hundred in November 1323; *CPR 1321-1324*, p. 382.

<sup>128</sup> For the chronology of the preceding period, and particularly the years 1315 to 1322, see Chapters 5 and 6.

<sup>129</sup> For another discussion of these problems, see: Coss, *Origins of the English Gentry*, pp. 168-79.

<sup>130</sup> Coss, *Origins of the English Gentry*, p. 176. For a survey of the development of the knightly nomenclature, see: Saul, *Knights and Esquires*, pp. 10-11.

<sup>131</sup> These families were: Atherton, Banaster of Bretherton, Barton, Bickerstaffe, Bradshaw, Bury, Butler of Warrington, Byron, Clifton, Clitheroe, Dalton, Hesketh, Hoghton, Holland, Kighley, Kirkby, Lathom, Lea of Croston, Lea of Lea, Masey, Molineux of Croston, Neville of Hornby, Neville of Middleton, Pilkington, Shireburne, Trafford and Walton.

the inadequacy of the 1324 summons, and what an unfortunate time that was for such a survey. Of the fifty-one men-at-arms from 1324, as many as eight later took up knighthood.<sup>132</sup> In addition to this, two of these men were the sons of knights,<sup>133</sup> while two had sons who would later become knights.<sup>134</sup>

The list also gives us an idea of the timespan during which each knight held the title. This allows a look at the development of knighthood in the county chronologically, through quantitative fluctuation over time. Looking at the number of knights in each decade, we get the following numbers:

1300s	1310s	1320s	1330s	1340s	1350s
8	16	19	21	23	21

If we assume that the population of Lancashire was less than 1% of the national population,<sup>135</sup> and that there were around 1,250 knights in England at the turn of the century, as Denholm-Young suggested,<sup>136</sup> then the figures for the 1300s and 1310s are not far off the expected number of around 12.5. There is, however, a clear increase over the course of the period up until the 1330s, at which point the numbers become fairly stable. Quick, who studied thirteenth-century assize rolls and arrived at a number similar to that of Denholm-Young, assumed that the number for Lancashire, for which there were no surviving rolls, was low.<sup>137</sup> Though this seems to be true for the early part of the century, it is not the case for later decades. To a certain extent, this apparent increase could be the result of changing clerical routines: simply an increasing tendency to use the title when applicable. The number of knights, that is, may have been higher in the early period than the records implies. Furthermore, there is a greater wealth of source material to draw from towards the end of the period.

Private deeds survive in greater quantity with time, and particularly the records of the

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<sup>132</sup> William de Clifton, Adam de Clitheroe, John de Hesketh, Richard de Kighley, William de Lea, John le Molineux of Croston, John de Neville of Hornby, and John's son Robert.

<sup>133</sup> Adam de Bickerstaffe and Matthew de Redman, the latter of whom was not from Lancashire.

<sup>134</sup> Henry de Atherton and John de Barton.

<sup>135</sup> See above, p. 27.

<sup>136</sup> Denholm-Young, 'Feudal society in the thirteenth century', p. 87. See Simpkin for a revision of Denholm-Young, though this refers to the number of fighting knights: Simpkin, *English Aristocracy at War*, p. 23.

<sup>137</sup> Quick, 'The number and distribution of knights', p. 119. Quick arrived at an estimated 1,539 knights by the late thirteenth century.

palatinate provide more data. Nevertheless, it seems clear that the thirteenth-century decline in knighthood did not continue into the fourteenth century, but rather was reversed.

Most likely, the high numbers from the 1330s onwards were a product of the increased military activity of the reign of Edward III.<sup>138</sup> Robert de Shireburne was supposed have been a knight in 1294, but was excused by special favour from taking up knighthood until 1326.<sup>139</sup> In the distraint from that year, his name does not appear, a sign, perhaps, that he was already a knight.<sup>140</sup> He was definitely knighted by 1328, and died around 1343.<sup>141</sup> His son and heir John, on the other hand, approached the institution of knighthood with much more enthusiasm. He fought at Crécy with Thomas of Holland, and was also present at the siege of Calais.<sup>142</sup> His knighting should probably be seen in the context of the outbreak of the Hundred Years' War, however, since he appears as a knight in the records as early as 1343.<sup>143</sup> If the Shireburne family is at all typical of the experience of the Lancashire gentry, the case shows how military opportunity influenced decisions of whether or not to take up knighthood.<sup>144</sup> Apart from matters of prestige and social status, the decision could have been a purely financial one, since a knight on campaign was paid double the daily rate of a man-at-arms.<sup>145</sup>

Since not all who could afford it did take up knighthood, it is natural to look at the distraints of knighthood to get a fuller picture of the potential size of the knightly class. In the early reign of Henry III, the crown began to order distraints – often in connection with military campaigns – to bolster the numbers of knights. Later on, the crown would also accept fines from those who did not take up knighthood, and

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<sup>138</sup> For more on this, and how it affected patterns of local office-holding, see below, p. 94.

<sup>139</sup> C.D. Sherborn, *A History of the Family of Sherborn* (London, 1901), p. 7.

<sup>140</sup> C 47/1/12/13. Shireburne was of sufficient local standing that he could serve as *locum tenens* for Robert de Holland as justice of Chester in 1320: Tout, *Place of the Reign*, p. 380.

<sup>141</sup> LA, DDTTr 30/6/2/6; LA, DDC1 3.

<sup>142</sup> Sherborn, *Family of Sherborn*, p. 9.

<sup>143</sup> *CCR 1343-1346*, p. 122.

<sup>144</sup> For the association between knighthood and military opportunity in the fifteenth century, see: Carpenter, *Locality and Polity*, pp. 39-41, 59-60, 82-6.

<sup>145</sup> Brown, *Governance of Late Medieval England*, p. 149; Given-Wilson, *English Nobility*, pp. 69-70; R.R. Davies, *Lords and Lordship in the British Isles in the Late Middle Ages* (Oxford, 2009), p. 119.

the financial benefits of this for the crown became a gradually more significant incentive behind the practice.<sup>146</sup>

For our period, eight distrains were issued, of which four orders for Lancashire remain: 1300, 1312, 1316 and 1326.<sup>147</sup> Here, those who held land and rent to the value of £40 or more a year, were of age and had not been knighted, were distrained. Standards seem to have differed greatly: the 1312 list contains forty-two names, mostly men of little importance.<sup>148</sup> In 1326, on the other hand, only one man – John de Hesketh – was distrained.<sup>149</sup> The list from 1316 is probably the most helpful, containing exactly ten names.<sup>150</sup> Though we find familiar names such as Hulton and Norreys here, the list does not correspond well with the survey of land distribution attempted above, a testament perhaps to the unreliability of both.<sup>151</sup> What the distraint does show, however, is how inefficient it was in promoting knighthood. Of the ten men mentioned in 1316, only one – William Butler of Warrington – can later be found to be a knight.<sup>152</sup> As the organisation of war changed under Edward III, compulsory knighthood was no longer necessary.<sup>153</sup> Even before this, though, it seems that the original purpose of the distraint had receded into the background, not least because administrative roles could increasingly be filled by members of the non-knightly class.

One last indicator of the popularity of knighthood in this period is a feudal aid from 1302, granted for the marriage of the king's oldest daughter.<sup>154</sup> The aid was

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<sup>146</sup> M.R. Powicke, 'Distraint of knighthood and military obligation under Henry III', *Speculum*, 25 (1950), pp. 457-70; *Military Obligation*, pp. 72-81; Coss, *Lordship, Knighthood, and Locality*, pp. 241-4; Crouch, *The Image of Aristocracy*, pp. 110-11; Musson, *Public Order and Law Enforcement*, pp. 129-30; Astill, 'The medieval gentry', pp. 11-12; Saul, *For Honour and Fame*, p. 61; Bell *et al.*, *The Soldier in Later Medieval England*, pp. 62-3.

<sup>147</sup> C 47/1/6-8; 12. See also: Gorski, *Fourteenth-Century Sheriff*, p. 96.

<sup>148</sup> C 47/1/8/12-13.

<sup>149</sup> C 47/1/12/12-13. Three other men, William de Clifton(?), Peter de Burnhull and Thomas de Lathom were also found to hold 40 librates, but were exempt since they had not yet been in possession for two full years. The requirement was normally set at three years: Powicke, *Military Obligation*, p. 106; Bell *et al.*, *The Soldier in Later Medieval England*, p. 62.

<sup>150</sup> C 47/1/8/13. Alan de Burnhull, Henry son of William de Atherton, John de Norreys, Gilbert de Halsale, Gilbert de Skaresbrek, Robert de Bolde, Richard de Hulton, John de Ashton, Roger de Middleton and William Butler.

<sup>151</sup> See above, p. 47.

<sup>152</sup> C 47/1/8/13. William was a knight by 1338: JUST 1/429.

<sup>153</sup> Saul, *Knights and Esquires*, pp. 37-42.

<sup>154</sup> This grant had originally been made in 1290, at the time of Joan of Acre's marriage to the earl of Gloucester, but was postponed: Prestwich, *Edward I*, pp. 343, 348-9; *Lancashire Lay Subsidies*, pp. 239-41.

assessed at forty shilling per knight's fee. This list presents a useful corrective addition to the above list of knights, since it is based on landed wealth, not status. It is of course not perfect for this purpose, since it puts as much emphasis on the form of tenure as on amount and value of land.<sup>155</sup> It is nevertheless a good corrective to the sources already mentioned.

The fees are listed in fractions, down to the level of Richard son of Adam, who held one fortieth of a knight's fee of the earl of Lincoln in Blackburn, and for that paid one shilling.<sup>156</sup> Twelve tenants are listed as holding at least one knight's fee, of whom nine were local. Of these nine, four were knightly families, while four were not.<sup>157</sup> Three or four of these can also be found in the distraints.<sup>158</sup> As a consequence of the abovementioned knightly deficit of the period, the number is too low for a confident conclusion. Still, it is not unreasonable to assume that around half of the families who were able to support knighthood actually did. As for sub-tenancy, the list confirms what we have seen above: the dominance of a few major, absentee landowners.<sup>159</sup>

The study of titles can only bring us so far, because – as pointed out above – in the early fourteenth century there was no explicit social stratification below the rank of knight.<sup>160</sup> Further distinction of gentility can be found in service. The great increase in royal commissions in the later part of the reign of Edward I led to a correspondingly higher demand for qualified personnel. As the expansion coincided with the numerical decline of the knightly class, the crown was not able to fill all positions with knights,

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<sup>155</sup> In the words of Denholm-Young: 'After about 1300 the descent of the knights' fees has hardly more than an antiquarian interest...': *The Country Gentry*, p. 47.

<sup>156</sup> *Lancashire Lay Subsidies*, p. 246.

<sup>157</sup> William Butler of Warrington and Margaret de Neville of Hornby held two knights' fees each. Butler was a knight at least by 1338 (JUST 1/429); while Neville had a late husband and a son, both called John, and both in turn knights. The other two were Robert de Lathom, who was a knight in 1302 (LA, DDM 49/8), and Henry de Bury, who was knighted at least by 1311 (*CIPM*, V, 279). The remaining five were Adam de Freckleton, Roger de Middleton, Gilbert le Norreys and the heirs of John de la Mere.

<sup>158</sup> William Butler was distrainted in both 1300 and 1316, and Margaret de Neville, who was not eligible, was also mentioned in 1300: C 47/1/6/26, 27r; 8/13. The 1316 distraint also contains the name of Roger de Middleton, as well as John de Norreys, perhaps Gilbert's father: C 47/1/8/13.

<sup>159</sup> *Lancashire Lay Subsidies*, pp. 241-8.

<sup>160</sup> That is apart from the distinction between free and unfree men; see above, p. 37.

and had to recruit also from lower levels of landed society.<sup>161</sup> Even though the non-knightly office-holders in the localities cannot automatically be equated with the class that would later crystallise as esquires,<sup>162</sup> there is nevertheless a strong connection between public office, landed wealth and social status, extending below the rank of knight.

Undoubtedly the most important official position obtainable was that of sheriff, or rather, in the case of Lancashire, deputy sheriff – a service rendered not directly to the crown, but to the earl in his capacity of hereditary sheriff.<sup>163</sup> Further to this there were a number of royal commissions that were staffed by local gentry as well as by clerics and central justices. They can be roughly divided into three categories: judicial commissions (commissions of the peace, commissions of *oyer and terminer*, commissions of gaol delivery), military commissions (commissions of array) and fiscal commissions (commissions of prises, commissions of lay subsidies). Finally, there was election as knight of the shire. These offices – their functions, importance and evolution – will be treated in greater depth in the next chapter, but for the moment it is enough to look at their local personnel. This will allow us to make comparisons between the purely landowning gentry and what might be termed the professional gentry, and determine to which degree they corresponded or diverged.<sup>164</sup>

The great number of commissions meant a great demand for personnel, and the involvement of a large number of people at one point or another. Over the course of the period in question, over a hundred different men from several dozen families were involved in official work for the crown in one capacity or another, from the important shrievalty to the lowly sub-keepers of the peace. But there was great variety in the frequency with which men were employed in official capacities. Over time, an

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<sup>161</sup> For the relationship between knights and esquires among thirteenth- and fourteenth-century officials, see: Brown, *Governance*, pp. 148-9; Acheson, *Gentry Community*, pp. 107-12; Musson, *Public Order and Law Enforcement*, pp. 128-9; Coss, *Origins of the English Gentry*, pp. 187-201; Gorski, *Fourteenth-Century Sheriff*, pp. 91-5; p. Fleming, 'Politics', in R. Radulescu and A. Truelove, *Gentry Culture in Late Medieval England* (Manchester, 2005), p. 51. For more on the expansion of the commissions, see below, p. 107.

<sup>162</sup> Saul, *Knights and Esquires*, p. 160.

<sup>163</sup> Tout, *Place of the Reign*, p. 101; Tupling, *South Lancashire*, pp. liii-liv; Somerville, *Duchy of Lancaster*, p. 10; Jewell, *English Local Administration*, pp. 182-90; Gorski, *Fourteenth-Century Sheriff*, p. 34.

<sup>164</sup> For the question of 'professional' local administrators, see: A. Harding, *England in the Thirteenth Century* (Cambridge, 1993), ch. 4; Musson, *Public Order*, p. 149; Coss, *Origins of the English Gentry*, pp. 67-8, 149-50; Gorski, *Fourteenth-Century Sheriff*, pp. 58-9.

office-holding elite developed, consisting of a limited number of men who served in numerous positions, in important positions, and often over the course of several generations (see **Appendix 2, p. 281**). Twenty-four families stand out clearly as belonging to this elite.<sup>165</sup> These families were without exception gentry, in the sense of having lordship or mesne lordship over at least one manor. If by professional we mean people who made a claim to gentility solely through official work, without the tenurial position to back up their status, there is no evidence of this. We do, however, know little about the education of individual men involved in official work, so in this sense the officer class may have been partly professional.

This is not to say that there was a direct correlation between landed wealth and royal service; the officers' landed wealth and social status varied greatly. To start with the simplest measure of social standing, that of knighthood, we find that sixteen of these families were among the twenty-eight knightly families listed above.<sup>166</sup> This means two things: almost half of the knightly families of the county had little or no involvement in the business of the crown, and half the regular officers in the county came from non-knightly families. In some cases this discrepancy can be explained by political circumstances: after the 1315 rebellion, the Lea of Lea family failed, while William de Bradshaw was given little official work, though he was repeatedly returned to parliament.<sup>167</sup> Still, political factors cannot entirely explain this tendency; if the crown had had a preference for knights in official positions in the thirteenth century, this was no longer so by the early fourteenth century.<sup>168</sup> For a different view, we can compare the list of the office-holding elite to the – admittedly imperfect – list of landowners above.<sup>169</sup> Looking at the nineteen families found to hold three manors or more, only ten of these are among the most frequent office-holders. This seems to tell the same story as with the knights: status and wealth accounted for about half of the staffing of official positions, while the other half – though recruited from the wider gentry class – were selected on other criteria.

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<sup>165</sup> Banaster of Bretherton, Barton, Bickerstaffe, Byron, Clifton, Dalton, Gentil, Harrington of Hornby, Haydock, Hoghton, Holland, Hornby, Kighley, Kirkby, Lathom, Lawrence, Neville, Norreys, Pilkington, Radcliffe, Shireburne, Singleton, Trafford and Travers. For more, see below, p 80.

<sup>166</sup> Banaster of Bretherton, Barton, Bickerstaffe, Byron, Clifton, Dalton, Hoghton, Holland, Kighley, Kirkby, Lathom, Neville of Middleton, Pilkington, Shireburne and Trafford.

<sup>167</sup> For more detailed biographies of the main participants in the rebellion, see below, p. 172.

<sup>168</sup> Coss, *Origins of the English Gentry*, p. 187, and see note above, p. 57.

<sup>169</sup> See above, p. 47.

If we combine the three above lists, covering landownership, knightly status and official work, we get a list of forty-two families.<sup>170</sup> The list is in no way exclusive as a background for this study; a number of other figures will have to be included, on the basis of such factors as association with magnates, association with major gentry families, and involvement in county politics. It also excludes non-resident landowners – whether absentees or highly involved in Lancashire affairs – some of whom have been mentioned along the way. It is nevertheless a useful list in the sense that it reflects quite accurately the county elite as it appears in the records.

What we have looked at so far is a relatively static view of the gentry class. But it must be remembered that there was a certain amount of social mobility within this group: disappearance of lineages through failure of heirs, and emergence of new families through marriage, acquisition of estates, or establishment of cadet branches. At the same time, the relative fortunes of established gentry families fluctuated though many of the same mechanisms.

If we use as a basis the forty-two families selected above, we find that seven of these emerged during the period in question, while three disappeared.<sup>171</sup> A brief summary of the individual cases will give examples of the various forms of social mobility. To take the newcomers in roughly chronological order, we can start with Edmund de Neville. Edmund was the fourth son of Sir Geoffrey de Neville, a justice itinerant from Yorkshire.<sup>172</sup> Edmund established himself in Lancashire with his marriage to a certain Euphemia in 1314, settling in Middleton in Lonsdale.<sup>173</sup> Further to this it was Neville's prodigious official work for the crown that established him in

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<sup>170</sup> Atherton, Banaster of Bretherton, Barton, Bickerstaffe, Booth of Barton, Bradshaw, Bury, Butler of Warrington, Byron, Clifton, Clitheroe, Dalton, Gentil, Harrington of Hornby, Haydock, Hesketh, Hoghton, Holland, Hornby, Hulton, Kighley, Kirkby, Lathom, Lawrence, Lea of Croston, Lea of Lea, Masey, Molineux of Croston, Molineux of Sefton, Neville of Hornby, Neville of Middleton, Norreys, Pilkington, Prestwich, Radcliffe, Shireburne, Singleton, Southworth, Standish, Trafford, Travers and Walton.

<sup>171</sup> It should be noted that the list in question has an inherent systemic bias against social mobility, based on the criteria used for inclusion. Especially the list of officers and the list of knights are slanted in favour of continuity.

<sup>172</sup> A.F. Pollard, 'Neville, Geoffrey de (d. 1285)', rev. R.C. Stacey, *ODNB*.

<sup>173</sup> Ferrer (ed.), *Final Concords, part II*, p. 104, n. 1; *VCH*, VIII, p. 73.

the county elite; the son of a lawyer, it is relatively safe to assume that he was a trained lawyer himself.<sup>174</sup>

John de Hornby was a local Lancashire man, probably originating in Horneby with Farleton in Lonsdale, who made his way into the higher gentry by purchase; as early as 1307 he acquired a messuage in Farleton.<sup>175</sup> Then, in 1317, he bought the manor of Ireby from John de Tatham.<sup>176</sup> The lordship that followed this acquisition led to a corresponding rise in status, as can be seen in his official work. Though he had held few offices before,<sup>177</sup> he was elected knight of the shire in 1318.<sup>178</sup> In the following years he was a frequent office-holder, serving, among other things, as commissioner of *oyer* and *terminer* and commissioner of array.<sup>179</sup>

The same year as Hornby acquired Ireby, in 1317, another family emerged, in this case through the establishment of a cadet branch. Lawrence de Lancaster was the son of Thomas de Lancaster – that is of the baronial Lancaster family of Westmoreland, not the earl. Lawrence, as brother and heir of John de Lancaster, appears in 1292 claiming land in Skerton in Lonsdale.<sup>180</sup> Then, in 1317, Lawrence's son John has a grant of land in Skerton, Ashton and other manors from his father, and from this point on the family assumed the name of Lawrence as a surname.<sup>181</sup>

Two outsiders settled in the county around 1335. One of these was John de Harrington of Cumberland, as described above, who became established as the lord of Farleton and Hornby.<sup>182</sup> At about the same time, Hamo (or Hamlet), son of Robert Masey of Tatton in Cheshire, acquired the manor of Rixton in West Derby from Alan

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<sup>174</sup> *VCH* viii, p. 73; Ferrer (ed.), *Final Concords, part II*, p. 104, n. 1; *Biog. Sketches*, p. 72; J.R. Maddicott, 'Thomas of Lancaster, 1307-1322' (Unpubl. D.Phil. thesis, University of Oxford, 1967), p. 549.

<sup>175</sup> *VCH* viii, pp. 201-3; Ferrer (ed.), *Final Concords, part II*, p. 212; *Biog. Sketches*, pp. 56-7.

<sup>176</sup> *VCH* viii, pp. 252-3; Ferrer (ed.), *Final Concords, part II*, p. 28; *Biog. Sketches*, pp. 56-7.

<sup>177</sup> He did sit as leading justice of a session of the commission of the peace in 1313: JUST 1/428.

<sup>178</sup> Coincidentally, along with Edmund de Neville from the previous paragraph: *RMP*, p. 55.

<sup>179</sup> *CPR, 1330-1334*, p. 390; *CPR, 1338-1340*, p. 135. John de Hornby can sometimes be confused with his son by the same name, who was active at the same time, though the two are often distinguished as 'the elder' and 'the younger'.

<sup>180</sup> John de Lancaster is also a frequent commissioner in the northern counties, including Lancashire. The name can cause some confusion since there was at least one other John de Lancaster active at the same time, namely John de Lancaster of Holgill or Howgill in Westmoreland: *KEI*, vol. III, p. 11; *Biog. Sketches*, p. 63.

<sup>181</sup> *VCH, VIII*, pp. 50-6; *Biog. Sketches*, p. 65.

<sup>182</sup> See above, p. 42.

de Rixton by marriage to Alan's daughter Katherine.<sup>183</sup> Hamo's involvement in the county was limited, though he did serve as commissioner of the peace for the wapentake of West Derby in 1345,<sup>184</sup> and he founded the family of Mascy of Rixton.<sup>185</sup> In addition to Harrington and Mascy, there is the case of Thomas de Booth of Barton, who in 1357 received the manors of Bradford, Openshaw and Ardwick of the barony of Manchester from Roger la Warre.<sup>186</sup> The date of this grant, however, is too late to tell what impact it had on Booth's standing in the locality.

Finally, a mention should also be made of the Radcliffes of Ordsall. The Radcliffes at several points tried to establish a cadet branch with the manors of Ordsall, Tockholes and Flixton. At some point during the lordship of Thomas of Lancaster (1298-1322), Richard de Radcliffe of Radcliffe granted the manors to his younger brother Roger.<sup>187</sup> At his death some time after 1335,<sup>188</sup> these properties were given to Richard's bastard son, Robert. When Robert died without an heir in 1345, the manors were granted to his younger brother John.<sup>189</sup>

As for the failures of lineage, the first, and probably most important of these, Henry de Lea, was executed for his participation in the Banaster rebellion of 1315. His inheritance was secured by his sister Sibyl and, through her marriage to Richard de Hoghton, the lands were transferred to the Hoghton family.<sup>190</sup> Another victim of the 1315 rebellion was Henry de Bury, who was killed by the rebels. His son died without issue, and a dispute followed over his lands, ending with the younger Henry's daughter Alice bringing the inheritance to her husband Roger de Pilkington some time

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<sup>183</sup> Alan de Rixton apparently had seven daughters; *VCH*, III, pp. 334-40.

<sup>184</sup> *CPR 1343-1345*, p. 509-10. It is unclear who led this commission, which employed as many as forty men.

<sup>185</sup> A.C. Tempest, 'The descent of the Mascys of Rixton', *RSLC*, 39 (1887), pp. 59-158.

<sup>186</sup> This was added to the manor of Barton, that his father had obtained in 1302: LA, DDT<sub>r</sub> 26/1/218, 219, 220, 221; *VCH*, IV, pp. 274-5, 279-81, 287-8, 363-76. The connection with the la Warre family might have been one of marriage. In 1351 Thomas de Booth was appointed attorney, with William de Radcliffe, for John la Warre's widow Joan la Warre in her old age: *CPR, 1350-1354*, p. 96.

<sup>187</sup> *VCH*, VI, pp. 280-4.

<sup>188</sup> Roger de Radcliffe made a quitclaim of the manor of Flixton to Thomas de Hulme that year: LA, DDT<sub>r</sub> 29/6/295.

<sup>189</sup> *VCH*, VI, pp. 280-4. For more on the relations between the various branches of the Radcliffe family, see below, p. 223.

<sup>190</sup> GMCRO, E 7/28/1/55; *VCH*, VII, pp. 129-37; Tupling, *South Lancashire*, pp. xlili-xlvii; see below, p. 76.

around 1335.<sup>191</sup> Finally, the lands of Thomas de Prestwich descended to the Radcliffe and Holland families through marriages to Thomas's daughters around 1333.<sup>192</sup>

The relatively low number of failure of families could be a result of a preference for collateral male heirs over direct female ones. The settlement of estates in tail male had a longer history in the north of England than in the rest of the country.<sup>193</sup> At least five estates descended through collateral lines: Alan le Norreys of Speke was followed by his brother John in 1313, Adam Banaster was followed by his brother, named William, after Adam's rebellion and forfeiture in 1315, and Adam de Clitheroe followed his brother Roger after Roger's death in 1319. William de Bradshaw died in 1333, leaving his possessions to his nephew by the same name, and Richard de Hulton was followed by his uncle Adam at some point before 1335.<sup>194</sup> The only prominent case that can be found where descent through a female heir seems to have been preferred over collateral heirs was in the case of Henry de Lea, who had brothers who outlived him.<sup>195</sup> Lea's case is special, however, since, as we have seen, his land was forfeit by his rebellion.

What we see from these cases is that, out of the seven emerging gentry families, five were outsiders.<sup>196</sup> Of these five, two were established by grants of existing family land (Harrington and Lawrence), while three came to be through marriage (Neville, Mascy and Booth). Most of these were prominent families in their respective localities: Harrington and Lancaster were northern barons, Neville was a royal justice, and, additionally, the Mascy family was a prominent and ancient family in their native Cheshire.<sup>197</sup> As for the families that disappeared, we see the same pattern of wealth attracting wealth. Those who benefited from these failures were not new men, but families that were already among the wealthiest in the county: Radcliffe, Holland, Hoghton and Pilkington. Of the three remaining new families, one was a branch of the Radcliffe family, so the only truly emerging gentry families in this period are those of Hornby and Booth. What we are seeing seems to be a

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<sup>191</sup> *VCH*, V, pp. 128-33.

<sup>192</sup> *VCH*, V, pp. 76-80.

<sup>193</sup> S.J. Payling, 'The economics of marriage in late medieval England: the marriage of heiresses', *EcHR*, 54 (2001), p. 414.

<sup>194</sup> *VCH*, III, pp. 131-40; VI, pp. 102-8; VI, pp. 252-7; IV, pp. 115-18; V, pp. 25-34.

<sup>195</sup> *VCH*, VII, pp. 129-37.

<sup>196</sup> Counting Booth of Barton.

<sup>197</sup> Bennett, *Community, Class and Careerism*, pp. 16, 74, 82, 222.

consolidation of estates, and a situation where the rich got richer, leaving little opportunity for newcomers. This seems to confirm the long-established trend of the English laws of inheritance favouring wealthy and old families in the accumulation of estates.<sup>198</sup>

Yet it must be remembered that marriage to heiresses was not as straightforward a business as the records may imply; to the parties involved it was often a game of chance.<sup>199</sup> With limited genealogical information available, it is often impossible to know if a bride was an heiress-apparent or an heiress-presumptive at the time of her marriage, if either. Payling has pointed to the costs and risks involved in heiress marriages as a disincentive for the wealthiest families to engage in it. Instead, he suggests, this was an act more suited for 'long-established landed families who, through a successful political or military career, were elevated to a higher status', and needed wealth to support this status.<sup>200</sup> This description certainly fits Holland, and to a great extent also Booth, Neville and Radcliffe.

This same tendency is confirmed also when it comes to marriage out of the county, and families coming into great inheritances through marriage to heiresses from other counties. The national trend, as revealed for the fifteenth century, was that marriage was mostly a local affair for the lower levels of the gentry, while exogamy was reserved for the wealthiest or best connected.<sup>201</sup> This trend seems to be confirmed by the evidence of the county of Lancashire. The only major example of such a match involves Robert de Holland and his special connection with the earl of Lancaster. Thomas of Lancaster was able to procure for Holland the marriage of Maud, one of the two daughters and coheirs of Alan la Zouche, who was a major landowner in Leicestershire. When Zouche died in 1314, Maud secured an inheritance of lands

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<sup>198</sup> Holmes, *Estates of the Higher Nobility*, pp. 9, 40; McFarlane, *Nobility of Later Medieval England*, pp. 151-3; Carpenter, *Locality and Polity*, pp. 97-100. S.J. Payling, 'Social mobility, demographic change, and landed society in late medieval England', *ECHR*, 45 (1992), p. 68; 'Economics of Marriage', pp. 413-14. Payling challenges this orthodoxy, but with a focus on the period after the Black Death.

<sup>199</sup> McFarlane, *Nobility of Later Medieval England*, pp. 153-4; Carpenter, *Locality and Polity*, pp. 114-16.

<sup>200</sup> Payling, 'Economics of Marriage', p. 423. In these cases, noble support was often essential: Carpenter, *Locality and Polity*, pp. 103-5.

<sup>201</sup> Wright, *Derbyshire Gentry*, p. 42; Acheson, *A Gentry Community*, p. 156; Carpenter, *Locality and Polity*, p. 99.

worth a little less than 2,000 marks; the greater part of her father's property.<sup>202</sup> This not only gave Holland an income of nearly £720 a year, but also earned him a right to personal summons to parliament.<sup>203</sup> The direct connection between landed wealth and parliamentary representation can be seen from the fact that Holland's summonses started shortly after he came into the Zouche inheritance.<sup>204</sup>

The characteristics we have identified so far for the early fourteenth-century county of Lancashire include a weak local aristocracy and a landowning class dominated by a few non-resident families. The dominance of the earl of Lancaster, after the death of Henry de Lacy in 1311, is marked. So is the absence of crown land in the county, and the fact that few resident landowners held of the crown in chief. A look at the map of their distribution (see **Map 3, p. x**) will confirm just how densely the gentry were concentrated in the southern part of the county. This contributed to the clear north/south divide, that was so central to social dynamics and has already been remarked upon. In the northern part of the county there is also a notable tenurial presence of border lords, who, unlike the non-resident landowners from other parts of the country, were frequently involved in Lancashire affairs, and even established cadet branches in the county.

In the south, there was a much clearer presence of a homegrown, local gentry. Though several of these families were knightly, knightly dominance was in no way absolute. There were several non-knightly families that were central to local society – precursors, maybe, of the squirearchy of a later date. This was perhaps a consequence of the low number of knightly families in the county, particularly at the beginning of the period. Though the local aristocracy was weak on a national scale, locally, land tended to concentrate in a few hands, such as the families of Holland, Houghton, and Radcliffe. The next chapter will explore in greater depth the structure of royal office holding in the county, and how the abovementioned factors affected this aspect of gentry life.

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<sup>202</sup> *CCR 1313-1318*, pp. 115-17, 154-6, 197.

<sup>203</sup> Maddicott, *Thomas of Lancaster*, p. 48.

<sup>204</sup> Maddicott, *Thomas of Lancaster*, p. 57.

### 3. Service in Local Government

In late medieval English society, the exercise of royal authority in the localities was an impossibility without co-operation from every level of local landowners, and in the appointments to, and the execution of, local offices can be seen the nature of the relationship between central power and the regional aristocracy. Service to the crown was often closely linked to local status, and in the interplay between the two we can see the expectations the crown and the locality had of each other. This governmental structure is not found during the Norman and Angevin period, however, when the king was to a large extent able to govern the provinces directly, or at least only with the help of the baronial class. It was the expansion of royal administration in the localities, combined with a greater pool of local talent, that necessitated and made possible the later model of co-operation. This model largely took shape during the thirteenth and early fourteenth centuries, through the emergence of several new local offices, as well as great changes to ancient ones.<sup>1</sup> For this reason, the period in question is of particular interest, as this was when a system of local government emerged that would remain largely unchanged for centuries, even if regional power structures did change.<sup>2</sup> The county of Lancashire is also special in this context, because of the informal power the earls and duke of Lancaster had over the appointment of new officers, changing after the creation of the palatinate in 1351 to a formal power. This gave them the chance to do what the crown had found it hard to do by this time, namely to give official positions to their own political adherents, primarily that of sheriff.

This new system of government has long been considered a story of devolution, whereby an emergent local elite took over most of the tasks formerly

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<sup>1</sup> Summarised in: M.C. Carpenter, 'Political and geographical space: the geopolitics of medieval England', in B. Kümin (ed.), *Political Space in Pre-Industrial Europe* (Farnham, 2009), pp. 118-21. For a comparison with the corresponding process in France, see: M.C. Carpenter and O. Mattéoni, 'Offices and Officers', in C. Fletcher, J.-P. Genet and J.L. Watts (eds.), *Government and Political Life in England and France, c.1300–c.1500* (Cambridge, 2015), pp. 78-115.

<sup>2</sup> There has long been an idea of the gentry conducting 'self-government at the king's command' as far back the Angevin period: A.B. White, *Self-Government at the King's Command: A Study in the Beginnings of English Democracy* (Minneapolis, 1933). For a refutation of this, see: Coss, *Origins of the English Gentry*, p. 44.

performed by royal officers connected to the central court.<sup>3</sup> This view may be somewhat simplified for the fourteenth century, however, if by 'local elite' we think simply of the most prominent gentry, using the royal offices to emphasise further their political and social standing in the localities. Studies of local government in the late thirteenth and much of the fourteenth century have suggested a smaller group, some of whom might be described as 'semi-professional' men, who were neither professional royal officers based at court, nor necessarily the wealthiest men in local society. Rather, these men were in possession of the skills and qualities desired to perform official tasks satisfactorily to both the crown and their neighbours, and for this reason were employed repeatedly in several different positions.<sup>4</sup> The following chapter will look at how the county of Lancashire stands up to these various ideas, with special attention to the offices of sheriff, knight of the shire, justices of *oyer and terminer* and keepers of the peace. To limit the chapter's length, minor offices relating to tax collection, purveyance, array, etc., are not dealt with separately, but these are nevertheless included in more general analyses of individual officers.

When discussing the issue of devolution, two factors are of particular importance. One is the distinction between local men and outsiders in local administration, and the other is the related distinction between professional administrators and the regular landed gentry. Both of these distinctions can be ambiguous. As we have seen in the previous chapter, there were several families resident in other counties who held greater or smaller portions of land in Lancashire.<sup>5</sup> Furthermore, officers who were employed over longer periods of time in the county would often obtain land there, either through marriage or through royal or noble

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<sup>3</sup> See above, p. 8. The concept of 'devolution' is associated primarily with Putnam's work on the justices of the peace: Putnam, 'Transformation', pp. 19-48. Some of the same ideas can also be found in work on other aspects of royal government during this period: Carpenter, 'Decline of the curial sheriff', pp. 1-32; J.R. Lander, *The Limitations of Late Medieval Monarchy* (1989), pp. 27-32; Harris, 'Political society and the growth of government', pp. 28-57.

<sup>4</sup> S.K. Walker, 'Yorkshire justices of the peace, 1389-1413', *EHR*, 108 (1993), pp. 281-313; J.R. Lander, 'The significance of the county in English government', in Fleming, Gross and Lander, *Regionalism and Revision*, pp. 23-24; Coss, *Origins of the English Gentry*, pp. 152-7; Burt, *Edward I and the Governance of England*, pp. 128-9. It has long been clear that the office-holding elite was a relatively small group: Saul, *Knights and Esquires*, pp. 160-1; Webster, 'The community of Kent', pp. 221-4; Musson and Ormrod, *Evolution*, pp. 62-8; P. Fleming, 'The Landed Elite, 1300-1500', in S. Swetingburgh (ed.), *Later Medieval Kent, 1220-1540* (Woodbridge, 2010), p. 218; Carpenter, 'Bastard feudalism in the fourteenth century', pp. 65-6; *Bastard Feudalism in Fourteenth-Century Warwickshire*, pp. 11-12; Drake, 'Since the time of King Arthur', p. 243.

<sup>5</sup> See above, p. 41.

grants. The line between professionals and non-professionals is also a fluid one, as the earlier discussion of social structure suggests. However, though we know little about the education of individual gentry members, we can identify men who went beyond what their wealth and status would suggest, in both the prestige and the frequency of the offices they held, from which we may assume that we are talking about the ‘semi-professional’ type of officers discussed above. When it comes to officers of the central government, especially justices sent into the localities, these men are clearly ‘professional’ in terms of education and background. Even so, the crown tended to prefer men for this purpose with a background from the locality in question, with the local knowledge and connections that entailed.<sup>6</sup>

For the purpose of this chapter, the term ‘local’, as distinct from ‘outsider’, will be used about men whose main residence was located in Lancashire (as far as this can be established), with an eye to those in a middle position, who had a landed interest in the county, but were resident elsewhere. On the issue of professionalism, the distinction from last chapter between local occasional and regular officers will be used.<sup>7</sup> Non-local officers will naturally have to be dealt with in less detail, since a full tenurial and professional study of these men falls outside the scope of this dissertation. Some basic biographical information will be brought to bear also on non-local men, insofar as it is necessary for the broader picture.

## 1. Sheriffs

The most ancient and most powerful local officer was the sheriff.<sup>8</sup> The office had undergone a process of emasculation from the time of Henry III, in the process David Carpenter describes as ‘the decline of the curial sheriff’.<sup>9</sup> When, in 1236, the sheriff was made directly accountable to the exchequer, he became, in his financial capacity,

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<sup>6</sup> Musson and Ormrod, *Evolution*, pp. 62-3; Coss, *Origins of the English Gentry*, p. 182.

<sup>7</sup> See above, p. 58.

<sup>8</sup> See above, p. 7.

<sup>9</sup> Carpenter, ‘Decline of the curial sheriff’, p. 31. Morris already acknowledged the shift towards local men, though he did not explore its causes to any great length: Morris, *The Medieval English Sheriff*, p. 167. See also: Stubbs, *Constitutional History*, vol. II, pp. 206-8; Holt, *Magna Carta*, pp. 53-8; *The Northerners*, pp. 152-6; R.C. Stacey, *Politics, Policy, and Finance under Henry III, 1216-1245* (Oxford, 1987), pp. 45-9; Harding, *England in the Thirteenth Century*, p. 209; Gorski, *Fourteenth-Century Sheriff*, p. 2; A. Jobson, ‘Introduction’, in Jobson (ed.), *English Government in the Thirteenth Century*, p. 14; Prestwich, *Plantagenet England*, p. 66.

‘little more than a debt collector’.<sup>10</sup> At the same time, more and more of the administrative responsibilities of the office were delegated to others: escheators, commissioners of array, tax commissioners and keepers of the peace.<sup>11</sup> As both the financial attractions and the administrative powers of the shrievalty declined, the office devolved to local men of lesser national standing.<sup>12</sup>

Yet in the early fourteenth century, the sheriff was still by far the most important royal official in the localities, with many and varied responsibilities.<sup>13</sup> He had a duty to preside over the county court once every four weeks, though in the geographically more extensive counties this was impractical, and in Lancashire – as in Yorkshire, Lincolnshire and Northumberland – the county court was held only once every six weeks.<sup>14</sup> He was further to visit the hundred courts on his semi-annual tour, though the under-sheriff often took on this obligation.<sup>15</sup> These judicial duties, though in decline, were still an important part of the sheriff’s responsibilities in the early fourteenth century.<sup>16</sup> Significantly, the sheriff was the crown’s representative in the localities for cases going through the central government law courts. He would be responsible for empanelling juries, apprehending prisoners and keeping the county gaol.<sup>17</sup> This gave the person in office a great strategic advantage in local political

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<sup>10</sup> Carpenter, ‘Decline of the curial sheriff’, pp. 3-4; Stacey, *Politics, Policy, and Finance*, pp. 49-52. Quote from: Jewell, *English Local Administration*, p. 186.

<sup>11</sup> Morris, *The Medieval English Sheriff*, pp. 138-9, 238, 260; H.M. Cam, *The Hundred and the Hundred Rolls* (London, 1930), pp. 8, 54; *Liberties and Communities*, pp. 165-72; Jewell, *English Local Administration*, p. 186; Acheson, *A Gentry Community*, pp. 108-9; A. Musson, *Medieval Law in Context: The Growth of Legal Consciousness from Magna Carta to the Peasants’ Revolt* (Manchester, 2001), p. 107; S.L. Waugh, ‘The origins of the office of escheator’, in D. Crook and L.J. Wilkinson (eds.), *The Growth of Royal Government under Henry III* (Woodbridge, 2015), p. 245. For more on the history of the keepers of the peace, see below, p. 104.

<sup>12</sup> Cam, *Hundred and Hundred Rolls*, pp. 1-8; Carpenter, ‘Decline of the curial sheriff’, pp. 1-2; Saul, *Knights and Esquires*, pp. 107-111; R.C. Palmer, *The County Courts of Medieval England, 1150–1350* (Princeton, 1982), pp. 30-2.

<sup>13</sup> Saul, *Knights and Esquires*, p. 107; Bellamy, *Bastard Feudalism and the Law*, pp. 11-12; Brown, *Governance of Late Medieval England*, p. 142; P. Flemming, ‘The landed elite’, pp. 215-16.

<sup>14</sup> Cam, *Hundred and Hundred Rolls*, p. 107; Morris, *The Medieval English Sheriff*, p. 54. The sheriff mostly presided over civil suits and cases of trespass, though increasingly also these cases became the domain of the royal courts: W.A. Morris, ‘The Sheriff’, in W.A. Morris and J. R. Strayer (eds.), *The English Government at Work, 1327-1336: Volume II, Fiscal Administration* (Cambridge, Mass., 1947), p. 54; Palmer, *County Courts of Medieval England*, p. 32.

<sup>15</sup> Morris, *The Medieval English Sheriff*, p. 55.

<sup>16</sup> Pollock and Maitland, *History of English Law*, p. 530; Palmer, *County Courts of Medieval England*, pp. 28-55; J.B. Post, ‘Local jurisdictions and judgement of death in later medieval England’, *Criminal Justice History*, 4 (1983), pp. 1-21.

<sup>17</sup> Cam, *Hundred and Hundred Rolls*, pp. 67-74; Brown, *Governance of Late Medieval England*, p. 143; Musson, *Public Order and Law Enforcement*, pp. 151-2.

affairs. In addition to this there were the fiscal responsibilities already mentioned, where the sheriff would account once a year at the exchequer for the farms of the county, along with other revenues due to the king, such as fines. Even after the creation of the commissioners of array and keepers of the peace, he still had military responsibilities. He was frequently involved in the muster process, and it was his responsibility to call upon the *posse comitatus* in times of need.<sup>18</sup> Above all, as in many of the above responsibilities, he was the recipient of a large number of royal writs, and therefore the most important channel of communication between the king and the shires.

The demands of the office were great and, even though most sheriffs could rely on a fairly numerous staff to help with daily business, it was still necessary that they themselves possessed administrative experience and abilities.<sup>19</sup> Landed wealth was not only a financial guarantee for the crown, but the running of major private estates also offered a useful background for the shrieval responsibilities. Experience could also be obtained through professional work for a magnate or through work in the lower-level royal offices, such as tax commissions or peace commissions, though this was not always the case, as we will see later.<sup>20</sup> Finally, the sheriff should not be too young: the average age for first-time appointments as sheriffs was significantly higher than that for Members of Parliament, yet still lower than that for keepers or justices of the peace.<sup>21</sup>

These were mostly informal qualifications, but a number of formal demands were also shaped and intensified throughout this period.<sup>22</sup> To a large extent it was in the interest both of the crown and of the local population that these demands were met, since the shrievalty remained the most important local office.<sup>23</sup> The Provisions of

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<sup>18</sup> Morris, *The Medieval English Sheriff*, p. 226; Jewell, *English Local Administration*, p. 184.

<sup>19</sup> Palmer, *County Courts of Medieval England*, pp. 28-55; Brown, *Governance*, pp. 109-10. For a detailed study of the sheriff's staff, see: M.L. Holford, 'Under-sheriffs, the state and local society c. 1300-1340: a preliminary survey', in C. Given-Wilson, A.J. Kettle and L. Scales (eds.), *War, Government and Aristocracy in the British Isles, c. 1150-1500: Essays in Honour of Michael Prestwich* (Woodbridge, 2008), pp. 55-68;

<sup>20</sup> See below, p. 80. Musson and Ormrod, *Evolution*, pp. 55-6; Gorski, *Fourteenth-Century Sheriff*, p. 147.

<sup>21</sup> Gorski, *Fourteenth-Century Sheriff*, p. 136. The lack of Inquisitions *Post Mortem* for Lancashire makes it difficult to create reliable estimates for sheriffs' ages.

<sup>22</sup> J.R. Maddicott, 'Magna Carta and the local community 1215-1259', *P&P*, 102 (1984), pp. 26-30.

<sup>23</sup> Gorski, *Fourteenth-Century Sheriff*, p. 158.

Oxford, in 1258, said that the sheriff should be a substantial freeholder and a vavasour of the county over which he presided, and that he should be replaced annually.<sup>24</sup> The requirement for wealth had a two-fold purpose: invariably, landed wealth was associated with social status, but the sheriff's private property also served as security for the sums owed to the crown.<sup>25</sup> The landholding requirement in particular was repeated in the Ordinances of 1311, the 1316 Statute of Lincoln, the 1322 Statute of York and the 1328 Statute of Northampton. The frequent repetition of the enactments, and petitions to the same effect, could be signs that the demands were not being met, though, according to Gorski, by the time the minimum requirement for the office was set at £20 in 1371, it seems that most holders of the shrieval office already possessed landed wealth well in excess of this.<sup>26</sup>

The question of annual replacements was a particularly contentious one.<sup>27</sup> To the gentry, this measure was an obvious method of combating shrieval corruption. The crown was also able to see this side of the question, but had to balance it against its need for experienced and capable men to fill the office, of whom there may not have been enough at this time. Since the Provisions of Oxford, this demand had consequently receded into the background. In 1326, in an ordinance for which Walter de Stapledon was responsible, the crown came out in opposition to the idea. According to Stapledon, neither the king nor his subjects would be well-served by this arrangement.<sup>28</sup> The next time the issue arose was in 1340, in a royal statute. However, in the context of the volatile political situation of 1340-41, this must be considered

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<sup>24</sup> *English Historical Documents III, 1189-1327*, ed. H. Rothwell (London, 1975), p. 365; T. Moore 'Local administration during the period of reform and rebellion', in A. Jobson (ed.), *Baronial Reform and Revolution in England, 1258-1267* (Woodbridge, 2016), p. 78.

<sup>25</sup> Jewell, *English Local Administration*, pp. 89-90; Gorski, *Fourteenth-Century Sheriff*, pp. 68-9

<sup>26</sup> Brown, *Governance of Late Medieval England*, p. 144; Gorski, *Fourteenth-Century Sheriff*, p. 68.

<sup>27</sup> R.F. Treharne, *The Baronial Plan of Reform, 1258-1263* (Manchester, 1971), pp. 98-9; Rothwell (ed.), *English Historical Documents III*, p. 365; Gorski, *Fourteenth-Century Sheriff*, pp. 37, 68. The Provisions of Oxford were supplemented with the so-called Ordinance of Sheriffs later the same year, where the requirement of annual replacements was repeated: *Documents of the Baronial Movement of Reform and Rebellion, 1258-1267*, ed. R.F. Treharne (Oxford, 1973), pp. 118-23; Warren, *Governance of Norman and Angevin England*, p. 195; Maddicott, *Simon de Montfort*, p. 165; p. Brand, *Kings, Barons and Justices: The Making and Enforcement of Legislation in Thirteenth-Century England* (Cambridge, 2003), p. 26; A. Jobson, *The First English Revolution: Simon de Montfort, Henry III and the Barons' War* (London, 2012), p. 31.

<sup>28</sup> Saul, *Knights and Esquires*, p. 109; Carpenter, 'Bastard feudalism in the fourteenth century', pp. 64-5.

more a concession than deliberate policy.<sup>29</sup> A shift in the crown's intentions may be seen in the reassertion of the requirement in statutes of 1354 and 1368, under more stable political circumstances, but neither of these was followed by a shift in practice.<sup>30</sup> It was only in 1371 that a petition by the Commons in parliament for annual replacement of sheriffs was followed by an observable change in the actual replacement pattern.<sup>31</sup> Saul sees this as a result of the special political circumstances of the 1371 parliament, and interprets it as an attempt by John of Gaunt to garner support with the Commons. While the situation in 1371 was undoubtedly unique, it is hard to see how such circumstances could have led to a permanent change in policy, particularly since this reform of the office had been agreed to on several occasions previously. It is more likely that the crown, torn between considerations of professionalism and integrity, by 1371 was aware of a sufficient increase in the general professionalism of the gentry to allow annual replacements as a reality, not only as a theoretical concession.<sup>32</sup>

With regard to the shrievalty, fourteenth-century Lancashire was a special case, in the sense that the earl or duke of Lancaster held a hereditary right to this office.<sup>33</sup> The sheriff – as he is often referred to for the sake of simplicity – of the county of Lancashire, was in fact a deputy sheriff, appointed by the earl or duke to carry out the day-to-day work of the office. This arrangement was relatively uncommon at the time; only in the crown palatinate of Chester, as well as the counties of Rutland, Westmorland and Worcestershire, were the shrievalties still hereditary.<sup>34</sup>

This Lancashire office periodically came briefly into royal hands. At the deaths of Henry of Lancaster in 1345 and Henry of Grosmont in 1361, it was mostly a matter of formality, but at the forfeiture of Thomas of Lancaster it took a long time for the liberty to be restored. It is here interesting to note that, even before this,

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<sup>29</sup> *Statutes of the Realm*, vol. I, Record Commission (London, 1810), p. 283.

<sup>30</sup> *Statutes of the Realm*, vol. I, pp. 346, 389.

<sup>31</sup> Saul, *Knights and Esquires*, p. 110; Gorski, *Fourteenth-Century Sheriff*, pp. 40-2. For an exception to this, see: A.J. Gross, 'Adam Peshale: a study of the gentry society of fourteenth-century Staffordshire' (Unpubl. Ph.D. thesis, University of London, 1989), pp. 154-5.

<sup>32</sup> Carpenter, 'Bastard feudalism in the fourteenth century', pp. 64-5.

<sup>33</sup> Somerville, *Duchy of Lancaster*, p. 10; Tupling, *South Lancashire*, pp. liii-liv.

<sup>34</sup> Tout, *Place of the Reign*, p. 101, n 2; Morris, *The Medieval English Sheriff*, p. 179; Brown, *Governance of Late Medieval England*, pp. 144; Gorski, *Fourteenth-Century Sheriff*, p. 34.

William Gentil, appointed deputy sheriff on 5 October 1320, started accounting directly to the exchequer on the 23<sup>rd</sup> of that same month, and must from this moment on be considered to be acting as sheriff in his own right. This revocation happened during the York parliament that Thomas of Lancaster refused to attend, and, even though the parliament represented a victory for moderate forces, there is no sign that Gentil ever returned to act as Lancaster's deputy.<sup>35</sup> The comital shrievalty was not restored to Thomas's brother Henry until after Edward II's fall, on 3 January 1327. Still, apart from this interruption, it remained a privilege of the line from the time of Edmund Crouchback up until 1399.<sup>36</sup> When the palatinate was created in 1351, the duke's rights over the shrievalty were further extended, as the sheriff now accounted at the duke's palatinate exchequer rather than at the royal exchequer as previously.<sup>37</sup>

While the perks that came with the office of sheriff had arguably now become political, administrative and (potentially) financial burdens, there was still great responsibility and a heavy workload. It is therefore reasonable to ask how much importance the localities and the individuals involved attributed to the office, and if the appointment was seen as a privilege, a necessary responsibility, or even an undesirable burden. In the absence of contemporary sources directly addressing the issue, a valuable look at the attitudes concerning the matter is offered by the events surrounding the rebellion of 1315. These events will be described in more detail below,<sup>38</sup> but here it should be noted that Ralph de Bickerstaffe, one of the main rebels, was replaced as deputy sheriff by Edmund de Neville on 29 September that year, less than two weeks before the rebels convened on 8 October. On the face of it, there is nothing abnormal about this replacement. Bickerstaffe had been in office since 26 September 1309; six years was an unusually long tenure, so a change of personnel seems to have been in order. The replacement also happened at Michaelmas, the time of year when changes normally occurred, so there is no reason to see this as an irregular replacement.

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<sup>35</sup> Maddicott, *Thomas of Lancaster*, pp. 256-8; R.M. Haines, *King Edward II: Edward of Caernarfon, His Life, His Reign, and its Aftermath, 1284-1330* (Montreal, 2003), p. 121.

<sup>36</sup> *LOS*, p. 72.

<sup>37</sup> The sheriff had previously accounted at the exchequer for the profits of the county court, but not for the farm of the county: Somerville, *Duchy of Lancaster*, p. 10; Jewell, *English Local Administration*, pp. 74-5.

<sup>38</sup> See below, p. 182.

The previous year, however, on 26 October 1314, Bickerstaffe's son John had been killed, and among the defendants for his murder was Richard de Holland, nephew of Robert de Holland.<sup>39</sup> It must be assumed that it was Robert de Holland, as Thomas of Lancaster's unofficial deputy in Lancashire, who was in charge of selecting men for the shrievalty of the county.<sup>40</sup> As the murder of Bickerstaffe's son was about to be prosecuted, it would have been the sheriff's responsibility to apprehend and keep the suspects and to select the jury. At this point Bickerstaffe was replaced with Edmund de Neville, a complete newcomer to the county and a Lancaster retainer.<sup>41</sup> The concurrence of the events of the murder, the shrieval replacement and the rebellion is too conspicuous to be a coincidence, and the three must be seen in conjunction. In this sense, the Banaster rebellion serves as a perfect example of the relevance the shrieval office still had and the importance local men attached to it, even though any individual man may not necessarily have welcomed the appointment.<sup>42</sup>

Gorski finds a pattern in the appointments of sheriffs, showing that, after a highly politicised appointment policy in the first quarter of the century, which largely ignored the needs of the localities, by the middle of the fourteenth century, sheriffs were to an overwhelming degree local landowners.<sup>43</sup> Other studies have come to the same conclusion, indeed, with the exception of a wave of politicised appointments in the reign of Edward II, the trend of local office-holders goes back at least as far as 1278.<sup>44</sup> On closer scrutiny, however, this analysis appears somewhat simplistic. As explained in the introduction to this chapter, making distinctions based either on origin or on professionalism is a complex issue. The county of Lancashire provides a

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<sup>39</sup> Tupling, *South Lancashire*, pp. 24, 25, 36.

<sup>40</sup> Morgan calls Holland Lancaster's 'patronage-broker': Morgan, *War and Society*, p. 50.

<sup>41</sup> For Neville's background, see above, p. 60. For his relationship with Thomas of Lancaster, see below, p. 77.

<sup>42</sup> As a cautionary note, it should be mentioned that the charges against Richard de Holland date from the 1323 inquisition, and there is no mention of the crime in the records before this date. It cannot be ruled out that the charges were fabricated, as a means of justifying the rebellion in retrospect.

<sup>43</sup> Gorski, *Fourteenth-Century Sheriff*, p. 78.

<sup>44</sup> Saul, *Knights and Esquires*, pp. 117-18; Bennett, *Community, Class and Careerism*, p. 197; Wright, *Derbyshire Gentry*, pp. 110-12; Payling, *Political Society*, pp. 111-12; Acheson, *A Gentry Community*, pp. 117-18; Coss, *Origins of the English Gentry*, p. 148; C. Burt, 'Local government in Warwickshire and Worcestershire under Edward II', in B. Thompson and J. Watts (eds.), *Political Society in Later Medieval England: A Festschrift for Christine Carpenter* (Woodbridge, 2015), pp. 64-5.

good example of why a simple local/non-local dichotomy is insufficient to explain fully the politics of local officialdom.

The sheriffs who served under Thomas of Lancaster, his brother and his nephew can most conveniently be divided into five different periods: those appointed by Earl Thomas from his coming of age in 1298 to 1320, the royal appointments made after his forfeiture, those appointed by Henry of Lancaster from his full restoration in 1327 until his death in 1345, those made by Henry of Grosmont from his succession until 1351, and finally the palatinate sheriffs who served until 1361.<sup>45</sup> The most salient feature about this list is the contrast between the first period – under Thomas of Lancaster – and the subsequent periods, in the proportion of local to non-local men appointed. Of the six sheriffs appointed by Thomas of Lancaster, only one man was not a resident of the county. Of the subsequent fifteen appointments, only three were local men.<sup>46</sup>

This summary does not reveal the whole truth, however; while all four outsiders up until 1327 were from neighbouring counties, this was the case for only a third of the later ones.<sup>47</sup> The latter group were in many cases from counties where the earl or duke of Lancaster was highly influential, such as Derbyshire and Yorkshire, indicating a transition to a heavier reliance on the noble affinity. The clear transition from one period to the other shows how simply counting local men – whether defined by residence or landownership – ignores the artificiality of county boundaries. The demand for sheriffs who held land in their county, stated in the Provision of Oxford and repeated regularly thereafter, as we have seen, is not necessarily to be read literally. Rather it was shorthand for a person familiar with the county.<sup>48</sup> Furthermore, as we have also seen, he needed to have enough land in the county to answer the king financially, so this requirement was therefore more than that he should be a resident.

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<sup>45</sup> William Gentil was made to account at the Exchequer from 1320, but no new appointment was made until after the earl's forfeiture in 1322.

<sup>46</sup> This can be compared to the situation in the early fifteenth century, when the sheriffs were once more of local origin: Bennett, *Community, Class and Careerism*, p. 34.

<sup>47</sup> The outsiders from the earlier period were: Henry de Malton (Cumberland), Robert de Leyburn (Cumberland), John Darcy (Yorkshire) and Geoffrey de Warburton (Cheshire). The later ones were John de Burghton (Oxford), John de Denum (Durham), Robert Foucher (Derbyshire), William de Clapham (Yorkshire), William le Blount (Worcestershire), John Blount (Worcestershire), Stephen de Irton (Cumberland), John Cockayne (Derbyshire) and William Scargill (Yorkshire).

<sup>48</sup> The provision was in place so that the sheriff would 'treat the people of the county well, loyally and justly': Rothwell (ed.), *English Historical Documents III*, p. 365.

The men who served as sheriff up until 1327 were all local in the sense that they knew the locality in which they served, and the people over whom they presided. The later ones, on the other hand, were for the most part not, neither did they own land there.

If we look at the period from 1298 to 1361 as a whole, we find that, excluding the earls and duke themselves, there were twenty-one sheriffs or deputy sheriffs of Lancashire.<sup>49</sup> A minority of these, only eight, can clearly be identified as local men, based on residence rather than landownership. It is most convenient to have a thorough look at these local sheriffs – the ones most relevant to this study, where biographical material is more plentiful – before moving on to the non-local ones and the group as a whole. The local men were Richard de Hoghton (1298-1302), Thomas Travers (1302-07), William Gentil (1307-09 and 1320-22), Ralph de Bickerstaffe (1309-15) and Edmund de Neville (1315-17) under Thomas of Lancaster. During the period of royal appointments in the 1320s, Gilbert de Southworth, another local man, served for three years (1323-26). The next local man to be appointed was Robert de Radcliffe (1337-42), before Robert's son William served for most of the duration of the palatinate (1352-1361).<sup>50</sup>

With such a low number of local sheriffs, it is possible to treat them individually in some depth. The most prominent man in this group was probably Richard de Hoghton. The Hoghtons of Hoghton in Leyland held the manors of Gunulfsmore and Whittle-le-Woods of the fee of Penwortham.<sup>51</sup> It was only after Richard de Hoghton I's tenure as sheriff, however, that the family came into the greatest part of its possessions. Richard's son, Richard de Hoghton II, married Sybil, sister and heir of Henry de Lea, and, at Lea's forfeiture after the rebellion of 1315, the Lea possessions descended to the Hoghton family. These included both the two manors of Hoghton and Lea, as well as several other manors in Lancashire and Cheshire.<sup>52</sup> It may be significant that Hoghton's brother-in-law Henry de Lea had also acted as sheriff, from 1285 to 1291.

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<sup>49</sup> The list used here excludes John de Hambury, whose 1328 appointment was immediately cancelled, and John de Ipre, who was appointed only three days before Henry of Grosmont's death. For cancellations, see: Gorski, *Fourteenth-Century Sheriff*, pp. 80-1.

<sup>50</sup> *LOS*, p. 72; Somerville, *History of the Duchy of Lancaster*, p. 461.

<sup>51</sup> *Three Lancashire Documents of the Fourteenth and Fifteenth Centuries*, ed. J. Harland, CS, old series, 74 (1868), p. 22.

<sup>52</sup> *VCH*, VI, pp. 36-47; VII, pp. 129-37.

Turning next to the Travers, there were several families by this name in Lancashire in the thirteenth and fourteenth centuries. The Thomas Travers who served as sheriff for five years from 1302 was the brother of Lawrence Travers, from whom he received land in Nateby, Amounderness, c.1300. His son, John, became a justice of the King's Bench in 1329 and Constable of Bordeaux in 1331.<sup>53</sup> The only local man to serve for two non-consecutive periods was William Gentil, who was deputy sheriff from 1307 to 1309, and then again from 1320 to 1322.<sup>54</sup> Gentil came from relatively humble origins, but was exceptionally active as a royal official. He was the son of John Gentil, who had acquired the manor of Poulton le Sands in Lonsdale.<sup>55</sup> Apart from this patrimony, there is little evidence that Gentil held any larger portions of land in the county, though he was a minor tenant in Winmarleigh, of the baron of Kendal, and in other places.<sup>56</sup>

Bickerstaffe, already mentioned in connection with the 1315 rebellion, was the lord of Bickerstaffe in West Derby, where he had succeeded his father Adam around 1292.<sup>57</sup> After his death his widow also made a claim to land in Little Layton in Amounderness, but apart from this he was not a major landowner.<sup>58</sup> Edmund Neville was a young and still inexperienced officer but, as his later career would show, he was highly capable. Though little is known of Neville before his appointment as sheriff, his later career shows him to be a close Lancaster associate. He received a 20 mark annuity from the town of Lancaster for services to the earl, in 1318 he received a pardon as a Lancastrian adherent, and he served with Lancaster on the Berwick campaign.<sup>59</sup> He was also present at the Sherburn Assembly, though he was not with the earl at Boroughbridge.<sup>60</sup> Neville was not one of the major landowners of the county and his landed interests were just as much in Yorkshire, but he was a trusted

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<sup>53</sup> E. Foss, *Biographia Juridica: A Biographical Dictionary of the Judges of England, 1066-1870* (London, 1870), p. 669; *VCH*, VII, p. 308; *Biog. Sketches*, pp. 100-2.

<sup>54</sup> *LOS*, p. 72. During the latter period Gentil was, as described above, made sheriff in his own right after a short period of time, see above, p. 72.

<sup>55</sup> *VCH*, VIII, p. 66.

<sup>56</sup> In 1310 he was involved in a plaint in Lancaster; Ferrer (ed.), *Final Concords, part II*, pp. 8-9.

<sup>57</sup> *VCH*, III, pp. 276-7; *Biog. Sketches*, p. 9.

<sup>58</sup> *Biog. Sketches*, p. 9.

<sup>59</sup> Holmes, *Estates of the Higher Nobility*, p. 138; *Parl. Writs*, vol. II, ii, pp. 66-70; Maddicott, 'Thomas of Lancaster', p. 549.

<sup>60</sup> *Parl. Writs* II, ii, p. 201; B. Wilkinson, 'The Sherbourne Indenture and the attack on the Despensers, 1321', *EHR*, 63 (1948), p. 28.

retainer of the earl and also an associate of Robert de Holland.<sup>61</sup> The one position Edmund is known to have held before being appointed deputy sheriff was that of bailiff of the hundred of Lonsdale by virtue of possessions in Nether Kellet. This bailiwick went with the manor, granted to Neville by Robert de Holland for the life of Neville's wife Eufemia.<sup>62</sup>

Gilbert de Southworth was heir to the substantial Southworth inheritance, with five manors held of the Newton barony in West Derby.<sup>63</sup> To this, the manor of Samlesbury in Blackburnshire was added by a marriage to Alice, daughter of Nicholas de Ewyas, in 1325.<sup>64</sup> Finally there are the two Radcliffes. Robert de Radcliffe was the bastard son of Richard de Radcliffe of Radcliffe Tower and both Robert and his son William distinguished themselves through military service with the earl of Arundel in France.<sup>65</sup> This family is dealt with in detail in Chapter 7.<sup>66</sup>

Though they represent a small statistical sample, we can look at these men in the context of the criteria for gentility discussed in the last chapter: official status, landownership and office-holding. Only two of the eight men were in fact knights.<sup>67</sup> Richard de Hoghton's son by the same name took up knighthood at a later point, but the elder Richard never did. This leaves us with Ralph de Bickerstaffe and Edmund de Neville. Bickerstaffe was clearly knighted before or during his shrievalty, since he died a rebel shortly after being replaced.<sup>68</sup> As for Neville, who served from 1315 to 1317, there is no evidence that he was a knight before November 1318, when he is styled such in a pardon given to the adherents of Thomas of Lancaster.<sup>69</sup> This low number of knights among the local sheriffs can be explained by two factors: first of

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<sup>61</sup> *VCH*, VIII, p. 73; *Biog. Sketches*, p. 72.

<sup>62</sup> Tupling, *South Lancashire*, p. 63 n 1.

<sup>63</sup> These were Arbury, Croft, Houghton, Middleton and Southworth.

<sup>64</sup> *VCH*, IV, pp. 168-70.

<sup>65</sup> *CPR 1343-1345*, pp. 530-2.

<sup>66</sup> See below, p. 223.

<sup>67</sup> It is rarely possible to determine the exact date at which a person obtains knighthood, but these two appear at one point or another as knights in the records. Richard de Hoghton's son, by the same name, was a knight (*RMP*, p. 117), and he himself is referred to as 'magister' in as a commissioner of array in 1301 (*CPR 1292-1301*, p. 597) and on an assize from 1308 (JUST 1/423/1), but never as *miles* or *chivalier*. Bickerstaffe is mentioned as a knight in the 1323 inquisition's account of the 1315 rebellion (KB 27/254/12) and Neville in the 1318 pardon for the death of Gaveston (*CPR 1317-1321*, p. 227). For the remaining five there is no indication that they were ever knighted, in spite of Travers' mention in C. Moor (ed.), *The Knights of Edward I*, vol. V (London, 1932), p. 41.

<sup>68</sup> For more on this, see below, p. 184.

<sup>69</sup> *CPR 1317-1321*, p. 227. This is possibly in error; in his numerous parliamentary returns from 1318 to 1337, he is only styled 'miles' in the last one: *Biog. Sketches*, p. 72.

all, as will be elaborated on later, sheriffs of local provenance were most common during the first two decades of the century. As explained in the last chapter, knighthood was not very common in the county in this period. Secondly, after 1320, the only local sheriffs to be appointed belonged to the Southworth and Radcliffe families – the two most prominent Lancashire families never to take up knighthood. Hence, the low proportion of knights in this group can to a large extent be explained by accidents of history. Along the same lines, few of these men seem to have had military experience, since most served during a period of limited military activity. One exception was William de Radcliffe, who served in France in 1346 and later held the shrievalty for most of the 1350s.<sup>70</sup> His case corresponds with Carpenter's findings for Warwickshire, where the war provided experience for returning soldiers to take charge of local administration.<sup>71</sup>

More enlightening is an analysis of the local sheriffs' status as manifested in landed wealth and lordship. Using the categorisation from the last chapter, we find that four of the sheriffs – Hoghton, Southworth and the two Radcliffes – belonged to the wealthiest families of the local gentry, with Travers and Neville not far behind.<sup>72</sup> This is not to say that they were necessarily the wealthiest men of the county; some were younger sons or belonged to cadet branches. Richard de Hoghton and Gilbert de Southworth were the heads of their respective families, but the others were not. Thomas Travers of Nateby was a younger brother of Lawrence Travers of Whiston,<sup>73</sup> while Edmund de Neville of Middleton was a younger brother of John de Neville of Hornby.<sup>74</sup> The Radcliffe family will be described in more detail below, but neither Robert nor William belonged to the main Radcliffe branch of Radcliffe Tower.<sup>75</sup> The two remaining sheriffs, Gentil and Bickerstaffe, were the heads of their families and must be considered gentry in the sense of having lordship over a manor.<sup>76</sup> They were both, however, of considerably less substantial families than the other men. In

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<sup>70</sup> See below, pp. 82 and 94.

<sup>71</sup> Carpenter, *Bastard Feudalism in Fourteenth-Century Warwickshire*, pp. 63-5. See also: Gorski, *Fourteenth-Century Sheriff*, p. 145.

<sup>72</sup> See above, p. 47.

<sup>73</sup> *VCH*, IV, pp. 329-35; *Biog. Sketches*, p. 102.

<sup>74</sup> *VCH*, VIII, pp. 191-021, 72-4; *KEI*, vol. III, p. 247; *Biog. Sketches*, pp. 72-3.

<sup>75</sup> See below, p. 223.

<sup>76</sup> In Bickerstaffe's case this was Bickerstaffe manor in West Derby; *VCH*, III, pp. 276-82; *Biog. Sketches*, pp. 9-10. Gentil held Poulton le Sands in Lonsdale; *VCH*, VIII, pp. 64-9; *Biog. Sketches*, p. 36. For more on this definition of gentry, see above, p. 38.

Bickerstaffe's case, his appointment may have been politically motivated; it was apparently his replacement that sparked the 1315 rebellion and the ensuing county feuds.<sup>77</sup> For Gentil, on the other hand, we find no such explanations. As was demonstrated in the individual biographies, Gentil was a 'semi-professional' officer, with official duties far beyond his landed status. This is an attribute he shares with Neville and this brings us to the subject of professionalism.

In the last chapter, the office-holding elite of the county was numbered at around twenty-four families. All but two of the local sheriffs belonged to this group. The exceptions were Bickerstaffe – further evidence of the highly political nature of that appointment – and Southworth. The Southworths were quite exceptional in their low level of involvement in official affairs, in spite of their substantial landed holdings. As illustration, we can mention the fact that no Southworth represented the county in parliament until 1380.<sup>78</sup> On an individual level, only two of these sheriffs (Hoghton and Southworth) never served as knight of the shire. Travers, Robert and William de Radcliffe had already served before their shrieval tenure, while Gentil, Neville and, again, William de Radcliffe served after. Of these, Neville was exceptional, being returned nine times as a knight of the shire.<sup>79</sup> The practice of returning oneself as shire representative while serving as sheriff, a practice not yet banned by statute, was not uncommon – Gentil, Bickerstaffe and Robert de Radcliffe (twice) all did it.<sup>80</sup> Neville was also appointed keeper of the peace on several occasions after being sheriff, starting in 1327.<sup>81</sup>

Overall, however, the local sheriffs were generally inexperienced when coming into office. Gorski has found that, though there was no uniform pattern, it was common for sheriffs to have experience from other offices – often in important roles such as knight of the shire or commissioner of the peace – as well as military

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<sup>77</sup> See below, p. 74.

<sup>78</sup> *Biog. Sketches*, p. 90.

<sup>79</sup> *Biog. Sketches*, pp. 109-13.

<sup>80</sup> The ban was not imposed until 1371: *Statutes of the Realm*, vol. I, p. 394. See also: K.L. Wood-Legh, 'Sheriffs, lawyers and belted knights in the Parliaments of Edward III', *EHR*, 46 (1931), pp. 372-88; Saul, *Knights and esquires*, pp. 122-3.

<sup>81</sup> The Richard de Hoghton who was appointed keeper of the peace for the first time in 1323 is most likely the son of the sheriff: *CPR 1321-1324*, p. 382 *et passim*. For Neville, see: *CPR 1327-1330*, p. 30 *et passim*.

experience.<sup>82</sup> A quick survey of the eight local sheriffs, including all forms of service, will show that this was not always the case in Lancashire. Richard de Hoghton appears to have had no administrative experience before entering on the role of sheriff, while Thomas Travers had been coroner of Furness in 1292 and knight of the shire in 1301.<sup>83</sup> William Gentil had been commissioner of array in 1307 and knight of the shire in 1307 and 1311.<sup>84</sup> Ralph de Bickerstaffe had no administrative experience. Edmund de Neville, who had only recently been independently established in the county, began his county-wide administrative career as sheriff.<sup>85</sup> Gilbert de Southworth is difficult to distinguish from his father by the same name, but he seems not to have had a career preceding his shrievalty. The two Radcliffes were both frequently employed officers, but the majority of their work came after their tenure as sheriff. Robert was knight of the shire in 1334 (as well as twice during his term in office),<sup>86</sup> and his son William was elected to parliament in 1351.<sup>87</sup> This leaves us with four men who had served in parliament before their terms as sheriff. At the same time, others were entirely inexperienced, none had significant background from other offices, and the most frequently employed office-holders had the greater part of their career ahead of them.

When it comes to military experience, the same pattern emerges of a relative lack of experience. This was a highly valuable background for a sheriff, especially in the northern counties, where military mobilisation was such an important part of the official duties.<sup>88</sup> Ralph de Bickerstaffe had served in Scotland in 1307.<sup>89</sup> Robert de Radcliffe also served in Scotland, in 1336,<sup>90</sup> and William received a pardon in

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<sup>82</sup> Gorski, *Fourteenth-Century Sheriff*, pp. 139-51. Gorski also explores the age of shrieval office-holders at the time of their appointment, as a useful supplement to the study of experience: *Fourteenth-Century Sheriff*, pp. 135-9. This, however, is based on the much later period 1386-1421, and uses the extensive source material of inquisitions *post mortem*, proofs of age and the detailed biographies of the *History of Parliament* project. Even so, the available data constitutes a small part of the total: *Fourteenth-Century Sheriff*, pp. 135. In the case of the present group of men, it would be meaningless to attempt such a study.

<sup>83</sup> *Biog. Sketches*, p. 102; *RMP*, p. 14.

<sup>84</sup> *Biog. Sketches*, p. 36; *RMP*, pp. 27, 33.

<sup>85</sup> As mentioned above, he had already served as hundred bailiff, see above, p. 77.

<sup>86</sup> *RMP*, p. 104.

<sup>87</sup> *RMP*, p. 148.

<sup>88</sup> Gorski, *Fourteenth-Century Sheriff*, p. 52.

<sup>89</sup> *Biog. Sketches*, pp. 9-10.

<sup>90</sup> E 101/15/12.

exchange for service in France in 1345 (though it is unclear if he actually served).<sup>91</sup> From this it appears that only two or three of the eight local men had military experience, not a very high proportion for a northern county like Lancashire, but at the same time not too far off the ‘between a third and a half’ found by Gorski nationally for the entire century.<sup>92</sup>

Where the non-local sheriffs are concerned, it is not necessary to undertake such a thorough analysis. However, it is important to take a quick look at the personnel here also, to understand more about what we may call a ‘typical’ sheriff of this period. From 1298 until the palatinate was introduced, there were fifteen appointments of fourteen different non-resident sheriffs.<sup>93</sup> During the long period from Michaelmas 1352 until Henry of Grosmont’s death on 23 March 1361, the records are less complete than when the sheriff accounted directly to the exchequer. William de Radcliffe seems to have held the shrievalty almost continuously for this period but there is still an occasion, on 18 November 1354, when John Cockayne is mentioned as sheriff.<sup>94</sup> This, however, does not represent the introduction of another name to the list, as Cockayne had already served in the post from 1345 to 1350.<sup>95</sup> The first appointment after Boroughbridge, to replace Lancaster’s appointee William Gentil, was Robert de Leyburn, a Yorkshire man and an adherent of Andrew Harclay, the victor of Boroughbridge.<sup>96</sup> Leyburn, appointed on 13 October 1322, did not remain long in office. For taking part in Harclay’s treason, he was replaced on 10 February 1323 by John Darcy, who acted as a ‘caretaker’ sheriff for five months before the appointment of Southworth (see above). Leyburn was awarded the same leniency as most of the other participants in Harclay’s rebellion; in 1326 he was

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<sup>91</sup> *CPR 1343-1345*, pp. 530-2.

<sup>92</sup> Gorski, *Fourteenth-Century Sheriff*, p. 145.

<sup>93</sup> Robert de Leyburn served twice; *LOS*, p. 73.

<sup>94</sup> DL 37/1/7; *Annual Report of the Deputy Keeper of the Public Records*, vol. 32 (London, 1871), p. 333.

<sup>95</sup> Cockayne was fined for acting on his appointment as deputy sheriff before being sworn in at the exchequer; *LOS*, p. 73; *Biog. Sketches*, pp. 25-6.

<sup>96</sup> Leyburn was not of the same lineage as Roger de Leyburn of Kent, who allegedly saved the king’s life at Evesham; *Records relating to the Barony of Kendale*, ed. W. Farrer and J.F. Curwen, Cumberland and Westmorland Antiquarian and Archaeological Society, Record Series, 2 (1924), pp. 211-238; *Register & Records of Holm Cultram*, ed. F. Grainger and W.G. Collingwood, Cumberland and Westmorland Antiquarian and Archaeological Society, Record Series, 7 (1929), pp. 136-148.

reappointed sheriff of Lancashire and remained in office until the last royal appointee, Geoffrey de Warburton, took office the next year.<sup>97</sup>

Of the nine appointments made by Henry of Lancaster, the only local one, Robert de Radcliffe, has been dealt with above. The remainder had little or no prior connection to the county. John de Denum (1329-32) was on a commission the year before his appointment – sitting with John de Lancaster – to investigate theft of livestock from Thomas of Lancaster’s manors.<sup>98</sup> William le Blount (1336-7), a southerner,<sup>99</sup> had acted as justice in the county before his shrieval appointment in 1336.<sup>100</sup> Mostly, however, the men were newcomers to the locality, and many came from the earl’s core area.<sup>101</sup> Of the remaining two appointments made by Henry of Grosmont before receiving his palatinate, John Cockayne, mentioned above, was from Derbyshire, and William Scargill from Yorkshire, two further areas where the earl was a substantial landowner.<sup>102</sup> As we shall see later, there was around this time a shift in the personnel of the knights of the shire towards lower-level gentry, and this shift can be tied to the war in France.<sup>103</sup> This could also have been a contributing factor to the transition to professional outsiders as sheriffs during this period, however, since this transition started as early as 1327, it is more likely that it was the result of a change in administrative preferences after the reversion of the Lancashire inheritance to Henry of Lancaster.

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<sup>97</sup> H. Summerson, ‘Harclay, Andrew, earl of Carlisle (c.1270–1323)’, *ODNB*.

<sup>98</sup> *CPR 1327-1330*, pp. 283-4.

<sup>99</sup> He is mentioned, with John Blount, as a witness in a Bedford grant in 1330: *CAD*, vol. VI, C. 5179. He also held land in Oxfordshire: *CIPM*, VII, 389; and Buckinghamshire: *CIPM*, V, 615. Blount was the man who received the great seal from Edward II on 20 November 1326, and delivered it to Queen Isabella: *CCR 1323-1327*, p. 655.

<sup>100</sup> He was justice in eyre of the forest in 1334: *CPR 1334-1338*, p. 4.

<sup>101</sup> A John de Burghon (1327-8) appears in a 1377 fine for the manors of Engleton, Brewode, and Water Eaton in Staff: *Staffordshire Historical Collections*, ed. G. Wrottesley and F. Parker, vol. XI (1890), pp. 176-183; John de Denum (1329-32) served as a justice in Staffs. before and after he was sheriff: *CPR 1327-1330*, p. 297; *Staffordshire Historical Collections*, vol. X, part 1 (1889), pp. 62-74; Stephen de Irton (1344-5) was in 1341 the plaintiff in an assize of *darrein presentment* in Bydulf (Biddulph), Staffs.: *Staffordshire Historical Collections*, vol. XI, pp. 108-23; John de Hambury was probably from Hanbury, Staffs.

<sup>102</sup> Cockayne was the son of John Cockayne of Ashborne, Derby, and served Henry of Grosmont as steward and valet: *Biog. Sketches*, p. 25-6; K.A. Fowler, *The King’s Lieutenant: Henry of Grosmont, First Duke of Lancaster, 1310-1361* (London, 1969), pp. 178, 225; Ormrod, *Edward III*, p. 192. William Scargill (1350-2) was lord of the manor of Barningham in the North Riding of Yorkshire: *The Victoria History of the County of York North Riding*, ed. W. Page, vol. I (1914), pp. 39-42.

<sup>103</sup> See below, p. 94.

Given the low proportion of knights in Lancashire, and therefore among the local sheriffs, it is not surprising that there were significantly more knights among the non-local ones. Eight of these thirteen can clearly be identified as knights.<sup>104</sup> This conforms better with the national average found by Gorski and supports what has been said above and in the last chapter about knighthood in early fourteenth-century Lancashire: in the period when most local sheriffs were employed in the county, knighthood was rare there.<sup>105</sup>

These outsiders were not uniform in their background. Most were relatively humble men outside their localities. Denum was also a military retainer of the Lancaster family and served on Henry of Grosmont's Scottish expedition of 1336.<sup>106</sup> He is also someone who can be identified as a professional administrator, being made a baron of the exchequer in 1332 – the year he ended his tenure as sheriff of Lancashire.<sup>107</sup> This is also the case with Darcy, who held successive shrievalties in several different counties, a phenomenon not uncommon for other counties at the time.<sup>108</sup> Darcy had only a brief stint as sheriff of Lancashire, but had already held the same position in the joint shrievalty of Nottinghamshire and Derby (1319-22) and would later hold it in Yorkshire (1327-28).<sup>109</sup> He enjoyed an illustrious career that would bring him both personal summons to parliament and positions as steward of the household and king's chamberlain under Edward III.<sup>110</sup> These external sheriffs usually remained outsiders, though some did develop closer links with the county. Cockayne was the only non-local sheriff in the period to represent the county in parliament (in 1348), though this was during his shrieval tenure. He also remained connected to the county as chief justice of the palatinate court, which tells us that he was a professional

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<sup>104</sup> Malton, Leyburn, Darcy, Warburton, Burghton, Denum and both William and John le Blount.

<sup>105</sup> Gorski, *Fourteenth-Century Sheriff*, pp. 84-9. This is supported by local studies, see e.g.: Astill, 'The medieval gentry', p. 144. For knighthood in early fourteenth-century Lancashire, see above, p. 51.

<sup>106</sup> E 101/15/12.

<sup>107</sup> Foss, *Biographia Juridica*, pp. 422-3.

<sup>108</sup> Gorski finds 236 such appointments, involving 87 men: *Fourteenth-Century Sheriff*, pp. 59, 162-170. The only other Lancashire sheriff of the period to hold office in another county was Henry de Malton, who became sheriff of Cumberland three about years after leaving office in Lancashire: Gorski, *Fourteenth-Century Sheriff*, p. 167. See also: Saul, *Knights and Esquires*, pp. 114-15.

<sup>109</sup> *LOS*, pp. 102-3, 161-2.

<sup>110</sup> Phillips, *Aymer de Valence*, pp. 239, 255, 268; J.S. Bothwell, 'Edward III, the English peerage and the 1337 earls: estate redistribution in fourteenth-century England', in Bothwell, *Age of Edward III*, pp. 38, 49; W.M. Ormrod, 'Darcy, Sir John (b. before 1284, d. 1347)', *ODNB*.

lawyer.<sup>111</sup> Denum married into a Lancashire family when he married Katherine, the widow of Robert de Lathom, but he died shortly afterwards.<sup>112</sup> Whether he would have then taken up residency there, however, is open to doubt since he had already inherited the more substantial estates of his brother in Durham.<sup>113</sup> The majority of the non-resident sheriffs do not seem even to have held land in Lancashire and were only temporarily installed in the county and then purely as administrators.

As mentioned before, it is the difference in the proportion of locals to non-locals in the period of Thomas of Lancaster compared to that of the two Henrys that is the most conspicuous trend here. This new pattern of appointments could be a result of the latter two becoming directly involved in the business of the county. In the absence of a figure like Robert de Holland under Thomas of Lancaster, as the hub of a recruitment network, the earl or duke of Lancaster may have preferred to install men from their more immediate Midlands followings. This situation continued throughout the period of local jockeying for position represented by near-continuous county feuds, until the Radcliffes emerged as the dominant family around mid-century.

We might expect to see the shift in the sheriffs' provenance reflected in the local attitude towards them, as expressed through pleas brought against the sheriffs. This is apparently not the case. The objects of these pleas were quite evenly divided between local residents and outsiders, between north-westerners and men from further afield. At least nine of the sheriffs had complaints brought against them for offences committed during their term in office: three of these were local residents, three were from neighbouring counties, and three from more distant counties.<sup>114</sup> It is of course

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<sup>111</sup> DL 35/5/1; 35/6/1; *Biog. Sketches*, pp. 25-6.

<sup>112</sup> *VCH*, III, pp. 247-58; Ferrer (ed.), *Final Concords, part II*, p. 138.

<sup>113</sup> Foss, *Biographia Juridica*, pp. 422-3.

<sup>114</sup> Chronologically by date of tenure: Ralph de Bickerstaffe was charged before an *oyer* and *terminer* commission in 1314: *Biog. Sketches*, p. 10. Henry de Malton and William Gentil were both defendants before the inquisition of 1323, accused among other things of tarrying too long on their tourn, and electing their own men to parliament: Tupling, *South Lancashire*, pp. 117, 125. The same was the case with Robert de Leyburn, who allegedly victualised without giving compensation, and during a truce: Tupling, *South Lancashire*, pp. 125, 131-2; *CCR 1318-1323*, p. 653; KB 27/258/19R, 19Rd. The same accusation was levied against John Darcy: *CCR 1318-1323*, p. 653. An arrest order went out for John de Denum in Lancashire in 1334, two years after his shrieval tenure, for offences committed while in office: KB 27/297/27R, 299/16R, 300/15R, 301/12R. Robert Foucher was in 1334 accused both of crimes during the Halidon Hill campaign, and of harbouring William de Bradshaw's murderer, for which he was acquitted: KB 27/297/19R, 24Rd. Robert de Radcliffe in 1342 stood accused of trying to pursue criminals without a royal writ, and for stealing crops under the excuse of seizing the goods of an outlaw: *CCR 1341-1343*, p. 551; JUST 1/430/6. Finally, John Cockayne was fined for acting as sheriff

possible that some of these these pleas were the result of royal initiative, rather than a direct expression of local grievances.<sup>115</sup> Many of the charges stem from the thorough investigations of official misconduct carried out in connection with the court's visits to the county in 1323 and 1334.<sup>116</sup>

There is, however, one event that can be considered the ultimate vote of no confidence against a non-local sheriff. On 23 November 1337, a commission of *oyer* and *terminer* was appointed 'touching the death of William le Blount, knight, sheriff of Lancaster, killed at Leverpol while executing his office'.<sup>117</sup> There are no surviving records of the commissions and the appointment was repeated one year later because one of the commissioners was dead and the others were 'engaged on the king's service elsewhere'.<sup>118</sup> It is impossible to say if the killing was the result of discontent with non-local sheriffs but it did lead to Henry of Lancaster's only local appointment, Robert de Radcliffe, which was also the longest of all Henry's appointments, at five years. Five years later the earl appointed Blount's brother John to the same position, so there was no permanent shift towards local men. The appointment could have been a move on the earl's part to appease local opinion. Still, Radcliffe's appointment suggests that Henry was now satisfied with the appointment of a local man as sheriff, as long as he could trust him completely.

That Lancashire was such a special case in the history of local administration makes it difficult to make comparisons with national trends. Of the political appointments for which Edward II was so notorious in the 1320s, Leyburn is probably the best example.<sup>119</sup> Yet the five-year period of royal appointments in the 1320s is far too brief to deduce any general trend. As for the demand for annual appointments, one year was indeed the average during the royal period, but again the period was too short, and the circumstances too extraordinary, to permit any conclusions. Earl Thomas of Lancaster and his brother Henry did not adhere to this demand, with tenures ranging from Darcy's five months to Bickerstaffe's six years. Henry of

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before being sworn in at the exchequer, as well being charged in 1348 for more general transgressions committed while in office: *LOS*, p. 72; KB 27/354/40Rd.

<sup>115</sup> Carpenter, 'Bastard feudalism in the fourteenth century', pp. 78-80.

<sup>116</sup> For more on these, see below, pp. 188 and 222.

<sup>117</sup> *CPR 1334-1338*, p. 580. Gorski found 'a handful' of cases where sheriffs were killed in office in the fourteenth century: Gorski, *Fourteenth-Century Sheriff*, p. 111.

<sup>118</sup> *CPR 1338-1340*, p. 184.

<sup>119</sup> See above, p. 82.

Grosmont flouted it entirely. The same, as has been shown above, can be said for the demand for local sheriffs under the first Henry.

As we have seen above, two of the local men – Gentil (1307-09 and 1320-22) and Neville (1315-17) – held multiple high offices, far beyond what their landed status would have suggested. These men are good examples of ‘semi-professional’ administrators, who had strong local ties while fulfilling the central government’s demands for professionalism. This goes against the idea of a complete ‘devolution’ of shrieval authority, if by that is meant the shrievalty becoming the prerogative of the local elite. Had the trend of local appointments under Thomas of Lancaster been allowed to continue, we might have seen more sheriffs like these two. As for the non-locals, there are at least two – Darcy and Cockayne – who can be considered professional in a different sense. These two had careers that brought them appointments of national importance, and far beyond the boundaries of their own counties. The appointment of professionals to the shrieval office was uncommon, however; normally these men would be members of the regular gentry. It is conspicuous how these ‘professional’ appointments tended to occur during periods of crisis: Neville was appointed on the eve of the 1315 rebellion, Darcy shortly after Boroughbridge, and Cockayne in 1345, after the Liverpool massacre. While the shrieval office was normally the preserve of the local elite, and/or the comital or ducal affinity, only the most experienced administrators were trusted with handling greater crises.<sup>120</sup> In Darcy’s case, we actually have proof that this was royal policy. Darcy was, as part of his appointment, indentured to the king, given a large sum of money and command of a number of men to restore order to the county.<sup>121</sup>

Regardless of the sheriff’s origin, experience and length of tenure, he was a likely target for the discontents of local society with the administrative system. Particularly during the inquisition of 1323, there were a great number of complaints raised against various royal officials, sheriffs included. Henry de Malton (1317-20), William Gentil (1320-22) and Robert de Leyburn (1322-23) were all charged with

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<sup>120</sup> In counties where the crown was in charge of the appointment of sheriffs, we see the clearest evidence of politically motivated appointments in times of crisis: Saul, *Knights and Esquires*, pp. 111-13; Wright, *Derbyshire Gentry*, p. 117.

<sup>121</sup> Darcy was given command of forty men-at-arms, six knights and twenty hobelars, and received £78 8s: Davies, *Baronial Opposition*, pp. 34, 567.

allowing bail to defendants who were not legally entitled to it.<sup>122</sup> As we shall see later, William Gentil was fined for returning knights to parliament without proper procedure.<sup>123</sup> He was also accused of apprehending Ralph de Singleton without cause, and holding him to ransom.<sup>124</sup> The 1323 proceedings, in the aftermath of Boroughbridge, were of a politically vindictive nature. The indictments can therefore not be taken at face value; we know that the Despensers used these methods both to make an example of local officers and to raise money.<sup>125</sup> But other indictments also reveal discontent with the sheriffs. In 1336 Richard de Radcliffe, a sheriff of local origin, was accused by William de Walton of destroying his crops at Ulnes Walton, though Radcliffe claimed he was simply acting as sheriff in seizing the goods of John de Thornton, who was an outlaw.<sup>126</sup> The crown also had occasional misgivings about the Lancashire sheriffs. In 1303, the sheriffs, bailiffs and other officials of Lancashire, along with those of the other northern counties, were accused of taking bribes from foot-soldiers and workers recruited for the Scottish campaign, so that they might return home. They had substituted these men with others 'less sufficient'. They were also accused of neglecting purveyance, of overburdening the poor and sparing the rich, and of retaining the surplus for themselves.<sup>127</sup> Though we cannot rule out that some used the office to cover up criminal activity, it is likely that many of these charges were fabricated.<sup>128</sup>

Only occasional mention has so far been made of connections between the sheriffs and the earl or duke of Lancaster, beyond the immediate circumstances of the sheriffs' appointments. These connections could take a variety of forms, from occasional official work, to more permanent association with the wider affinity, or belonging to the military or peacetime retinue, with receipt of an annuity. More will be said about the various forms of magnate connections in the following chapter but, in connection with the sheriff, the highest county official, this is a particularly

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<sup>122</sup> KB 254, m 32, 34.

<sup>123</sup> See above, p. 85.

<sup>124</sup> KB 254, m 33.

<sup>125</sup> Carpenter, 'Bastard feudalism in the fourteenth century', p. 80; *Bastard Feudalism in Fourteenth-Century Warwickshire*, pp. 23-4.

<sup>126</sup> JUST 1/430/6.

<sup>127</sup> *CFR 1272-1307*, p. 481.

<sup>128</sup> Carpenter, 'Bastard feudalism in the fourteenth century', pp. 79-80; *Bastard Feudalism in Fourteenth-Century Warwickshire*, p. 14.

important issue. At least thirteen of the twenty-one can be found to have some sort of connection with the earl or duke, before or after their time in office.<sup>129</sup> The list includes seven of the eight local sheriffs but only six of the thirteen non-local ones, though this number would probably be higher with more data. As mentioned above, there was a tendency, particularly among the local men, of coming into office as sheriff with little or no experience and this includes service to the earl or duke of Lancaster. Only seven of the thirteen men connected to the earl or duke in other capacities had any such connections prior to their tenure of the shrievalty and most of these are known through the pardons of 1313 and 1318, or through promised or actual military service.<sup>130</sup>

It is no surprise that a high number of sheriffs had ties to the earl or duke of Lancaster, since it was he who made the appointments for much of the period. More surprising is perhaps the fact that this number remained high during the period of crown appointments, from 1322 to 1327. All the four crown appointees – Leyburn, Darcy, Southworth and Warburton – can be connected to Thomas of Lancaster in some way.<sup>131</sup> This appears counterintuitive, since the crown seemed intent on

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<sup>129</sup> The thirteen were: Hoghton, who was the earl's verderer until Hoghton's death in 1318: *CCR 1318-1323*, p. 23. Gentil served as bailiff in the county at some point before 1322: *CCR 1318-1323*, p. 429. Neville was a central member of the noble retinue, serving with Thomas of Lancaster on the Berwick campaign in 1318-19: Maddicott, 'Thomas of Lancaster', pp. 546, 549. He also received an annuity of twenty marks a year of rent in Lancashire: Holmes, *Estates of the Higher Nobility*, pp. 134-40. In 1327 he was pardoned for arraying men for Thomas, 'of whose household he was a member': *CCR 1327-1330*, p. 20. Leyburn was among the men who received a pardon in 1313 for the death of Gaveston: *CPR 1313-1317*, p. 21. The same was the case with Darcy, who also belonged to Thomas's retinue: BL, Stowe MSS 690, f. 49. Southworth was on a similar list of pardons in 1318: *CPR 1317-1321*, p. 227. Warburton was steward of Halton before 1322: *CCR 1318-1323*, p. 532. Denum was with Henry of Lancaster in Scotland in 1336, as was Robert de Radcliffe: E 101/15/12. John le Blount had a long career of service to the two Henrys, and was a retainer as early as 1330: Somerville, *History of the Duchy of Lancaster*, p. 356. He accompanied Henry of Grosmont to the Continent in 1338-40 and 1345-46, and received an annuity in 1348: E 101/25/9/3; K.A. Fowler, 'Henry of Grosmont, first duke of Lancaster, 1310-1361', vol. II (Unpubl. Ph.D. thesis, Leeds University, 1961), pp. 244-63, 313-20. A similar case is Cockayne, who was appointed chief justice of the palatinate court by 1356: DL 35/5/1, 6/1. William de Radcliffe received a pardon through the earl in 1345, in exchange for a promise of service in France: *CPR 1343-1345*, p. 530-2.

<sup>130</sup> The seven were Leyburn and Darcy, who received pardons in 1313, Southworth who received one in 1318, Warburton who was steward of Halton for Thomas of Lancaster, Robert de Radcliffe who served with Henry of Lancaster in Scotland in 1336, John le Blount, who was a retainer by 1330, and William de Radcliffe, who received a pardon in 1345.

<sup>131</sup> Depending on how one counts, the crown made from four to six appointments. Gentil was originally appointed by the earl, but was retained by the crown for another two years after it assumed control of the office in 1320. Leyburn served for four months from October 1322 to February 1323, and was then reappointed in March 1326, and served until the end of the year.

punishing Lancaster-sympathisers in the period after Boroughbridge.<sup>132</sup> There are two possible explanations why men closely associated with a proclaimed traitor were still allowed to hold high local office. The first is that the extent of the Lancaster affinity made it virtually impossible to find local men unconnected to the earl in any way. While it is true that Lancaster's influence in the county was great, it should be noted that only one of the four sheriffs in question – Southworth – was from Lancashire. The three others were from the neighbouring counties of Cumberland, Yorkshire and Cheshire, where the earl of Lancaster had considerably less clout. A more likely explanation is that the crown, while eager to stamp out the resistance against the regime embodied by Thomas of Lancaster, still depended on the goodwill of Henry of Lancaster for the proper governance of the localities. While his land and offices were only gradually restored over time, the appointment of his men as administrators on a local plan was a minor concession.<sup>133</sup> The 1322-27 appointments, though the sheriffs accounted directly at the exchequer, could then in reality be considered Lancaster appointments.

To summarise: thirteen of twenty-one sheriffs were resident in other counties, though seven of these were from neighbouring counties. Only one, John de Denum, can be found to have obtained land in Lancashire, though he did not take up residency. Eight of these were knights, which constitutes a significantly higher proportion than that for the local men – two of eight. Though they had different levels of administrative experience, only three – Darcy, Cockburn and Denum – were purely professional, in the sense that they held high office in the legal or official administration of central or palatinate government. None of the local men fall into this category, though two – Gentil and Neville – stand out in the sense that their value to local society was primarily as administrators.

## **2. Knights of the Shire**

A position that was not a royal appointment, but still significant, was that of Member of Parliament. Borough representatives need not be dealt with here, as they were

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<sup>132</sup> See below, p. 182.

<sup>133</sup> For comparison, look at the Berkeley interest in Gloucestershire: Saul, *Knights and Esquires*, pp. 69-90.

rarely if ever members of the gentry, and a special allowance exempted the county of Lancashire from sending these.<sup>134</sup> The focus here will be on the two knights of the shire chosen to represent the county in parliament. Selection for this position is particularly significant in assessing the status of individual landowners since it reflects that person's esteem among his peers.<sup>135</sup> Parliament was also an occasion where the local gentry inevitably would come in contact with the royal court and central government – an opportunity particularly valuable for distant counties like Lancashire.

Although it is not always clear whether an assembly should be named a 'parliament' or a 'great council',<sup>136</sup> the main concern here is with the personnel of the assemblies that the king convened, not with their definition. As long as a royal assembly included an order for the sheriff to have knights of the shire selected, then the distinction between a parliament and a great council is mostly semantic.

From J.G. Edwards in the 1920s and onwards, there has been an effort to identify and analyse who the Members of Parliament were: their status, experience, rate of return etc.<sup>137</sup> There were, in the period from the 'model parliament' of 1295 (a convenient starting point, on the basis of available records) to that of May 1360, eighty parliaments to which shire representatives were summoned. From these there exist sixty-seven returns for the county of Lancashire, with a total of 133 names of

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<sup>134</sup> *VCH*, II, p. 197.

<sup>135</sup> It is here taken for granted that selection of the county representatives was carried out by the county gentry. For the question of magnate influence on the composition of parliament, see below, p. 141.

<sup>136</sup> Davies, *Baronial Opposition*, pp. 288-308; H.G. Richardson and G.O. Sayles, 'The parliaments of Edward III', *BIHR*, 8 (1930), pp. 66-71; 'Parliaments and great councils in medieval England', *Law Quarterly Review*, 77 (1961); T.F.T. Plucknett, 'Parliament', in J.F. Willard and W.A. Morris (eds.), *The English Government at Work, 1327-1336: Volume I, Central and Prerogative Administration* (Cambridge, Mass., 1940), pp. 86-8; A.L. Brown, 'The Commons and the Council in the reign of Henry IV', in E.B. Fryde and E. Miller (eds.), *Historical Studies of the English Parliament, vol. 2: 1399 to 1603* (Cambridge, 1970), pp. 34-5; J.R. Maddicott, *The Origins of the English Parliament, 924-1327* (Oxford, 2010), pp. 65.

<sup>137</sup> J.G. Edwards, 'The personnel of the commons in parliament under Edward I and Edward II', in A.G. Little and F.M. Powicke (eds.) *Essays in Medieval History Presented to Thomas Frederick Tout* (Manchester 1925), pp. 197-214; "'Re-election" and the medieval parliament', *History*, 11 (1926), pp. 204-10; K.L. Wood-Legh, 'The knights' attendance in the Parliaments of Edward III', *EHR*, 47 (1932), pp. 401-04; N.B. Lewis, 'Re-election to parliament in the reign of Richard II', *EHR*, 48 (1933), pp. 366-70; J.S. Bradford, "'The obscure lives of obscure men": the parliamentary knights of the shires in the early fourteenth century', in W.M. Ormrod (ed.), *Fourteenth Century England VII* (Woodbridge, 2012), pp. 117-18. A major contribution to this work, though unfortunately not covering the period of this dissertation, has been the History of Parliament project, particularly: *The History of Parliament: The House of Commons, 1386-1421*, 4 vols., ed. J.S. Roskell, L. Clark and C. Rawcliffe (Stroud, 1993).

knights of the shire (one parliament yields three names, two parliaments only one each).<sup>138</sup> These 133 names represent sixty-seven individual men, giving an average of almost exactly two parliaments each.

Knighthood was relatively rare among these men.<sup>139</sup> Of the sixty-seven, twenty-two came from knightly families but only eight were clearly knights at the time of their first election.<sup>140</sup> Two more were knighted by the time of their second election,<sup>141</sup> and a further six, who served only once each, were knighted after their parliamentary careers were over.<sup>142</sup> This gives us a knightly proportion ranging from around 12% - 24%, depending on whether we count only the eight from the first category or all sixteen. Even for the parliament of January 1340, where it was specifically requested that only belted knights should be returned, Lancashire sent two non-knights. It is worthy of notice that these two were both members of the Radcliffe family – the most prominent non-knightly family in the county. The request was repeated for the second parliament in March of that year and again in 1355 and 1358. On these occasions, only John de Dalton, returned in March 1340, was a knight. This confirms Wood-Legh's conclusion that there was little or no correlation between the wording of the writs and the status of the representatives returned.<sup>143</sup> It has long been clear that all knights of the shire were by no means belted knights but the percentage for Lancashire is still particularly low. The percentage for Warwickshire between 1332 and 1348 was about 25%, for fourteenth-century Gloucestershire approximately half, sixty percent for Nottinghamshire between 1327 and 1360, and more than sixty percent for later fourteenth-century Leicestershire.<sup>144</sup> These numbers, it should be

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<sup>138</sup> The following is based primarily on *RMP* and *Biog. Sketches*.

<sup>139</sup> For national trends on the return of knights to parliament, see: Wood-Legh, 'Sheriffs, lawyers and belted knights'; Musson, *Public Order and Law Enforcement*, pp. 135-6.

<sup>140</sup> These were William Banaster (1305), Henry de Trafford (1312), William de Bradshaw (1313), Edmund de Neville (1318), Robert de Shireburne (1335), John de Dalton (1340), Adam de Hoghton (1348) and William de Hesketh (1360). The status of Ralph de Bickerstaffe in 1313 is somewhat unclear.

<sup>141</sup> William de Clifton (between 1302 and 1306) and Richard de Hoghton (between 1322 and 1327).

<sup>142</sup> Henry Butler (1297, was knighted by 1311), Thomas Banaster (1314 and 1323), Roger de Pilkington (1316 and 1318), Thomas de Lathom (1324 and 1328), Adam Banaster (1332 and 1340) and John de Shireburne (1336 and 1341).

<sup>143</sup> Wood-Legh, 'Sheriffs, lawyers and belted knights', pp. 385-6. See also: Astill, 'The medieval gentry', p. 144.

<sup>144</sup> Astill, 'The medieval gentry', p. 148; Saul, *Knights and Esquires*, p. 120; Coss, *Origins of the English Gentry*, p. 198; P.D. Russell, 'Politics and society in Nottinghamshire, 1327-1360' (Unpubl. Ph.D. thesis, University of Nottingham, 2007), p. 75.

added, need to be compared to the lower of the two percentages given above for Lancashire, since these studies count only those knighted at the time of their election. In the reign of Edward III, the national proportion fluctuated between a quarter and half, though on average closer to the latter.<sup>145</sup> For a more comprehensive investigation, however, we need to look beyond formal status, to landed wealth.

If we go by the categorisation of landowners set out in the last chapter, and employed in this chapter for the sheriffs, we find that members of the wealthiest families were only rarely elected to parliament. Of those families found to have held five manors or more in Lancashire, only ten family members were elected to parliament – representing six families – for a total of eighteen times.<sup>146</sup> The rest can be divided into three approximately equal groups: those holding two to four manors, consisting of eighteen men from thirteen families sitting in thirty-nine sessions, followed by those with one manor each, who were twenty men from thirteen families, holding forty-seven seats. Finally, there was a group of eighteen men who held only minimal manorial lordship in Lancashire, such as Adam Bredkirk (1346), who held only a quarter of the manor of Greenhalgh.<sup>147</sup> These eighteen, all from different families, have a greater variety of provenance than the other groups, including such men as William de Sapirton (1330), who was one of the very few Lancashire knights of the shire who also sat for another county, namely Derbyshire (1328, 1334).<sup>148</sup> They were elected for a total number of only twenty-five times and most were one-timers. Apart from election to parliament, very few of these men held anything but minor commissions in the county, before or after. The picture that emerges is one where the middling stratum of Lancashire gentry bore the brunt of parliamentary representation, with an occasional part played also by the higher and lower part of that class.

Yet the status of the knights of the shire did not remain constant throughout the period in question. Of the thirty-three men who were returned to parliament for the first time up until 1324, ten were knights at the time of their first election or

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<sup>145</sup> Wood-Legh, 'Sheriffs, lawyers and belted knights', p. 385.

<sup>146</sup> Henry Butler of Warrington, Thomas de Lathom, Adam de Hoghton, Michael de Harrington and John de Radcliffe once each, William, son of Robert de Radcliffe and William de Walton twice each, and Richard de Hoghton, John de Harrington and Robert de Radcliffe three times each. Adam de Hoghton and William, son of Robert de Radcliffe, were also elected twice each at a later date.

<sup>147</sup> *VCH*, VII, pp. 179-81; DL 35/1/4d.

<sup>148</sup> Sapirton was a Yorkshire man, and does not seem to have been a landowner in either Lancashire or Derbyshire: *Biog. Sketches*, p 87.

later.<sup>149</sup> Of the thirty-five in the remaining years, only six can be identified as having knightly status. And yet, as we have seen above, the number of knights in the county increased, rather than decreased, during the period in question.<sup>150</sup> Furthermore, of the eighteen lower-status representatives or outsiders mentioned above, all but four appear after 1330. The same trend is seen in the frequency of re-elections.<sup>151</sup> While many sat for only one parliament in their lifetime, there are a few men who were returned repeatedly: Edmund de Neville holds the record for the period with nine times, while William de Bradshaw, John de Hornby Jr. and Henry de Haydock sat six times each. These are not particularly impressive numbers: in the period from 1295 to 1348, Suffolk and Surrey had men representing their counties twenty-two and twenty-three times respectively.<sup>152</sup> Of greater interest, though, is the change that seems to take place from the 1330s onwards, when re-election becomes less common. In fact, in the thirty years between 1335 and 1365 no one appears in the records more than three times each.

The reason for this trend can be found in the increase in military activity, in the sense that a great portion of the gentry were engaged in campaigns in France.<sup>153</sup> In the years 1345-47, for instance, we find that eight former knights of the shire for Lancashire were overseas or otherwise involved in military business outside the county.<sup>154</sup> Thomas de Lathom was with the king in the years 1344-47, John de Clitheroe was in France in 1346, Robert de Dalton was captain of the Tower of London from 1341 to 1346. John de Dalton fought at Crécy, John de Radcliffe was at the siege of Calais, while John de Shireburne was also part of the Crécy-Calais campaign. William de Radcliffe was in the company of the earl of Arundel in 1346,

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<sup>149</sup> Henry Butler of Warrington (1297), William de Clifton (1302), William Banaster (1305), Henry de Trafford (1312), William de Bradshaw (1313), Thomas Banaster (1314), Roger de Pilkington (1316), Edmund de Neville (1318), Richard de Hoghton (1322) and Thomas de Lathom (1324).

<sup>150</sup> See above, p. 51.

<sup>151</sup> For national trends of re-election, see: Lewis, 'Re-election to parliament', pp. 366-70; Wood-Legh, 'The knights' attendance', pp. 401-04; Denholm-Young, *Seignorial Administration*, pp. 59-63; Edwards, 'Personnel of the commons', pp. 151-54; Maddicott, *Origins of the English Parliament*, pp. 312-13, 338, 343, 351, 370 *et passim*.

<sup>152</sup> J.S. Bradford, 'Parliament and political culture in early fourteenth century England' (Unpubl. Ph.D. thesis, University of York, 2007), pp. 106-7; "'Obscure lives'", pp. 117-18.

<sup>153</sup> The same trend was found more generally for Warwickshire by Carpenter: *Bastard Feudalism in Fourteenth-Century Warwickshire*, pp. 47-8.

<sup>154</sup> Not surprisingly, this was a period of hectic military activity in many parts of the country: Astill, 'The medieval gentry', pp. 246-8; Saul, *Knights and Esquires*, pp. 158-9.

while Adam de Hoghton was in the company of the Black Prince the same year.<sup>155</sup> Such geographically extensive activity naturally drained the county of manpower and expertise and spread official responsibilities more thinly than would otherwise have been the case.

Frequent re-elections, in conjunction with the status of the representatives, is often taken as evidence of the popularity of the position.<sup>156</sup> Seen in this light, Lancashire – where the representatives were of middling, and over time declining status, and re-election rates were relatively low – can be seen as an exception to the national trend. This is not surprising; the journey to Westminster was long and costly, as the exemption for Lancashire boroughs shows.<sup>157</sup> Nevertheless, the election of knights of the shire was a much-valued right.<sup>158</sup> One indication of this can be found in infringements, which were unpopular, yet not uncommon.<sup>159</sup> A case from the 1323 inquisition, in which William Gentil, as sheriff, stood accused of abuse of office is one example. When a writ came to elect two knights for the upcoming parliament in October 1320, ‘which knights ought to have been elected by the whole community of the county, the same William elected Gilbert de Haydock and Thomas de Thornton without the consent of the community’.<sup>160</sup> Gentil could not deny the charges, and was taken into custody and later fined. Again, a high level of fabricated charges must be assumed in these highly punitive proceedings, but the choice of indictment is still interesting.

Finally, there is the question of where parliamentary representation fitted into an official career. Though levels of experience varied greatly among the knights of the shire, it is safe to say that the job was frequently an entry point to further government work.<sup>161</sup> Richard de Hoghton had no prior experience when he was elected to parliament in 1322, but this was to be the start of an exceptionally long and busy career, including work on several peace commissions, commissions of *oyer* and

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<sup>155</sup> C 76/23/8; E 101/25/9/3; *CPR 1343-1345*, pp. 530-2; 1345-1348, p. 486; *CCR 1345-1348*, p. 83; *CFR 1337-1347*, p. 492; Baines, *Lancaster*, vol. II, btw. pp. 352-3; *Biog. Sketches*, pp. 24-5, 29, 30, 63-4, 78-9, 83, 87; Fowler, ‘Henry of Grosmont’, vol. II, pp. 244-63.

<sup>156</sup> Edwards, ‘Personnel of the commons’, pp. 150-67; Astill, ‘The medieval gentry’, pp. 149-50; Saul, *Knights and Esquires*, pp. 127-8; Bradford, “‘Obscure lives’”, pp. 118-19.

<sup>157</sup> See above, p. 28.

<sup>158</sup> Maddicott, ‘County community’, pp. 32-3.

<sup>159</sup> Fleming, ‘Politics’, pp. 53-4; Bradford, “‘Obscure lives’”, p. 125.

<sup>160</sup> KB 27/254/32.

<sup>161</sup> Acheson suggests this may have made election desirable: *Gentry Community*, p.124.

*terminer*, and commissions of array, as well as two more elections to parliament.<sup>162</sup> As many as thirty of the first-time shire representatives, almost half, had no discernible official or military experience prior to their election. Much more rarely, parliament was the end of a career; nineteen men had no official or military obligations after their first election to parliament, but these include ten members from the list above, that is men who had no career outside of parliament. Looking at specific offices, it becomes clear that a seat in parliament did often lead to further opportunities. Most conspicuously, while only four men had served on *oyer* and *terminer* commissions before their first election, twenty-two did so afterwards. The trend is confirmed by other offices: for peace commissions: seven before and nineteen after; tax commissions: six before and thirteen after; and commissions of array: seven before and fifteen after. It is only logical that personal presence at the centre of government could open the way for more government work in the future. Often parliamentary and official service could be directly linked: Nicholas Butler sat at the parliament summoned to meet at Westminster on 7 June 1344, and was then appointed to a commission of the peace on 20 June of the same year.<sup>163</sup>

Against this trend, we can see that, while four men were returned to parliament after or during their tenure as sheriff, only three were appointed sheriff after their first election to parliament, though this number is of course too low to be awarded much significance.<sup>164</sup> More interesting is a look at military service, excluding commissions of array and other war-related official work. The number of those who had military experience before being elected to parliament is almost equal to those who served militarily after: twelve and fourteen respectively. This shows that there existed a *cursus honorum* in this society, where military service was supposed to precede, and prepare for, certain later offices.<sup>165</sup> Henry Butler, for instance, was a man

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<sup>162</sup> See e.g.: *CPR 1327-1330*, p. 90; *JUST 1/429/15*; *CPR 1321-1324*, p. 446; *1338-1340*, p. 272; *1330-1334*, p. 401; *1338-1340*, p. 135.

<sup>163</sup> *CPR 1343-1345*, p. 394. For this connection, see: Verduyn, 'Politics of law and order', p. 854; Musson, *Public Order and Law Enforcement*, p. 60; Coss, *Origins of the English Gentry*, p. 184.

<sup>164</sup> The first group consist of Gentil, Thomas Banaster, who was sheriff before our period, and Bickerstaffe and Neville, who both returned themselves. The second group is made up of Travers, William de Radcliffe, and Adam de Houghton, who became sheriff after our period.

<sup>165</sup> Saul, *Knights and Esquires*, pp. 57-9; Carpenter, *Locality and Polity*, pp. 60-1; Gorski, *Fourteenth-Century Sheriff*, pp. 141-2; Bradford, "'Obscure lives'", p. 121. The military experience parliamentarians gained under Edward III was carried into the less martial reign of his grandson:

who did little official work throughout his career, but, as befitted his position as heir to the great Warrington fee, served twice on campaigns in Wales and once in Ireland between 1277 and 1290. Then, in 1297, he was elected knight of the shire for Lancashire, only to die later that year.<sup>166</sup> Though parliament represented the start of an official career for many, there were also those for whom the opposite was the case.

Parliamentary representation was costly and cumbersome for a county so distant from Westminster as Lancashire, but that is not to say that it was unpopular. The low level of knightly representation can give this impression, but this fact must be seen in conjunction with specific local conditions; a look at status in a wider sense of the word shows the knights of the shire to be, generally speaking, men of local significance. That their status declined towards the later part of the period, in contrast to national trends,<sup>167</sup> was most likely a result of escalating military activity, rather than a decline in the perceived value of the office. Parliamentary service was popular not least because, for those who wanted this, it could serve as a stepping stone into other, even more prestigious, appointments.

### 3. Escheators

The office of the escheator went through great changes in this period, but can nevertheless be passed over quickly here. After a period of experimentation starting in 1322, each county was given its own escheator in 1341, where there had previously been only two nationwide.<sup>168</sup> Lancashire, however, remained an exception. Only in the period between the palatinates of Henry of Grosmont and John of Gaunt, from 1361 to 1377, did the county have an individual, royally appointed escheator. Up until 1341 it shared one officer with Warwickshire, Leicestershire, Nottinghamshire and Derby, after this it was combined with Cumberland and Westmoreland until the

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A. King, ‘“What werre amounteth”: the military experience of knights of the shire, 1369-1389’, *History*, 95 (2010), pp. 433-4.

<sup>166</sup> *Biog. Sketches*, p. 12.

<sup>167</sup> See above, p. 94.

<sup>168</sup> Tout, *Chapters*, vol. III, pp. 9, 49-50; S.T. Gibson, ‘The Escheatrics, 1327-1341’, *EHR*, 36 (1921), pp. 218-25; E.R. Stevenson, ‘The Escheator’, in W.A. Morris and J. R. Strayer (eds.), *The English Government at Work, 1327-1336: Volume II, Fiscal Administration* (Cambridge, Mass., 1947), pp. 113-21; Public Record Office (List and index Series, vol. lxxii), *List of Escheators for England and Wales*, Wood, A. C. (ed.) (New York (reprint), 1972); M.C. Carpenter, ‘General introduction’, in *Calendar of Inquisitions Post Mortem*, vol. XXII, ed. Kate Parkin (2003), pp. 4-5; Waugh, ‘The origins of the office of escheator’, pp. 227-66.

creation of the palatinate in 1351. None of these officers were Lancashire men.<sup>169</sup> As for the sub-escheators, these may have been men of a certain standing in local society, but as these officers only rarely reported directly to the exchequer, and therefore left little documentary evidence, we may never know who they were.<sup>170</sup> Of the three escheators who served under Henry of Grosmont – Henry de Yoxhale, Alan de Raynford and Geoffrey de Wrightington – two were Lancashire men.<sup>171</sup> Yoxhale was from Yoxhall in Staffordshire, but the other two were from Rainford in West Derby and Wrightington in Leyland respectively.<sup>172</sup> Worthy of special notice though, is Robert de Clitheroe, a cleric of local origin who served as escheator of the land north of Trent from 1315 to 1316.<sup>173</sup> Clitheroe later returned to serve as rector of Wigan church, and also took part in the rebellion of Thomas of Lancaster.<sup>174</sup>

#### 4. Oyer and terminer commissions

In the thirteenth century, the main source of royal justice in the localities was the eyre. It had done a large amount of local business, but it had been discontinued because of the war in France in 1294, and subsequent attempts to revive it were never successful.<sup>175</sup> In its place came a series of experimental measures to fill the gap it left behind. For a while, the King's bench played a central role in these experiments. The common law courts had by this time gained precedence over their lay competitors by greater efficiency and reliability and by effecting a wide range of pleas developed in the late twelfth century.<sup>176</sup> While the court of Common Pleas became more or less

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<sup>169</sup> *List of Escheators*, p. 73.

<sup>170</sup> Stevenson, 'The Escheator', pp. 115-20, 158; Saul, *Knights and Esquires*, p. 140. The view that the sub-escheators were substantial men has been challenged by Saul: *Knights and Esquires*, pp. 139-41.

<sup>171</sup> Somerville, *History of the Duchy of Lancaster*, p. 465.

<sup>172</sup> *VCH*, III, pp. 382-6; VI, pp. 169-78. Rainford was apparently an adherent of Robert de Holland: SC 8/14/672. Wrightington's landed wealth grew considerably after the period of his escheatorship: *VCH*, VI, pp. 169-78

<sup>173</sup> *List of Escheators*, p. 6; Tout, *Place of the Reign*, p. 362.

<sup>174</sup> KB 27/254/19.

<sup>175</sup> Harding, *Law Courts of Medieval England*, pp. 86-8; Kaeuper, *War, Justice, and Public Order*, pp. 176-7; Musson and Ormrod, *Evolution*, p. 44; C. Burt, 'The demise of the General Eyre in the Reign of Edward I', *EHR*, 120 (2005), 1-14. See also: D. Crook, 'The later eyres', *EHR*, 97 (1982), p. 245; Baker, *Introduction*, p. 23; M. Bubenicek and R. Partington, 'Justice, law and lawyers', in C. Fletcher, J.-P. Genet and J.L. Watts (eds.), *Government and Political Life in England and France, c.1300-c.1500* (Cambridge, 2015), p. 153.

<sup>176</sup> A. Harding, *The Law Courts of Medieval England* (London, 1973), p. 92; 'Plaints and bills in the history of English law, mainly in the period 1250-1350', in D. Jenkins (ed.), *Legal History Studies 1972* (Cardiff, 1975), p. 65; J.H. Baker, *An Introduction to English Legal History* (London, 3<sup>rd</sup> ed.,

permanently established at Westminster early in the thirteenth century, the King's Bench still for a while remained an itinerant court following the king around. It was not until the late fourteenth century that also this court was to be found at Westminster practically permanently.<sup>177</sup> The King's Bench had an advantage over the court of Common Pleas, in its jurisdiction over criminal cases involving offences against the king and breaches of the king's peace – that is, both felonies and trespasses. This distinction was made particularly clear from 1323 onwards, when the itinerant King's Bench could function as a trailbaston commission.<sup>178</sup>

When the King's Bench was used as an itinerant court in the provinces, it took on the role of a 'superior eyre'.<sup>179</sup> Yet it was never able to fully fill the gap left by the eyre. An innovation of the reign of Edward I were the commissions of *oyer and terminer*. These could be of either general or special nature. The special commissions could be obtained by private subjects to hear and determine specific cases. They soon gained great popularity, but also a reputation for corruption. The practice whereby plaintiffs could name their preferred justices opened up the possibility for abuse.<sup>180</sup> General commission were issued by the crown to deal with perceived disorder and misconduct in one or several areas.<sup>181</sup> In their most powerful form these were trailbaston commissions, with the same powers as the itinerant King's Bench occasionally held.<sup>182</sup>

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1990), pp. 27-8; Palmer, *County Courts of Medieval England*, pp. 287-8; Brand, 'The origins of the English legal profession', pp. 19-20; Spencer, *Nobility and Kingship*, p. 111.

<sup>177</sup> Maitland, *Constitutional History*, pp. 133-5; *Select Cases in the Court of King's Bench*, 7 vols., ed. G.O. Sayles (Selden Society, 1936-71); M. Hastings, *The Court of Common Pleas in Fifteenth Century England: A Study of Legal Administration and Procedure* (Ithaca, 1947); Baker, *Introduction*; Harding, *Law Courts of Medieval England*; J. Hudson, *Land, Law, and Lordship in Anglo-Norman England* (Oxford, 1994); Musson and Ormrod, *Evolution*.

<sup>178</sup> See above, p. 9.

<sup>179</sup> B.H. Putnam, *The Place in Legal History of Sir William Shareshull: Chief Justice of the King's Bench, 1350-1361: A Study of Judicial Administrative Methods in the Reign of Edward III* (Cambridge, 1950), p. 80; Harding, *Law Courts of Medieval England*, pp. 90, 96; Powell, *Kingship, Law, and Society*, p. 64; Musson and Ormrod, *Evolution*, pp. 19, 153-4, 194-205.

<sup>180</sup> R. Kaeuper, 'Law and order in fourteenth-century England: the evidence of special commissions of *oyer and terminer*', *Speculum*, 54 (1979), p. 759; Bellamy, *Bastard Feudalism and the Law*, p. 53; Carpenter, 'Bastard feudalism in the fourteenth century', p. 78. This was not banned by statute until 1360: Kaeuper, 'Law and order', p. 774; Carpenter, *Bastard Feudalism in Fourteenth-Century Warwickshire*, p. 42.

<sup>181</sup> Kaeuper, 'Law and order', pp. 734-84; Carpenter, 'Bastard feudalism in the fourteenth century', pp. 19-21.

<sup>182</sup> See above, p. 9. Kaeuper, 'Law and order', pp. 738-9; Musson, *Public Order and Law Enforcement*, p. 51. Such commissions visited Lancashire in 1334, 1346 and 1348, and also the 1341 commission

The *oyer* and *terminer* commissions stood in a position halfway between the centrally staffed assizes and the – at an early point – mostly local commissions of the peace. Though the crown had expressed a desire, in the Statute of Westminster of 1285, that these commissions should consist entirely of central court justices, shortage of staff made this impossible.<sup>183</sup> Instead, commissions were made up of central justices and local men in roughly equal numbers, though the composition depended to a large extent on the occasion. A commission from 1313, concerning a murder case between two minor local families, consisted of just John de Byron and Robert de Shireburne – both local men.<sup>184</sup> By contrast, the commission appointed by the crown in 1338 to look into the murder of the sheriff William le Blount the previous year contained eight men. Of these, only one, William Lawrence, can be identified as local.<sup>185</sup> The rest were either notable men from other counties or central justices, including a later chief justice of the King’s Bench, William de Sharesull.<sup>186</sup> Even more prestigious were the countrywide commissions issued in connection with Edward III’s purge of the administration in December 1340. For Lancashire were appointed Henry of Grosmont, then earl of Derby, and Gilbert de Umfraville, earl of Angus.<sup>187</sup> There were no local men on this commission, a sign of Edward’s desire for impartial justice.<sup>188</sup>

As for these local men, it is safe to assume that they – even more than the keepers of the peace – were what might be termed ‘semi-professional’, with a high degree of expertise and experience in legal matters.<sup>189</sup> The two most frequently used commissioners were John de Lancaster and Edmund de Neville, with thirteen and nine appointments respectively. Neville, as we have seen above, was probably a trained lawyer, while we can assume that Lancaster, who belonged to a baronial

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must probably be counted in this category: *CPR 1330-1334*, pp. 572-3; *1340-1343*, p. 314; *1348-1350*, p. 77; *CCR 1346-1349*, p. 79.

<sup>183</sup> Kaeuper, ‘Law and order’, p. 744.

<sup>184</sup> *CPR 1307-1313*, p. 542.

<sup>185</sup> For the Lawrence family, see above, p. 61.

<sup>186</sup> *CPR 1338-1340*, p. 184. See also the related commission from the previous year: *CPR 1334-1338*, p. 580.

<sup>187</sup> *CPR 1340-1343*, p. 112.

<sup>188</sup> The remaining two members were the central justice Thomas de Fencotes, and Thomas Surteys, who was seneschal of Durham in 1341: Foss, *Biographia Juridica*, pp. 429-30; W. Fordyce, *The History and Antiquities of the County Palatine of Durham* (London, 1857), p. 506.

<sup>189</sup> Musson and Ormrod, *Evolution*, pp. 62-8.

family in Westmorland, also had legal expertise by his frequent appointments to Lancashire commissions.<sup>190</sup> They were both from northern Lancashire or the border counties, a trait they shared with several others of those employed most frequently, such as John de Hornby and John de Harrington, with six commissions each. As for landed wealth, the men were of different status: while Lancaster and Harrington came from baronial families, Neville and Hornby were minor and recently established landowners.<sup>191</sup> What they did have in common was their belonging to that northern network that was not quite a Lancashire network, dominated as it was by families from the border counties. These northern men were, for various reasons, also frequently used as keepers of the peace, as we shall see later.<sup>192</sup>

One more characteristic shared by Lancaster and Neville was that they were both retainers of Thomas of Lancaster. John de Lancaster sat on at least one commission where the earl had a personal interest: the one appointed to deal with the Banaster rebellion in November 1315.<sup>193</sup> It could be, as Christine Carpenter has recently suggested, that, in the years of greatest conflict between Edward II and Thomas of Lancaster, we see a certain trend towards magnate influence over key local offices and commissions.<sup>194</sup> This runs parallel with the growing popularity of private *oyer* and *terminer* commissions at a time when the crown failed to provide sufficient legal remedies in the localities: of twenty-four commissions in Lancashire for the period from 1298 to 1351, thirteen were issued in the thirteen years from 1312 to 1324.<sup>195</sup> The magnate connection does not make these men the earl's cronies, however; their abilities is well demonstrated by the fact that both John de Lancaster and Neville continued to receive similar commissions long after Thomas of Lancaster's fall – until 1339 and 1341 respectively – and Lancaster as soon as 1324.<sup>196</sup>

Assessing these men's status is complicated by their large numbers; nearly a hundred different men served on one commission of *oyer* and *terminer* or other. In

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<sup>190</sup> For Lancaster, see above, p. 61. For Neville, see above, p. 60.

<sup>191</sup> See above, p. 60.

<sup>192</sup> See below, p. 109.

<sup>193</sup> *CPR 1313-1317*, p. 421.

<sup>194</sup> Carpenter, *Bastard Feudalism in Fourteenth-Century Warwickshire*, p. 115.

<sup>195</sup> For a similar trend on a national level, see: Kaeuper, 'Law and order', p. 741; Carpenter, 'Bastard feudalism in the fourteenth century', pp. 75-81.

<sup>196</sup> *CPR 1321-1324*, p. 446; *1338-1340*, pp. 366-7; *1340-1343*, p. 314.

special circumstances, like the murder of Henry de Bury in 1315 or the enforcement of the Ordinance of Labourers in 1350, the commissions were bolstered by a great number of local men.<sup>197</sup> If, however, we limit the scope to the most frequently used justices – those serving on three or more commissions – the picture becomes clearer.<sup>198</sup> Unsurprisingly, all these men were unambiguously gentry, belonging to the office-holding elite described in the last chapter.<sup>199</sup> More strikingly, an unusually high number were knights. Of the thirteen most frequently employed local justices, ten were knights.<sup>200</sup> For the less frequent commissioners, the knightly proportion is much lower; only three of about twenty-five, bringing the total to around 40%.<sup>201</sup> This preference for knightly justices can partly be seen as crown policy, but it is important to remember that the majority of the commissions – around 60% – were issued to private subjects. Since the justices were probably selected on the requests of the plaintiffs, the high knightly proportion can be seen as testament to the high regard these men enjoyed in their localities.

The justices who were not Lancashire men were for the most part professional justices associated with the royal court, though occasionally notables from other counties would also be employed, as in the case of Thomas Surteys mentioned above.<sup>202</sup> Nevertheless, there was a preference for northerners, because of their local knowledge and probably also for purely practical reasons.<sup>203</sup> Again looking only at those employed three or more times, we get a total of seventeen men. Of these, three each were from Durham, Leicestershire and Yorkshire, and two each from Staffordshire and Cumberland. The justices were largely the same as those who took the assize in the county.<sup>204</sup>

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<sup>197</sup> *CPR 1313-1317*, p. 419; *1350-1354*, p. 26. For more on Bury, see below, p. 226.

<sup>198</sup> This includes John de Lancaster, from Westmorland, and Richard de Huddleston, from Cumberland.

<sup>199</sup> See above, p. 58.

<sup>200</sup> The knights were: Henry de Kighley, John de Harrington, Richard de Huddleston, Robert de Lathom, Thomas de Lathom, John Byron, Robert de Shireburne, Thomas Travers, Robert de Barton and Henry de Trafford. The non-knights were: John de Lancaster, Gilbert de Singleton and John de Hornby.

<sup>201</sup> Adam de Hoghton served on one commission, John de Shireburne and William Dacre on two each.

<sup>202</sup> See above, p. 100 n. In June 1341, the term ‘magnates’ was used, for a commission consisting of Robert de Clifford, John de Harrington and Edmund de Neville: *CPR 1340-1343*, p. 314. Clifford was the only outsider to the county, and the only baron.

<sup>203</sup> Musson and Ormrod, *Evolution*, p. 59.

<sup>204</sup> On 30 June 1347, for instance, Roger de Blakestone and Thomas de Seton received a writ as assize justices in Lancashire. Only eight days later, the same two men were appointed to a general

Special *oyer* and *terminer* commissions were concerned with concrete crimes, and the scope of their responsibilities would be more limited than the general commissions. Though they could be empowered to hear and determine cases of felony, they were most commonly concerned with trespass, which had recently become a royal plea as well as a private one.<sup>205</sup> As for personnel, though there would normally be at least one justice of the central courts, the men commissioned here were generally more local and of lesser status.<sup>206</sup> Such commissions were often used for retaliatory purposes in local feuds.<sup>207</sup> In September 1332, Alice, widow of Henry de Walton received a commission against Robert de Hale, for the death of her husband.<sup>208</sup> Only five months later, in February 1333, Emma, widow of Robert de Hale responded with a commission directed against Margery, widow of Henry de Walton (a clerical error or different members of the same family), and others, for the death of *her* husband.<sup>209</sup> The tenseness of the situation is demonstrated by the fact that Robert had originally petitioned for a speedy hearing. Undoubtedly these crimes were not fictitious, but the case serves as evidence of how special *oyer* and *terminer* commissions served as one of the methods for pursuing feuds in gentry disputes, along with other legal remedies and arbitration.

The practice allowing plaintiffs to request specific justices opened these commissions up to abuse.<sup>210</sup> Thomas of Lancaster himself exploited this system to his own advantage, as had his father before him.<sup>211</sup> In Lancashire, special *oyer* and *terminer* commissions were not frequently used by the higher gentry, but at least one case implies partiality. In November 1302, Robert de Lathom made a complaint about trespass in his park at Knowsley, and received a commission with Adam de Crokedike, Henry de Kighley, Henry de Sutton and Thomas Travers as justices.<sup>212</sup>

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commission of *oyer* and *terminer* in the same county: *CCR 1346-1349*, p. 277; *CPR 1345-1348*, pp. 382-3.

<sup>205</sup> A. Harding, 'The origins and early history of the keeper of the peace', *TRHS*, 5<sup>th</sup> series, 10 (1960), pp. 104-9; Kaeuper, 'Law and order', p. 739; Carpenter, *Bastard Feudalism in Fourteenth-Century Warwickshire*, p. 78.

<sup>206</sup> Kaeuper, 'Law and order', p. 753; Musson, *Public Order and Law Enforcement*, p. 51.

<sup>207</sup> Bellamy, *Bastard Feudalism and the Law*, pp. 52-6.

<sup>208</sup> *CPR 1330-1334*, p. 354.

<sup>209</sup> *CPR 1330-1334*, p. 441. For the practice of counter-suing, see: Bellamy, *Bastard Feudalism and the Law*, p. 53.

<sup>210</sup> See above, p. 99.

<sup>211</sup> Maddicott, *Thomas of Lancaster*, p. 50; Prestwich, *Edward I*, p. 290.

<sup>212</sup> *CPR 1301-1307*, pp. 94, 187. Crokedike and Sutton were added in March 1303.

Only the year before, in October 1301, Lathom had served on a gaol delivery commission with Crokedike and Travers.<sup>213</sup> Though there is little sign of personal association between these men – their landed possessions were geographically distant – one could expect a certain level of professional loyalty to secure a favourable outcome for Lathom.

Gaol delivery commissions were different from *oyer* and *terminer* commissions in that they gradually became staffed by local justices alone. Musson and Ormrod notice a change around 1316 to complete reliance on locals.<sup>214</sup> In Lancashire this seems to have happened even earlier. Adam de Crokedike, a central justice from Cumberland, delivered the gaol in Lancashire in 1301 but in 1304 the commission was staffed by just two local men, Richard de Hoghton and Robert le Norreys.<sup>215</sup> Subsequent commissions in 1320 and 1330 were entirely local affairs.<sup>216</sup> After this, gaol delivery commissions became linked to assizes by the statute of 1330, as a consequence of which the commissioners became professionals.<sup>217</sup> Until it was banned by statute in 1340, there were still occasionally gentry appointed to assizes, while the rare non-assize gaol deliveries could contain local men.<sup>218</sup> There is no example of this occurring in Lancashire, however.<sup>219</sup>

There were major differences between the *oyer* and *terminer* and gaol delivery commissions and the peace commissions, the latter of which would later become the justices of the peace and eclipse the former.<sup>220</sup> There were also many similarities, particularly in personnel, as we will see in the next part.

## 5. Keepers and justices of the peace

The introduction and the previous section described the process of experimentation between c. 1300-60, wherefrom the key local commissions emerged.<sup>221</sup> The officers

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<sup>213</sup> JUST 1/417/1-8. Lathom was also in an *oyer* and *terminer* commission with Crokedike in June 1300: *CPR 1292-1301*, p. 550.

<sup>214</sup> Musson and Ormrod, *Evolution*, p. 64.

<sup>215</sup> JUST 1/417/1, 5. For Crokedike, see: Foss, *Biographia Juridica*, pp. 84-5.

<sup>216</sup> *CPR 1317-1321*, p. 542; *1327-1330*, p. 527

<sup>217</sup> This had been tried earlier, only on the Midland circuit, as early as 1299: Musson and Ormrod, *Evolution*, pp. 46-7.

<sup>218</sup> Musson, *Public Order and Law Enforcement*, pp. 110-17.

<sup>219</sup> See the gaol delivery for the county in 1340: JUST 3/29/3.

<sup>220</sup> Kaeuper, 'Law and order', pp. 740-2; Bellamy, *Bastard Feudalism and the Law*, pp. 52-3.

<sup>221</sup> See above, pp. 9 and 99.

that have received most attention from historians are the commissioners of the peace – or the keepers and eventually justices of the peace. This is because these would become the solution to longstanding problems of law and peacekeeping in the localities, after a period of experimentation with a number of different expedients.

The roots of the keepers of the peace can be traced back to 1195,<sup>222</sup> but they emerged fully in their capacity as peacekeepers during the period of baronial reform, in 1263.<sup>223</sup> Though the tasks they were entrusted with were diverse, their main responsibility was a military one: as leaders of the local militia.<sup>224</sup> Later, the Statute of Winchester of 1285 provided a framework for the responsibilities of the commissions.<sup>225</sup> Originally only intended as assistants to the sheriff, they were empowered to arrest suspects in 1316. They were also hearing indictments by the fourteenth century.<sup>226</sup> In 1329, their authority was expanded by the right to determine felonies and deal with suits of the party.<sup>227</sup> This right was revoked by statute the next year, and over the following decade, the right to determine cases of either trespass or felony was reinstated intermittently.<sup>228</sup> In 1344, peace commissions were reinforced with ‘men of law’, which set the pattern of the commission as it was to develop.<sup>229</sup> The arrangement was made official in 1350-51 with the quorum of assize justices that gave the commissioners the power to hear and determine cases of trespass and felony, effectively making them justices of the peace.<sup>230</sup> This right was confirmed by statute in 1361.<sup>231</sup>

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<sup>222</sup> *Select Charters and Other Illustrations of English Constitutional History: From the Earliest Times to the Reign of Edward the First*, ed. W. Stubbs (Oxford, 1913), pp. 257-8; T.F.T. Plucknett, *A Concise History of the Common Law* (Boston, 1956), p. 167; Jewell, *English Local Administration*, pp. 166-7.

<sup>223</sup> *CPR 1258-1266*, pp. 271-2; Treharne, *Baronial Plan of Reform*, pp. 315-18; Harding, ‘Origins and early history’, p. 87; Maddicott, *Simon de Montfort*, pp. 241-2.

<sup>224</sup> Harding, ‘Origins and early history’, p. 92; Jewell, *English Local Administration*, p. 167

<sup>225</sup> B.H. Putnam, ‘Shire officials: keepers of the peace and justices of the peace’, in J.F. Willard and W.A. Morris (eds.), *The English Government at Work, 1327-1336: Volume III, Local Administration and Justice* (Cambridge, Mass., 1950), p. 195; Plucknett, *Concise History*, p. 167; Musson and Ormrod, *Evolution*, p. 50.

<sup>226</sup> Cam, *Liberties and Communities*, pp. 165-72; Musson, *Medieval Law in Context*, p. 107.

<sup>227</sup> Musson, *Public Order and Law Enforcement*, p. 56; ‘Sub-keepers and constables: the role of local officials in keeping the peace in fourteenth-century England’, *EHR*, 108 (1993), p. 7.

<sup>228</sup> Musson, *Public Order and Law Enforcement*, pp. 56-61.

<sup>229</sup> Musson and Ormrod, *Evolution*, p. 51. The term ‘men of law’ as it is used by Musson and Ormrod can be confusing, since it is sometimes applied to local men skilled in the law and sometimes to professional lawyers of the central courts, compare: *Evolution*, pp. 51, 62-3. Here, the term ‘semi-professional’ will be used for the former, while ‘men of law’ will mean the latter.

<sup>230</sup> Musson, *Public Order and Law Enforcement*, pp. 117-18.

<sup>231</sup> *Statutes of the Realm*, vol. I, pp. 364-5.

The pioneer within the study of this institution was Bertha Putnam, with her studies of the transformation of the keepers of the peace into justices of the peace.<sup>232</sup> Here she describes the process as one of devolution from central to local control of justice in the localities. This, supposedly, resulted from a struggle for power between the crown, supported under normal circumstances by the nobility, and the gentry. The revised understanding of medieval English society brought on by the work of McFarlane exposed the weaknesses of this assumption. E. Powell, A. Verduyn and A. Musson have substantially revised the work of Putnam.<sup>233</sup> It is now understood that ‘consumer demand’, and developments within the legal profession and within the judicial system, not a deliberate effort by the crown, were most instrumental in bringing about the change in the legal system described by Putnam. Rather than a linear development, the process can be seen as ‘evolution’ through experimentation.<sup>234</sup> The importance of the justices of the peace should not be overemphasized, taking into account the long-term development of other agencies such as the assize and gaol delivery commissions. Furthermore, the power of the local justices of the peace never became absolute, in that their sessions and personnel tended to coincide with those of the royal assize justices.<sup>235</sup> The work of Musson and others shows that there was much central intervention in the judicial administration and policing of the localities, long past the point previously assumed.<sup>236</sup> Likewise, Anthony Verduyn has shown that the Commons in parliament had no consistent policy on justices of the peace contradicting that of the crown, at least not until the 1340s.<sup>237</sup> The early fourteenth century was not a struggle for power between crown

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<sup>232</sup> Putnam, ‘Transformation’, pp. 19-48; (ed.), *Kent Keepers of the Peace, 1316-1317* (1933). See also: A. Harding, ‘The origins and early history of the keeper of the peace’, *TRHS*, 5<sup>th</sup> series, 10 (1960).

<sup>233</sup> Powell, ‘Administration of criminal justice’, pp. 49-59; Verduyn, ‘Politics of law and order’, pp. 842-67; Walker, ‘Yorkshire justices of the peace’, pp. 281-313; Musson, *Public Order and Law Enforcement*, pp. 71-81; ‘Second “English Justinian”’, pp. 69-88; Musson and Ormrod, *Evolution*, pp. 50-1.

<sup>234</sup> Kaeuper, *War, Justice, and Public Order*, pp. 177-80; Musson and Ormrod, *Evolution*, pp. 1-11.

<sup>235</sup> Musson, *Public Order and Law Enforcement*, pp. 79-80; ‘Centre and locality: perceptions of the assize justices in late medieval England’, in R.W. Kaeuper (ed.), *Law, Governance and Justice: New Views on Medieval Constitutionalism* (Leiden, 2013), p. 214. See also: Powell, ‘Administration of criminal justice’, p. 51.

<sup>236</sup> Powell, ‘Administration of criminal justice’, pp. 49-59; Verduyn, ‘Politics of law and order’, pp. 842-67; Walker, ‘Yorkshire justices of the peace’, *EHR*, 108 (1993), pp. 281-313; Musson, *Public Order and Law Enforcement*, pp. 71-81; Partington, ‘Edward III’s enforcers’, pp. 89-106.

<sup>237</sup> Verduyn, ‘Politics of law and order’, p. 866; ‘The selection and appointment of justices of the peace in 1338’, *Historical Research*, 68 (1995), p. 12.

and parliament, but an adaptation to realities in the localities. The 1361 statute was also less significant than Putnam would have it, since their status continued to go through great changes until the end of the century.<sup>238</sup> The idea of devolution is therefore misleading; of greater importance are the emergence of a legal profession and the integration of central and local justice through the use of that profession. In the case of the justices of the peace, this was done working hand-in-hand with the local gentry, some of whom, in increasing numbers, were themselves fairly expert in the law.<sup>239</sup>

The study of judicial personnel on a local level can help answer some of the historiographical questions of fourteenth-century English legal developments. First of all, an analysis of the size and composition of peace commissions can contribute to a better understanding of the issue of devolution versus collaboration between the central and local justice systems. Furthermore, a more extensive study of the local men, looking at their professional and tenurial background, can shed further light on the place of royal justice in the localities and the corresponding attitudes of regional society.

Perhaps of greatest importance is the question of how the size and composition of the commission changed, as their powers expanded throughout the fourteenth century, and continued to do so into the fifteenth. Early fourteenth-century commissions were of a relatively small size. In the aftermath of the Black Death, especially from 1352 onwards, the commissions grew in number and began to include more magnates, in an effort to enforce the new labour regulations.<sup>240</sup> It was only towards the end of the century – once determining powers were secured – that commissions were expanded to include large numbers of ordinary gentry members, in

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<sup>238</sup> Putnam, 'Transformation', pp. 44-5; 'II – Recent legislative and administrative changes', in *Yorkshire Sessions of the Peace, 1361-1364* (Wakefield, 1939), pp. xii-xv. For the dissemination of Putnam's emphasis on the 1361 statute, see: Harriss, 'Formation of parliament', p. 51; D. Biggs, 'Henry IV and his JP's: the Lancastrianization of justice, 1399-1413', in D. Biggs, S.D. Michalove and A.C. Reeves (eds.), *Traditions and Transformations in Late Medieval England* (Leiden, 2001), p. 59. For a summary of the revision, see: Carpenter, 'War, government and governance', pp. 16-22.

<sup>239</sup> Musson, *Public Order and Law Enforcement*; 'Attitudes to royal justice in fourteenth century Yorkshire', *Northern History*, 39 (2002), pp. 173-85; Carpenter, 'War, government and governance'. See also: P. Brand, *Origins of the English Legal Profession* (Oxford, 1992); 'The origins of the English legal profession', in *The Making of the Common Law* (London, 1992), pp. 1-20. This all relates to the whole conflict over annual replacements, see above, p. 71.

<sup>240</sup> Ormrod, *Edward III*, p. 123; Musson and Ormrod, *Evolution*, pp. 70-2

addition to the earlier 'men of law'.<sup>241</sup> This growth trend continued into the fifteenth century, but at the same time the men involved became more prominent. As the number of gentry increased, the proportion of 'men of law' decreased.<sup>242</sup>

The evidence for Lancashire is somewhat complicated by the fact that here, more than in most other counties, the crown seems to have attempted to deal with problems of lawlessness by the use of exceptionally large peace commissions, and these became only larger and more frequent towards the end of the period of royal justice. Four commissions stand out. In 1323, in the aftermath of the great royal inquisition in the county, four chief keepers of the peace for the county and four to six sub-keepers for each wapentake were appointed.<sup>243</sup> A similar commission was appointed in 1332, with twenty-five commissioners altogether.<sup>244</sup> In 1345, an appointment of forty commissioners was made, to investigate the Liverpool massacre.<sup>245</sup> Finally, in 1350, a commission containing sixty men was appointed for the county.<sup>246</sup> The remaining commissions adhere closer to the norm. In the commissions appointed for Lancashire in the early fourteenth century we see the expanding numbers clearly. From 1305 until 1326, most commissions had only two or three members. From this point on the numbers increased only slightly; commissions in 1327 and 1329, 1338, 1340 and 1344 listed four or five men.<sup>247</sup>

On the question of status, however, Lancashire presents a different picture. The practice of appointing magnates to peace commissions was rare in Lancashire,

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<sup>241</sup> Saul, *Knights and Esquires*, pp. 133-4; Musson, *Public Order and Law Enforcement*, p. 80; Musson and Ormrod, *Evolution*, pp. 69-70; Carpenter, 'Bastard feudalism in the fourteenth century', p. 67; *Bastard Feudalism in Fourteenth-Century Warwickshire*, p. 41.

<sup>242</sup> Baker, *Introduction*, pp. 30-1; Wright, *Derbyshire Gentry*, pp. 94, 109; Acheson, *A Gentry Community*, p. 130; Carpenter, *Locality and Polity*, pp. 267-9. But see: Coss, *Origins of the English Gentry*, p. 200.

<sup>243</sup> *CPR 1321-1324*, p. 382; Tupling, *South Lancashire*, pp. lvi-lxi, 108.

<sup>244</sup> JUST 1/428. This was perhaps in preparation for the King's Bench visit to the county in 1334: KB 27/296.

<sup>245</sup> *CPR 1343-1345*, p. 509-10.

<sup>246</sup> C 66/230/3d; *CPR 1348-1350*, p. 533. The purpose of this commission was perhaps to enforce the Ordinance of Labourers; an *oyer* and *terminer* commission from just two months earlier had specifically been given this task: *CPR 1350-1354*, p. 26. For more on these unusually large commissions, see below, pp. 188 and 222

<sup>247</sup> *CPR 1327-1330*, pp. 90, 422; *1338-1340*, p. 135; *1340-1343*, p. 98; *1343-1345*, pp. 394-5.

where magnate presence was low.<sup>248</sup> Furthermore, Lancashire was no longer part of the arrangement once the practice intensified around 1352. The relative absence of magnates may help explain the relatively high status of the local men involved. From 1307 till 1314, the only two justices for the county were John de Byron and Robert de Lathom, both knights.<sup>249</sup> From the 1320s onwards, commissions would normally feature either John de Harrington or Richard de Hoghton, both of whom were also knights.<sup>250</sup> Of the thirty appointed in 1323, as many as twenty were knights, an exceptionally high proportion compared to what we have seen above about the proportion of knights in other official positions, and considering the scarcity of knights in the county.<sup>251</sup> The most frequently used commissioners, such as Lathom and Richard de Hoghton, also came from the wealthiest and most prominent families in the region. To understand this apparent divergence from the national trend, it is important to remember that the keepers of the peace in their origin from 1264-65 were, as we have seen, charged with military responsibilities, remnants of which can be found as late as in the wording of the 1338 appointment.<sup>252</sup> For a quasi-border county like Lancashire, the military aspect was of even greater significance, which might help explain the frequent inclusion of men of knightly status, with the power and influence to assist with military recruitment in the region.

By looking at these commissions, we can submit the personnel to similar study as of the other officers.<sup>253</sup> If we look at nineteen normally-sized commissions between

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<sup>248</sup> Henry of Lancaster was appointed to a commission of *oyer* and *terminer* for Lancashire and Yorkshire in 1341: *CPR 1340-1343*, p. 112; *CCR 1341-1343*, p. 3. His son was, at a later date, frequently included in peace commissions for his other counties: Yorkshire, Lincolnshire, Leicestershire and Derbyshire: Musson and Ormrod, *Evolution*, pp. 71-2.

<sup>249</sup> *CPR 1307-1313*, pp. 30, 54, 204; *1313-1317*, pp. 108, 124

<sup>250</sup> *CPR 1324-1327*, pp. 228, 285; *1327-1330*, pp. 90, 422; *1330-1334*, pp. 136, 286, 292; *1340-1343*, p. 98; *1343-1345*, p. 394.

<sup>251</sup> The twenty were Nicholas Butler, William Butler, John de Byron, Ralph Dacre, William Dacre, Robert de Dalton, Baldwin de Gynes, John de Harrington, Michael de Harrington, Richard de Hoghton, John de Huddleston, Richard de Huddleston, Richard de Kighley, Robert de Lathom, Thomas de Lathom, Edmund de Neville, Robert de Neville, John de Shireburne, Robert de Shireburne and Geoffrey de Warburton.

<sup>252</sup> *CPR 1338-1340*, pp. 134-5; Maddicott, *Thomas of Lancaster*, p. 142; Harding, 'Origins and early history', pp. 92-6; *Law Courts of Medieval England*, p. 93; Baker, *Introduction*, p. 29; Musson, 'Peacekeeping in early-fourteenth-century Lancashire', p. 43; Musson and Ormrod, *Evolution*, pp. 70-1; Carpenter, *Bastard Feudalism in Fourteenth-Century Warwickshire*, p. 12; R. Cassidy, 'Simon de Montfort's sheriffs, 1264-5', *Historical Research*, 91 (2018), p. 6.

<sup>253</sup> *Parl. Writs*, vol. I, p. 407; II, ii, pp. 151, 275; *CPR 1307-1313*, pp. 30, 54, 204; *1313-1317*, pp. 108, 124, 130; *1317-1321*, p. 176; *1321-1324*, p. 382; *1324-1327*, pp. 228, 285; *1327-1330*, pp. 90, 422,

1305 and 1344, national or local, for which we have names, we get groups from two to seven members, which corresponds with the numbers for Gloucestershire in the same period.<sup>254</sup> Altogether there were thirty different officers, nineteen of these appearing only once, while others appeared eight times (John de Harrington), ten (Thomas de Lathom), or eleven (Richard de Hoghton). What these most frequent commissioners had in common was that they belonged to the absolute top level of the local aristocracy, while among the less frequent ones we also find outsiders, like Thomas de Fishburn of Northumberland.<sup>255</sup> Conspicuously, with a couple of exceptions they were all local men, or northern lords with a landed interest in the county, like Harrington. As for the professional background of these men, this is a much more difficult question. From 1327 onwards, Edmund de Neville, whom we have already identified as someone probably of legal background, served occasionally on the commissions.<sup>256</sup> Again, though, we see that the distinction between professional administrators and local gentry is an artificial one, and that we are probably dealing with the so-called ‘semi-professional’ gentry. As mentioned above, only Neville ever served both as sheriff and as keeper of the peace,<sup>257</sup> but this is only natural given the low number of local men who served as sheriff in this period. A comparison with other offices shows more overlap. Eleven of the thirty were at some point knights of the shire, while fourteen were at some point on *oyer* and *terminer* commissions.<sup>258</sup> For ten of these, appointment to an *oyer* and *terminer* commission coincided with service on a peace commission.<sup>259</sup> This further shows the

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429; 1330-1334, pp. 286, 136, 292; 1334-1338, p. 210; 1338-1340, p. 135; 1340-1343, p. 98; 1343-1345, p. 394.

<sup>254</sup> Saul, *Knights and Esquires*, p. 133.

<sup>255</sup> Fishburn was a justice itinerant, see: Foss, *Biographia Juridica*, p. 254. A William and a Henry de Fishburn were included in the pardon for the death of Gaveston in 1313: *CPR 1313-1317*, p. 227.

<sup>256</sup> See above, p. 60.

<sup>257</sup> See above, p. 80.

<sup>258</sup> The number for overlap with the knights of the shire does not correspond with the one given above, since that number also includes the expanded commissions: see above, p. 109.

<sup>259</sup> John de Byron was appointed commissioner of the peace in April 1310 and June 1314: *CPR 1307-1313*, p. 204; *1313-1317*, p. 124; and appointed justice of *oyer* and *terminer* in December 1310 and October 1314: *CPR 1307-1313*, p. 328; *1313-1317*, p. 241. Similarly for the others: William Dacre: June 1314 and November 1315; *CPR 1313-1317*, p. 130; *1313-1317*, p. 421; John de Harrington: October 1340 and June 1341; *CPR 1340-1343*, pp. 98, 314; Richard de Hoghton: November 1323 and July 1338, and June 1324 and February 1339: *CPR 1321-1324*, pp. 382, 446; *1338-1340*, p. 135; *1338-1340*, p. 272; John de Hornby: July 1338 and February 1339; *CPR 1338-1340*, pp. 135, 272; Richard de Huddleston: February 1331 both: *CPR 1330-1334*, pp. 133, 136, 286, 292; Robert de Lathom: May 1320 and June 1320: *CPR 1317-1321*, p. 606; *Parl. Writs*, vol. II, ii, p. 151; Thomas de Lathom: March

interconnection between these two offices, demonstrated by Musson, which he has shown to undermine the importance attributed to the determining powers of the peace commissions.<sup>260</sup>

Over time, the appointments showed a remarkable tendency towards continuity, as can be seen in the frequent use of Byron and Lathom initially, then Harrington and Hoghton. This ensured the presence of experienced and high-status men on the commissions at any time. The prestige of the men involved did not drop as the size of the commissions grew: four of five commissioners were knights in 1340, while the ‘reinforced’ 1344 commission had seven men appointed to it who were all knights.<sup>261</sup> Yet this applies only to the normal-sized commissions, and not to the expanded ones. Among the knights of the shire we saw a clear drop-off in status as the active phase of the Hundred Years’ War began.<sup>262</sup> The same tendency can be found among the keepers of the peace; the period from the start of wide-scale military recruitment in 1345 until the introduction of the palatinate in 1351 saw only two peace commissions in Lancashire: the super-sized ones of 1345 and 1350.<sup>263</sup> In terms of prestige, these were both rather low-level affairs; one could say that quantity had been substituted for quality. It is possible that, with the scarcity of expertise brought on by the war, the crown tried instead to treat peacekeeping as a communal affair. This communal approach to peacekeeping would be stated explicitly under the palatinate.<sup>264</sup>

Many of the most frequent peace commissioners, such as Dacre, Harrington and Neville, were Lancaster retainers.<sup>265</sup> As so often, though, we are faced with a dilemma: we do not know if this was the result of magnate influence on appointments, or simply a natural consequence of the fact that the most important men in the region

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1331 and July 1344, and September 1332 and February 1344: *CPR 1330-1334*, pp. 292, 354; 1343-1345, pp. 394, 278; Edmund de Nevill: July 1338 and February 1339: *CPR 1338-1340*, pp. 135, 272; John de Shireburne: July 1344 and December 1344: *CPR 1343-1345*, pp. 394, 425.

<sup>260</sup> Musson, *Public Order and Law Enforcement*, pp. 71-81. The tendency is harder to detect, for the – relatively few – gaol delivery commissions for which we have names: Musson, *Public Order and Law Enforcement*, p. 80.

<sup>261</sup> *CPR 1340-1343*, p. 98; *1343-1345*, p. 394. There were only five men on the commission at any given time; Robert de Nevill and John de Shireburne replaced Edmund de Nevill and Nicholas de Butler at a later date: *CPR 1343-1345*, p. 396.

<sup>262</sup> See above, p. 94.

<sup>263</sup> C 66/230/3d; *CPR 1343-1345*, pp. 509-10; *1348-1350*, p. 533.

<sup>264</sup> See below, p. 268.

<sup>265</sup> For more on the Lancaster affinity, see the following chapter.

were retained, and retained by Lancaster. The influence of the most powerful commissioners must have been partly curbed by the larger appointments that were made sporadically, as special peace-making efforts by the crown, such as the ones in 1323 and 1345. In 1351, however, roughly corresponding with the time when we can truly start talking about justices of the peace, Henry of Grosmont was given his own judicial system for Lancashire. The result was a series of non-resident justices in charge of the palatinate court.<sup>266</sup> As the records fall into the hand of the palatinate court, the staffing of the lower levels of local peacekeeping becomes murkier for the historian.

Peculiarities of the time and of the region make it hard to draw strong conclusions about the evolution of various offices during the period in question. The shrievalty was in private hands and appointments depended as much on the personal preferences of the lord of Lancashire as on historical development. The type of knight of the shire had to adapt to the availability dictated by military activity and the commissioners of the peace – while clearly increasing in numbers from the early days of the century onwards – disappeared completely in the county in 1351.

Comparing the various offices is more fruitful. An appendix shows the main offices as they were held by the greater gentry families of Lancashire, as well as by prominent outsiders (see **Appendix 2, p. 281**). The chart is divided into sheriffs, knights of the shire, commissioners of array, commissioners of *oyer* and *terminer*, keepers or justices of the peace, tax collectors, and other, minor or unspecified appointments. It also shows whether these individual officers were knighted or not. The reasons why knights were preferred over others for certain positions were several. There were purely formal requirements, as occasionally for the knights of the shire, but these were never rigidly followed anyway. More important were the financial prerequisites common to both knighthood and certain offices, the military associations of the keepers and justices of the peace that were still inextricably linked to knighthood, as well as the social status that a knightly title carried, making such men better adapted to carry out certain jobs. A complete list would have confirmed what the printed chart indicates: that there was a status hierarchy among different offices.

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<sup>266</sup> Somerville, *Duchy of Lancaster*, p. 467.

Of the sheriffs and the commissioners of array, around two thirds were knights. For commissioners of the peace, the percentage was around sixty, while knights of the shire were knights and non-knights in almost equal numbers. Of the local *oyer* and *terminer* justices, around forty percent were knights, though for the most frequent commissioners, that percentage must be doubled. At the bottom of the scale were the tax commissioners, of whom only about forty percent were knights.<sup>267</sup> This reflects the relative status and importance of the various offices, but also their military roles: primarily that of the commissioners of array and the sheriffs, but also that of the commissioners of the peace.<sup>268</sup>

But again, the formal status of the office-holders tells only part of the story. As this chapter has shown, the elite of the county's landowning class was deeply involved in official work, often to a high degree compared to other counties in the same period. This is perhaps the result of the economic and geographical conditions of the county, meaning that the – already not very numerous – gentry were left with few other paths open for social advancement. Still, the picture is a blurry one. If we look for examples of Lapsley's 'buzones', or men of low status who advance through official service, then Neville and Gentil are probably our best candidates, though even these could style themselves lords of their manors.<sup>269</sup> The idea of a small elite of 'semi-professional' local gentry is probably more appropriate, but there are also a great number of men who occurred only sporadically. In many cases, as we have seen, major office-holders were of junior branches, younger sons, or even bastards. Meanwhile, at the very top of landowning society there were those, like William Dacre and John de Harrington, who took their official duties very seriously, while others, like William Butler of Warrington, hardly figure at all. The line between the

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<sup>267</sup> See also: Astill, 'The medieval gentry', pp. 142, 182, 186. This tendency was still evident in the fifteenth century: Acheson, *Gentry Community*, p. 116. It should be noted that Coss finds a high proportion of knights among tax collectors before 1334: Coss, *Origins of the English Gentry*, pp. 199-200. This was not the case in Lancashire.

<sup>268</sup> For the military associations of the commissioners of the peace, see above, p. 109. For the military role of the sheriff, see Morris, *The Medieval English Sheriff*, pp. 234-40; Cam, *Hundred and Hundred Rolls*, pp. 85-7.

<sup>269</sup> G.T. Lapsley, 'Buzones', *EHR*, 47 (1932), pp. 177-93, 545-67; Pollock and Maitland, *History of English Law*, pp. 553; Acheson, *Gentry Community*, pp. 132-3.

professional and amateur officer is at best blurred, and to describe the typical local official in the first half of the fourteenth century would be impossible.<sup>270</sup>

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<sup>270</sup> Palmer, *County Courts of Medieval England*, pp. 130-5; Musson, *Public Order and Law Enforcement*, p. 14.

## 4. Local and Regional Networks

The following chapter will look at the same men as above, to study in more detail the social and political networks of which they formed part. This is done in two parts: the first deals with regional and national connections, involving the higher aristocracy, while the second looks at networks within the county, though never losing sight of the fact that these two levels could be interconnected and mutually formative. As part of this it is necessary to go into more details on the question of bastard feudalism. There will also be a discussion of the various sources central to a study of this topic, such as the indentures and annuities central to magnate-gentry relations, and the official, legal and private evidence more relevant to local networks.<sup>1</sup> The key questions of the chapter will be how the special geographical, economic and administrative conditions of Lancashire affected the formation of networks, and furthermore, to which extent the earls and duke of the county were involved in the county's affairs. All of this, as we shall see, we now have to approach without the received wisdom of fifteenth and late-fourteenth century historiography, and simply look at the evidence at hand.<sup>2</sup>

One of the key historiographical issues concerning late medieval England in the post-McFarlane era has been the question of local power structures: whether the nobility dominated local affairs, or the local gentry acted as a largely independent entity.<sup>3</sup> Essential to this discussion is a better understanding of the social and political networks formed by members of society, and of the factors that influenced the formation of these networks. This brings us back to the problematic concept of bastard feudalism. We have already explored the historiography of the term and concept in general above,<sup>4</sup> yet it is important to remember that we are dealing with a multifaceted phenomenon, comprising tenurial, military, political, judicial and social structures.<sup>5</sup> For the purpose of this chapter, we need to look more narrowly at one

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<sup>1</sup> For the former, see below, p. 117, for the latter p.148.

<sup>2</sup> Carpenter, *Bastard Feudalism in Fourteenth-Century Warwickshire*, pp. 5-7.

<sup>3</sup> For more on this see above, p. 6.

<sup>4</sup> See above, p. 3.

<sup>5</sup> Bellamy, *Bastard Feudalism and the Law*, pp. 2-3, 79; Coss, 'Bastard feudalism revised', p. 30; 'Bastard feudalism revised: reply', *P&P*, 131 (1991), pp. 198-9; Carpenter, 'Debate', p. 178; Hicks, *Bastard Feudalism*, p. 2; Simpkin, 'The English "proto-gentry"', p. 922.

specific aspect of bastard feudalism, namely the relations between lords and men, through war- and peacetime retinues, and looser forms of relationships.

Seminal as the work of McFarlane was, it owed a great debt to the research of other, earlier and contemporary historians. That research included Lewis' and Prince's work on the indenture system, and Morris's study of Edward I's method of recruitment for the Welsh Wars.<sup>6</sup> This work, mostly on the thirteenth and fourteenth centuries, enabled McFarlane to describe the origins of bastard feudalism as he saw it, and to further delineate its development up until the time that was his own main focus – the fifteenth century.

The problem this background presented was that it mainly focused on military history, and relied almost exclusively on the indenture of retainer as an historical source. Though McFarlane himself expanded on this material with the addition of a wider range of sources, and a field of research including also the estate management and family politics of the nobility,<sup>7</sup> many argued that this version of bastard feudalism's origins was far too limited, and that – consequently – so was also the view of its later manifestation. McFarlane himself realized by 1966 that service was of greater importance than military obligations in bastard feudal relations, and that therefore other forms of associations than that constituted by the indenture of retainer had to be considered.<sup>8</sup>

Under this wider outlook, a consensus emerged on what bastard feudalism actually was. It was a fully functional and respectable form of social organisation, not subversive, as previously assumed. It was mostly centred on the lord's locality, and therefore not unstable or divisive. Its benefits, freed from the narrow focus on military recruitment, were of a subtler form: the lord protected his men's estates through influencing the legal process, while his followers staffed local administration and thereby secured his place as a guarantor of royal authority in the localities.<sup>9</sup>

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<sup>6</sup> McFarlane, 'Bastard feudalism', pp. 162-4; Morris, *Welsh Wars*, pp. 68-9; Prince, 'The strength of English armies'; 'The indenture system'; 'The Army and Navy'; Lewis, 'An early indenture'.

<sup>7</sup> See in particular: *The Nobility of Later Medieval England*, chs. 3-5. See also: Holmes, *Estates of the Higher Nobility*; and Denholm-Young, *Seignorial Administration*.

<sup>8</sup> Harriss, 'Introduction', p. x; Coss, 'Bastard Feudalism revised', p. 31.

<sup>9</sup> For more extensive summaries of this consensus, see: Carpenter, 'Bastard feudalism in the fourteenth century', pp. 59-62; *Bastard Feudalism in Fourteenth-Century Warwickshire*, pp. 1-5.

Once the indenture of retainer was given less significance, some historians took this as an opportunity to question whether the limitation of bastard feudalism to the period from the 1270s onwards was too narrow.<sup>10</sup> Looking purely at military recruitment, this makes sense. The absence of evidence before this period does not constitute evidence of absence; we know that the rate of survival of these documents was low.<sup>11</sup> The tentative language of the earliest surviving indentures may suggest that this exact form of contract was a recent innovation, but nevertheless, it is important not to focus exclusively on the precise nature of the contracts in question, since similar forms of contract did exist earlier.<sup>12</sup> The question, rather, is whether we can conclude from this that bastard feudalism as a system of legal and administrative control existed in the thirteenth, or even twelfth centuries, like the authors of the *Past & Present* 'Debate' did.<sup>13</sup> It now seems more likely that royal administration was not sufficiently devolved at that time for this to be the case.<sup>14</sup>

Given this, and taking into account the summary in the previous chapter about the revised view of devolution in the early fourteenth century,<sup>15</sup> can we reasonably assume that bastard feudalism existed fully formed even then? We may shed some light on this by looking in more detail on the various forms of association involved, and the sources documenting these. The most basic forms of bastard feudal bonds have already been mentioned: the indenture of retainer and the annuity. Though perhaps over-emphasised by earlier historians, the indenture of retainer is nevertheless essential to an understanding of how feudal relations evolved in the years from the

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<sup>10</sup> An early case for bastard feudalism's earlier precedents was made in: J.O. Prestwich, 'The military household of the Norman kings', *EHR*, 94 (1981), pp. 1-35.

<sup>11</sup> McFarlane, 'Bastard feudalism', pp. 163-4; Holmes, *Estates of the Higher Nobility*, pp. 78-9; Carpenter, 'Beauchamp affinity', p. 515; M.C. Prestwich, *The Three Edwards: War and State in England 1272-1377* (London, 1980), p. 127; *Plantagenet England*, p. 381; Bean, *From Lord to Patron*, pp. 11-12; Davies, *Lords and Lordship*, pp. 197-8, 206-7. For the view that the indenture of retainer, or similar documents, date back further than the 1270s, see: M.C. Prestwich, *War, Politics and Finance*, p. 66; J.O. Prestwich, 'The military household', p. 8; S.L. Waugh, 'Tenure to contract: lordship and clientage in thirteenth-century England', *EHR*, 101 (1986), pp. 819-20; Crouch, *The Image of Aristocracy*, pp. 135-6; Hicks, *Bastard Feudalism*, pp. 19-21.

<sup>12</sup> Bean, *From Lord to Patron*, pp. 42-8; 'Private Indentures for Life Service in Peace and War 1278-1476', ed. M. Jones and S.K. Walker, *Camden Miscellany*, 32, 5<sup>th</sup> series, 3 (London, 1994), pp. 1-190; Hicks, *Bastard Feudalism*, p. 20.

<sup>13</sup> See above, p. 5.

<sup>14</sup> Burt, 'A "bastard feudal" affinity', pp. 156-80; Spencer, *Nobility and Kingship*, pp. 201-14; Bubenicek and Partington, 'Justice, law and lawyers', pp. 171-2.

<sup>15</sup> See above, pp. 66 and 106.

Conquest up until the later Middle Ages.<sup>16</sup> The indenture could take two main forms: it could be for the life of the retainer, in which case it would normally be for purposes of both peace and war, or it could be for a more limited period and purpose, normally for a military campaign.<sup>17</sup> Though recent scholarship tends to emphasise its earlier precedents and origins, it was the military campaigns of the reign of Edward I that gave the institution its specifically military nature.<sup>18</sup> The usefulness of this source is hampered by low survival; only five indentures of retainer made by Thomas of Lancaster survive, and only two of these in original form.<sup>19</sup>

The second major form of association, the annuity, is easier to trace, through litigation in common law courts.<sup>20</sup> The annuity emerged as one way of securing loyalty once the system of feudal tenure had disintegrated beyond usefulness. Plucknett pointed out how the statute of *Quia Emptores*, in 1290, banned subinfeudation,<sup>21</sup> but this statute did nothing more than confirm a development that was well under way by the late thirteenth century.<sup>22</sup> According to Waugh, the combination of inflation and Angevin legal reforms made subinfeudation less profitable for the greater landowners, and necessitated new ways of retaining service.<sup>23</sup>

The rate of change should not be exaggerated, however. Tenurial relations may have disintegrated and bastard feudal ones taken their place, but in the early

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<sup>16</sup> For an early description, see: Plucknett, *Concise History*, pp. 612-13. See also: 'An indenture of agreement between two English knights for mutual aid and counsel in peace and war, 5 December 1298', ed. K.B. McFarlane, *BIHR*, 38 (1965), p. 201; Bellamy, *Bastard Feudalism and the Law*, pp. 91-2; S.K. Walker, 'Introduction', in Jones and Walker (eds.), 'Private indentures'; *Political Culture in Late Medieval England* (Manchester, 2006), p. 18.

<sup>17</sup> Bean, *From Lord to Patron*, p. 13.

<sup>18</sup> Morris, *Welsh Wars*, pp. 68-9; McFarlane, 'Bastard Feudalism', pp. 162-3; Bean, *From Lord to Patron*, pp. 41-8; Jones and Walker (eds.), 'Private indentures', p. 15.

<sup>19</sup> Maddicott, *Thomas of Lancaster*, p. 41. Maddicott knew of only four in 1970. These were two transcripts by Dugdale (MS Dugdale 18/39d) and one note left by Dodsworth (Dodsworth 94/122d-123), and the indenture made with Sir William Latimer, a Yorkshire banneret, on 15 May 1319 (DL 36/2/33), printed in Holmes, *Estates of the Higher Nobility*, pp. 122-3. Jones and Walker added to this an indenture made with Sir Thomas Lovel of Leicester: MS Grantley DD53/III/492; 'Private indentures', pp. 56-61, 63. See also: Bean, *From Lord to Patron*, pp. 48-50, 55.

<sup>20</sup> Bean, *From Lord to Patron*, pp. 129-31.

<sup>21</sup> T.F.T. Plucknett, *Legislation of Edward I* (Oxford, 1949), pp. 107-8. See also: M.R. Powicke, *The Thirteenth Century* (Oxford, 1953), pp. 378-80; Holmes, *Estates of the Higher Nobility*, p. 83.

<sup>22</sup> J.M.W. Bean, *The Decline of English Feudalism: 1215-1540* (New York, 1968), pp. 306-9.

<sup>23</sup> 'Inflation and legal change thus impelled lords to reconsider their methods of estate management and retaining service': Waugh, 'Tenure to contract', p. 814. For more on these legal changes, see: Carpenter, *Wars of the Roses*, pp. 49-51.

fourteenth century, this had not yet caused a wholesale replacement of one with the other.<sup>24</sup> Studies of the retinues of Simon de Montfort, Thomas of Lancaster, Aymer de Valence, Thomas of Brotherton and John of Gaunt have shown a significant overlap between feudal tenants and magnate retainers.<sup>25</sup> Maybe most importantly for the purpose of this study, it has long been recognised that tenurial bonds maintained a high level of significance for longer in the north of England than in the rest of the country.<sup>26</sup>

Documents identifying royal officers can also help establish links between nobility and gentry. The royal officers of the last chapter will again be brought into play in this one, to examine their magnate connections. Estate accounts and valors give insight into the men who acted as estate officials, though these have survived only in small numbers from the early fourteenth century.<sup>27</sup> What we do have, shows us that the lists of the lord's own servants and the officers who served the crown within a given lord's area of influence were often overlapping, as the latter were frequently part of the lord's affinity, and could have been appointed on his instigation.<sup>28</sup> This, however, is treacherous territory, since magnate influence on official appointments is rarely explicit. It is generally assumed that magnates were involved in the process of appointing royal officers, and that the officials who belonged to a noble affinity were expected to serve the interest both of the magnate, the crown, and local society.<sup>29</sup> By the late fourteenth century, magnates certainly used

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<sup>24</sup> For a recent exploration of this issue, see: J. Ross, 'The English Aristocracy and Mesne Feudalism in the Late Middle Ages', *EHR*, 133 (2018), pp. 1027-59.

<sup>25</sup> McFarlane, 'Bastard feudalism', pp. 169-70; Maddicott, *Thomas of Lancaster*, p. 58; Phillips, *Aymer de Valence*, p. 256; Carpenter, *Reign of Henry III*, p. 226; Marshall, 'The earl of Norfolk', pp. 7-8. Spencer finds that only about one in ten members of late thirteenth-century retinues were tenants of the earl in question: A. Spencer, 'The comital military retinue in the reign of Edward I', *Historical Research*, 83 (2010), p. 53. See also: Morgan, *War and Society*, p. 67; and, for an account of the almost complete disintegration of these connections: Morris, *Bigod Earls of Norfolk*, pp. 64-8.

<sup>26</sup> Holt, *The Northerners*, pp. 43-5; Morgan, *War and Society*, pp. 18-19; Davies, *Lords and Lordship*, p. 121.

<sup>27</sup> Somerville, *History of the Duchy of Lancaster*, pp. 107-10; McFarlane, *Nobility of Late Medieval England*, pp. 213-14; Dyer, *Standards of Living*, pp. 92-3; Harriss, *Shaping the Nation*, pp. 105-6; Spencer, *Nobility and Kingship*, p. 115.

<sup>28</sup> For more on the noble connections of various local officers, see the previous chapter.

<sup>29</sup> Saul, *Knights and Esquires*, pp. 90, 106, 152-60; Walker, *Derbyshire Gentry*, pp. 111-18; Walker, *Lancastrian Affinity*, pp. 121-2; Carpenter, *Locality and Polity*, pp. 275-7.

the gentry to control the localities, but in the earlier parts of the century their purpose seems to have been mostly military.<sup>30</sup>

This more tenuous control magnates had over the localities can be seen also in their private affairs. A recent study by Christine Carpenter uses the cartulary and other records of Earl Guy Beauchamp of Warwick (1298-1315) to establish who the earl most frequently relied on to witness his charters. These men were either from Warwick's immediate locality or others from further afield with whom he had established a trusting relationship, though for his more important business he still relied on clerics. The same was the case for his estate servants; also here practicality was at the core. What is not found, is an effort to use these means to establish relations with the dominant gentry of his locality. These men simply lacked the significance as local officers for this to be of any interest.<sup>31</sup>

Finally, we have the lesser forms of association, the ones that left little or no documentary evidence. A lot of attention has been given to the wearing of a lord's livery – later supplemented by other devices, such as badges, or the Lancaster collar of esses – that did not denote one particular form of association, but included retainers and annuitants, as well as household and estate servants and officials. Though perhaps a less formal institution than those previously mentioned, we are occasionally given evidence of its extent, as well as reminded of the significance given to it by contemporaries, in such cases as the list of Thomas of Lancaster's liveried retainers in the aftermath of the battle of Boroughbridge.<sup>32</sup> But this was simply a matter of identifying the followers of a rebel, not a concern with the institution itself, or its excessive use. In fact, even though the practice of granting liveries dates back at least to the mid-twelfth century, it did not gain the contentious reputation with which it is often associated until the late fourteenth.<sup>33</sup> Saul places the parliamentary battle over

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<sup>30</sup> Carpenter, 'Bastard feudalism in the fourteenth century', pp. 72-5; A. King, 'Sir Henry de Beaumont and his retainers: the dynamics of a lord's military retinues and affinity in early fourteenth-century England', in G.P. Baker, C.L. Lambert and D. Simpkin (eds.), *Military Communities in Late Medieval England: Essays in Honour of Andrew Ayton* (Woodbridge, 2018), p. 102. Matt Raven found disparate results in the reign of Edward III, which might point to this as a transitional period: M. Raven, 'The earls of Edward III and the polity: the earls of Arundel and Northampton in the localities, 1330-60', *Historical Research*, 92 (2019), pp. 680-704.

<sup>31</sup> Carpenter, *Bastard Feudalism in Fourteenth-Century Warwickshire*, pp. 7-11.

<sup>32</sup> *Parl. Writs*, vol. II, ii, p. 201; Holmes, *Estates of the Higher Nobility*, p. 59.

<sup>33</sup> Holmes, *Estates of the Higher Nobility*, p. 59; Harriss, 'Introduction', p. x; Bean, *From Lord to Patron*, pp. 17-22, 145; Bellamy, *Bastard Feudalism and the Law*, pp. 80-91; Hicks, *Bastard*

the granting of badges to the years between 1377 and 1401.<sup>34</sup> The same goes for the men often referred to simply as ‘well-willers’: those not associated with the lord on a permanent basis, but who still counted themselves among his ‘servants’, in the loosest sense of the word, and who could be drawn upon for temporary service in specific situations.<sup>35</sup> Though mainstays of later-fourteenth and fifteenth century literature, we have little evidence that they played much of a part before this time.

We have seen above that the magnate affinity had two basic purposes: a military, and a non-military one.<sup>36</sup> This was not merely a difference of function, it was also a matter of different personnel. In the early days of English feudalism, it seems clear that the wartime and peacetime retinues of greater lords overlapped considerably.<sup>37</sup> Naturally, a magnate needed to expand the size of his retinue for military campaigns,<sup>38</sup> but gradually new factors came into play. Different methods of recruiting for war led to a specialisation of personnel.<sup>39</sup> By the fifteenth century, there was very little overlap between wartime and peacetime retinues.<sup>40</sup> For the early fourteenth century, the situation is less clear; although Maddicott, Phillips and Saul all acknowledge the significance of military recruitment, they nevertheless seem to

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*Feudalism*, pp. 63-5; Castor, *King, Crown, and Duchy*, pp. 13-16; Simpkin, *The English Aristocracy at War*, pp. 114-15; G. McKelvie, ‘The legality of bastard feudalism: the statutes of livery, 1390 to c.1520’ (Unpubl. Ph.D. thesis, University of Winchester, 2013); *Bastard Feudalism, English Society and the Law: The Statutes of Livery, 1390-1520* (Woodbridge, 2020), pp. 162-80; J. Rose, *Maintenance in Medieval England* (Cambridge, 2017), pp. 273-85.

<sup>34</sup> N. Saul, ‘The Commons and the abolition of badges’, *Parliamentary History*, 9 (1990), pp. 302-15. See also: M. Ward, ‘The livery collar: politics and identity in fifteenth-century England’ (Unpubl. Ph.D. thesis, University of Nottingham, 2013), pp. 70-1, 76, 94; *The Livery Collar in Late Medieval England and Wales: Politics, Identity and Affinity* (Martlesham, 2016), pp. 54-8.

<sup>35</sup> W.H. Dunham, ‘Lord Hastings’ indentured retainers 1461-1483’, *Transactions of the Connecticut Academy of Arts and Sciences*, 39 (1955), p. 28; McFarlane, ‘Bastard feudalism’, pp. 167-8; Wright, *Derbyshire Gentry*, p. 64-5; Bellamy, *Bastard Feudalism and the Law*, p. 93; Walker, *Lancastrian Affinity*, p. 9; Carpenter, *Locality and Polity*, p. 336; Jones and Walker (eds.), ‘Private indentures’, p. 12; Gorski, *Fourteenth Century Sheriff*, p. 21; Hicks, *Bastard Feudalism*, pp. 65-8; A.J. Pollard, *Warwick the Kingmaker: Politics, Power and Fame* (London, 2007), p. 90.

<sup>36</sup> See above, p. 117.

<sup>37</sup> This is probably best described in: Bean, *From Lord to Patron*, pp. 55, 232; though Bean arguably oversells the case, by giving too much weight to the role of the household in the noble retinue: Hicks, *Bastard Feudalism*, p. 70; Carpenter, *Wars of the Roses*, p. 52, n. 6.

<sup>38</sup> Holmes, *Estates of the Higher Nobility*, pp. 79-80.

<sup>39</sup> Waugh, ‘Tenure to contract’, p. 815.

<sup>40</sup> McFarlane, *Nobility of Later Medieval England*, pp. 103-4; Storey, *End of the House of Lancaster*, pp. 6-7; Carpenter, ‘Beauchamp affinity’, p. 520; Wright, *Derbyshire Gentry*, p. 64; C. Given-Wilson, ‘The king and the gentry in fourteenth century England’, *TRHS*, 5<sup>th</sup> series, 37 (1987), pp. 89-93; M.C. Prestwich, ‘The enterprise of war’, in R. Horrox and W.M. Ormrod (eds.), *A Social History of England, 1200-1500* (Cambridge, 2005), pp. 78-9.

consider control of local society the main purpose of the retinue.<sup>41</sup> Recent work, however, seems to indicate that the indenture of retainer was primarily military in its original purpose, returning us to McFarlane's early position.<sup>42</sup> For this reason, even although the term 'affinity' is appealingly all-inclusive, it is probably preferable to use 'retinue' for this period.

Besides from the financial and military aspects of the noble retinue, what was its main attraction to the servant, and what was its main purpose for the magnate? Again starting with fifteenth-century historiography, multiple reasons existed why a member of the gentry would seek membership in the circle around a magnate. These could be mundane reasons, such as access to facilities the magnate controlled, especially the forest and chase,<sup>43</sup> or more substantial ones, such as the lord securing a good marriage for his follower.<sup>44</sup> Equally, when the magnate was of national standing and had direct access to the king, such as Gaunt or William Hastings, he could offer his followers the attractive prospect of direct influence at court.<sup>45</sup> These benefits were real enough even in the early fourteenth century for those who could obtain them, but if magnates did not retain widely for peaceful purposes, they were few. Thomas of Lancaster did secure a very lucrative marriage for Robert de Holland but, as Maddicott concedes, Holland was 'an exception', since he was more like a junior partner to the earl than a retainer.<sup>46</sup>

Even in the fifteenth century, however, there is no sign that magnate connections automatically led to a flow of land, offices and other benefits from the

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<sup>41</sup> Maddicott, *Thomas of Lancaster*, pp. 49-51, 65-6; Phillips, *Aymer de Valence*, p. 254; Saul, *Knights and Esquires*, pp. 60, 84.

<sup>42</sup> Spencer, 'The comital military retinue', p. 51; A. Ayton, 'Military service and the dynamics of recruitment in fourteenth-century England', in A.R. Bell, A. Curry *et al.*, *The Soldier Experience in the Fourteenth Century* (Woodbridge, 2011), pp. 9-60; Carpenter, 'Bastard feudalism in the fourteenth century', pp. 72-3.

<sup>43</sup> A. Goodman, *John of Gaunt: The Exercise of Princely Power in Fourteenth-Century Europe* (St. Martin, 1992), p. 328.

<sup>44</sup> See above, p. 64. See also: Walker, *Lancastrian Affinity*, pp. 89-90.

<sup>45</sup> Maddicott, *Thomas of Lancaster*, pp. 465-6; Saul, *Knights and Esquires*, pp. 90-1, 106; Bean, *From Lord to Patron*, p. 75; Walker, *Lancastrian Affinity*, p. 77; Carpenter, *Wars of the Roses*, p. 192; G.L. Harriss, *Shaping the Nation: England, 1360-1461* (Oxford, 2005), p. 191; A. King, 'Scaling the ladder: the rise and rise of the Grays of Heaton, c. 1296-1415', in C.D. Liddy and R.H. Britnell (eds.), *North-East England in the Later Middle Ages* (Woodbridge, 2005), pp. 63-4; Marshall 'An early fourteenth-century affinity', pp. 4-6; Davies, *Lords and Lordship*, pp. 208-9.

<sup>46</sup> Maddicott, *Thomas of Lancaster*, p. 48.

crown to the lord's followers.<sup>47</sup> This concept of bastard feudalism as a zero-sum game has been criticised by Powell as the 'poverty of patronage'.<sup>48</sup> Studies have shown that the royal patronage a magnate – even one of the highest order – could offer his followers, was often rather meagre.<sup>49</sup> It is more common today to look at the magnate affinity as a source of mutual benefit and social cohesion. We have to assume that the greatest benefits were of an intangible nature, such as the wider net of contacts offered by introduction to the highest circles of the national polity.<sup>50</sup> Late fourteenth-century studies have shown much the same; Walker highlights John of Gaunt's ability to '...sponsor the petitions of his clients, to obtain for them favours from the king and to provide a bulwark against the schemes of their enemies'.<sup>51</sup> The same goes for bastard feudalism's influence on the legal system, such as conflict resolution through private arbitration.<sup>52</sup> Given the notoriously slow and inefficient workings of the King's Bench, arbitration – often by magnates known and trusted by both parties – was a welcome recourse, not as an alternative to royal justice, but as a complement to it.<sup>53</sup> At the same time, while these mechanisms have been well documented for a later

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<sup>47</sup> This impression can sometimes come across in the literature, see e.g.: S.L. Waugh, 'England: kingship and the political community, 1272-1377', in S.H. Rigby (ed.), *A Companion to Britain in the Later Middle Ages* (Oxford, 2003), p. 217: '...royal patronage, whether in the form of titles, offices, privileges, money, wardships, marriages or other favours, was an important source of status and income, especially for newcomers or those at the lower end of the elite.'

<sup>48</sup> E. Powell, 'After "After McFarlane": the poverty of patronage and the case for constitutional history', in D.J. Clayton, R.G. Davies and P. McNiven (eds.), *Trade, Devotion and Governance: Papers in Later Medieval History* (Stroud, 1994), pp. 1-16. For reassessments of McFarlane's work in the same vein, see: Harriss, 'Introduction', pp. ix-xxvii; Carpenter, 'Political and constitutional history', pp. 175-206.

<sup>49</sup> 'In fact, once the king had rewarded his immediate administration, it is difficult to see how there would be enough offices and lands left for all the nobility to be able to provide for even a part of their affinities': Carpenter, 'Beauchamp affinity', p. 519. See also: Carpenter, 'Fifteenth-century English politics', *The Historical Journal* 26 (1983), p. 964; *Wars of the Roses*, pp. 63-4; M. Hicks, *Richard III and his Rivals: Magnates and their Motives in the Wars of the Roses* (London, 1991), pp. 243-4.

<sup>50</sup> R. Horrox, *Richard III: A Study of Service* (Cambridge, 1989), p. 258; Carpenter, *Locality and Polity*, p. 336; J. Ross, *John de Vere, Thirteenth earl of Oxford (1442-1513): 'The Foremost Man of the Kingdom'* (Woodbridge, 2011), pp. 177-8.

<sup>51</sup> Walker, *Lancastrian Affinity*, p. 84. See also: Maddicott, *Thomas of Lancaster*, p. 48; Phillips, *Aymer de Valence*, pp. 259, 284-5; Saul, *Knights and Esquires*, pp. 90-1; H. Lacey, *The Royal Pardon: Access to Mercy in Fourteenth-Century England* (York, 2009), pp. 44-9.

<sup>52</sup> E. Powell, 'Arbitration and the law in England in the late Middle Ages,' *TRHS*, 5<sup>th</sup> series, 33 (1983), pp. 49-68; 'The settlement of disputes by arbitration in fifteenth century England', *Law and History Review*, 2 (1984), pp. 21-43; *Kingship, Law, and Society*, pp. 98-100.

<sup>53</sup> Powell, 'The settlement of disputes', p. 38. For more on the subject, see: Saul, *Knights and Esquires*, p. 95; I.D. Rowney, 'Arbitration in gentry disputes in the later Middle Ages', *History*, 67 (1982), pp. 367-76; M.C. Carpenter, 'Law, justice and landowners in late medieval England', *Law and History Review* 1 (1983), p. 225; *Locality and Polity*, pp. 363-71; *Wars of the Roses*, pp. 59-60; Wright, *Derbyshire Gentry*, pp. 122-4; C. Rawcliffe, 'The great lord as peacekeeper: arbitration of English

period, it cannot be automatically assumed that they were widely applied in the much less devolved early fourteenth-century legal system. Powell, in fact, found a dramatic increase in the number of lay arbitrations after 1350.<sup>54</sup>

Also for the magnates, the benefits of the affinity have been described as twofold. There were plenty of practical reasons to maintain a substantial affinity. The noble affinity was the source from which the magnate extracted service – both military service as sub-contractors on campaigns, and official service as household and estate officials during peacetime.<sup>55</sup> Other benefits of the affinity were less tangible. By the late fourteenth century, nobles could also use their affinities to dominate their areas of influence, or ‘countries’. Furthermore, though the members of the noble affinities never made up more than a small part of the resident gentry of that magnate’s core area,<sup>56</sup> the gentry retained were usually the most prominent and well-connected within their localities, giving the magnate access to a web of influence much more extensive than that made up of his direct retainers.<sup>57</sup> This second use of the affinity, however, was largely contingent on a devolved legal system. It cannot be automatically assumed that it already existed in the early parts of the fourteenth century.

Based on the forms of association outlined above, the noble affinity has often been described as a series of concentric circles around the lord himself.<sup>58</sup> Yet, it has

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noblemen and their councils in the later Middle Ages’, in J.A. Grey and H.G. Beale (eds.), *Law and Social Change in British History* (London, 1984), pp. 34-54; ‘Parliament and the settlement of disputes by arbitration in the later Middle Ages,’ *Parliamentary History* 9 (1990), pp. 316-42; Walker, *Lancastrian Affinity*, pp. 118-19; *Political Culture*, p. 23; Maddern, *Violence and Social Order*, pp. 15-16, 33-5; B.A. Barker, ‘The Claxtons: a north-eastern gentry family in the fourteenth and fifteenth centuries’, (Unpubl. Ph.D. thesis, University of Teeside, 2003), pp. 177-82; Harriss, *Shaping the Nation*, p. 194; M. Mercer, *The Medieval Gentry: Power, Leadership and Choice during the Wars of the Roses* (London, 2010), pp. 60-4.

<sup>54</sup> Powell, ‘Arbitration and the law’, pp. 54-5; Carpenter, ‘Bastard feudalism in the fourteenth century’, 89-90.

<sup>55</sup> Saul, *Knights and Esquires*, pp. 83-6; *Scenes from Provincial Life*, pp. 88-91; Morgan, *War and Society*, pp. 42-3; D.S. Green, ‘Politics and service with Edward the Black Prince’, in J.S. Bothwell, *The Age of Edward III* (York, 2001), pp. 53-5; Russell, ‘Politics and society’, pp. 149-52; Ayton, ‘Military service and the dynamics of recruitment’, pp. 17-21; Davies, *Lords and Lordship*, p. 208.

<sup>56</sup> Carpenter, ‘Beauchamp affinity’, pp. 516-17; Goodman, *John of Gaunt*, p. 329; Harriss, ‘Political society and the growth of government’, p. 55; *Shaping the Nation*, p. 191; Gorski, *Fourteenth Century Sheriff*, p. 17; Walker, *Political Culture*, p. 22.

<sup>57</sup> Maddicott, ‘Thomas of Lancaster and Sir Robert Holland’, pp. 471-2; Saul, *Knights and Esquires*, pp. 74-5; Hicks, *Bastard Feudalism*, p. 83; Walker, *Political Culture*, p. 17; Harriss, *Shaping the Nation*, p. 193.

<sup>58</sup> Harriss, ‘Introduction’, p. xi; Wright, *Derbyshire Gentry*, p. 64; Bean, *From Lord to Patron*, p. 33; M.H. Keen, *English Society in the Later Middle Ages* (London, 1990), p. 21; Hicks, *Bastard*

been argued, the distinction between the retinue and the affinity is mostly one of historical aspect. To over-emphasise certain connections over others, on the basis only of the evidence at hand, risked drawing conclusions based simply on the accident of documentary survival.<sup>59</sup> Rather, the shift in focus from retinue to affinity reflected merely a historiographical shift in what was considered the purpose and benefits of bastard feudal connections, both to lord and to follower.<sup>60</sup> This historiographical trend was undoubtedly real, but if the purpose and use of the lord's following changed over time, it seems more likely that there actually was a shift from retinue to affinity at some time in the mid- to late fourteenth century.<sup>61</sup>

When, as in the present case, a study is concerned with a specific locality rather than a magnate affinity, this opens up a new avenue of enquiry, namely what influence bastard feudalism had on networks between gentry members. One could object that this distinction between vertical and horizontal ties in many ways is an artificial one – that noble affinities and local networks were never separate bodies, but interlocked entities that were mutually reinforcing.<sup>62</sup> But again, we cannot automatically assume that these intermeshed connections looked the same in the early fourteenth century as they would later on. Likewise, the situation was probably different in Lancashire, dominated as it was by one, largely absentee magnate family, than in many other parts of the country. Before getting into these specifics, we need to look at some of the major historiographical issues on this topic.

In the introduction we briefly discussed the historiographical debate over the county community.<sup>63</sup> Essentially, this debate contains two different issues: whether the county constituted an entity that was able to harbour a socio-political community, and whether local society was dependent on magnate influence to maintain its internal

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*Feudalism*, p. 28; J. Ross, *John de Vere*, p. 176; Coss, 'An age of deference', p. 53; Mercer, *Medieval Gentry*, p. 71.

<sup>59</sup> Holmes, *Estates of the Higher Nobility*, pp. 78-9; J.L. Watts, *Henry VI and the Politics of Kingship* (Cambridge, 1996), p. 93; S.L. Waugh, 'The third century of English feudalism', in M.C. Prestwich, R.H. Britnell and R. Frame (eds.), *Thirteenth Century England VII* (Woodbridge, 1997), p. 48.

<sup>60</sup> Carpenter, *Wars of the Roses*, p. 52; Crouch, *The Birth of Nobility*, pp. 184-5.

<sup>61</sup> Carpenter, *Bastard Feudalism in Fourteenth-Century Warwickshire*, pp. 61-4.

<sup>62</sup> Harriss, 'Introduction' in McFarlane *England in the Fifteenth Century*, p. xviii; Carpenter, *Locality and Polity*, pp. 295, 329 and generally large parts of ch. 4; 'Gentry and community', pp. 366-7; Watts, *Henry VI*, pp. 92-3; Simpkin, 'The English "proto-gentry"', p. 921; P.J. Caudrey, *Military Society and the Court of Chivalry in the Age of the Hundred Years War* (Woodbridge, 2019), p. 131.

<sup>63</sup> See above, p. 6.

cohesion and its broader interests, or whether it was able to function perfectly well on its own. To some extent, the debate has been a case of blind men describing an elephant; the vast regional differences mean that there is no one-size-fits-all model that describes the late medieval landed gentry.<sup>64</sup> Neither does one have to choose between one extreme or the other; rather we are dealing with a ‘continuum of change’.<sup>65</sup> At the same time, as the range of studies accumulate, we start to develop a basis for a certain generalisation about the period’s political society, and its development over time.

The idea of the county as a community stems from Pollock and Maitland. ‘The “county”’, they wrote, ‘is not a mere stretch of land, a governmental district; it is an organized body of men; it is a *communitas*.’<sup>66</sup> The institution that gave the county its identity was the county court, with which it was concomitant.<sup>67</sup> This line of thinking was reinforced by Cam, who saw the ‘community of the shire’ not as a ‘social order’, but as a ‘localized community’.<sup>68</sup> The role of the county court in the shaping of a county community has been argued by Maddicott, at least as far as the fourteenth century was concerned.<sup>69</sup> When, in the later twentieth century, the gentry study became a popular form of historical research, the idea of a largely independent county community was embraced by many who chose a separate county as their subject.<sup>70</sup> Significant for this study is the example of Bennett, who, though going beyond county boundaries in his study of Cheshire and southern Lancashire, still describes a gentry

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<sup>64</sup> Acheson, *Gentry Community*, p. 79; Carpenter, *Wars of the Roses*, pp. 54-9; P.R. Coss, ‘Hilton, lordship and the culture of the gentry’, in C. Dyer, C. Wickham and P.R. Coss (eds.), *Rodney Hilton’s Middle Ages: An Exploration of Historical Themes* (Oxford, 2007), pp. 39-40; Drake, ‘Since the time of King Arthur’, p. 237.

<sup>65</sup> Carpenter, *Locality and Polity*, p. 618; ‘Gentry and community’; Dodd, ‘County and Community’, pp. 803-4.

<sup>66</sup> Pollock and Maitland, *History of English Law*, p. 534. Much the same idea can be found in: Stubbs, *Constitutional History*, vol. II, pp. 185-9.

<sup>67</sup> Pollock and Maitland, *History of English Law*, pp. 535-7.

<sup>68</sup> Cam, *Liberties and Communities*, pp. 236-47, at p. 236.

<sup>69</sup> Maddicott, ‘County community’, p. 42. See also: Bennett, *Community, Class and Careerism*, pp. 22-3; Keen, *Origins of the English Gentleman*, p. 112; Drake, ‘Since the time of King Arthur’, pp. 241-2.

<sup>70</sup> Saul, *Knights and Esquires*, p. 259; P. Fleming, ‘The character and private concerns of the gentry of Kent 1422-1509’ (Unpubl. Ph.D. thesis, University College of Swansea, 1985), pp. 434-40; Payling, *Political Society*, p. 218; Acheson, *A Gentry Community*, p. 134; J. Freeman, ‘Middlesex in the fifteenth century: community or communities?’, in M. Hicks (ed.), *Revolution and Consumption in Late Medieval England* (Woodbridge, 2001), p. 103.

community mostly independent of magnate influence.<sup>71</sup> Increasingly, though, historians have seen the county as a restricting limitation on the study of medieval gentry and one not necessarily reflecting the outlook of contemporaries.<sup>72</sup> Wright, while still describing gentry society as self-contained, denies that there was any such thing as a county community.<sup>73</sup> Carpenter, meanwhile, has argued that the term ‘community’, though useful in certain, limited contexts, is often applied with too little precision.<sup>74</sup> In her study of fifteenth century Warwickshire, she has presented the magnate affinity as the principal (if by no means the only) cohesive agent on gentry society, though not in correspondence with the county boundaries.<sup>75</sup> To this, Walker replied that magnate influence and the county community were not necessarily mutually exclusive. While acknowledging the role of the noble affinity in the localities, he still put forward the county as one of several solidarities to which the landed gentry adhered.<sup>76</sup> This gives us the full range of available options: a county community independent of magnate influence, an independent gentry unrestrained by county boundaries, a gentry class under magnate influence transcending the county, and a county community that also made up part of a noble network, and a variety of local identities which could include noble dominance, gentry solidarity and a series of both county and other geographical identities.

Different studies have shown great regional differences in the nature and importance of various local and regional networks on a county level.<sup>77</sup> Factors that played a part were the size and geographical disposition of the county, and such conditions as the distance from Westminster or the proximity to the Welsh or Scottish border. In this respect, the special condition of Lancashire has already been described, as a county

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<sup>71</sup> Bennett, *Community, Class and Careerism*, p. 40.

<sup>72</sup> Astill, 'The medieval gentry', pp. 81-2; Saul, *Scenes from Provincial Life*, pp. 57-62; D. Crouch, 'From Stenton to McFarlane: models of societies of the twelfth and thirteenth century', *TRHS*, 6<sup>th</sup> ser., 5 (1995), pp. 191-2; Gorski, *Fourteenth-Century Sheriff*, pp. 4-6; A. Polden, 'The social networks of the Buckinghamshire gentry in the thirteenth century', *Journal of Medieval History*, 32 (2006), pp. 371-94; M.L. Holford and K.J. Stringer, 'Introduction', in Holford and Stringer (eds.), *Border Liberties and Loyalties: North-East England, c. 1200 – c. 1400* (Edinburgh, 2010), pp. 7-8; Fleming, 'The Landed Elite', pp. 221-2.

<sup>73</sup> Wright, *Derbyshire Gentry*, p. 58.

<sup>74</sup> Carpenter, 'Gentry and community', pp. 340-80.

<sup>75</sup> Carpenter, *Locality and Polity*, p. 288.

<sup>76</sup> Carpenter, 'Gentry and community', pp. 340-80; Walker, *Political Culture*, ch. 3.

<sup>77</sup> For a summary of these studies, see above, p. 1.

both isolated and geographically divided, far removed from the national centre of power, but important for the defence of the north even if not in the front line.<sup>78</sup> Another special condition was presented by the absolute dominance of the earl, and later duke, of Lancaster. Simon Walker has pointed out the uniqueness of the duchy of Lancaster under John of Gaunt in the later fourteenth century.<sup>79</sup> This is also the case at this earlier point, for the county's dominant magnate throughout the century was also the wealthiest and most powerful peer in the nation.<sup>80</sup> The creation of the palatinate in 1351 only enhanced this power. Only in the north of Lancashire did the gentry also come under the influence of external baronial families who held strategically important fees in the border counties of Westmorland and Cumberland.<sup>81</sup> These factors quite naturally shaped the form magnate influence took on a local level.

The scope of the present dissertation – 1298 to 1361 – is defined by the lordship of the three earls – and one duke – of Lancaster: Thomas of Lancaster, his brother Henry of Lancaster, and Henry's son Henry, known as Henry of Grosmont. With only a couple of exceptions, the Lancaster family represented the pervasive source of lordship in the county in this period. The exceptions are, first, that of Henry de Lacy, earl of Lincoln, up until 1311, and the royal presence in the period from 1322 to 1327.<sup>82</sup>

Thomas of Lancaster's father Edmund died in 1296.<sup>83</sup> Thomas was still a minor when he was knighted the next year, and he was probably invested with the earldom in 1298.<sup>84</sup> The three baronial fees he received through the Lacy marriage, combined with previously held patrimonial land, made Thomas the only earl with significant possessions in the county of Lancashire.<sup>85</sup> This situation remained until Thomas's final rebellion and death at the battle of Boroughbridge in 1322, when he was declared forfeit, and his lands taken into the possession of the crown. The lands were only gradually reclaimed, and it was not until 1326, as a reward for his

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<sup>78</sup> See above, Chapter 2.

<sup>79</sup> Walker, *Lancastrian Affinity*, pp. 248-50. See also: Holmes, *Estates of the Higher Nobility*, p. 59; Saul, *Knights and Esquires*, p. 61; Goodman, *John of Gaunt*, p. 328.

<sup>80</sup> Maddicott, *Thomas of Lancaster*, pp. 22-3.

<sup>81</sup> For more on the families of Dacre and Harrington, see above, p. 41.

<sup>82</sup> For more on this, see above, p. 160, and below, p. 194.

<sup>83</sup> For more on Edmund's Lancashire retinue, see: Spencer, *Nobility and Kingship*, pp. 119-121, 125-6.

<sup>84</sup> J.R. Maddicott, 'Thomas of Lancaster, second earl of Lancaster, second earl of Leicester, and earl of Lincoln (c.1278-1322)', *ODNB*.

<sup>85</sup> See above, pp. 40.

acquiescence in the deposition of Edward II, that Henry of Lancaster was fully restored to his brother's possessions.<sup>86</sup>

It is generally assumed that Henry of Lancaster, because of ill health and blindness, did not take much part in public affairs beyond a certain point in time.<sup>87</sup> His last major act on the national stage was his participation in the rebellion of 1328-9.<sup>88</sup> Even though he supported Edward III's coup against Mortimer in 1330, he was by this time probably completely blind, and could take no active part.<sup>89</sup> The administration of his affairs devolved increasingly on his son, Henry of Grosmont.<sup>90</sup> It was not until his father's death in 1345, however, that Grosmont could fully take over the responsibilities of the estates, and Lancashire was once more the focus for active lordship. Grosmont was richly rewarded for his services, and in 1351 was promoted to duke of Lancaster and granted palatinate status for the county of Lancashire.

The study of the affinities, or retinues, of the earls and duke of Lancaster for most of the fourteenth century must necessarily focus primarily on Thomas of Lancaster and Henry of Grosmont, as the only active lords of these with the longest history in the county, and those for whom we have the most evidence. Particularly in the case of Thomas we have a good amount of material to work with; in the words of Maddicott: 'more can be discovered about Lancaster's retinue than about any other similar body before the period of Gaunt.'<sup>91</sup> Two pardons obtained for his followers in 1313 and 1318 give a good overview of the composition of his affinity.<sup>92</sup> Of even greater value are three remarkably complete lists of retainers and annuitants that have been reprinted by Holmes in his *Estates of the Higher Nobility*.<sup>93</sup> Though no similar documents exist for Thomas's nephew Henry of Grosmont, this is partly made up for

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<sup>86</sup> For more on this, see below, p. 194.

<sup>87</sup> It is possible that Henry's withdrawal from public life, at least initially, allowed him to devote more attention to his own estates: Somerville, *History of the Duchy of Lancaster*, p. 84.

<sup>88</sup> G.A. Holmes, 'The rebellion of the Earl of Lancaster, 1328-9', *BIHR*, 28 (1955), pp. 84-9.

<sup>89</sup> S.L. Waugh, 'Henry of Lancaster, third earl of Lancaster and third earl of Leicester (c.1280-1345)' *ODNB*. For an argument to the contrary though, see: C. Shenton, 'Edward III and the coup of 1330', in J.S. Bothwell (ed.), *The Age of Edward III* (York, 2001), pp. 26-9.

<sup>90</sup> Fowler, *The King's Lieutenant*, pp. 27-8; J. Sumption, *The Hundred Years War, vol. 1: Trial by Battle*, (London, 1990) p. 455. A contemporary parallel can be found in the case of Humphrey, earl of Hereford and Essex (d. 1361), and his younger brother William, Earl of Northampton: Raven, 'The earls of Edward III and the polity', p. 686.

<sup>91</sup> Maddicott, *Thomas of Lancaster*, p. 40.

<sup>92</sup> *CPR 1313-1317*, p. 21; *1317-1321*, p. 227; Davies, *Baronial Opposition*, pp. 37, 460.

<sup>93</sup> Holmes, *Estates of the Higher Nobility*, pp. 135-42.

by his much more extensive and well-documented military career, where several long lists of retainers can be found.<sup>94</sup> Of particular value is also a royal pardon procured by Grosmont for his men in 1345, since this document pertains exclusively to the men of Lancashire.<sup>95</sup>

The dominance of the house of Lancaster makes it convenient to deal with the history of noble influence in the county as the history of Lancastrian influence. Though retaining by other magnates was scarce, it was not entirely non-existent, so it needs to be dealt with briefly before we move on to the earls and duke of Lancaster's Lancashire affinity.

The most obvious exception to a full Lancaster monopoly on magnate influence on the Lancashire gentry would be Henry de Lacy, who held a large amount of land in the county before it passed on to his son-in-law Thomas of Lancaster at Lacy's death in 1311.<sup>96</sup> We are fortunate enough to have a – for the period – uniquely valuable document on the estates of Henry de Lacy, in the two 'compoti', or account rolls, for the earl's estates in the years 1295-96 and 1304-05.<sup>97</sup> The relevant sections for Lancashire and Cheshire were printed and translated by P.A. Lyons in 1884.<sup>98</sup> From these documents we find that the earl's stewards were local men (though not necessarily Lancashire residents) whom he trusted highly and whose social advancement he did much to promote.<sup>99</sup> Robert de Hephale was the earl's steward of Blackburnshire in 1295-6.<sup>100</sup> He also served as Lacy's attorney as late as 1302 and arrayed the troops of the earl's lands in 1303.<sup>101</sup> Though a landowner in the northern wapentake of Leyland, Hephale held only parts of various manors.<sup>102</sup> In 1304-05 the

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<sup>94</sup> E.g. E 101/15/12 from his 1336 campaign in Scotland or E 101/25/9 from the 1345-6 campaign in Aquitaine. All these documents have been thoroughly treated by Fowler, and though only summarily treated in his book, *The King's Lieutenant*, details can be found in an appendix to his Ph.D. dissertation: 'Henry of Grosmont', pp. 240-63.

<sup>95</sup> *CPR 1343-1345*, pp. 530-2.

<sup>96</sup> For more on this, see the survey of the various baronies in the county above, p. 40.

<sup>97</sup> DL 29/1/2.

<sup>98</sup> Lyons (ed.), 'Two "Compoti"'.

<sup>99</sup> For the importance of the steward under John of Gaunt, see: Walker, *Lancastrian Affinity*, p. 144.

<sup>100</sup> Lyons (ed.), 'Two "Compoti"', pp. xxv, 118, 129; Somerville, *History of the Duchy of Lancaster*, p. 351.

<sup>101</sup> LA, DDSt 3; *CPR 1301-1307*, p. 132.

<sup>102</sup> Lyons (ed.), 'Two "Compoti"', pp. xxv; Rylands (ed.), *Exchequer Lay Subsidy Roll*, p. 109; *VCH*, VI, pp. 396-9, 244-9. He was, however, involved in a dispute over the manors of Chorley and Bolton, through his marriage to Margaret, sister of Robert de Holland and later wife of Adam Banaster: LA, DDSt 3; *VCH*, VI, pp. 129-49.

steward of Blackburnshire was Edmund de Talbot,<sup>103</sup> a Cheshire man, who was also Lacy's attorney when the earl went overseas to negotiate the treaty of Montreuil in 1303.<sup>104</sup> Talbot benefited materially from his connection to Lacy: in 1304 the earl granted him the manor of Hapton in Blackburnshire.<sup>105</sup> He seems to have taken arms (*argent three lions salient purple*) that were adapted from those of Lacy (*or a lion rampant purple*), a practice not uncommon at the time.<sup>106</sup> Perhaps the greatest beneficiary of the earl's lordship was William de Hesketh, who was the steward of Congleton in Cheshire, in 1295-6 and 1304-05, and of Halton, also Cheshire, in 1304-05.<sup>107</sup> Hesketh is described as 'a landless man', who came into possession of land in, and eventually lordship of, the manor of Rufford in Leyland through marriage.<sup>108</sup> It is not unlikely that his fortunes were orchestrated by Lacy, of whose Penwortham fee Rufford was part.

Baldwin considered Lyon's partial publication of Lincoln's account rolls of little value, except to local historians.<sup>109</sup> Lyon's publication has in fact had significance far beyond this,<sup>110</sup> yet Baldwin's critique made an important point: Lacy's core area was in Lincolnshire, south Yorkshire and Derbyshire but much less so in Lancashire.<sup>111</sup> This is reflected also in the earl's retinue: of the twelve men recorded to have received protection to go in Lincoln's company on the Falkirk campaign in 1298, none was from Lancashire.<sup>112</sup> Those of the earl's closer circle who

<sup>103</sup> Lyons (ed.), 'Two "Compoti"', p. 156.

<sup>104</sup> *CPR 1301-1307*, p. 112.

<sup>105</sup> *CChR 1300-1326*, p. 44; *VCH*, VI, pp. 507-12. Talbot later, in 1310, granted Lacy the right to hunt on his premises: DL 25/2368. Edmund predeceased the earl: *CIPM*, V, 279; he was in fact murdered by Adam de Clitheroe in 1310, a crime for which Clitheroe received pardon after serving in Scotland: Tupling, *South Lancashire*, pp. 18-19. In 1325 the manor of Hapton was released to Edmund's widow Margaret, after having been held by Robert de Holland during Edmund's son John's minority: *CCR 1323-1327*, pp. 397-8.

<sup>106</sup> *VCH*, VI, pp. 507-12; Simpkin, *The English Aristocracy at War*, pp. 27, 29; 'The English "proto-gentry"', p. 924; Saul, *For Honour and Fame*, pp. 66-7.

<sup>107</sup> Lyons (ed.), 'Two "Compoti"', pp. 149, 150, 155.

<sup>108</sup> *VCH*, VI, pp. 119-28, based on Dodsworth.

<sup>109</sup> J.F. Baldwin, 'The household administration of Henry Lacy and Thomas of Lancaster', *EHR*, 42 (1927), p. 182.

<sup>110</sup> See, for instance: G.H. Tupling, *The Economic History of Rossendale* (Manchester, 1927), pp. 20-41; Holmes, *Estates of the Higher Nobility*, p. 112; Prestwich, *War, Politics and Finance*, pp. 63-4; N.J.G. Pounds, *The Medieval Castle in England and Wales: A Political and Social History* (Cambridge, 1993), pp. 135-6.

<sup>111</sup> Maddicott, *Thomas of Lancaster*, p. 10; J.S. Hamilton, 'Lacy, Henry de, earl of Lincoln (1249-1311)', *ODNB*.

<sup>112</sup> *Scotland in 1298: Documents Relating to the Campaign of King Edward the First in that Year, and Especially to the Battle of Falkirk*, ed. H. Gough (London, 1888), pp. 33, 35, 42, 43, 45, 48, 50. A

were also involved in Lancashire affairs were often outsiders, like the aforementioned Edmund Talbot. Another example is Adam de Huddleston of Cumberland, who witnessed the earl's charters in 1292 and 1294.<sup>113</sup> To the extent that Lacy had any dealings with the gentry of Lancashire, this was for the most part of a very local nature. For example, a deed of the earl concerning Clitheroe court was witnessed by, among others, William Butler, Robert Banaster and Robert de Lathom, all of Lancashire.<sup>114</sup>

The next source of alternative influence in the county, chronologically speaking, was that presented by Queen Isabella, who gained from Thomas of Lancaster's forfeiture in 1322. The benefits of this connection were primarily enjoyed by the Radcliffe family. In 1339 Richard de Radcliffe was forester in Blackburnshire for the queen, and in 1347 John de Radcliffe appears as steward for Edward III's queen, Philippa.<sup>115</sup> Apart from Lacy and the two queens, retaining of Lancashire men by other magnates was only sporadic, and always of a military nature. In 1346 William de Radcliffe was with the earl of Arundel in France, in 1359 Roger de Pilkington was overseas with John of Gaunt, in 1356 Gilbert de Ince was in France with the earl of Stafford, in 1361 William de Radcliffe accompanied the war-like justice Henry le Scrope overseas, and between 1361 and 1364 John de Bury was in Ireland with Lionel of Clarence.<sup>116</sup>

Although, even in the early part of the fourteenth century, we must take care in equating the military retinue, especially when enhanced for war, and the peacetime retinue, the Lancastrian affinity was without comparison the largest in England throughout the fourteenth century, ignoring shorter periods when it went into

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possible exception could have been Richard Sutton, perhaps from Sutton in West Derby, though there are more than fifty places called Sutton in England.

<sup>113</sup> DL 42/2 487d; *CChR 1257-1300*, p. 412; Maddicott, 'Thomas of Lancaster', p. 546.

<sup>114</sup> Lyons (ed.), 'Two "Compoti"', p. 189.

<sup>115</sup> This was during Isabella's lifetime, and it is not entirely clear whether it is the same office or different lands we are dealing with here: KB 27/350/8Rd; *CCR 1339-1341*, p. 152. For more on Isabella's possessions in Lancashire, and her connections to the Radcliffe family, see below, p. 235.

<sup>116</sup> William de Radcliffe with Arundel: *CCR 1346-1349*, p. 83; Pilkington: DL 35/7/13; Ince: *CPR 1354-1358*, p. 353; William de Radcliffe with Scrope: JUST 1/440/5; Bury: E 101/28/18.

abeyance.<sup>117</sup> In 1318-19, Thomas of Lancaster had household expenses of £4,803 12s 11d spent on food and drink alone, a sum which was more than half of what the king himself spent in 1319.<sup>118</sup> His wealth and influence is reflected in the fact that he was able to retain royal justices; in 1313-14 Thomas of Lancaster employed ten *narratores*, or professional lawyers, including later Chief Justices of the King's Bench Geoffrey le Scrope and Robert Mablethorp.<sup>119</sup> Lancaster occasionally also retained several earls in his military retinue, including John Warenne, earl of Surrey.<sup>120</sup>

Contemporary accounts of the retinue of Thomas of Lancaster go as high as 18,000 men, a clear exaggeration, even allowing for the peasant tenants that some of his retainers may have brought along. Baldwin estimates the number of knights in Thomas's service at 210, while Maddicott gives a much more cautious number of fifty-five.<sup>121</sup> This is limited to the earl's military retainers, and does not include dependants and foot soldiers attached to his military retinue. Counting these latter categories, the number could swell to 550.<sup>122</sup> Henry of Grosmont, according to Fowler, enjoyed the service of 191 knights and 347 esquires throughout his military campaigns. Of these, forty-six received land or annuities from Grosmont.<sup>123</sup>

Certain surviving documents, however, allow us a snapshot of the Lancastrian retinue at specific points in time. Of special value is the list of pardons issued to the adherents of Earl Thomas of Lancaster in 1313, for the killing of Piers Gaveston. On this list, twenty-five can be clearly identified as men either resident in Lancashire or with significant landed interest in the county.<sup>124</sup> A similar pardon was issued in 1318, from which twenty Lancashire men benefited.<sup>125</sup> Holmes's printed list shows that at least eight men with ties to the county were lifetime annuitants of the earl.<sup>126</sup>

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<sup>117</sup> Maddicott, *Thomas of Lancaster*, pp. 43-5; Spencer, *Nobility and Kingship*, p. 130. It should be mentioned that the two Henrys spent far less on their respective affinities than did Thomas and John of Gaunt: Walker, *Lancastrian Affinity*, pp. 21-2.

<sup>118</sup> Baldwin, 'Household administration'; Maddicott, *Thomas of Lancaster*, p. 27.

<sup>119</sup> Denholm-Young, *Seignorial Administration*, p. 37; Maddicott, *Thomas of Lancaster*, p. 49.

<sup>120</sup> Holmes, *Estates of the Higher Nobility*, pp. 134-40; Maddicott, *Thomas of Lancaster*, p. 56.

<sup>121</sup> Baldwin, 'Household administration', p. 192; Maddicott, *Thomas of Lancaster*, pp. 44-5. Bean gives a combined estimate of knights and esquires, in the summer of 1314, of at least 120, and perhaps more than 150: Bean, *From Lord to Patron*, p. 157.

<sup>122</sup> Maddicott, *Thomas of Lancaster*, p. 45.

<sup>123</sup> Fowler, *The King's Lieutenant*, p. 228.

<sup>124</sup> *CPR 1313-1317*, p. 21.

<sup>125</sup> *CPR 1317-1321*, p. 227.

<sup>126</sup> DL 41/1/35; 37; Holmes, *Estates of the Higher Nobility*, pp. 134-42.

There is in fact much more information about the retinue of Thomas of Lancaster than about that of any other magnate before the time of John of Gaunt.<sup>127</sup> However, the period of much less active lordship under Henry of Lancaster senior presents us with far less documentation relating to that earl's affinity. We have two lists of annuitants from 1330-2, and described by Holmes as 'fairly complete', with no Lancashire men among the twenty-eight and twenty-five names respectively.<sup>128</sup> There are a few documents of his military retinues, notably from the Scottish campaign of 1336, but whether he actively participated in this is doubtful.<sup>129</sup> We do occasionally find evidence for his involvement in Lancashire affairs, such as when, in 1327, he secured a grant of pontage for the men of the township of Lancaster.<sup>130</sup> He was also willing to lend money to Lancashire men: in 1330 Geoffrey de Warburton owed the earl 100 marks.<sup>131</sup> We know less about Henry's officers than about those of Thomas and of Henry de Lacy, but there was certainly a possibility of employment with him for Lancashire men. Robert de Singleton acted as the earl's attorney and was the executor of his will after Henry's death.<sup>132</sup>

One episode allows us a rare glimpse into Henry's inner circle of retainers. After the earl's rebellion against the Mortimer regime in 1329, Henry and his followers were fined considerable sums. The list of thirty-two names include men from eleven different counties, ranging from Northumberland to Kent. Of these, only Leicestershire stands out, where the rebellion had its origin, and where ten of the men were resident. Significantly, none was from Lancashire.<sup>133</sup>

At the Nottingham coup in October 1330, however, we find the Lancashire knight John de Neville of Hornby taking a leading role alongside William Montague, killing the steward of the household, Hugh de Turplington.<sup>134</sup> Shenton argues that

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<sup>127</sup> Maddicott, *Thomas of Lancaster*, p. 40.

<sup>128</sup> DL 40/1/11/45d; 51d; Holmes, *Estates of the Higher Nobility*, p. 67.

<sup>129</sup> E 101/15/12.

<sup>130</sup> *CPR 1327-1330*, p. 170.

<sup>131</sup> *CCR 1330-1333*, p. 169. Warburton was resident in Cheshire, but the debt was to be levied of his lands and chattels in Lancashire in default of payment. See also DL 25/3472, where several Lancashire men stood bond for a debt of 125 marks of silver to Henry of Lancaster.

<sup>132</sup> DL 35/5/8

<sup>133</sup> *CCR 1327-1330*, pp. 528-31. This is a list of bonds of recognizance from 9 February. An order from 16 January to seize the rebels' lands does also contain the name of William de Bradshaw: *CFR 1327-1337*, pp. 116-17. For more on this, see below, p. 204.

<sup>134</sup> T. Gray, *Scalacronica*, ed. T. Stevenson (Edinburgh, 1836), p. 158; G. Baker, *Chronicon Galfridi le Baker de Swynbroke*, ed. E.M. Thompson (Oxford, 1889), p. 46; *The Brut, or the Chronicles of*

Lancaster's involvement in the coup can be deduced from the close association many of the conspirators had with the earl.<sup>135</sup> She leaves out Neville among these men, but his inclusion would only strengthen her argument. That he was a loyal adherent of Thomas of Lancaster can be seen from the fact that he had his land confiscated (and soon restored) in 1322.<sup>136</sup> In 1334 he was contracted to go with the younger Henry of Lancaster to Scotland, with ten men-at-arms.<sup>137</sup> He may very well have died there, at the Roxburgh campaign – his inquisition *post mortem* was taken in 1335.<sup>138</sup> Had he lived, perhaps he would have received rewards comparable to those others of Edward III's helpers received two years later.

Neither does a study of Henry of Grosmont reveal quite as much about his retinue as we know about that of his uncle; we know that Grosmont entered into very few life indentures with his men.<sup>139</sup> A handful of Lancashire knights are mentioned as part of Henry's military retinue in the Aquitaine campaign of 1345-46.<sup>140</sup> One document, however, stands out particularly for its relevance to the study of the Lancashire gentry. In September 1345, in the aftermath of a particularly bloody encounter at Liverpool earlier that year,<sup>141</sup> Earl Henry obtained a royal pardon for a number of men, in exchange for a promise of military service in France. On this list, eighteen men can clearly be identified as belonging to the most prominent families of the county.<sup>142</sup>

It is natural to compare Thomas of Lancaster's treatment of the county of Lancashire to that of one of his successors: John of Gaunt. Like Thomas, Gaunt was in almost complete control of the county, and faced the same problem: how to maintain balance and harmony between the small number of men he actually retained, and the much larger group of county gentry that were only peripherally associated

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*England*, ed. F.W.D. Brie (London, 1906), pp. 269-71; Tout, *Chapters*, vol. III, pp. 29-30; Sumption, *Trial by Battle*, p. 115; Haines, *King Edward II*, pp. 215-16; I. Mortimer, *The Greatest Traitor: The Life of Sir Roger Mortimer, 1st Earl of March, Ruler of England, 1327-1330* (London, 2003), p. 238.

<sup>135</sup> Shenton, 'Edward III and the coup of 1330', p. 28.

<sup>136</sup> *CCR 1318-1323*, p. 573.

<sup>137</sup> BL, MS Cotton Nero C. VIII.

<sup>138</sup> *CIPM*, VIII, 710.

<sup>139</sup> Fowler, *The King's Lieutenant*, p. 181; Walker, *The Lancastrian Affinity*, p. 22.

<sup>140</sup> E 101/25/9/3. For more on these men, see below, p. 217.

<sup>141</sup> For more on this, see below, p. 241.

<sup>142</sup> *CPR 1343-1345*, pp. 530-2.

with him.<sup>143</sup> Also under Gaunt there was conflict between the two groups, but the proportion between them was nowhere near as unbalanced as under Earl Thomas. According to Walker, Gaunt may have retained as much as one third of the (by then much more clearly defined) Lancashire gentry.<sup>144</sup>

The individual follower's service to the earls and duke of Lancaster could be of a temporary nature, or it could extend over a period of years. Matthew de Haydock was among the recipients of the pardon of 1345, and also appears on a payroll from the Aquitaine campaign of 1345-6.<sup>145</sup> Apart from this neither he nor any other member of his family seems to have any connections with the county's dominant magnates. Likewise, Robert de Langton in 1353 received from Henry of Grosmont an exemption from serving in any official capacity against his will, but it is difficult to find any other instances of association between the Langton family and the earls and duke of Lancaster.<sup>146</sup> Others enjoyed a much more permanent relationship with the lord. William Gentil served as deputy sheriff in the county from 1307 to 1309 and held this position again in the years from 1320 to 1322.<sup>147</sup> Edmund de Neville served as deputy sheriff from 1315 to 1317 and was still in earl Thomas's affinity in 1321, when he was party to the Sherburn Indenture.<sup>148</sup> He continued in the service of Thomas's brother, and as late as 1341 he appears as bailiff of Lonsdale.<sup>149</sup>

The more enduring bonds of service also survived generational change. William Gentil was an exceptionally frequent officer, for both earl and king, but his connection with the earl of Lancaster was something that he inherited from his father; John Gentil was verderer for Thomas of Lancaster's forests in Lancashire at some point before 1307.<sup>150</sup> Likewise, the Southworth family enjoyed a continuing relationship with the Lancaster earls and duke. Gilbert de Southworth was among the recipients of the general pardon procured by Thomas of Lancaster in 1318 and later

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<sup>143</sup> Walker, *Lancastrian Affinity*, pp. 145-6; Goodman, *John of Gaunt*, p. 329.

<sup>144</sup> Walker, *Lancastrian Affinity*, p. 147. See also: C. Given-Wilson, *Henry IV* (New Haven and London, 2016), pp. 44-5.

<sup>145</sup> E 101/25/9/3.

<sup>146</sup> JUST 1/435/5d

<sup>147</sup> *LOS*, p. 72.

<sup>148</sup> *LOS*, p. 72; Wilkinson, 'The Sherbourne Indenture', p. 28.

<sup>149</sup> KB 17/326/100.

<sup>150</sup> *CCR 1296-1302*, p. 487.

served as deputy sheriff from 1323 to 1326.<sup>151</sup> Though it can sometimes be difficult to distinguish between different members of the Southworth family, where the same Christian name recurred for several generations, it must be assumed that it was this Gilbert's son by the same name who appears on the 1345 pardon.<sup>152</sup>

The abovementioned men were all the heads of their houses, with the exception of Matthew de Haydock, who seems to have been an oldest son who predeceased his father.<sup>153</sup> Maddicott finds little evidence that younger sons made up a significant part of the retinue of Thomas of Lancaster and, as far as the core of the retinue is concerned, this holds true also for Lancashire.<sup>154</sup> There were exceptions, however, one such being the case of William de Holland, Robert's younger brother. His relationship with Thomas of Lancaster goes back to his appearance on the list of men pardoned for the death of Gaveston in 1313.<sup>155</sup> Then, in 1315, he played a significant part in the suppression of the rebellion of that year.<sup>156</sup> His participation in fact extended to the point where he was later held personally responsible for the execution of Adam Banaster and Henry de Lea, on the order of the earl of Lancaster.<sup>157</sup> On the other hand, William de Holland had the advantage of having an unusually close connection to the earl through his own brother Robert. For others the opportunity may simply not have existed, and there are few examples of younger sons being so closely connected to the earl or duke of Lancaster as William de Holland was.

Another factor to be considered in the composition of the affinity is that of geographical distribution, and how this related to status and to where the earl or duke was dominant. In the early part of the fourteenth century, the Lancastrian affinity in the north-west was dominated by the powerful marcher lord families of Dacre, Harrington and Huddleston. The exceptions were capable administrators like Edmund de Neville and William Gentil and of course Robert de Holland. The heavy reliance on northern retainers was due to the strategic situation with Scotland, relating both to

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<sup>151</sup> *CPR 1317-1321*, p. 227; *LOS*, p. 72. For more on Southworth, see above, p. 78.

<sup>152</sup> *CPR 1343-1345*, pp. 530-2.

<sup>153</sup> *VCH*, IV, pp. 137-40.

<sup>154</sup> Maddicott, *Thomas of Lancaster*, p. 61.

<sup>155</sup> *CPR 1313-1317*, p. 21.

<sup>156</sup> KB 27/254/12; Tupling, *South Lancashire*, pp. 45-6. For the Banaster rebellion, see p. 182.

<sup>157</sup> KB 27/254/11; Tupling, *South Lancashire*, p. 38.

the intermittent English campaigns and to the Scottish incursions into northern England. Of the five men with Lancashire connections banned by special writ from participating in the Doncaster Assembly in 1322, there were one Dacre and two Harringtons, the remaining two being Holland and the baron William Butler.<sup>158</sup> Thomas of Lancaster's strong dependence on north Lancashire men can be seen clearly in 1315, during the rebellion against him, which was entirely a south Lancashire phenomenon. Among the men he called upon to suppress the uprising were William Dacre, John and Michael Harrington and Adam de Huddleston.<sup>159</sup>

A couple of individual examples will show the prominence of certain north Lancashire men in Thomas of Lancaster's affinity. John de Harrington served the earl as early as 1306-07, when he accompanied him on a Scottish campaign.<sup>160</sup> He remained in Lancaster's affinity through the times of fewer campaigns, and received pardons both in 1313 and 1318.<sup>161</sup> Over the following years he would receive letters from Earl Thomas, and he served with again him on the Berwick campaign in 1319.<sup>162</sup> In 1321 he signed the Sherburn Indenture, and he was among those banned from taking part in the Doncaster Assembly.<sup>163</sup> There is, however, no sign that he fought at the battle of Boroughbridge.<sup>164</sup> A similar, if not identical, pattern can be found in the case of Adam de Huddleston, who was witness to one of Thomas of Lancaster's charters in 1311.<sup>165</sup> He was pardoned for the death of Gaveston, fought on the Berwick campaign and took part in the Sherburn Indenture.<sup>166</sup> Although he was not mentioned by name in the prohibition against participating at the Doncaster Assembly, he did, unlike Harrington, fight for Earl Thomas at Boroughbridge, where he probably died.<sup>167</sup>

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<sup>158</sup> *Foedera, Conventiones, Litterae etc.*, ed. T. Rymer, revised edn by A. Clarke, F Holbrooke and J. Coley (London, 1816-69), vol. II, pp. 26-7.

<sup>159</sup> KB 27/254/12; Tupling, *South Lancashire*, pp. 45-6.

<sup>160</sup> C 67/16; Maddicott, 'Thomas of Lancaster', p. 546.

<sup>161</sup> *CPR 1313-1317*, p. 21; *1317-1321*, p. 227

<sup>162</sup> DL 28/1/13/1-3; Maddicott, 'Thomas of Lancaster', p. 546.

<sup>163</sup> Rymer, *Foedera*, vol. II, pp. 26-7; Wilkinson, 'The Sherbourne Indenture', p. 28.

<sup>164</sup> *Parl. Writs*, vol. II, ii, p. 201.

<sup>165</sup> DL 42/1/399; Maddicott, 'Thomas of Lancaster', p. 546.

<sup>166</sup> *CPR 1313-1317*, p. 21; Maddicott, 'Thomas of Lancaster', p. 546; Wilkinson, 'The Sherbourne Indenture', p. 28.

<sup>167</sup> Rymer, *Foedera*, vol. II, pp. 26-7; Maddicott, 'Thomas of Lancaster', p. 546.

This pattern changed later on, as the primary military focus of the nation shifted from Scotland to France. The Lancashire men who followed Henry of Grosmont to Aquitaine in 1345-6 were geographically from a broad section of the county.<sup>168</sup> This trend had not been apparent in the Scottish campaigns of the previous decade; Henry of Lancaster's campaign in Scotland in 1336 shows a predominance of the previously prominent border lords.<sup>169</sup> Another reason for the shift in the geographical distribution of the affinity could be the ascendancy of the Clifford family in the north. The Cliffords came to prominence in the late thirteenth century, when Roger de Clifford came into the Vieuxpont inheritance through marriage. This made the family one of the wealthiest in Westmoreland.<sup>170</sup> Roger's son Robert added to the family's prestige through valuable service in the Scottish wars up until his death at Bannockburn in 1314.<sup>171</sup> Though Robert's oldest son Roger was executed and forfeited in 1322 for his participation in Lancaster's rebellion, the estates were restored to his younger brother Robert in 1327.<sup>172</sup> Robert I's IPM shows that he held no land in Lancashire,<sup>173</sup> but in 1298 he was appointed the king's lieutenant of the north-western counties, including Lancashire.<sup>174</sup> The younger Robert, however, was much more frequently involved in Lancashire affairs, both military and civilian.<sup>175</sup> Clifford's prominence probably eclipsed even that of Ralph Dacre, who in 1328 owed Clifford 700 marks.<sup>176</sup> This shift in power may have restored a certain balance to the north-south dynamics of the county of Lancashire.

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<sup>168</sup> E 101/25/9/3.

<sup>169</sup> E 101/15/12.

<sup>170</sup> K. Faulkner, 'Clifford, Sir Roger de (*b. c.* 1221, *d.* in or before 1286)', *ODNB*; I. Hall, 'The lords and lordship of the English west march: Cumberland and Westmorland from circa 1250 to circa 1350' (Unpubl. Ph.D. thesis, Durham University, 1986), pp. 203-36; Prestwich, 'Royal patronage under Edward I', p. 42.

<sup>171</sup> G.W.S. Barrow, *Robert Bruce and the Community of the Realm of Scotland* (London, 1965), pp. 313-17, 323-4; Maddicott, *Thomas of Lancaster*, pp. 109, 158; Prestwich, *Armies and Warfare*, pp. 42, 44, 168; H. Summerson, 'Clifford, Robert, first Lord Clifford (1279-1314)', *ODNB*; Simpkin, *English Aristocracy at War*, pp. 54-5.

<sup>172</sup> Summerson, 'Clifford, Robert', *ODNB*.

<sup>173</sup> *CIPM*, V, 533.

<sup>174</sup> *Parl. Writs*, vol. I, p. 318.

<sup>175</sup> *CPR 1330-1334*, pp. 133, 286, 292; *1338-1340*, p. 134; *1340-1343*, p. 314; *CCR 1330-1333*, pp. 424, 425, 537; *1339-1341*, p. 94; *1341-1343*, pp. 111, 370.

<sup>176</sup> *CCR 1327-1330*, p. 366.

In Lancashire, where the earl of Lancaster held vast amounts of land and extensive liberties, there were plenty of opportunities for employment in various official capacities. This goes both for work on the earl's estate, and in local office, though the distinction is sometimes blurred by the earl's predominant influence. One difference is that, while the former was a clear sign of noble favour, the latter could often be little more than a burden for established families, but an opportunity to increase their local standing and influence for rising ones.<sup>177</sup> The major office was of course that of deputy sheriff, but below this there were a great number of positions to be filled, including stewards, bailiffs and foresters. Richard de Hoghton served as deputy sheriff of Lancashire from 1298 to 1302, and up until 1318 he was Thomas of Lancaster's *verderer* in the county.<sup>178</sup> Later on his grandson, Adam de Hoghton, was appointed to fill his grandfather's position as sheriff, though only for a short interval of ten days, in the transitional period after the death of Henry of Grosmont in 1361.<sup>179</sup> The Radcliffe family benefited greatly from Lancastrian patronage in the later part of the period in question; for instance, one or other of that family held the position as steward of Blackburnshire in 1331-2, 1341-7 and 1353-72.<sup>180</sup>

As we have seen, with Henry of Grosmont's palatinate grant in 1351, the number of the duke's officials within the county of Lancashire increased significantly. It would perhaps be expected that this offered greater possibilities for the gentry of the county with regard to their careers, but this does not seem to be the case. Henry of Grosmont seems to have headhunted his officers from Westminster rather than recruiting them locally. This may have been a necessity, considering the highly specialised and technical nature of some of these posts, such as justices and chancellors. Even had he wanted to, there probably was not enough talent to draw on locally to fill these positions.

In addition to local administration, a magnate could sometimes also rely on his affinity for local peacekeeping. The *posse comitatus* Thomas of Lancaster assembled in 1315 to suppress the Banaster rebellion was in fact little more than members of the

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<sup>177</sup> Carpenter, *Locality and Polity*, p. 72.

<sup>178</sup> *CCR 1318-1323*, p. 23; *LOS*, p. 72.

<sup>179</sup> Since the shrievalty reverted to the crown at the duke's death, Adam de Hoghton was titled sheriff, not deputy sheriff; *LOS*, p. 72.

<sup>180</sup> KB 27/350/8Rd; *CCR 1339-1341*, p. 152; Somerville, *History of the Duchy of Lancaster*, pp. 355, 362.

earl's own affinity. It contained men such as the Harrington brothers John and Michael, and Adam de Huddleston, all northern lords with limited interests in Lancashire and none in the southern part of the county. Thomas did however also call on complete outsiders for assistance, such as the Yorkshire baron Walter le Vavasour, who died from injuries suffered in an encounter with the rebels.<sup>181</sup>

One contentious point of history is the connection between a dominant magnate's affinity in a county and that county's representation in parliament. The earlier idea that John of Gaunt packed parliament with his own supporters in 1377 has largely been discredited.<sup>182</sup> In Lancashire specifically, however, the duke was in a special position to get his own men elected.<sup>183</sup> Between June 1369 and October 1397, forty-one of the sixty representatives returned from this county were servants of Gaunt.<sup>184</sup> Yet for an earlier period, it has been assumed that there was no conscious effort to return Lancastrian adherents to parliament. Thomas of Lancaster supposedly set little store by the political influence of the Commons and, in the words of Simon Walker, 'preferred to have his men on the streets rather than in the debating-chamber'.<sup>185</sup> Walker bases this assessment on Maddicott, who in turn supports it with an earlier study by E. Fox on the parliamentary representation of the county in the reign of Edward II. Fox and Maddicott arrive at only six Lancastrian supporters in the entire reign of Edward II. Furthermore, the parliamentary representation of certain of the 1315 rebels is brought forward as evidence that Lancaster's 'opponents' were returned, which further weakens the impression that Lancaster actively influenced the election of shire representatives.<sup>186</sup>

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<sup>181</sup> KB 27/254/12; Tupling, *South Lancashire*, pp. 45-6.

<sup>182</sup> For the original thesis, see: J.C. Wedgwood, 'John of Gaunt and the packing of Parliament', *EHR*, 45 (1930), pp. 623-5. For the later revision, see: H.G. Richardson, 'John of Gaunt and the Parliamentary Representation of Lancashire', *Bulletin of the John Rylands Library*, 22 (1938), pp. 201-2; L. Clark, 'Magnates and their affinities in the parliaments of 1386-1421', in R.H. Britnell and A.J. Pollard (eds.), *The McFarlane Legacy, Studies in Late Medieval Politics and Society* (Stroud, 1995), pp. 130-1.

<sup>183</sup> McFarlane, 'Parliament and "bastard feudalism"', pp. 55-6.

<sup>184</sup> Walker, *Lancastrian Affinity*, p. 238.

<sup>185</sup> Walker, *Lancastrian Affinity*, p. 237. See also: A. King, 'Lordship, castles and locality: Thomas of Lancaster, Dunstanburgh Castle and the Lancastrian affinity in Northumberland, 1296-1322,' *Archaeologia Aeliana*, 5<sup>th</sup> series, 29 (2001), p. 225.

<sup>186</sup> E. Fox, 'The Parliamentary Representation of the County of Lancaster in the Reign of Edward II' (Manchester Univ. M.A. thesis, 1956), cited in Maddicott, *Thomas of Lancaster*, pp. 51-3. See also: G.T. Lapsley, 'Knights of the shire in the parliaments of Edward II', *EHR*, 34 (1919).

This conclusion is incorrect for several reasons. First of all, the given number of only six Lancastrian supporters in parliament is somewhat low; at least eleven knights of the shire can be shown to have been Lancastrian adherents at some point or another.<sup>187</sup> Secondly, the time-frame of Edward II's reign is of limited value to the study of the affinity of Thomas of Lancaster; the 'interregnum' of 1322-27 is of far less interest than the later years of the reign of Edward I. A study of the adherents of Thomas of Lancaster in parliament has to span the period from the March parliament of 1299 to July/August parliament of 1321. Twenty-eight men were returned during Thomas's tenure as earl of Lancaster, of whom eleven were members of his affinity.<sup>188</sup> Lastly, the assertion that 'opponents' of the earl were elected to parliament on the basis of the election of some of the 1315 rebels before the event is flawed. There is no evidence of any overt opposition against Lancaster before the rebellion; quite the opposite, as several of the rebels had received a pardon for the death of Gaveston in 1313.<sup>189</sup> It is more likely that it was Lancaster's subsequent failure as lord in Lancashire that caused the rebellion.<sup>190</sup> The only leader to survive the rebellion was William de Bradshaw, who went into exile for several years. He did serve in

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<sup>187</sup> These were Matthew de Redman (1307ii), who was pardoned for the death of Gaveston in 1313 (*CPR 1313-1317*, p. 21); William Gentil (1311 and one earlier), who served as deputy sheriff for two non-consecutive periods and was bailiff of Lancashire in 1322 (*LOS*, p. 72; *CCR 1318-1323*, p. 429); William de Bradshaw (1313i, 1315, 1325 and later), and Edmund Dacre (1313i), who were both pardoned for the death of Gaveston (*CPR 1313-1317*, p. 21); Ralph de Bickerstaffe (1313ii), who was pardoned for the death of Gaveston and served as deputy sheriff from 1309 to 1315 (*LOS*, p. 72; *CPR 1313-1317*, p. 21); John de Lancaster (1316i, 1322i and later), who received pardons as Lancaster's retainer in 1318 and 1324 (*Parl. Writs*, vol. II, ii, p. 255; *CPR 1317-1321*, p. 227); Roger de Pilkington (1316ii), who received pardons both in 1313 and 1318, and was one of the few who fought with Thomas of Lancaster at Boroughbridge (*Parl. Writs*, vol. II, ii, p. 201; *Parl. Writs*, vol. II, ii, p. 211; *CPR 1313-1317*, p. 21; *CPR 1317-1321*, p. 227); Edmund de Neville (1318, 1322i, 1324i, 1327i and later), whose connection with the earl can be shown in multiple ways, including service as deputy sheriff from 1315 to 1317, service on the Berwick campaign in 1319, and receipt of an annuity (DL 41/1/35; *LOS*, p. 72; Holmes, *Estates of the Higher Nobility*, pp. 134-41; Maddicott, 'Thomas of Lancaster', p. 546); Gilbert de Singleton (1322ii, he or his father also served on three occasions in the reign of Edward I), who was pardoned for the death of Gaveston and served as the keeper of Thomas of Lancaster's castles (*CCR 1318-1323*, p. 540; *CPR 1313-1317*, p. 21); Richard de Hoghton (1322ii, 1327i and one later), who served as deputy sheriff from 1298 to 1302, and was Lancaster's verderer in Lancashire some time before 1318 (*LOS*, p. 72; *CCR 1318-1323*, p. 23); and Thomas de Lathom (1324i), who did not serve Thomas of Lancaster, but received a pardon in 1345 in exchange for a promise of service in France (*CPR 1345-1348*, p. 486).

<sup>188</sup> These were the ones mentioned above, minus Hoghton and Lathom and possibly an earlier Gilbert de Singleton rather than the one from 1322 (1300, 1302, 1307i), plus Thomas Travers (1301), who served as Lancaster's deputy sheriff from 1302 to 1307 (*LOS*, p. 72); and John Travers (1307i), who received a pardon as Lancaster's retainer in 1318, and was an annuitant of the earl (*CPR 1317-1321*, p. 227; Holmes, *Estates of the Higher Nobility*, pp. 134-41).

<sup>189</sup> *CPR 1313-1317*, p. 21.

<sup>190</sup> For more on this, see below, p. 180.

parliament again repeatedly after his return, but the first time was in 1325, long after Boroughbridge and in a completely different political climate, nationally and locally.<sup>191</sup>

While appointment to local government or judicial office could be more of a burden than a benefit, there were also less ambiguous advantages of belonging to a noble affinity, particularly the monetary one.<sup>192</sup> Though it has long been established that the annuity in itself was not the only reward of belonging to a magnate's affinity, it could nevertheless be significant.<sup>193</sup> Moreover, it now seems that financial rewards were greater in the fourteenth century than in the fifteenth, because they were concentrated on fewer people, and that those given by Thomas of Lancaster were particularly large.<sup>194</sup> Lancaster, as the nation's wealthiest magnate, had ample opportunity to reward his followers far beyond any of his peers. Furthermore, the political circumstances of more or less constant opposition to the crown, combined with private feuds, also drove him to invest heavily in building a large and powerful affinity. In Maddicott's words, 'The financial attraction of service with the Earl goes far to explain the size of his retinue.'<sup>195</sup> It is hard to establish with any precision exactly how much each retainer earned, but Maddicott estimates for the year 1318-19 that Thomas spent as much as £663 6s 8d on seven knights.<sup>196</sup> As for Lancashire retainers, the sums were not particularly large: we know that Edmund de Neville received 20 marks annual rent from the earl's lands in the county, as did John de Harrington, while John's brother Michael received 10 marks. Richard de Holland, at the same time, was given 20 acres of waste in the forest of Needwood in Staffordshire.<sup>197</sup> Henry of Grosmont granted 20 marks annually from West Derby to

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<sup>191</sup> Another error is the claim that the October 1320 Parliament was 'the only known case of the deliberate management of a Lancashire election'. The accusation against William Gentil for the 1320 Parliament was mirrored by that against Henry Malton for the Parliament of 1319: Tupling, *South Lancashire*, p. 119; Maddicott, *Thomas of Lancaster*, p. 52.

<sup>192</sup> Saul, *Knights and Esquires*, p. 89.

<sup>193</sup> Carpenter, 'The Beauchamp affinity', p. 519; 'Bastard feudalism in the fourteenth century', pp. 71-2; Harriss, 'Introduction', p. xiii; Hicks, *Bastard Feudalism*, pp. 147-8.

<sup>194</sup> Jones and Walker (eds.), 'Private indentures', pp. 24-5; Carpenter, 'Bastard feudalism in the fourteenth century', p. 76.

<sup>195</sup> Maddicott, *Thomas of Lancaster*, p. 47.

<sup>196</sup> Maddicott, *Thomas of Lancaster*, pp. 46-7. This was the year of the Berwick campaign, so the number might not be representative of normal values.

<sup>197</sup> DL 41/1/35; Holmes, *Estates of the Higher Nobility*, pp. 134-40.

Thomas de Lathom, Jr.<sup>198</sup> His grants, however, were more often Lancashire land used to reward his followers from other counties. In 1354 he gave the Lancashire manor of Downham to the Yorkshire knight John de Dyneleye.<sup>199</sup> This tells us that traditionally feudal relations were still significant.

As we have seen above, the benefits of belonging to a magnate's affinity could also be indirect in the form of royal patronage secured through the lord's influence.<sup>200</sup> There were problems with this route of advancement, however, since Thomas of Lancaster was frequently at odds with the central government and in any case both he and Henry of Grosmont largely ignored the men of Lancashire over those of other parts of their lands. The most conspicuous Lancashire example is again represented by Robert de Holland, who was given the highly profitable office of Justice of Chester at a point when Thomas of Lancaster's relations with the crown were still tolerably good.<sup>201</sup> Another example is that of John Travers, one of two Lancashire brothers by the same name, who was an annuitant of Thomas of Lancaster and later became a justice of the Common Pleas.<sup>202</sup> Travers must clearly have been a lawyer to attain this position and, since the appointment came in 1329, it is likely that it resulted from the restoration of Henry of Lancaster that year.<sup>203</sup> Beyond securing official positions, the noble affinity could also be used to procure other favours from the crown, such as the royal pardons of 1313, 1318 and 1345.<sup>204</sup> In 1305, William Butler of Warrington and Robert le Norreys secured a royal grant of pontage at the request of Thomas of Lancaster. The grant, for five years, was for upholding the bridges at Warrington and Sonky 'on goods for sale beyond those bridges'.<sup>205</sup>

The wealthier and more powerful members of the gentry could maintain smaller retinues of their own. The scarcity of documentation for noble retinues is even more pronounced in the case of the gentry. Through circumstantial evidence, though, we can find evidence of sub-retinues belonging to certain gentry members. These

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<sup>198</sup> DL 37/2/99; Fowler, 'Henry of Grosmont', vol. II, pp. 313-20.

<sup>199</sup> DL 37/1/6d; *CCR 1341-1343*, p. 35; Fowler, 'Henry of Grosmont', vol. II, pp. 313-20. Dyneleye was later charged with entering the manor without royal permission: *CPR 1354-1358*, p. 626.

<sup>200</sup> See above, p. 122.

<sup>201</sup> *Parl. Writs*, vol. II, ii, p. 385.

<sup>202</sup> DL 41/1/35; *CPR 1317-1321*, p. 227; Foss, *Biographia Juridica*, pp. 532-3; *Biog. Sketches*, p. 101; Holmes, *Estates of the Higher Nobility*, pp. 134-41.

<sup>203</sup> Waugh, 'Henry of Lancaster', *ODNB*.

<sup>204</sup> *CPR 1313-1317*, p. 21; *1317-1321*, p. 227; *1343-1345*, pp. 530-2.

<sup>205</sup> SC 8/93/4648; *CPR 1301-1307*, p. 334.

were primarily wartime retinues assembled specifically for certain campaigns, and the standard forms of subcontracting need not indicate any particular private influence. Michael Harrington was, for instance, in 1316 bound to contribute three men-at-arms to the earls of Lancaster.<sup>206</sup> It was primarily the northern border lords who were called on to supply military retinues of their own; among those from southern Lancashire, few men were.<sup>207</sup> These war-time sub-retinues may not have been indicative of any private power and influence on the part of their leaders, but they are likely to have been useful in the political struggle of the reign of Edward II.<sup>208</sup>

The county of Lancashire, as we have seen, was rather unusual in its dominance by one magnate family. That is not to say that the earls and duke of Lancaster had an absolute monopoly on retaining the men of the county, and at least one member of the Lancashire gentry was retained by several lords. This practice, though evidence of it is far more abundant at a later date, certainly occurred already in the early fourteenth century.<sup>209</sup> This is not to be taken, as it often used to be, as evidence of the unreliable nature of bastard feudal society, and the mercenary attitude of its members.<sup>210</sup> It is now realised that it was only in rare cases that multiple bonds of allegiance led to conflicts of interest; more often they had a stabilising and cohesive effect.<sup>211</sup>

Apart from those who offered professional services, mostly lawyers, only the wealthiest, most talented or most politically significant members of the gentry were likely to be retained by more than one lord.<sup>212</sup> For the gentry of Lancashire this meant that, in addition to the poor selection in lordship, they were further disadvantaged by the poverty and position of their county. Robert de Holland was an exception to the

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<sup>206</sup> DL 41/1/35; Holmes, *Estates of the Higher Nobility*, p. 141.

<sup>207</sup> For a later example involving John de Radcliffe, see below, p. 248.

<sup>208</sup> Carpenter, 'Bastard feudalism in the fourteenth century', pp. 76-7.

<sup>209</sup> Carpenter, 'The Beauchamp affinity', pp. 517-18; McFarlane, 'Bastard Feudalism', pp. 168, 175-6.

<sup>210</sup> McFarlane, 'Parliament and "bastard feudalism"', pp. 70-1; 'Bastard feudalism', pp. 167-9; Storey, *End of the House of Lancaster*, p. 16; Saul, *Knights and Esquires*, pp. 92-4; C. Richmond, 'After McFarlane', *History*, 68 (1983), pp. 57-8; Waugh, 'Tenure to contract', pp. 827-8.

<sup>211</sup> Maddicott, *Thomas of Lancaster*, pp. 63-4; Carpenter, 'Beauchamp affinity', pp. 517-18; *Locality and Polity*, pp. 314-21, 376-7; Bean, *From Lord to Patron*, pp. 185-9; Bellamy, *Bastard Feudalism and the Law*, pp. 91-2; Horrox, *Richard III*, pp. 18-19; Walker, *Lancastrian Affinity*, pp. 103-8; Hicks, *Bastard Feudalism*, pp. 17, 88-9, 100-4; Simpkin, *English Aristocracy at War*, p. 187; Davies, *Lords and Lordship*, p. 210.

<sup>212</sup> C. Rawcliffe, *The Staffords, Earls of Stafford and Dukes of Buckingham, 1394-1521* (Cambridge, 1978), p. 73; Walker, *Lancastrian Affinity*, p. 109.

rule and he received liveries of Hugh Audley and Bartholomew Badlesmere in 1319. The contract was made up in the household of Thomas of Lancaster, showing that the arrangement was not only accepted, but even encouraged.<sup>213</sup> There was also considerable overlap in the affinities of Henry de Lacy and Thomas of Lancaster, though this constituted no conflict of interest since Lancaster was Lacy's heir.<sup>214</sup> Of the three Lancashire men mentioned as witnesses to Lacy's deed above,<sup>215</sup> two, and a younger son of the third, were mentioned on Lancaster's 1313 pardon.<sup>216</sup> Outside Lancashire, Adam de Huddleston was described as a bachelor of Henry de Lacy, and later received an annuity from Thomas of Lancaster.<sup>217</sup> These transfers of allegiance could also happen from one generation to the next; the Yorkshire knight Miles de Stapleton served with Henry de Lacy on the Falkirk campaign in 1298, and also witnessed Lacy's deeds.<sup>218</sup> Miles' son Nicholas was another of the adherents of Thomas of Lancaster who received a pardon in 1313.<sup>219</sup>

As Walker has pointed out, there were however cases where multiple allegiances could lead to conflict.<sup>220</sup> That Thomas of Lancaster was a volatile lord made the risk of following him all the greater for his men, as Holland would find out to his cost.<sup>221</sup> One example of conflict of interest was possibly that of John Darcy, who in 1310 entered into an indenture with the earl of Pembroke.<sup>222</sup> Three years later, in 1313, he received a pardon for the death of Gaveston, as a follower of the earl of Lancaster.<sup>223</sup> Darcy remained in Lancaster's service after this and was listed in the 1321 Sherburn Indenture.<sup>224</sup> Granted, Darcy was a professional administrator, and his

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<sup>213</sup> Maddicott, *Thomas of Lancaster*, p. 64.

<sup>214</sup> '...several of Lacy's retainers passed into Lancaster's service...': Maddicott, *Thomas of Lancaster*, pp. 46, 61.

<sup>215</sup> See above, p. 132.

<sup>216</sup> *CPR 1313-1317*, p. 21. Lacy's deed is undated, but was probably drafted after 1303, around which time William Butler of Warrington succeeded his father Henry. Richard de Lathom, from the 1313 pardon, was probably a younger son of Robert de Lathom.

<sup>217</sup> Holmes, *Estates of the Higher Nobility*, p. 71.

<sup>218</sup> *CAD*, vol. VI, C. 7447, C. 7454; *Scotland in 1298*, pp. 33, 35. For more on Stapleton's connections with Lacy, see: Spencer, *Nobility and Kingship*, pp. 121, 126-7.

<sup>219</sup> *CPR 1313-1317*, p. 21. For the family connection, see: *CIPM*, V, 498.

<sup>220</sup> Walker, *Lancastrian Affinity*, pp. 108-10.

<sup>221</sup> For more on Holland's career after Lancaster's death, see below, p. 198.

<sup>222</sup> Phillips, *Aymer de Valence*, p. 309.

<sup>223</sup> *CPR 1313-1317*, p. 21.

<sup>224</sup> Wilkinson, 'The Sherbourne Indenture', p. 28.

services would have been valued by many for his professional qualities.<sup>225</sup> Nevertheless, it is interesting that we are dealing with the period when the rift between Pembroke and Lancaster occurred and that the murder of Gaveston was the event that provoked it.<sup>226</sup> It seems unlikely that Darcy could have served the two opposing earls throughout the period of conflict without complications and he did abandon Lancaster before the earl's downfall.<sup>227</sup> By 1330, however, he was listed as an annuitant of Henry of Lancaster senior.<sup>228</sup>

From magnate affinities, we can now move on to look at gentry networks more in isolation. As mentioned earlier, this is a somewhat artificial distinction, though perhaps less so for Lancashire than for other places, since magnate presence on the ground was a scarce commodity here.<sup>229</sup> We have already looked at some of the factors that could have contributed to shaping these local structures. Chapter 2 described the physical and economic conditions of Lancashire, conditions that had a significant impact on local society. Chapter 3 dealt with the various royal offices filled by gentry members, as well as the role of parliamentary representatives. Many officers, such as tax collectors or commissioners of array, worked in groups of two or more together, which was also the case with the knights of the shire. Others, such as peace commissioners, were commissioned in larger groups, though not generally more than about a handful until about the mid-fourteenth century. These positions may have been the basis for lasting connections between men but as evidence of association they must be used with caution, because we know too little about the procedure behind the work in question. Lastly, this chapter has already dealt with noble affinities. These affinities, as we have seen, created links between the earls and duke of Lancaster and local men, though only up to a point, and provided various benefits both for the lord and his men but it still remains to be seen how effective they

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<sup>225</sup> For more on Darcy, see above, p. 84.

<sup>226</sup> Maddicott, *Thomas of Lancaster*, p. 130; Phillips, *Aymer de Valence*, p. 36. Darcy remained part of the close circle around Pembroke after the death of Lancaster: Phillips, *Aymer de Valence*, pp. 261, 268.

<sup>227</sup> Ormrod, 'Darcy, Sir John', *ODNB*.

<sup>228</sup> DL 40/1/11/45d.

<sup>229</sup> See above, p. 125.

were in shaping networks in the localities, and whether these noble affinities coincided with local networks or if they created a different kind of identity.

In addition to the abovementioned fields of interaction, there are several others to examine when it comes to the formation of local networks, and a wide range of sources to make use of. Of great value are collections of private deeds, a great number of which have survived for the county of Lancashire. These sources, dealing primarily with settlement of estates, can provide clues as to the level of trust and friendship between gentry members, in the choice of feoffees to be entrusted with land, and of witnesses, since these would be called upon in cases of dispute. The witness lists themselves can reveal the composition of networks, giving evidence not only of who were the closest associates of certain men, but also of the internal hierarchy between these men, according to the order in which they are mentioned.<sup>230</sup> The main problem with the use of these sources is that they can easily give an incomplete and skewed image of local society because of their composition. The material at our disposal is dictated by accidents of survival.<sup>231</sup> There are large collections of deeds relating for instance to the Norreys, Hoghton and Molineux families but fewer relating to the affairs of other significant families, such as the Radcliffes or the Travers.<sup>232</sup>

Better distributed, in the sense of representation based on other factors than the accident of survival, are some other records. The almost entirely complete set of

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<sup>230</sup> The historiographical debate has centred on witness lists to royal charters, but similar methodological concerns can be raised about private deeds: J.C. Russell, 'Social status at the court of King John', *Speculum*, 12 (1937), pp. 319-29; 'Attestation of charters in the reign of John', *Speculum*, 15 (1940), pp. 480-98; G.L. Haskins, 'Charter witness lists in the reign of King John', *Speculum*, 13 (1938), pp. 319-25; Maddicott, *Thomas of Lancaster*, p. 341; Phillips, *Aymer de Valence*, p. 323; C. Given-Wilson, 'Royal charter witness lists, 1327-1399', *Medieval Prosopography*, 12 (1991), pp. 35-93; J.S. Hamilton, 'Charter witness lists for the reign of Edward II', in N. Saul (ed.) *Fourteenth Century England, I* (Woodbridge, 2000), pp. 1-20; N. Vincent, 'Did Henry II have a policy towards the earls?', in C. Given-Wilson, A.J. Kettle and L. Scales (eds.), *War, Government and Aristocracy in the British Isles, c. 1150-1500: Essays in Honour of Michael Prestwich* (Woodbridge, 2008), pp. 1-25. There is a general consensus that names on witness lists denote actual attendance. Though there is still a debate over whether the order of witnesses denotes status, more importantly, it denotes trust between the parties and witnesses listed on the document: Bennett, *Community, Class and Careerism*, pp. 30-3; Carpenter, *Locality and Polity*, pp. 287, 292-3; 'Introduction', in *The Armburgh Papers: The Brokeholes Inheritance in Warwickshire, Hertfordshire and Essex, c. 1417-c. 1453* (Woodbridge, 1998), pp. 44-5.

<sup>231</sup> Carpenter, *Locality and Polity*, pp. 291-2; P.L. Watson, 'The Okeovers c.1100 - c.1300: a gentry family and their cartulary' (Unpubl. D.Phil. thesis, University of Oxford, 2017), pp. 183-4; Drake, 'Since the time of King Arthur', p. 237.

<sup>232</sup> *A Calendar of the Norris Deeds*, ed. J.R. Lumby, RSLC, 93 (1939); Lancashire Record Office: DDHo (De Hoghton of Hoghton Deeds) and DDM (Molineux of Sefton Deeds).

records from the King's Bench in the period from before our starting date of 1298 until 1351 contain numerous cases involving Lancashire gentry members.<sup>233</sup> After this point the plea rolls of the Common Bench of the Palatinate of Lancashire take over. These cover the period from 1351 to 1360 and, as the records of a local court, are often more extensive and more detailed than the records of the royal court.<sup>234</sup> In addition to these, there are a number of commissions of a special or general nature, hearing cases of *novel disseisin* or gaol delivery, or dealing with special cases of disturbance of the peace, in the more recent *oyer* and *terminer* and trailbaston commissions, as described in the previous chapter.<sup>235</sup> What these sources primarily document is the conflict over land between two families or individual men. Even though such activity is a sign of conflict, it should not necessarily be taken as a sign of enduring and high-level animosity between the parties involved. The *oyer* and *terminer* and the trailbaston commissions in particular could certainly be used for the purpose of carrying out acts of private vendetta, particularly since plaintiffs, until 1360, were allowed to choose their own justices.<sup>236</sup> The much more prevalent use of the King's Bench, however, and later the Common Bench of the Palatinate, may well often reflect a different purpose on the part of the litigants.<sup>237</sup> The use of the king's or the duke's court could be an attempt to resolve a conflict over land between two parties by appeal to a higher authority, and was frequently only one step in a wider sequence of efforts.<sup>238</sup> What it does provide evidence of, is associations between those who stood as co-defendants and -litigants, or as mainpernours for each other.

In discussing the socio-political interconnection between families and individuals in fourteenth-century England, it is important to distinguish between what we may term networks on the one hand and what are better referred to as factions or confederacies on the other. Network is a modern sociological term, which describes a

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<sup>233</sup> KB 27/155-365.

<sup>234</sup> DL 35/1-8.

<sup>235</sup> See above, p. 99.

<sup>236</sup> See above, p. 99. Harding, 'Early trailbaston proceedings', pp. 144-9; 'Origins of the crime of conspiracy', pp. 89-108; Musson and Ormrod, *Evolution*, pp. 48-9.

<sup>237</sup> The exception here is the use of the King's Bench as a trailbaston commission, in which case that court could also be used punitively, or to pursue feuds. For more on this see above, p. 189.

<sup>238</sup> For more on this intermingling of the public and private sphere in conflict resolution, see: Powell, 'Arbitration and the law', pp. 63-6; Carpenter, *Locality and Polity*, pp. 284-6.

relatively constant association between people, with manifold applications.<sup>239</sup> Confederacy, on the other hand, was a term used by contemporaries to describe a gathering of men for a particular purpose, often the exercise of violence. Though occasionally little more than a legal fiction or a fabricated accusation, these confederacies were often real entities, and played a major part in the local politics of early fourteenth-century Lancashire, particularly during the more turbulent periods of the 1310s and 1340s.<sup>240</sup> But regardless of the veracity of the accusations, they are nevertheless significant for the work at hand, since what contemporaries referred to as confederacies almost certainly coincided with what we would refer to as networks. Hence, references in the sources to criminal gangs of various descriptions are helpful clues in network analysis.

In Lancashire, where travel even within the county was difficult,<sup>241</sup> it was only natural that one would turn to one's immediate neighbours for the purpose of such tasks as witnessing deeds.<sup>242</sup> In the case of less transitory connections, such as marrying off children, families might look further afield for a suitable match, but natural borders severely limited interaction beyond the county borders. We have also seen, above, that the geography of the county created not only a north/south divide along the Ribble, but also a separation further north caused by the rather artificial inclusion of Furness and Cartmel in the county. The south, meanwhile, was divided by a strip of marshland diagonally across the most fertile area, and by the forest of Rossendale cutting through the inland areas. An analysis of the social networks of the Lancashire gentry shows us – not surprisingly – that the strongest networks existed in the more populated, wealthier, agricultural area of the south. Here we can talk of two separate, though highly interlinked, networks: a western network centred on the

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<sup>239</sup> Network analysis is normally associated with the German sociologist Georg Simmel: R. Wodiak, B. Johnstone and P.E. Kerswill, *The SAGE Handbook of Sociolinguistics* (London, 2010), p. 210. For more on the use of network analysis in the study of medieval gentry society, see: Carpenter, *Locality and Polity*, p. 282.

<sup>240</sup> The use of confederacies in criminal accusations originated with Edward I's trailbaston proceedings and the definition of the crime of conspiracy: Harding, 'Early trailbaston proceedings', pp. 144-9; 'Origins of the crime of conspiracy', pp. 89-108; Musson and Ormrod, *Evolution*, pp. 48-9.

<sup>241</sup> See above, p. 25.

<sup>242</sup> Astill, 'The medieval gentry', pp. 101-2, 116; Bennett, *Community, Class and Careerism*, p. 32; Saul, *Scenes from Provincial Life*, p. 28; Barker, 'The Claxtons', p. 116. For the possibility that witnesses were not necessarily present at signing, but were represented by proxy, see: Wright, *Derbyshire Gentry*, p. 56.

Haydock family and an eastern one centred on the Radcliffe family. The two networks largely correspond with the boundaries of West Derby and Salford Hundreds respectively, possibly an indicator that official and unofficial boundaries coincided also within the county. Though several families are central to the activities of the networks, it makes sense to centre the discussion on the Haydock and Radcliffe families, which were clearly the two most active agents in local affairs.

Around the family of Haydock, we find their West Derby neighbours Southworth, Molineux of Sefton, Norreys, Lathom, Bickerstaffe, Holland and Butler of Warrington, but also to a lesser extent families from other parts of the county, such as the Amounderness families of Shireburne and Singleton and the ubiquitous Radcliffe family from Salford. It was probably the Haydock family's position as frequent office-holders that gave them such a central position and such a range of connections within the network. Their interaction, both private and official, involved other office-holding gentry, like Norreys, Bickerstaffe, Shireburne and Singleton, and those office-holders who also held extensive land, like Lathom, Holland and Radcliffe, but also wealthy landowners who were little involved in official work, like Southworth, Molineux of Sefton and Butler of Warrington.

The strongest connection was probably the one the Haydock family enjoyed with their close neighbours to the south-east, the Southworths. Members of the two families frequently witnessed each other's deeds,<sup>243</sup> or appeared together as witnesses for others.<sup>244</sup> In 1332, Gilbert de Haydock and Matthew de Southworth stood as co-defendants in the murder of Roger de Sonky, where they were both acquitted.<sup>245</sup> In 1350 Gilbert again appeared in court with a Southworth, when he and Matthew de Southworth – probably a younger son – stood as surety for William Butler of Warrington.<sup>246</sup> It is likely that both families' frequent use of the names Gilbert and the rather uncommon Matthew is the result of a close connection between the two. This would denote godparenthood – the most common influence on the naming of children

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<sup>243</sup> UML, Legh of Lyme muniments, Box M No. 1, ff 2, 10, 25, 44.

<sup>244</sup> UML, Legh of Lyme muniments, Box M No. 1, ff 4, 5, 11, 12, 29, 32, 35, 44, 47; LA, DDM 17/16, 46/17; LA, DDSc 26/11, 43A/44, 47; LA, DDBI 55/7, 17/4; LA, DDIn 56/10, 11, 13.

<sup>245</sup> JUST 1/428/5.

<sup>246</sup> JUST 1/443/6.

in late medieval England.<sup>247</sup> Another family that was closely connected to the Haydocks were the Molineux of Sefton further to the west of Haydock. In 1320, Matthew de Haydock witnessed charters for William, son of Richard le Molineux, concerning land in Sefton.<sup>248</sup> In 1356 Gilbert de Haydock and Richard le Molineux of Sefton stood as surety in court for Robert and Thomas Mascy.<sup>249</sup> The Norreys, resident in the far south-west of the county, are also found frequently alongside the Haydocks in deeds.<sup>250</sup> Henry de Haydock and Nicholas le Norreys were returned together to the parliament of 1328 to 29.<sup>251</sup> In 1352 Nicholas le Norreys stood as attorney for John, son of Gilbert de Haydock, in a case against Amina, widow of Richard del Bruch.<sup>252</sup> The members of this western network were also closely interconnected, in particular the greater families of Southworth, Molineux of Sefton, Norreys, Lathom, Halsale, Holland and Butler of Warrington. Examples can be found in a 1321 grant by William of Walton of the capital messuage and lands of the manor of Hale, to Robert son of Adam of Ireland, witnessed by Richard de Holland, Gilbert de Halsale, Matthew de Haydock, William Butler, Robert de Lathom and Robert de Holland,<sup>253</sup> or the agreement between Sir William le Butler of Warrington and Gilbert son of Gilbert de Halsale, concerning the diversion in the course of the river Alt in Lydiate, witnessed, among others, by Matthew de Haydock, Richard le Molineux of Sefton, Robert le Norreys, Gilbert de Southworth and Alan le Norreys.<sup>254</sup>

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<sup>247</sup> R. Dinn, 'Baptism, spiritual kinship, and popular religion in late medieval Bury St. Edmunds', *Bulletin of the John Rylands University Library*, 72 (1990), pp. 93-106; M.J. Bennett, 'Spiritual kinship and the baptismal name in traditional European society', in D. Postles and J.T. Rosenthal (eds.), *Studies on the Personal Name in Later Medieval England and Wales* (Kalamazoo, 2006), pp. 115-46; P. Niles, 'Baptism and the naming of children in late medieval England', in Postles and Rosenthal (eds.), *Studies on the Personal Name*, pp. 147-57; J. Garrett, 'Spiritual kinship, godparenthood and proofs of age of heirs to Northumberland estates, 1401-1472', *Northern History*, 49 (2012), pp. 185-6; N. Saul, *Lordship and Faith: The English Gentry and the Parish Church in the Middle Ages* (Oxford, 2016), p. 186. A parallel can be found in the case of Robert de Holland, who named his second son – the future earl of Kent – Thomas, after the earl of Lancaster: Maddicott, 'Thomas of Lancaster and Sir Robert Holland', p. 462.

<sup>248</sup> LA, DDM 17/16, 46/17. See also LA, DDBI 44/3; LA, DDIn 53/21, 31 and 56/10 for cases where members of the two families appear as witnesses together.

<sup>249</sup> JUST 1/436/8, 8d, 9.

<sup>250</sup> LA, DDM 48/4; LA, DDSc 26/11, 43A/44, 47; UML, Legh of Lyme muniments Box M No. 1, ff 5, 45; LA, DDIn 56/10.

<sup>251</sup> *RMP*, p. 87.

<sup>252</sup> DL 35/1/29.

<sup>253</sup> LA, DDIn 22/5.

<sup>254</sup> Sir William was allowed to dam the water on Gilbert's lands, to turn the river back to its old course, but had to keep the lands near the river free from flood: LA, DDIn 56/10.

The eastern network shows many of the same characteristics. Here the well-connected Radcliffe family is a good starting point. The family is of great importance because, as will be shown later, they gradually moved in to fill the power vacuum left after Robert de Holland in 1322.<sup>255</sup> As mentioned above, they had associations with the Haydocks, but, again, the physical distance between the two meant that this association was not manifested through deeds. A rare occurrence is a 1332 agreement between the abbot of Mirwall and William Blundell of Ince over the right to drive cattle to watering, witnessed by Robert de Radcliffe in his capacity of forester, Gilbert de Haydock and his brother Henry.<sup>256</sup> In other fields the connection was stronger. In the parliament that met in September 1334, Henry de Haydock and Robert de Radcliffe sat together,<sup>257</sup> and in around 1357, William de Radcliffe stood as surety in court for Gilbert de Haydock.<sup>258</sup> The relationship could also be of a financial nature; in 1334, John and Robert de Radcliffe had a debt of £200 to Henry de Haydock enrolled in chancery, to be levied in default of payment of their lands and chattels in Lancashire.<sup>259</sup>

The Radcliffes were unusual in that they had occasional interactions also beyond their local area, primarily with West Derby families. In addition to the Haydocks, these included the families of Southworth and Hesketh, as well as Hoghton from Leyland. The inner circle of the Radcliffe network, however, was made up of their closer neighbours in Salford: Bury, Trafford, Tyldesley (in easternmost West Derby, on the border to Salford), Pilkington, Ashton and Hulton. Radcliffe and Bury manors bordered on each other, and the connection between the two families is clear. Adam de Bury witnessed a release of land, from Richard de Hulton to Richard de Radcliffe, in Prestwich in 1324, and in 1346 Henry de Bury was a witness when Richard de Radcliffe enfeoffed the manor of Radcliffe to Robert de Radcliffe and two other clergymen.<sup>260</sup> Most significantly, the two families were connected through marriage: Margaret, daughter of Richard de Radcliffe, was married to Henry de

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<sup>255</sup> See below, particularly chs. 7 and 8.

<sup>256</sup> LA, DDIn 53/25.

<sup>257</sup> *RMP*, p. 104.

<sup>258</sup> JUST 1/437/10.

<sup>259</sup> *CCR 1343-1346*, p. 450.

<sup>260</sup> LA, DDX 895/48, 52. See also LA, DDX 895/50, 52; LA, DDTTr 29/6/295.

Bury.<sup>261</sup> They were also both involved in the group responsible for the massacre at Liverpool in 1345, to which we will return later.<sup>262</sup> Of the Radcliffe connection with other neighbours, we can for instance see how John de Radcliffe mainprised Henry de Tyldesley for an unspecified crime in 1347, or how Adam de Hulton and his two sons Roger and Robert owed Robert de Radcliffe £92 in 1343.<sup>263</sup> Close connections between other Salford families can also be found, such as that between Trafford, Ashton and Pilkington, who appeared together as defendants in a case brought by John de Tyldesley in 1341.<sup>264</sup>

Further north the situation becomes less clear. The gentry families of Lonsdale and Amounderness were caught in limbo between the wealthier areas of southern Lancashire and the powerful border lords of Cumberland and Westmoreland. As for the northern gentry who were involved in Lancashire affairs through official work, they took part in local society to varying degrees. Matthew de Redman, a Westmorland man who was knight of the shire for Lancashire in 1295, was occasionally involved in the affairs of the county, for example when he mainprised for Simon de Hoyland in Amounderness in 1306.<sup>265</sup> Still, it is hard to find him connecting with the gentry of Lancashire, through witnessing deeds or any other activity. The same is the case with the Westmorland family of Gynes, which held fees of the earl of Lancaster in the county but was little involved with any of its inhabitants, beyond official work.<sup>266</sup> On the other hand, families like the Dacres and the Harringtons, powerful barons in Westmorland and Cumberland respectively, cultivated relationships with several Lancashire families.<sup>267</sup> To the extent that there was a north Lancashire network, it was through these two families' influence on the northern part of the county. In addition to close connections with each other, both families were associated with the families of Lancaster and Hornby;<sup>268</sup> Harrington also with

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<sup>261</sup> DL 35/5/16d. For more on this, see below, p. 226.

<sup>262</sup> KB 27/350/16R. See below, p. 241.

<sup>263</sup> *CPR 1345-1348*, p. 436; *CCR 1343-1346*, p. 82.

<sup>264</sup> The defendants were Henry de Trafford, John de Ashton and Roger de Pilkington: JUST 1/430/17.

<sup>265</sup> *RMP*, p. 5; JUST 1/421/4, 4d.

<sup>266</sup> DL 40/1/11. For more on the Gynes family, see above, p. 42.

<sup>267</sup> For more on these two families, see above, p. 41.

<sup>268</sup> Thomas Dacre and Robert de Winwick owed John de Winwick £10 in 1352: *CCR 1349-1354*, p. 513; Robert de Hornby mainprised for Robert de Harrington in 1358: JUST 1/438/3; Ralph Dacre purchased land from John de Lancaster, according to Lancaster's inquisition *post mortem* in 1339: *CIPM*, VIII, 229.

Shireburne, Kirkby and Neville.<sup>269</sup> Dacre's network extended further south, to include also Travers, Middleton and Lathom.<sup>270</sup> For this reason there is little sign of any network peculiar to northern Lancashire but rather the individual families were subsumed into the networks of their northern or southern neighbours. We can take the Barton family, resident in central Amounderness, just north of Preston, as an example. We find them connected to the families of Butler and Travers in southern West Derby, as well as to the Huddlestons in Cumberland.<sup>271</sup> There is also a connection that can be established to their close neighbours the Kighleys, though this hardly constitutes a network.<sup>272</sup> For the purpose of deeds they relied on a wide number of individual witnesses, including members of the nearby Clifton, Farrington and Shireburne families, but also others further away, like Trafford, Radcliffe and Hulton.<sup>273</sup>

Geographical proximity was the most obvious, and probably the strongest force that worked on the creation of social relationships.<sup>274</sup> However, though the divisions of geography influenced the formation of social networks, they did not entirely dictate them. Official work for the crown was often on a county-wide basis, transcending barriers of geography, while the major landowners often had accumulated land scattered widely around the county. It follows therefore that the more prominent among the gentry – those employed frequently by the crown and those with extensive landed possessions – were better equipped to transcend the influence of geography on the formation of social networks.<sup>275</sup>

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<sup>269</sup> Katerina, wife of John de Harrington, was co-defendant with Alice, widow of Robert de Shireburne, in an assize of *novel disseisin* in 1356: DL 35/5/29; Robert de Harrington and Thomas de Kirkby were involved in a money transaction in 1360: LA, DDX 43A/87; John de Harrington was shown to hold land of the Neville family by Margaret de Neville's inquisition *post mortem* in 1319: *CIPM*, VI, 175.

<sup>270</sup> Ralph Dacre, Henry Travers and Thomas de Lathom (both junior and senior) were in 1356 accused, but acquitted, of conspiring to kill John de Farrington and his son Robert: JUST 1/439/9, 449/3; Ralph Dacre owed Peter de Middleton 200*m* in 1328: *CCR 1327-1330*, p. 368.

<sup>271</sup> William de Barton and William Butler of Warrington co-defendants in 1325: JUST 1/426/1; foot of fine between John de Barton and John Travers in 1323: Ferrer (ed.), *Final Concords, part II*, p. 56; John de Barton mainprising John de Huddleston, together with Robert de Dalton and Thomas de Lathom: KB 27/297/26Rd.

<sup>272</sup> John de Barton mainprising Richard de Kighley in 1356: JUST 1/436/8, 8d, 9.

<sup>273</sup> LA, DDX 895/10; LA, DDX 26/1/221, 224, 9/262; LA, DDBI 39/1; LA, DDS 75; GMCRO, E 7/10/2/12; LA, DDHE 18/13.

<sup>274</sup> Wright, *Derbyshire Gentry*, pp. 53-4; Acheson, *Gentry Community*, pp. 83-4; Carpenter, *Locality and Polity*, pp. 284-5, 295-309.

<sup>275</sup> Wright, *Derbyshire Gentry*, p. 57; Carpenter, *Locality and Polity*, pp. 305, 355; Fleming, 'The landed elite', p. 222.

Another potential factor in the formation of social networks was magnate influence – a crucial issue, as we have seen, in the debate about local identity.<sup>276</sup> Service to a magnate could help strengthen the ties between local men, which was also in the interest of the lord, so the question is how much the earls and duke of Lancaster influenced social relations on the ground in Lancashire. The immediate impression is not very much. As described above, the lords' involvement in the county was limited and the use that they made of their local Lancashire retinue was sporadic. Thomas of Lancaster would rely primarily on the northern baronial families, and on Robert de Holland in the south, for managing his affairs in the county. Henry of Grosmont maintained a large military retinue throughout his career, but this included a relatively small number of Lancashire men. The extent of the affinity even of a great magnate necessarily had to be limited and the lord had to take several considerations into account when assessing which areas required his attention as to distributing his patronage, including the power and influence of those retained, and the strategic value of the area in question.<sup>277</sup> In both of these regards, Lancashire came up short, as a poor and peripheral region, with no strategic value militarily and no real competition for lordship.

Furthermore, the limited extent to which the nobility – Lancaster especially – involved themselves in the county, combined with the volatile nature of local politics, made noble influence a poor source for network building. What the evidence shows us most of all is what a meticulous and time-consuming process building a network was and that it could not be done easily within a single generation. The obvious example of a man whose local stature grew with the help of noble influence is Robert de Holland. Looking at Holland's associates there is no doubt that he was a well-connected man, but his network of associates lacked the internal cohesion we have found for example in the Haydock and Radcliffe networks described above. He did have certain relations with Norreys and Molineux: he witnessed an undated enfeoffment made by Alan le Norreys, and witnessed a deed between Alan le Norreys and Roger le Molineux c. 1320.<sup>278</sup> As for Haydock and Lathom, even though there are

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<sup>276</sup> Wright, *Derbyshire Gentry*, p. 60; Carpenter, *Locality and Polity*, p. 317. Acheson downplays this in the case of Leicestershire: Acheson, *Leicestershire Gentry*, p. 105.

<sup>277</sup> Saul, *Knights and Esquires*, p. 82; Carpenter, *Locality and Polity*, pp. 335-6.

<sup>278</sup> CAD, vol. IV, A. 9081; Lumby (ed.), *Norris Deeds*, p. 2.

deeds to document their association, there is little other evidence of interaction.<sup>279</sup> As Lancaster's key man in the county, Holland's network of associations was of a much wider nature, including Salford families like Pilkington, as well as Dalton from Leyland, and northerners like Huddleston.<sup>280</sup> It is hard to imagine that Holland would have been capable of building such an extensive network in such a short time had he not had the support of Lancaster to back him up. Altogether his network was too geographically scattered, with no local core, and disintegrated on his incarceration in 1322.

Another example of the weakness of networks built through external influence and temporary power can be found in the case of Edmund de Neville. Neville was a capable administrator, trusted by both earl and king, and among other things served as sheriff from 1315 to 1317.<sup>281</sup> His connection to the county of Lancashire, however, was both tenurially weak and of a quite recent date. Through his activities as witness, mainpernour and so on, he made contact with his immediate neighbours in southern Lonsdale: Gentil, Lancaster and Hornby, as well as Harrington and Gynes to the north of Lancashire.<sup>282</sup> Again we see a lack of internal cohesion, however. William Gentil was, like Neville, a frequent administrator without much of a local network, while Lancaster shared Neville's association with the Harrington and Gynes families, but was less active within the county.<sup>283</sup> The pattern we see is a combined effect of Neville's inability to make extensive connections with his peers, and the general

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<sup>279</sup> For Haydock see e.g.: LA, DDBI 42/42; LA, DDIn 22/5. For Lathom: LA, DDBI 46/3; LA, DDIn 6/17.

<sup>280</sup> Holland and Roger de Pilkington were both incarcerated for their association with Thomas of Lancaster in 1322: *Parl. Writs*, vol. II, ii, p. 211; Holland and Robert de Dalton stood accused of killing Ralph de Bickerstaffe's son in 1314: KB 27/254/11; Tupling, *South Lancashire*, p. 38. Holland and Huddleston were associated through their connection to Thomas of Lancaster, demonstrated in the suppression of the Banaster rebellion or their participation in the Sherburn Indenture: KB 27/254/12; Wilkinson, 'The Sherbourne Indenture', p. 28; Tupling, *South Lancashire*, p. 42-6.

<sup>281</sup> For more on Neville see above, p. 60.

<sup>282</sup> Edmund de Neville witnessed a grant by William Gentil made to the monastery of St Mary's in Lancaster in 1335: *CAD*, vol. II, B. 2939. In 1334 Neville, John de Lancaster and John de Harrington stood as joint bond for a debt of 125*m* of silver to Henry of Lancaster: DL 25/3472. Neville and William de Lea owed John de Hornby 20*m* in 1334: KB 27/297/17. Neville and Baldwin de Gynes were both involved in Harclay's treason in 1323, allegedly induced by John de Harrington: KB 27/254/5d; Tupling, *South Lancashire*, pp. 18-19.

<sup>283</sup> A restoration of lands to John de Lancaster's son and heir Roger in 1338 showed that the family held land of the Harringtons: *CCR 1337-1339*, p. 583; and Michael de Harrington and Edmund Dacre were shown to owe Lancaster 100*m* in 1320: *CCR 1318-1323*, p. 339. John de Lancaster and Ingelram de Gynes stood as co-defendants in an assize of *novel disseisin* brought by William de Pennyngton in 1309: JUST 1/423/2.

tendency – described above – of landowners of northern Lancashire not to form an independent social unit but rather be subsumed under the influence of the northern border lords.

Clearly, the support of a magnate was in itself not enough to build extensive and lasting networks. There is a different way to approach the question, however, namely to ask whether there was significant overlap between the local networks and noble affinities.<sup>284</sup> As we have seen, complete lists of noble affinities and retinues are difficult to assemble, even for the well-documented Lancaster family, not least because the term itself is necessarily vague.<sup>285</sup> We are fortunate, though, to have the extensive lists of general pardons from 1313 and 1318, and the Lancashire-specific one from 1345 at our disposal.<sup>286</sup> These lists give us a certain idea, at specific points in time, of which Lancashire men enjoyed the closest connections with the earl of Lancaster.

Most conspicuous is the 1313 pardon, granted to Thomas of Lancaster and his followers after the death of Gaveston.<sup>287</sup> Here we find members from six of the families from the West Derby – or western – network, and only one from the Salford – or eastern – network. The generator here was not Matthew de Haydock, who does not even figure on the list, but most possibly Robert de Holland, then at the height of his influence with the earl. Five years later, in 1318, the situation had levelled out.<sup>288</sup> On this – much shorter – list, only Holland himself (along with his brother William) remains from the western network of 1313. In addition, we find Gilbert de Southworth, who stood with one leg in each camp.<sup>289</sup> Of greater significance for future developments is the appearance here of three members of the Radcliffe family, along with their neighbour Roger de Pilkington. The 1345 pardon is of a different nature, since it concerns a crime perpetrated by the Radcliffe family and their associates.<sup>290</sup> It is therefore no surprise that we here find a great number of members of the Radcliffe network and fewer who can be connected to the western network. It is

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<sup>284</sup> See above, p. 125.

<sup>285</sup> Bean, *From Lord to Patron*, p. 121.

<sup>286</sup> More on the specific historic events surrounding these pardons will be found in the second half of this thesis. See in particular chs. 6 and 8.

<sup>287</sup> *CPR 1313-1317*, p. 21.

<sup>288</sup> *CPR 1317-1321*, p. 227.

<sup>289</sup> See above, pp. 151 and 153.

<sup>290</sup> *CPR 1343-1345*, pp. 530-2.

nevertheless significant that the Radcliffe family was at this point able to procure significant favours from the earl of Lancaster, a privilege enjoyed almost exclusively by Robert de Holland a generation earlier.

Lacking evidence of marriage negotiations, dispute arbitrations or similar documents where the authority of a magnate might have been invoked, it is hard to present direct proof of noble influence on local networks. The indirect evidence offered by these pardons still shows clearly how magnate influence could strengthen the internal cohesion of these networks and how those with the strongest magnate connections could use those connections to consolidate their positions within the networks. Essential to this, though, was an established position within the county elite based on a pre-existing social network. These were things the Radcliffes possessed and Robert de Holland and Edmund de Neville did not.<sup>291</sup>

In conclusion, we again see evidence of the special condition of Lancashire in a study of its noble and local networks. Noble influence and patronage were scarce and unevenly distributed, and, even though the age of Henry of Grosmont brought increased opportunity for military service compared to the time of his predecessors, the Lancashire gentry seems not to have taken significant advantage of this. The poverty of the region was also clearly apparent in the social structures of the northern part of the county, where even the higher gentry fell under the dominance of the powerful northern families of Dacre and Harrington. In the somewhat wealthier south, more independent networks were allowed to develop. One in Salford, centred on the Radcliffe family, and one in West Derby with the Haydock family as its centre, though in this area the strong influence of Robert de Holland, created almost exclusively through noble influence, was an important factor in the early part of the century. The cross-county identity with Cheshire, described by Bennett, was yet in the future.<sup>292</sup> The virtually complete absence of a direct magnate leadership in the southern part of the county was not a positive factor on the internal dynamics between its inhabitants. It remains now to look at how magnate influence on local networks, rather than installing unity, created internal strife and episodes of violence.

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<sup>291</sup> For more on the Radcliffe family, see below, p. 223.

<sup>292</sup> See above, p. 19, and below, p. 274.

## 5. 1298 – 1315

### From Thomas of Lancaster's succession to the Banaster rebellion

The following, chronological part will be divided according to local events: Banaster's rebellion in 1315, the murder of Robert de Holland in 1328, and the great massacre that took place at Liverpool in 1345. Lancashire, however, was particularly responsive to events at the centre, and especially to the relationship between the earl or duke of Lancaster and the crown. This county was in an especially vulnerable position because, as we have seen above, there was hardly any alternative noble lordship available to the county gentry, beyond that of Lancaster.<sup>1</sup> This meant that, in a situation of political conflict between the king and his most powerful subject, the gentry of Lancashire had no opportunity to exercise any political influence by transferring their allegiance to another magnate. Nowhere was this clearer than in the case of Thomas of Lancaster, whose relationship with Edward II was of such a troubled nature as to render any normal political relations all but impossible. Conversely, the relationship Henry of Grosmont enjoyed with Edward III was exceptionally cordial and mutually beneficial, and Grosmont enjoyed a liberal flow of patronage from the king.<sup>2</sup> What remains to be seen is exactly how these national political conditions shaped events on the ground, to what extent the gentry of Lancashire were subject to these external events, and to what extent they were able to govern their own situation within these given confines.

Edmund Crouchback, first earl of Lancaster, died in the year 1296. It was not until two years later, however, on 8 September 1298, that Edmund's son Thomas did homage and was given livery of his lands and inheritance, which makes it reasonable to assume that Thomas was born in or around the year 1278.<sup>3</sup> For the English localities though, this episode signalled little else than a change of personnel among its dominant magnates, while a much more significant event had taken place some years earlier, in 1292. In this year Thomas was betrothed to Alice de Lacy, daughter

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<sup>1</sup> See above, p. 22.

<sup>2</sup> Fowler, *King's Lieutenant*, pp. 218-19.

<sup>3</sup> Maddicott, *Thomas of Lancaster*, p. 2. Thomas was still a minor in 1297, according to *CPR 1292-1301*, p. 291.

of Henry de Lacy, earl of Lincoln, and by 1294 the two were married.<sup>4</sup> This marriage would eventually consolidate an enormous amount of land in the hands of one man, since it made Thomas the lord of five earldoms: Lancaster, Leicester, Lincoln, Salisbury and Derby.<sup>5</sup> The distribution of the land in question was also particularly favourable, as it constituted a belt of contiguous and easily administered estates across the northern midlands, from the Irish Sea to the North Sea, including land in south Yorkshire, south Lancashire, Derbyshire, Staffordshire, Leicestershire, Nottinghamshire, and Lincolnshire.<sup>6</sup> We have seen what an unusually powerful figure this made Thomas in Lancs.<sup>7</sup> For the nation as a whole this meant the presence of a territorial lord who would tower above everybody else except the king in wealth and power. What the king's attitude to the match was is difficult to discern, though he did assent to it.<sup>8</sup> Presumably the alliance through marriage between the son and daughter of his own brother, Edmund, and one of his most loyal servants, Lacy, must have come as welcome news to Edward I. This was particularly so as it came on the eve of the most turbulent period of internal opposition in his reign, with open defiance by the earls of Hereford and Norfolk. In this situation the alliance between Edmund and Lacy, and the eventual ascendancy of the untested but presumably loyal Thomas, was fortunate.<sup>9</sup>

Thomas's succession to his father's land did not pass entirely without complications. The most contentious part of the Lancaster inheritance was that made up of the Ferrers forfeiture after the Barons' War of the 1260s.<sup>10</sup> Robert de Ferrers, sixth earl of Derby, had been dispossessed as a result of his participation in the rebellion, and was never restored to his title. Ferrers died in 1279 while his son John

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<sup>4</sup> Somerville, *History of the Duchy of Lancaster*, p. 19; Maddicott, *Thomas of Lancaster*, p. 2; *CChR 1257-1300*, p. 427.

<sup>5</sup> Though the earldom of Derby was in the possession of the earls of Lancaster, there is no evidence that Edmund or Thomas ever used the title. In 1337, Thomas's brother and heir Henry had his son, Henry of Grosmont, created earl of Derby: E.B. Fryde and F.M. Powicke, *Handbook of British Chronology* (London, 1961), p. 424. The earldom of Salisbury came through Henry de Lacy's first wife Margaret who was the daughter of William Longspée: Maddicott, *Thomas of Lancaster*, pp. 5, 9.

<sup>6</sup> Maddicott, *Thomas of Lancaster*, p. 10.

<sup>7</sup> See above, p. 40.

<sup>8</sup> *CChR 1257-1300*, p. 427.

<sup>9</sup> Prestwich, *Edward I*, pp. 419-22, 566; Spencer, 'Royal patronage and the earls', pp. 20-46; *Nobility and Kingship*, pp. 14-15.

<sup>10</sup> See above, p. 22.

was still a minor.<sup>11</sup> Around 1300, John appealed to Pope Boniface VIII to reclaim £20,000 from Earl Thomas, as compensation for loss of income from the estates of the earldom.<sup>12</sup> Thomas, however, enjoyed the support of the king, and secured a royal prohibition against the hearing of pleas over lay fees in ecclesiastical courts. Throughout these proceedings, Lancaster's possessions in Lancashire or elsewhere were never seriously threatened.

The matter of greatest national concern from the battle of Stirling Bridge in 1297 up until Edward I's death in 1307 was the continuing war with the Scots. The hostilities between the two nations of England and Scotland had implications on a wider level than simply the military one. Since the peace treaty of 1237, it was not at all uncommon for English landowners to have landed interests that stretched into the Scottish borderlands, and beyond.<sup>13</sup> This trend affected not only the greater magnates, but also landowners of a lower order.<sup>14</sup> It was only at a later date, and to a large extent through the Anglo-Scottish wars, with their episodes of extreme violence and devastation on both sides, that the two kingdoms developed a clear sense of national identity, connected in particular to adherence to a monarch, in what R. R. Davies called 'regnal solidarities'.<sup>15</sup>

The pattern of cross-border landownership and divided loyalties was in England most common in the counties that actually bordered on Scotland, but counties like Lancashire were not entirely exempt.<sup>16</sup> Once the wars began, the crown

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<sup>11</sup> John de Ferrers was born in 1271.

<sup>12</sup> J.H. Denton, *Robert Winchelsey and the Crown 1294-1313: A Study in the Defence of Ecclesiastical Liberty* (Cambridge, 1980), pp. 205-6; M. Costambeys, 'Ferrers, John de, first Lord Ferrers of Chartley (1271-1312)', *ODNB*.

<sup>13</sup> R. Frame, *The Political Development of the British Isles, 1100-1400* (Oxford, 1990), in particular the chapter 'Trans-regional landholding', pp. 53-60. Also: G.W.S. Barrow, *The Anglo-Norman Era in Scottish History* (Oxford, 1980); J.A. Tuck, 'War and society in the medieval north,' *Northern History*, 21 (1985), pp. 34-5; R.R. Davies, *The First English Empire: Power and Identities in the British Isles, 1093-1343* (Oxford, 2000), pp. 78-9; Carpenter, *Struggle for Mastery*, pp. 386; 518.

<sup>14</sup> Frame, *Political Development*, p. 60.

<sup>15</sup> R.R. Davies, 'The peoples of Britain and Ireland, 1100-1400, I-IV', *TRHS*, 6<sup>th</sup> series, 4-7 (1994-7); in particular parts I, 'Identities', pp. 1-20; and II, 'Names, boundaries and regnal solidarities', pp. 1-20. See also: Davies, *The First English Empire*, pp. 146-7 and A. Hastings, *The Construction of Nationhood: Ethnicity, Religion and Nationalism* (Cambridge, 1997), in particular the chapter 'England as prototype', pp. 35-65.

<sup>16</sup> Andrea Ruddick argues that national identity was not weaker in these parts of the country, but rather the factors influencing allegiance were more complex: A. Ruddick, 'National and political identity in Anglo-Scottish relations, c. 1272-1377: a governmental perspective', in A. King and M. Penman

came down hard on anyone found fighting for the Scots, or having any form of allegiance with or harbouring sympathies for the enemy.<sup>17</sup> Hence we have it that Henry de Lathom in 1298 was made forfeit as ‘an adherent of the Scots’.<sup>18</sup> This Henry, a knight, is a somewhat obscure character; presumably he is the Henry who is mentioned in certain fines as the son of Robert de Lathom, who was lord of the manor of Lathom in West Derby and sheriff of Lancashire between 1249 and 1254 and between 1264 and 1265.<sup>19</sup> This would make him a brother of the Robert de Lathom who, among other things, served as a commissioner of array for Lancashire in 1307.<sup>20</sup> The background for Henry’s forfeiture can be found in other records; in 1296 he was made sheriff of Aberdeen. Here we can perhaps detect the influence of Henry de Lacy, who received the lands of James, the steward of Scotland, from Edward I, though it should be said that Lathom manor was not held of the earl, so no tenurial contact between the two can be established. The cause of Henry de Lathom’s disgrace occurred in 1297, when he made common cause with the Scots. His motives are unclear, but John de Warenne, earl of Surrey, accused him of ‘making a great lord of himself’ in his shrievalty.<sup>21</sup>

For those in the opposite position – Scots holding land in England – the situation was equally severe. In 1300, the sheriff of Lancashire was ordered to give Nicholas Butler seisin of a portion of land in the manor of Longton in Leyland. The

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(eds.), *England and Scotland in the Fourteenth Century: New Perspectives* (Woodbridge, 2007), pp. 211-12; *English Identity and Political Culture in the Fourteenth Century* (Cambridge, 2013), pp. 247-8. For more on cross-border estates and identities, see also: C.D. Liddy and R.H. Britnell (eds.), *North-East England in the Later Middle Ages* (Woodbridge, 2005); Liddy, *The Bishopric of Durham*; M.C. Prestwich (ed.), *Liberties and Identities in the Medieval British Isles* (Woodbridge, 2008).

<sup>17</sup> Andy King has speculated that those described as adherents of the Scots in official documents were really only men who had given up on active resistance: King, ‘*Pur Salvation du Roiaume*’, p. 16.

<sup>18</sup> *CFR 1272-1307*, p. 396.

<sup>19</sup> Additional confusion is added by the fact that Henry de Lathom is occasionally referred to as Henry de Torbock: Ferrer (ed.), *Final Concords, part I*, pp. 200-12; *part II*, pp. 102-23, 130-67. For more on this Robert, see: A. Jobson, ‘Royal government and administration in post-Evesham England, 1265-70’, in D. Crook and L.J. Wilkinson (eds.), *The Growth of Royal Government under Henry III* (Woodbridge, 2015), pp. 189-90; Cassidy, ‘Simon de Montfort’s sheriffs’, p. 10.

<sup>20</sup> *CPR 1301-1307*, p. 509. Whether Henry was a younger or an older brother is unclear, since the younger Robert only appears in the records as lord of the manor around the time of Henry’s forfeiture, in 1298, and his succession could have come as a result of his brother’s forfeiture. There was in fact an older brother, Nicholas, who inherited the older Robert after his death in 1290: *VCH*, III, pp. 247-58.

<sup>21</sup> *Calendar of Documents Relating to Scotland*, vol. II, ed. J. Bain (Edinburgh, 1884), p. 264; Barrow, *Robert Bruce*, p. 217; F. Watson, *Under the Hammer: Edward I and the Throne of Scotland, 1286-1307* (East Linton, 1998), pp. 33, 47.

land had been in the king's hands for a year and a day, after having been forfeited by Michael, son of John de Hole, who was said to have been outlawed in Cumberland. When it was found that Michael was in fact not outlawed in Cumberland, the question was asked why his land had been taken into the king's hands. The sheriff replied that it had been done because an inquisition by a previous sheriff had shown Michael to be of Scottish origin and residing in Scotland. The land in question was eventually returned to Michael's sister and heir Joan and her husband Alan del Kor, because it was found that 'Michael died at the king's faith and peace'.<sup>22</sup>

These cases were, however, rare in Lancashire. The vast majority must have stayed loyal to the king of England, and many came to benefit from this in various ways. In the years from 1298 to 1307, the king issued letters of pardon to around a dozen different Lancashire men.<sup>23</sup> The number of pardons given out in this period – particularly pardons for homicide – was unusually large, and the surge coincides well with the period of extensive warfare. This can be seen as a conscious effort on the part of the government to use royal pardons as a recruitment tool for the purpose of war, a practice that returned to wide use in the days of the Hundred Years' War, and to which we will return later.<sup>24</sup> Some of these are explicitly granted for service in the Scottish wars, others are more ambiguous, but the connection can be assumed. While some of the pardons are of a general nature, others are for particular crimes. In 1300, for instance, Henry de Spotland was pardoned for causing the death of Thomas Bower. It appears that the pardon was given in return for services in Scotland, and it is made clear that the killing was made in self-defence.<sup>25</sup> There are also plenty of examples of pardons granted to gentry members. In 1302, William son of William de

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<sup>22</sup> *CCR 1296-1302*, pp. 352, 454-5. Full quote: 'a writ directed to him to take into the king's hands the lands of the Scots, his enemies, and all their adherents, because it was found by an inquisition taken by Ralph [de Mountjoy, sheriff 1291-98] that Michael was of Scotch origin and dwelt with his relations in Scotland, and that the messuage and land were in the king's hands for this reason solely'.

<sup>23</sup> *CCR 1296-1302*, p. 228; *CPR 1292-1301*, pp. 483, 541, 569, 572, 575, 580; *1301-1307*, pp. 20, 28, 225, 323.

<sup>24</sup> Pardons could also be used as a peacemaking tool in the localities, see below, p. 247. For Edward's campaigns to enlist convicts, in this and earlier conflicts, see Powicke, *The Thirteenth Century*, p. 648; Hurnard, *King's Pardon for Homicide*, pp. 311-19.

<sup>25</sup> *CPR 1292-1301*, p. 541. For the phenomenon of 'excusable homicide' in medieval English law, see Hurnard, *King's Pardon for Homicide*, p. 68 *et passim*; and for a challenge to Hurnard: T.A. Green, 'Societal concepts of criminal liability for homicide in medieval England', *Speculum*, 47 (1972), pp. 669-94; 'The jury and the English law of homicide, 1200-1600', *Michigan Law Review*, 74 (1976), pp. 413-99.

Clifton received a pardon for the killing of Richard son of Cicely de Clifton, and his outlawry was revoked.<sup>26</sup> Since no specific mention of military service is mentioned, this has to be inferred. The same year William de Gynes was pardoned for killing John son of Christiana Tredsoght, and this time the pardon is clearly for service in Scotland.<sup>27</sup> John de Huddleston was pardoned in 1304 for unspecified homicides and other crimes, again in return for serving in Scotland.<sup>28</sup> It is easy to assume that the crown was simply handing out pardons liberally to an assorted group of criminals who were willing to, and considered able to fight in the wars.<sup>29</sup> We should not rule out the possibility, however, that some of these cases had wider, political connotations, hidden from the historical records. William de Fornby was pardoned in 1301 for killing Richard Scot de Fornby, probably a Scottish national residing in the village of Formby in West Derby.<sup>30</sup> The same year, Ralph son of Henry Feristrang and John son of Roger Inge of Lathom received a pardon for killing Thomas son of Henry de Lathom, probably the Henry de Lathom who was forfeit three years earlier as the faithless sheriff of Aberdeen.<sup>31</sup>

Eight commissions of array were issued for the county of Lancashire in the years from 1298 to 1308, employing a total of seventeen men.<sup>32</sup> Looking at the personnel of these commissions, we can see the same pattern as the one that emerged in the study of the noble retinues: a certain level of local involvement mixed with a heavy dependence on the influence of northern border lords.<sup>33</sup> In addition to this, the earls of Lincoln and Lancaster would themselves sometimes be commissioned with arraying troops, but then normally more generally from their lands, rather than from specific counties.<sup>34</sup>

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<sup>26</sup> *CPR 1301-1307*, p. 20.

<sup>27</sup> *CPR 1301-1307*, p. 28.

<sup>28</sup> *CPR 1301-1307*, p. 225.

<sup>29</sup> This was Hurnard's assumption; see reference above.

<sup>30</sup> *CPR 1292-1301*, p. 572.

<sup>31</sup> *CPR 1292-1301*, p. 580.

<sup>32</sup> The commissions as they have survived do not correspond exactly with the dates of the campaigns listed above, the commissions are for May 1298, September 1299, two for April 1300, July 1300, June 1301, April 1303 and March 1307. *CCR 1296-1302*, pp. 209, 323, 401; *CPR 1292-1301*, pp. 512, 529-30, 597; *1301-1307*, pp. 132, 509; *Parl. Writs*, vol. I, pp. 325, 342.

<sup>33</sup> See above, p. 41.

<sup>34</sup> *CCR 1296-1302*, p. 209; *CPR 1301-1307*, p. 509; *Parl. Writs*, vol. II, i, p. 520; Maddicott, *Thomas of Lancaster*, p. 45

Most likely they performed the task by deputy; we can see, for instance, that Henry de Lacy's attorney Robert de Hephale served as commissioner of array in 1303.<sup>35</sup>

Of the seventeen men, ten were from Lancashire, while the remaining seven were from other counties, mostly from the north-western border counties. This corresponds with the general pattern for the wider period described above.<sup>36</sup> Among the locals, we find mostly prominent men like Robert de Holland, Richard de Hoghton and Robert de Lathom, along with more professional administrators, such as William Gentil. The outsiders included the northern lords William Dacre and John de Huddleston, and royal officers like Reginald de Gray, in his capacity as justice of Chester in 1298. The extensive use of the northern territorial barons to array troops shows the dynamics of regional power structures, but also the importance of military force and experience in those chosen. This was no absolute necessity though. Of the ten Lancashire men, only four were, or later became, knights.<sup>37</sup> This is not very surprising, given the low prevalence of knighthood in Lancashire in this period, as we saw in a previous chapter.<sup>38</sup> Still, it is also testament to the fact that – once the need for military experience was covered by the north Lancashire commissioners – local knowledge was paramount.

Others served in different, and more wide-ranging, capacities, and here we can again discern the influence of Henry de Lacy. When a relatively large commission of array was appointed in 1307, to raise 1,000 foot soldiers for Scotland from the county of Lancashire, it was specified that 150 of them should come from Lacy's liberty of Blackburnshire.<sup>39</sup> Several Lancashire men went overseas in this period, many in Lacy's service. In February 1302, Ingelram de Gynes of Westmorland received a writ of protection for going 'beyond seas' on an unspecified mission, and appointed attorneys.<sup>40</sup> The timeframe corresponds well with Lacy's diplomatic activity in France, leading up to the Anglo-French peace treaty of 1303, for which he himself

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<sup>35</sup> *CPR 1301-1307*, p. 132. Hephale's connection to Lacy, was extensive; he served as the earl's receiver in Blackburnshire for about a decade: *A Calendar of the Deeds and Papers in the Possession of Sir James de Hoghton, Bart., of Hoghton Tower, Lancashire*, ed. J.H. Lumby, RSLC, 88 (1936), pp. 101, 147, 347. For his work as the earl's attorney, see above, p. 130.

<sup>36</sup> See ch. 3 above in general, e.g. p. 100.

<sup>37</sup> These were Thomas Banaster, Robert de Holland, John de Kirkby and Robert de Lathom.

<sup>38</sup> See above, p. 51.

<sup>39</sup> *CPR 1301-1307*, p. 509.

<sup>40</sup> *CPR 1301-1307*, p. 21. For more on the Gynes family, see above, p. 42.

made personal provisions in July that year, giving power of attorney over all his lands in Lancashire to Robert de Hephale.<sup>41</sup> Though a distant and inconvenient county for recruitment to continental missions, Lancashire was ideally positioned for travel to Ireland. In 1304, Robert de Lathom had to cancel a trip to Ireland to stay in the king's service in England; he appointed Adam de Clitheroe as his attorney there.<sup>42</sup> Lathom was deeply involved in the war effort, and was one of the commissioners appointed to array troops for Edward I's final war effort in 1307.<sup>43</sup> The next year Thomas de Multon, another northerner with strong connections to Lancashire, received a letter of protection for going to Ireland in the company of fifteen men, among whom were Richard son of John de Huddleston and Lawrence de Kirkby of Lancashire.<sup>44</sup>

While the Scottish wars could offer opportunities for service and advancement for individual men, they were far less beneficial for the population as a whole.<sup>45</sup> The worst consequences would be felt later, in particular associated with Robert de Bruce's raid into Lancashire in 1322. While, in the words of Anthony Tuck: '...it would be hard to show that the Anglo-Scottish warfare of Edward I's reign had a serious long-term effect on the rural economy of the North of England',<sup>46</sup> that enthusiasm for the war among people in the north was not great can be inferred from the military summons of July 1300. This was a slightly less ambitious writ than the one that had gone out in April the same year; the 2,000 foot soldiers initially called for had now been reduced to 1,000. The king nevertheless had to threaten with imprisonment for non-compliance.<sup>47</sup> Demands for provisioning the troops could also be substantial, and purveyance was one of the great controversies in national politics during this period.<sup>48</sup> In 1300 Richard de Hoghton, as sheriff, was ordered to take provisions for the Scottish wars amounting to 200 quarters of wheat and 1,000

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<sup>41</sup> LA, DDS<sub>t</sub> 3. Lacy also received a writ of protection in February 1303, 'going beyond seas in the king's service' in the company of, among others, his clerk Edmund Talbot, a Cheshire man with connections to Lancashire: *CPR 1301-1307*, p. 112.

<sup>42</sup> *CPR 1301-1307*, pp. 260, 416. See also: *Parl. Writs*, vol. II, i, p. 392; *CPR 1292-1301*, p. 597

<sup>43</sup> *CPR 1301-1307*, p. 509.

<sup>44</sup> *CPR 1301-1307*, p. 337.

<sup>45</sup> Evidence of Lancashire men prospering from military service is not abundant. The best example is probably John Travers, who became constable of Calais. For more on Travers, see above, pp. 49 and 144.

<sup>46</sup> Tuck, 'War and society', p. 35.

<sup>47</sup> *CPR 1292-1301*, pp. 512, 529-30; *CCR 1296-1302*, p. 401.

<sup>48</sup> Maddicott, *Thomas of Lancaster*, pp. 106-8.

quarters of oat.<sup>49</sup> The next year Robert de Lathom and Richard de Lugteburn were commissioned to collect the same amount again.<sup>50</sup> This can be compared to the corresponding amounts of 200 and 500 each for Derbyshire, and 300 of each type of grain for Nottinghamshire. The heavier burden on Lancashire is obviously a matter of geographical proximity and logistics, but it is nevertheless reasonable to assume that such a great demand would be difficult to meet for a society that, as we have seen, lived so close to sustenance level in agricultural output.<sup>51</sup>

The question is to what extent the ravages and depredations of war, combined with the wide-spread release of criminals in exchange for service, caused an increase in lawlessness in local society.<sup>52</sup> One way to assess the level of disorder would be to look at activity in the royal courts, particularly the King's Bench, but two factors complicate this approach (see **Figure 1, p. 169**). For one thing, there is the constant and inexorable rise in the case load of this court during these years, that can easily obfuscate any trends caused by more temporary historical factors.<sup>53</sup> Secondly, the royal court resided almost permanently in the north in the years from 1298 to 1304.<sup>54</sup> Between Trinity term of 1298 and Michaelmas term of 1304, at least seventeen of twenty-six legal sessions were held in York (two have missing records).<sup>55</sup> In the number of cases throughout England it is hard to detect any clear trend; there is a certain increase up until Michaelmas 1304, after which we see a small decrease, followed by a sudden drop as royal administration came to a stand-still with the death of Edward I in July 1307.<sup>56</sup> The number of Lancashire cases shows a more distinct trend. The number of cases brought by Lancashire litigants is abnormally high during the period from the turn of the century, lasting until the Michaelmas term of 1306. This increase is apparent both in absolute number from Lancashire and in proportion to the total number from England as a whole. However, this rise is most obviously

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<sup>49</sup> *CPR 1292-1301*, p. 487.

<sup>50</sup> *CPR 1292-1301*, p. 578.

<sup>51</sup> See above, p. 24.

<sup>52</sup> Hurnard does not find extensive evidence for acts of retribution against pardoned homicides: *King's Pardon*, p. 310. Nevertheless, it could undoubtedly be a provocation: Goodman, *John of Gaunt*, p. 333.

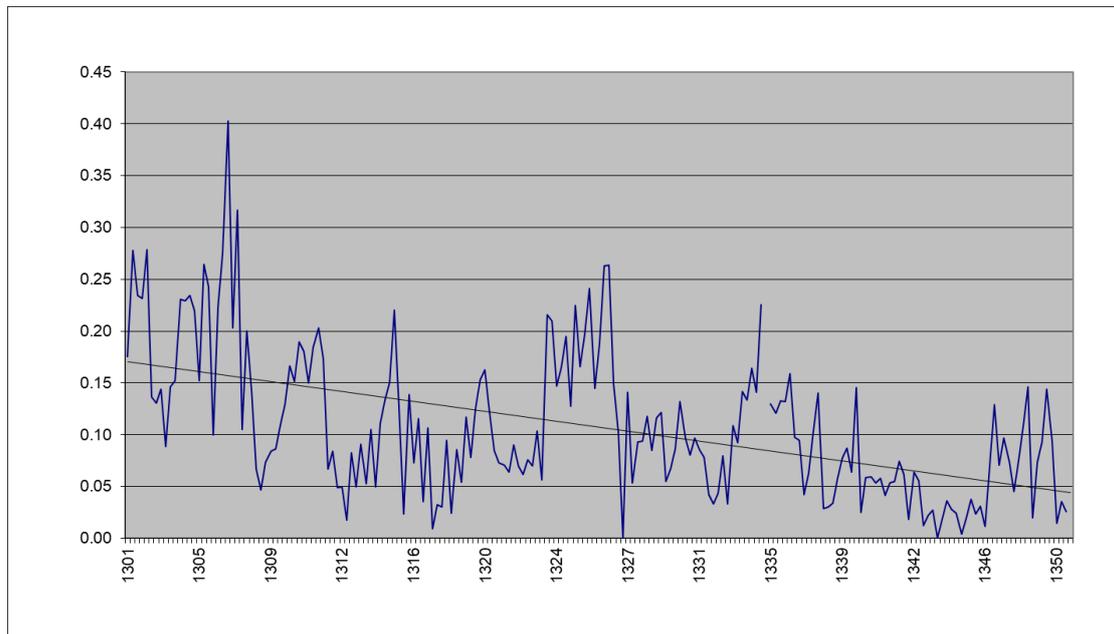
<sup>53</sup> Musson and Ormrod, *Evolution*, ch. 3; Musson, *Medieval Law in Context*, p. 141.

<sup>54</sup> Powicke, *The Thirteenth Century*, p. 688.

<sup>55</sup> Musson and Ormrod, *Evolution*, p. 194.

<sup>56</sup> KB 27/163-90.

related to the proximity of the court, as we can see from a marked drop in the four terms from Easter 1302 to Hilary 1303, when the court was in the south.<sup>57</sup>



**Figure 1:** King's Bench, 1301 – 1350: percentage of cases concerning Lancashire

If we now turn to domestic politics within this period, 1311 was a pivotal year in the history both of England and of Lancashire; the death of Henry de Lacy in February and the presentation of the Ordinances in August caused great shifts in both the tenurial and the political balance of local and national society. Lacy's death was not only important for the purely territorial shift that it occasioned in the power balance, in favour of Thomas of Lancaster. Henry de Lacy, at sixty-one far older than most of his peers, had been central to the early opposition to Edward II. He was the leader of the nobles who signed the Boulogne Agreement in January 1308,<sup>58</sup> and in April presented the declaration of 1308, which must be seen in conjunction with the fourth clause of the coronation oath.<sup>59</sup> Lacy had nevertheless been a moderating force on the

<sup>57</sup> KB 27/168-71.

<sup>58</sup> Dugdale, *The Baronage of England*, vol. I (London, 1675), p. 183; N. Denholm-Young, *History and Heraldry, 1254-1310* (Oxford, 1965), pp. 130-1; Phillips, *Aymer de Valence*, pp. 316-17. For the historiographical debate over the meaning of this document, see: Maddicott, *Thomas of Lancaster*, pp. 72-3; Phillips, *Aymer de Valence*, pp. 26-8; *Edward II*, pp. 138-9; Haines, *King Edward II*, pp. 56-7; Prestwich, *Plantagenet England*, pp. 178-9.

<sup>59</sup> For the historiographical debate over this issue, see: B. Wilkinson, 'The coronation oath of Edward II and the Statute of York', *Speculum*, 19 (1944), pp. 445-69; H.G. Richardson, 'The English coronation oath', *Speculum*, 24 (Cambridge, Mass., 1949), pp. 129-58; R.S. Hoyt, 'The coronation oath of 1308', *EHR*, 71 (1956), pp. 353-83; McKisack, *The Fourteenth Century*, pp. 4-6; Maddicott, *Thomas of*

various factions of the peerage, particularly the more belligerent men, led by the earl of Warwick. Lancaster, meanwhile, though originally positively inclined to the new king, was moving into opposition while Lacy was working on reconciliation.<sup>60</sup> What united the peerage against the king was the increasingly intolerable position of Piers Gaveston at court, leading to the drafting of the Ordinances.<sup>61</sup>

The implementation of the Ordinances in 1311 was an event that would shape the course of the reign, at least up until the battle of Boroughbridge in 1322.<sup>62</sup> In no lesser degree did it inform the career of Thomas of Lancaster, for the rest of his life. Thomas made the Ordinances the centre-piece of his political programme, and adhered to them in a manner comparable to Simon de Montfort with the Provisions of Oxford and Westminster.<sup>63</sup> It has been assumed, partly because of his later devotion to them, that Lancaster was primarily responsible for the creation of the Ordinances.<sup>64</sup> That at least some of his contemporaries accepted his claim to be an enemy of

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Lancaster, pp. 81-3; Phillips, *Aymer de Valence*, pp. 28-9, n 2; *Edward II*, pp. 141-3, 148, 390-1; M.H. Keen, *England in the Later Middle Ages: A Political History* (London, 1973), pp. 69-70, 86-7; Fryde, *Tyranny and Fall*, pp. 16-18; Haines, *King Edward II*, pp. 59-61; Prestwich, *Plantagenet England*, p. 179; A.M. Spencer, 'The coronation oath in English politics, 1272-1399', in B. Thompson and J. Watts (eds.), *Political Society in Later Medieval England: A Festschrift for Christine Carpenter* (Woodbridge, 2015), pp. 38-54.

<sup>60</sup> Maddicott, *Thomas of Lancaster*, pp. 87, 104, 114-15; Phillips, *Edward II*, pp. 174-5. For Lacy's role, see: Maddicott, *Thomas of Lancaster*, 67-8; Phillips, *Aymer de Valence*, pp. 9-10. For the debate over the cause of Lancaster's estrangement, see: *Vita Edwardi*, p. 8; McKisack, *The Fourteenth Century*, p. 9; Denholm-Young, *History and Heraldry*, pp. 134, 141; Maddicott, *Thomas of Lancaster*, pp. 92-4; Hamilton, *Piers Gaveston*, pp. 89-92; A. King, 'Thomas of Lancaster's first quarrel with Edward II', in W.M. Ormrod, (ed.), *Fourteenth Century England III* (Woodbridge, 2004), pp. 31-45.

<sup>61</sup> Maddicott, *Thomas of Lancaster*, pp. 106-9; Tuck, *Crown and Nobility*, pp. 50-61; C. Valente, *The Theory and Practice of Revolt in Medieval England* (Aldershot, 2003), pp. 171-2; Kaeuper, *Medieval Chivalry*, p. 129. The full text of the Ordinances can be found in: Rothwell (ed.), *English Historical Documents III*, pp. 527-39. For the attacks on Gaveston and others, see articles 20-23. See also: M.C. Prestwich, 'A new version of the Ordinances of 1311', *BIHR*, 57 (1984), pp. 189-203.

<sup>62</sup> Tout, *Place of the Reign*, pp. 85-92; *Chapters*, pp. 227-32; Davies, *Baronial Opposition*, pp. 357-93; J.H. Trueman, 'The privy seal and the English ordinances of 1311', *Speculum*, 31 (1956), pp. 611-25; 'The Statute of York and the ordinances of 1311', *Medievalia et Humanistica*, 10 (1956), pp. 64-81; M.C. Prestwich, 'The Ordinances of 1311 and the politics of the early fourteenth century', in J. Taylor and W. Childs (eds.), *Politics and Crisis in Fourteenth-Century England* (Stroud, 1990), pp. 1-18.

<sup>63</sup> Maddicott, *Thomas of Lancaster*, pp. 327-31; Jobson, *The First English Revolution*, p. 170. The historical parallels were noted by contemporaries: J.R. Maddicott, *Thomas of Lancaster*, pp. 321-2; "'1258" and "1297": some comparisons and contrasts', in M.C. Prestwich, R.H. Britnell and R. Frame (eds.), *Thirteenth Century England IX* (Woodbridge, 2003), p. 2.

<sup>64</sup> Davies, *Baronial Opposition*, pp. 357-8; Denton, *Robert Winchelsea*, 264; Tuck, *Crown and Nobility*, pp. 64-5.

tyranny, can be seen from the veneration of his memory that emerged after his death.<sup>65</sup>

The relative positions of Lancaster and Lincoln also shifted on a local level. As the most established magnate, Lincoln had held a dominant position in Lancashire in the years since Edmund Crouchback's death. As seen above, local men could prosper in the service of the earl of Lincoln, for instance in the position as steward of Blackburnshire.<sup>66</sup> On the other hand, Lincoln was also absent from the country much of the time; not only on campaigns in Scotland, but also on several diplomatic campaigns on the continent.<sup>67</sup> It was Pontefract in Yorkshire that was the centre of his estates, where the receiver for Lancashire would make his account. There is no sign that Lacy used Lancashire men to a great degree in his household administration, and not always as estate officials even within the county itself.<sup>68</sup>

When the Lacy inheritance passed to Lancaster, the amount of land in question was significant, and the change in ownership of land meant for many a change in direct, tenurial lordship. This affected landowners to different extents, depending on where the concentration of their lands lay. The various baronial fees – Clitheroe, Widness (or the constable of Chester within Lyme) and Penwortham – have been described in a previous chapter.<sup>69</sup> Though the Clitheroe fee was both extensive and politically important, it had less significance in local political terms. The greater landowning gentry of the county held land primarily in West Derby and Salford, while this fee covered the weapontake of Blackburn, where there was little gentry

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<sup>65</sup> 'Office of St. Thomas of Lancaster', in T. Wright (ed.), *The Political Songs of England, from the Reign of John to that of Edward II* (London, 1839), pp. 268-72; Maddicott, *Thomas of Lancaster*, pp. 329-30; J. Edwards, 'The cult of "St." Thomas of Lancaster and its iconography', *Yorkshire Archaeological Journal*, 64 (1992), pp. 103-22; C. Given-Wilson, *Chronicles: The Writing of History in Medieval England* (London, 2004), pp. 36-7; J.T. McQuillen, 'Who was St. Thomas of Lancaster? New manuscript evidence', in J.S. Hamilton (ed.), *Fourteenth Century England IV* (Woodbridge, 2006), pp. 1-24; A. King, 'False traitors or worthy knights? Treason and rebellion against Edward II in the *Scalacronica* and the Anglo-Norman prose *Brut* chronicles', *Historical Research*, 88 (2014), pp. 34-47.

<sup>66</sup> See above, p. 130.

<sup>67</sup> These missions would occasionally also involve men from Lancashire or its immediate surroundings; see e.g. *CPR 1301-1307*, p. 112, where Edmund Talbot received protection for going with the earl 'beyond seas in the king's service'. This was the diplomatic mission that led to the 1303 treaty of Montreuil: Hamilton, 'Lacy, Henry de', *ODNB*.

<sup>68</sup> Lyons (ed.), 'Two "Compoti"'; Baldwin, 'Household administration', pp. 180-200; Maddicott, *Thomas of Lancaster*, pp. 16-17.

<sup>69</sup> For the feudal baronies and their tenants in the thirteenth century, see: *Testa de Nevill*; the entries for Lancashire are summed up well in *VCH*, I, pp 303-4. See also DL 40/1/3. For more on this, see above, p. 40.

presence. The Widness fee is of more consequence to the present discussion. Among those most affected by the transfer of lordship here were the Lathoms. The Lathom family held the manors of Knowsley, Huyton and Tarbock in West Derby of the earl of Lincoln, as a part of the Widness Fee.<sup>70</sup> In 1311, Sir Robert de Lathom therefore found that a substantial portion of his lands were held in fee of a new lord. The third barony, Penwortham, also had a certain gentry presence. Here we find a couple of the later rebels connected first to Lacy, then to Lancaster, by tenurial bonds. Because the high level of subdivision of manors in this hundred, the Banasters held a quarter of a knight's fee in six different manors and townships: Longton, Leyland, Euxton, Shevington, Charnock-Richard and Welch Whittle. Banaster also held one full knight's fee in Walton le Dale, in the otherwise gentry-poor Clitheroe fee in Blackburnshire.<sup>71</sup> Significantly, Robert de Holland was not greatly affected by the transfer of land. Holland held the manor of Upholland in chief, and was therefore never subject to Lacy and could devote his loyalty entirely to the earl of Lancaster.<sup>72</sup>

Occasional mention has so far been made of the 1315 rebels. The so-called Banaster rebellion was the pivotal event in Thomas's time as earl of Lancaster. Directed as it was against his favourite Robert de Holland, it served as an indictment of Lancaster's handling of the county. To better understand the background of this event, we should now look more closely at the leaders of the rebellion.

Adam Banaster, who was considered the leader, belonged to the Banasters of Bretherton.<sup>73</sup> Adam Banaster was the son of Thomas Banaster, who died in or before 1303. The family estates were held as a knight's fee of Thomas of Lancaster, in the barony of Penwortham.<sup>74</sup> Ralph de Bickerstaffe was the lord of the manor of Bickerstaffe in West Derby, which he held as thegnage of the earl of Lancaster. Ralph

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<sup>70</sup> *KEI*, vol. III, pp. 18-19; *VCH*, III, pp. 247-58; *Biog. Sketches*, pp. 63-4.

<sup>71</sup> For references, see entry on Adam Banaster directly below.

<sup>72</sup> *VCH*, IV, pp. 91-7.

<sup>73</sup> The name was fairly common in Lancashire, and the Bretherton Banasters were probably related to the Banasters of Newton in Makerfield who held that barony from the age of Henry II until it passed to the Langtons by failure of heir in 1291: *VCH*, I, pp. 372-3; IV, pp. 132-7.

<sup>74</sup> GMCRO, E 7/28/1/65; *The Coucher Book or Chartulary for Whalley Abbey*, vol. II, ed. W.A. Holton, Chetham Society, old series, vol. 11 (1847), pp. 113-14; *RMP*, p. 46; *CPR 1313 - 1317*, p. 21; *VCH*, I, pp. 366-75, VI, pp. 103-4; *KEI*, vol. I, p. 39-40; T.C. Porteus, 'The Mab's cross legend', p. 10; Tupling, *South Lancashire*, p. xliii, xlvi. Thomas Banaster is styled 'late sheriff' of Lancashire in the Close Rolls, 21 May 1300. This seems unlikely, as he does not turn up in other records as sheriff: *Biog. Sketches*, p. 6.

had succeeded his father Adam in or around 1292, and had since then been active in county affairs, representing the county in parliament in 1313 and sitting as sheriff from 1309 to 1315.<sup>75</sup> Henry de Lea was the lord of Charnock Richard In Leyland, Ravensmeoles in West Derby, and Lea near Preston in Amounderness. His grandfather, by the same name, had been sheriff in 1283. His father, William de Lea, married Clemence, daughter of Robert Banaster, the last baron of the Banaster line of Newton. Lea was also Banaster's stepson-in-law.<sup>76</sup> William de Bradshaw's family presumably had its origins in Bradshaw in Salford, but was lord of the adjacent manors of Haigh in West Derby and Blackrod in Salford. William was a prominent member of the county gentry, who was returned to parliament several times both before and after the rebellion.<sup>77</sup>

The rebels were numerous; according to the *Vita Edwardi Secundi* some 800 men, fifty-four of whom are mentioned by name in the 1323 proceedings, but these four were considered the leaders.<sup>78</sup> There are signs of association between them in the years immediately preceding the rebellion. At an assize of *novel disseisin* in August of 1313, Ralph de Bickerstaffe and William de Bradshaw stood accused together, along with several others, of depriving Robert, son of Simon de Bickerstaffe of his right of common pasture at Bickerstaffe.<sup>79</sup> Bradshaw was not present at the assize, but we can still assume from this document that the relationship between the two was being maintained on a regular basis in the years leading up to the great rebellion.<sup>80</sup>

Another case from the same assize is also possibly evidence of association between the rebels, even though the evidence here is somewhat more tenuous. In this case Henry de Lea was accused of disseising Adam son of John de Clayton of his free tenement in Clayton-le-Woods (*Clayton iuxta Laylond*), and among Lea's co-defendants were a Robert son of Adam Banaster and William son of Richard Banaster. The case is complicated by the great number of Banaster families in

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<sup>75</sup> *Parl. Writs*, vol. II, i, p. 392; *LOS*, p. 72; *CPR 1313-1317*, p. 21; *VCH*, VI, pp. 276-7; *Biog. Sketches*, p. 10; Tupling, *South Lancashire*, pp. xliv, 85.

<sup>76</sup> Holton (ed.), *Whalley Coucher*, pp. 497-8; *CPR 1313-1317*, p. 21; *VCH*, II, p. 198; VI, pp. 204-5; Tupling, *South Lancashire*, p. xliii.

<sup>77</sup> *RMP*, pp. 39, 49 et passim; *VCH*, IV, pp. 114-15; V, 270-1; *Biog. Sketches*, p. 10; Porteus, 'The Mab's cross legend', pp. 4, 8, et passim; Tupling, *South Lancashire*, p. xliii.

<sup>78</sup> Childs (ed.), *Vita Edwardi Secundi*, pp. 112-13; Tupling, *South Lancashire*, pp. 42-3.

<sup>79</sup> It is not entirely clear who this Simon and his son Robert were, but Ralph de Bickerstaffe did have a son by the name of Simon: KB 27/265/55d.

<sup>80</sup> JUST 1/424/6.

Lancashire at the time, and the difficulty in distinguishing between them.<sup>81</sup> In any case, the manor of Clayton is not far from Bretherton, or the Bretherton Banasters' land in Welsh Whittle or Heath Charnock. We can presume therefore that these Banasters, with whom Lea stood accused, were a part of our Adam Banaster's extended family.<sup>82</sup>

Though there are instances of association between the main rebels before the event, the material is not overwhelming, and there is no evidence that the four constituted any sort of network on their own within the county. What is clear though, is that they were all part of what, in an earlier chapter, was labelled the western, or the Haydock network.<sup>83</sup> Via the Haydock family, who, as we have seen, were central to the social network of West Derby, we find connections with all the four rebel families around the turn of the century. In 1298, for instance, Adam Banaster's father Thomas witnessed an agreement between William Butler of Warrington and Gilbert de Halsale over the course of the river Alt by Lydiate north of Liverpool.<sup>84</sup> On the witness list are also Matthew de Haydock, Alan le Norreys, Gilbert de Southworth and Richard le Molineux of Sefton – all important members of the western network. Of interest are also a number of undated Legh of Lyme muniments, from some time before 1291, involving Robert Banaster, lord of Makerfield, and members of the families of Bradshaw, Holland, Haydock and others.<sup>85</sup>

Even more interesting is the fact that, through their participation in this network, the rebels can all be connected in some way to the Holland family in the years leading up to the rebellion. In 1292, we find an earlier generation of the Banaster, Bradshaw and Holland families appearing together on a witness list for a deed for Welch Whittle in Leyland.<sup>86</sup> Similar documents from the same period also

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<sup>81</sup> These two cannot be identified with anyone belonging to the Bretherton branch of the family; Adam had no sons that we know of, and William's father was Thomas. There was a 'Robert Banaster' mentioned in the pardon of 1313, and a 'Richard Banaster' returned to Parliament from the borough of Preston both in 1306 and in 1307, perhaps those are the ones appearing in this case: *RMP*, pp. 21, 27; *CPR 1313-1317*, p. 21; *Biog. Sketches*, p. 6.

<sup>82</sup> JUST 1/424/7d.

<sup>83</sup> See above, p. 151.

<sup>84</sup> LA, DDIn 56/10.

<sup>85</sup> UML, Legh of Lyme muniments, Box M No. 1, ff 1, 4, 5, 11, 12. For more on the Banasters of Makerfield, see above, p. 172.

<sup>86</sup> LA, DDS 37/3. See also: Rylands Charters 719 (1299); LA, DDBI 46/3 (c. 1300) and LA, DDL 38 (1305).

connect the Holland family with those of Lea and Bickerstaffe.<sup>87</sup> This demonstrates both the centrality of the Holland family in the western network at this time, and the fact that there was no apparent animosity between these families in the years around the turn of the century. In fact, as late as 11 July 1315 William and Richard de Holland (Robert's brother and nephew, respectively) appear with Ralph de Bickerstaffe on a list of witnesses for a grant of land in Ditton in West Derby.<sup>88</sup> As we have seen above, Richard de Holland stood accused of murdering Bickerstaffe's son in October 1314, so the fact that the two appear together on a witness list is quite striking. Bickerstaffe had, however, not yet been replaced as sheriff, an event that may have been the triggering factor behind the rebellion.<sup>89</sup>

So we know that these four knights, i.e. Banaster, Bradshaw, Bickerstaff and Lea, were part of a more extended local network. What about their standing among their peers within this network, and within the county at large? Their relatively frequent use as witnesses to deeds is a good indication of the trust they commanded, and the status they held in local society.<sup>90</sup> An even better indication can be found in the returns to parliament, an appointment for which the local gentry had more say than in most cases. As we have seen above, Maddicott concluded that Thomas of Lancaster had little interest in packing parliament with his own retainers; parliament was still primarily a baronial gathering, both for him and his peers.<sup>91</sup> This absence of magnate interference in elections allows us to see some of the internal politics going on in the county. The presence of members of the company around Banaster in the returns from the parliaments immediately preceding the great rebellion is quite conspicuous. Up until 1313, the only occurrence of one of the rebel families in parliament was William Banaster sitting as knight of the shire in 1305. Then, in March 1313, William de Bradshaw was returned, in July the same year Ralph de Bickerstaffe, none of the rebels in September of that year, but then in 1314 Thomas Banaster (Adam's brother), and January 1315 William de Bradshaw.<sup>92</sup> The frequent

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<sup>87</sup> LA, DDIn 6/17 (1292); LA, DDCI 1240 (1298); LA, DDBI 46/3 (1300) and LA, DDM 49/8 (1302).

<sup>88</sup> LA, DDBI 42/48.

<sup>89</sup> For more on this, see above, p. 74.

<sup>90</sup> Carpenter, *Locality and Polity*, pp. 287, 292-3. For more on this, see above, p. 148.

<sup>91</sup> See above, p. 141.

<sup>92</sup> *RMP*, pp. 19, 39, 41, 44, 46, 49, 51; McFarlane, 'Parliament and "Bastard Feudalism"', pp. 53-79; Fox, 'Parliamentary Representation', cited in Maddicott, *Thomas of Lancaster*, pp. 51-3; Walker,

election of the future rebels is ample proof of their high standing in local society. But it is not impossible that we are also seeing a burgeoning opposition to Holland and his ascendant power, in the frequent election of the men who best embodied this opposition. If so, this is a sign that the Lancashire gentry had already learned to use parliament – still only around twenty years old as a regular, representative institution – for political means.

Lastly, the four men were all tenants of Thomas of Lancaster.<sup>93</sup> This is not surprising; as major Lancashire landowners they were practically *ipso facto* tenants of the earl of Lancaster. Of greater interest is the fact that they all, to greater or lesser extent, belonged to the earl's affinity. There is no doubt that Adam Banaster was a retainer of Thomas of Lancaster, and that he was one of the earl's most trusted servants in the county.<sup>94</sup> Like Holland, Banaster was with Lancaster at the Dustable tournament in June 1309.<sup>95</sup> When Lancaster granted a portion of land to his barber, John de Bing, in May 1309, Adam Banaster appeared on the list of witnesses to the deed.<sup>96</sup> As for the other three, we have already seen that Bickerstaffe acted as the earl's deputy sheriff for several years, a capacity in which Henry de Lea's grandfather had served Thomas's father. A final proof of their association with Thomas of Lancaster can be found in the 1313 pardon for the death of Gaveston, where Ralph de Bickerstaffe, William de Bradshaw and Henry de Lea are all listed.<sup>97</sup> Strangely, Adam Banaster is not on this list, perhaps a sign that he was already in disgrace with the earl at this point.<sup>98</sup>

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*Lancastrian Affinity*, pp. 237-241. The Lincoln Parliament of January 1316 was summoned on 16 October 1315, as the rebellion was already underway: Stubbs, *Constitutional History*, vol. II, p. 339.

<sup>93</sup> Banaster and Lea both held land from Henry de Lacy – Banaster in Netherderwent and Aghton and Lea in Wisewall – that later descended on Lancaster: *CIPM*, V, 279; *CIPM*, VII, 82. The manor of Bickerstaffe is mentioned in the inquisition *post mortem* of Earl Edmund: *VCH*, III, pp. 276-82; *Biog. Sketches*, pp. 9-10. Bradshaw held the manor of Haigh of the earl of Lancaster, as one twelfth of a knight's fee: *VCH*, IV, pp. 115-18.

<sup>94</sup> See, for instance, a 17th century list of arms of knights in the retinue of the Earl of Lancaster, at the time of Edward I and II, containing the arms of Banaster and Holland: BL, Stowe MSS 690, f. 49. The *Vita Edwardi* also refers to him as '*de domo et familia comitis Lancastrie*': Childs (ed.), *Vita Edwardi Secundi*, pp. 112-13.

<sup>95</sup> Thompkinson, 'Retinues at the Tournament of Dunstable', p. 74.

<sup>96</sup> *CAD*, vol. VI, C. 7446.

<sup>97</sup> *CPR 1313-1317*, p. 21.

<sup>98</sup> Tupling is wrong in identifying Adam Banaster as partaking in the 1313 pardon. There is a *Robert* Banaster on the list: Tupling, *South Lancashire*, pp. xlv, 85.

What we have seen so far is a group of rebels who were central members of the county gentry generally, and of the south-western network more specifically. Their place in this network associated them with other members of the higher county gentry, including Robert de Holland. It is also clear that the rebellion was the result of an internecine dispute within the affinity of Thomas of Lancaster. In the years leading up to October 1315, general developments and more specific events contributed to raising the level of tension within the county. It remains to ask, more generally, what could have been the motivation behind a full-scale county rebellion.

Thomas of Lancaster does not seem to have practised any excessive favouritism in the first few years of his career in Lancashire. Certainly he relied on Adam Banaster as well as Robert de Holland as part of his local affinity in Lancashire. He also used local men as deputy sheriffs to a greater extent than his successors would, at least until Henry of Grosmont in the 1350s.<sup>99</sup> Gradually, however, his influence of local affairs seems more and more to have benefited Holland, and parallel with this the level of discontent among the remainder of the gentry grew. What exactly caused these developments, and when they occurred, remains unknown, but certain indications we do have.

The chronicles claim that Lancaster had raised Holland up from the ground to the status of knight, which is not quite accurate, but his advancement was nevertheless exceptional.<sup>100</sup> His association with the earl goes back probably to 1298, when Holland was around fifteen, and served as Lancaster's *vallettus* in the Falkirk campaign.<sup>101</sup> It is unclear exactly how the young Robert entered Lancaster's service; his father, the older Robert de Holland, had been witness to two charters of Edmund of Lancaster, but there is no evidence that he was in the earl's retinue.<sup>102</sup> Only in the reign of Edward II did Holland – since 1304 in possession of the family lands – begin fully to reap the rewards of his special relationship with Lancaster. It was around

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<sup>99</sup> See above, p. 75.

<sup>100</sup> H. Knighton, *Chronicon Henrici Knighton*, vol. I, ed. J.R. Lumby, Rolls Series (1889), pp. 425, 449; Brie (ed.), *The Brut*, p. 216.

<sup>101</sup> Maddicott, 'Thomas of Lancaster and Sir Robert Holland', pp. 451-2; 'Holland, Sir Robert (c. 1283-1328)', *ODNB*; M.M.N. Stansfield, 'The Hollands, Dukes of Exeter, Earls of Kent and Huntingdon' (Unpubl. Ph.D. thesis, University of Oxford, 1987), pp. 11-17.

<sup>102</sup> Maddicott, 'Thomas of Lancaster and Sir Robert Holland', p. 452. The younger Robert later became Lancaster's most frequently used witness: Holmes, *Estates of the Higher Nobility*, pp. 72-3.

1308 that Lancaster secured Holland's marriage to Maud la Zouche, described above, that was to prove so profitable.<sup>103</sup> In February that same year, Lancaster quitclaimed several Derbyshire manors to the king, only to have them regranted to Holland on the same terms as he had held them of the king.<sup>104</sup> Holland was also part of the large retinue that Lancaster brought along to the Dunstable tournament in June 1309.<sup>105</sup>

Holland and Banaster may have constituted the core of Lancaster's affinity in the county, but the two families also had a turbulent history with each other. In 1268, Robert Banaster of Newton brought a case against Richard de Holland for destroying his fishpond at Newton, and abducting and locking up his wife and sons.<sup>106</sup> There must have been an attempt at conflict resolution judging by the fact that, by the early fourteenth century, Adam Banaster was married to Margaret Holland, Robert de Holland's sister. However, the preferential treatment that Thomas of Lancaster gave Holland may have helped reignite the old feud between the two families, and counteract any attempts at reconciliation.

From a certain point onwards, it seems as if Holland was presuming on his position, and using his connection to expand his wealth and influence in the county beyond what was considered justifiable. It was reported that, around the time of the rebellion in 1315, Holland had entered into certain of Lancaster's possessions in Lancashire, including the castle and borough of Liverpool, the manors of Everton, Great Crosby and Wavertree, Simonswood forest and the park of Toxteth, and the weapontakes of West Derby and Salford. 'Bearing himself as lord,' he 'had appointed bailiffs and ministers and taken all of the profits and issues of those possessions.'<sup>107</sup> It is not known whether Holland had Lancaster's permission to enter into the earl's lands, but it is an event that is likely to have created greater resentment against Holland locally.

The rebels who gathered in October 1315 were not a tight-knit, pre-existing faction, but rather what Phillips refers to as 'a community of like minds', when describing the

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<sup>103</sup> See above, p. 64.

<sup>104</sup> *CCR 1307-1313*, p. 42; *CChR 1300-1326*, p. 109; Maddicott, *Thomas of Lancaster*, p. 76.

<sup>105</sup> *Parl. Writs*, vol. II, ii, pp. 25-6; A. Thompkinson, 'Retinues at the tournament of Dunstable, 1309', *EHR*, 74 (1959), p. 74.

<sup>106</sup> Tupling, *South Lancashire*, p. xliii.

<sup>107</sup> Tupling, *South Lancashire*, p. xliii; *Lancs. Inquests*, part II, p. 222.

so-called ‘middle party’.<sup>108</sup> It is worth recapitulating quickly here that Robert de Holland’s nephew Richard had allegedly killed Ralph de Bickerstaffe’s son in October 1314, and that only few days before the rebellion, Bickerstaffe was replaced as sheriff with Edmund de Neville, one of Lancaster’s retainers.<sup>109</sup> This is the immediate event that seems to have triggered the rebellion. We have seen how Robert de Holland’s local dominance grew, and how he took advantage of this position. Lancaster also created mesne lordships for Holland, in one case involving the land of William de Bradshaw, one of the leaders of the rebellion.<sup>110</sup> Still, the response to these events took the form, not of a personal vendetta against the Holland family, but an all-out rebellion against Earl Thomas, involving a great number of men. We therefore need to look at the larger picture, and ask what factors could have caused such widespread discontent. Here, for once, we have the help of several narrative sources. Banaster’s revolt was an event that most of the great chronicles dealt with, perhaps because it highlighted the current conflict between Thomas of Lancaster and Edward II.

The *Vita Edwardi Secundi* is very specific about the cause of the rebellion. According to this chronicle, Banaster ‘*perpetrasset homicidium, et de venia desperans ac peccatum suum augmentans, insurgere cepit contra dominum suum*’.<sup>111</sup> The *Flores Historiarum* seems to corroborate this version of events, but adding also that the earl had secured a pardon for Banaster, whom ‘*ex latibulis latrocinii et januis mortis clara nobilitas dicti comitis nuper eripuerat et cingulo militari decoraverat*’.<sup>112</sup> The problem is that there is no independent evidence of any such crime having been committed, and it seems very unlikely that such a significant fact would be left out of all other sources. The explanation most acceptable to modern-day historians is probably that of the *Annales Paulini*, when it claims that ‘*orta est discordia, et*

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<sup>108</sup> Phillips, *Aymer de Valence*, p. 176.

<sup>109</sup> See above, p. 74.

<sup>110</sup> See below, p. 192.

<sup>111</sup> ‘committed homicide and, without hope of pardon, yet aggravating his crime he took it upon himself to rise up against his lord’: Childs (ed.), *Vita Edwardi Secundi*, pp. 112-13. Tout accepted this version as true: Tout, *History of England*, pp. 267-8.

<sup>112</sup> ‘the said earl, by his nobleness, had recently rescued from the hideouts of robbers and the doors of death, and knighted’: *Flores Historiarum*, vol. III, ed. H.R. Luard (London, 1890), p. 172.

*maxima pugna, inter dominum Robertum de Holonde et Adam Banastre milites*'.<sup>113</sup>

There is no doubt that local discontent with Holland was a major factor behind the rebellion, and this is also the angle taken by most modern authorities when describing the event.<sup>114</sup>

Yet this is an angle not chosen by other contemporary writers, who portrayed the event as a subject rising against his lord.<sup>115</sup> To return to the *Vita*, Banaster, in his desperation to get a royal pardon for his murder, '*Credidit enim regi placere si comitem infestaret, qui totiens regi restiterat, qui totiens regem initum coegerat mutare consilium*'.<sup>116</sup> We should be careful about interpreting all acts in the light of immediate and personal self-interest, without considering other motivations, including wider political issues of a national scope.<sup>117</sup> The question is how well-informed the landed gentry were on these matters. According to Maddicott, the gentry were well aware of the content of the Ordinances, not least because of the efforts of Lancaster and the other Ordainers to promulgate them.<sup>118</sup> There are also the – alleged – words of the rebels themselves to consider. According to the 1323 inquisition, they claimed that they 'had a commission from the lord king to do what they had done'.<sup>119</sup> There was of course no such commission, but the rebels seemingly chose to let the focus of their revolt be the national struggle between king and earl. As Phillips has shown, there was never any consistent 'baronial opposition' to Edward II; the norm among the peerage was in fact loyalty, even to a king as flawed as Edward.<sup>120</sup> There is no reason why this should not have been the case also on a gentry level; the rebels were

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<sup>113</sup> 'a dispute arose, and a great struggle, between the knights Sir Robert de Holland and Adam Banaster': 'Annales Paulini', ed. W. Stubbs, in *Chronicles of the reigns of Edward I and Edward II*, vol. I (London, 2. vols., 1882-3), p. 279.

<sup>114</sup> Tupling, *South Lancashire*, pp. xlii-xliii; Maddicott, *Thomas of Lancaster*, p. 175; Haines, *King Edward II*, p. 98.

<sup>115</sup> 'Annales Londonienses', in Stubbs (ed.), *Chronicles*, vol. I, p. 236; 'Gesta Edwardi de Carnavan auctore canonico Bridlingtoniensi', in Stubbs (ed.), *Chronicles*, vol. II, p. 48.

<sup>116</sup> 'For he believed that it would please the king if he attacked the earl who had so often opposed the king and who had so often forced the king to change plans already underway': Childs (ed.), *Vita Edwardi Secundi*, pp. 112-13.

<sup>117</sup> This is a topic discussed by Powell in 'After "After McFarlane"'.<sup>117</sup>

<sup>118</sup> Maddicott, *Thomas of Lancaster*, p. 329.

<sup>119</sup> Tupling, *South Lancashire*, p. 44.

<sup>120</sup> Phillips, *Aymer de Valence*, p. 288.

probably unhappy with a magnate who, by association, made them into traitors, while any rewards fell largely on one man.<sup>121</sup>

Another factor to consider is that, in the autumn of 1315, England had just experienced the first summer of the Great Famine, the mortality from which may have been as high as 10-15%.<sup>122</sup> Though major landowners did not starve to death, they were severely affected by the famine nonetheless. An administrative reform from 1323, demanding justification for reduced land evaluations, gives testimony to the almost complete depopulation of certain areas.<sup>123</sup> Particularly in Lancashire, landowners experienced a shortage of tenants in the aftermath of the famine.<sup>124</sup> The murrains that followed the torrential rain and crop shortage struck sheep in particular, and had a severe effect on a pastoral economy such as that of Lancashire, lasting until 1322.<sup>125</sup> On a national scale, famine conditions led to an increase both in disputes,<sup>126</sup> and in crime and social unrest.<sup>127</sup>

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<sup>121</sup> Tupling, *South Lancashire*, pp. xxii, xxxv-xxxix; McKisack, *Fourteenth Century*, pp. 39-41; Philips, *Pembroke*, pp. 280-6.

<sup>122</sup> B.F. Harvey, 'The population trend in England between 1300 and 1348', *TRHS*, 5<sup>th</sup> series, 16 (1966), pp. 23-42; 'Introduction: the crisis of the early fourteenth century', in B.M.S. Campbell (ed.), *Before the Black Death: Studies in the 'Crisis' of the Early Fourteenth Century* (Manchester, 1991), pp. 1-24; W.C. Jordan, *The Great Famine: Northern Europe in the Early Fourteenth Century* (Princeton, 1996); B.M.S. Campbell, 'Nature as historical protagonist: environment and society in pre-industrial England', *EcHR*, 63 (2010), pp. 281-314; R. Hoffman, *An Environmental History of Medieval Europe* (Cambridge, 2014), pp. 324-325. For a recent reassessment of the famine and the causes behind its disastrous effects, see: P. Slavin, 'Market failure during the Great Famine in England and Wales (1315-1317)', *P&P*, 222 (2014), pp. 9-49.

<sup>123</sup> A.E. Nash, 'The mortality pattern of the Wiltshire lords of the manor, 1242-1377', *Southern History*, 2 (1980), pp. 31-43; Campbell and Bartley, *England on the Eve of the Black Death*, p. 41.

<sup>124</sup> I. Kershaw, 'The great famine and agrarian crisis in England, 1315-22', *P&P*, 59 (1973), pp. 42-3.

<sup>125</sup> H.S. Lucas, 'The great European famine of 1315, 1316, and 1317', *Speculum*, 5 (1930), p. 355; Maddicott, *Thomas of Lancaster*, pp. 31, 162-4; Kershaw, 'The great famine', pp. 20-4; Jordan, *The Great Famine*, pp. 38-9; Haines, *King Edward II*, p. 97. On the other hand, the poorly developed manorialism of the north-west, and the resulting scattered farm system, could have helped make the cattle here less susceptible to transmittable diseases: P. Slavin, 'The Great Bovine Pestilence and its economic and environmental consequences in England and Wales, 1318-50', *EcHR*, 65 (2012), pp. 1261-2.

<sup>126</sup> B.M.S. Campbell, 'Population pressure, inheritance and the land market in a fourteenth-century peasant community', in R.M. Smith (ed.), *Land, Kinship and Life-Cycle* (Cambridge, 1984), pp. 87-134; M. Page, 'The peasant land market on the estate of the bishopric of Winchester before the Black Death', in R.H. Britnell (ed.), *The Winchester Pipe Rolls and Medieval English Society* (Woodbridge, 2003), pp. 61-80; Campbell and Bartley, *England on the Eve of the Black Death*, p. 41.

<sup>127</sup> Fryde, *Tyranny and Fall*, pp. 33-4; Keen, *England in the Later Middle Ages*, p. 61; Kershaw, 'The great famine', pp. 12-13; B.A. Hanawalt, *Crime and Conflict in English Communities, 1300-1348* (Cambridge, Mass, 1979), p. 266; Prestwich, *The Three Edwards*, pp. 220-1; Jordan, *The Great Famine*, pp. 112-14; Campbell, 'Nature as historical protagonist', pp. 294-6; D. Rollison, *Commune, Country and Commonwealth: The People of Cirencester, 1117-1643* (Woodbridge, 2011), pp. 26-7.

Though Thomas of Lancaster could hardly be blamed for the famine, his actions exacerbated its effect. Maddicott has shown how the earl, in an effort to maximise his revenues, carried out extortionate policies towards his tenants.<sup>128</sup> In addition to this, Lancaster carried much of the blame for the English defeat to the Scots at the battle of Bannockburn, through his refusal to serve on the campaign.<sup>129</sup> Lancaster's blame for military failure went further than this, however. After Edward's defeat at Bannockburn, Lancaster practically took over control of royal government. By October 1315 though, his position was weakening. In August that year the earl of Warwick died, leaving Lancaster virtually alone with the administration of the realm. This is a situation he seems to have been not at all satisfied with – unskilled in, or uncomfortable with, administrative matters as he was. His plans for a Scottish campaign were constantly frustrated, partly because of the severe famine ravaging the country.<sup>130</sup> It was inevitable that this situation would expose the north of England to Scottish raids; Robert the Bruce had already raided Yorkshire in 1312-13, and in both 1316 and 1322 his forces would descend into Lancashire.<sup>131</sup> The combined effect of war and famine took its toll on the population.<sup>132</sup> The clergy of the northern part of the county were unable to pay the tenth demanded by the pope based on an evaluation of their incomes in 1292, and received a so-called 'Nova Taxatio', reducing the evaluation to one third of the original.<sup>133</sup> Under such circumstances, even the wealthier gentry must have suffered, which helps explain the level of unrest in this particular period.

A closer examination of the progress of the rebellion may give us further insight into the motives of the rebels (see **Map 4, p. xi**). It needs to be emphasised at this point that most of the narrative we have of the 1315 rebellion, with far more details than the

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<sup>128</sup> Maddicott, *Thomas of Lancaster*, pp. 33-5.

<sup>129</sup> Maddicott, *Thomas of Lancaster*, pp. 157-8. As Fryde points out, this discontent would quite naturally have been felt stronger among northerners: Fryde, *Tyranny and Fall*, p. 56.

<sup>130</sup> McKisack, *The Fourteenth Century*, pp. 50-1; Maddicott, *Thomas of Lancaster*, p. 331.

<sup>131</sup> Tupling, *South Lancashire*, p. xxxvii; Barrow, *Robert Bruce*, pp. 281-3, 337, 344; Maddicott, *Thomas of Lancaster*, p. 149.

<sup>132</sup> Campbell, 'Nature as historical protagonist', pp. 289-91. For the combined effect of these events on Durham, another northern county, see: J.P. Boniface, 'The Durham gentry: social stability and change in the palatinate of Durham, c. 1286-1346', (Unpubl. Ph.D. thesis, University of Durham, 2007), pp. 22-4.

<sup>133</sup> *VCH*, II, pp. 23-4, 200.

chronicles, comes from the royal inquisition that visited the county in 1323. More will be said about this inquisition in a later chapter,<sup>134</sup> but it is necessary to keep in mind that trailbaston commissions, as this effectively was, were particularly prone to manipulation and deceit. The inquisition was held shortly after Thomas of Lancaster's defeat and execution. The legal proceedings were therefore liable to be exploited, not only for personal retributions on a local scale, but also for revenge against political enemies by the now dominant Despenser regime. Notoriously, the Despensers had already used the London eyre in 1321 to punish the supporters of Thomas of Lancaster.<sup>135</sup> For this reason, this document should not be taken at face value, but be treated with caution. The allegations being made, however, true or not, still tell us much about power structures and lines of conflict within the county.

One question to ask is whether the activities of the rebels were targeted at specific persons. The answer to this would be both yes and no. Their actions can be divided into two categories: robbery and extortion of private persons or towns, and capturing of the earl's castles. The siege and capture of a major castle was a great undertaking in the fourteenth century, even for a large, organized army. All the more impressive is it that this quickly assembled group of men managed to take both Clitheroe and Halton Castles, even though they had to give up at Liverpool. One is tempted to speculate that the rebels had associates on the inside who helped with the deed, which would be further evidence of the local support they enjoyed. When it comes to the robberies, some of the acts can be seen as simple foraging, which was often necessary when a large army was on the march over a long period of time,<sup>136</sup> for example Ellen de Torbock and Gilbert de Culchit, who claimed to have been robbed of 100 marks and 100 shillings respectively, but were landowners of little consequence, and may have been subjected to such a theft. Other acts can hardly be interpreted as anything but attempts to hurt adversaries. William de Holland (Robert's brother) and Thurstan de Norley each had property to the value of £40 stolen from

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<sup>134</sup> See below, p. 188.

<sup>135</sup> *Year Books of Edward II, Vol. XXVII (Parts I, II): The Eyre of London 14 Edward II, A.D. 1321*, ed. H.M. Cam (Selden Society, lxxxv 1968), p. 105; Waugh, *England in the Reign of Edward III*, pp. 163-5; Dodd, *Justice and Grace*, p. 228; A. Musson, 'Court venues and the politics of justice', in N. Saul (ed.), *Fourteenth Century England*, V (Woodbridge, 2008), p. 167. See also the case from Essex in 1324: N. Saul, 'The Despensers and the downfall of Edward II', *EHR*, 94 (1984), p. 26.

<sup>136</sup> Prestwich, *Armies and Warfare*, pp. 256-61.

them; they were both part of the circle around Robert de Holland, and would also later become central in the persecution of the rebels and their associates.<sup>137</sup> Neither Holland nor Norley was home when the rebels arrived; probably they had received news of the rebellion, and fled in the face of such a superior force. Other cases are not so clear-cut; Henry de Trafford, for instance, must have been favoured by Lancaster, since he was allowed to replace the earl on a commission of *oyer and terminer* appointed in the wake of the rebellion.<sup>138</sup> Whether this was enough for him to be targeted, or whether his property was simply chosen for its wealth, is hard to say. Adam Radcliffe was captured as the rebels' first act, Henry de Bury was killed, and Sir Adam de Walton was forced to ride with the group. These men may or may not have had disputes with one or more of the rebels, disputes about which we may never know.<sup>139</sup>

After about a month, the rebellion was nearing an end. Lancaster must have had news of it, and commanded his deputy sheriff, Edmund de Neville, to take action to suppress it. This occurred in two stages: first the rebels encountered Adam de Huddleston, Walter le Vavasour and Richard le Waleys, and defeated them, but soon afterwards there was a clash with the main contingent, consisting of Neville, John and Michael Harrington, William Dacre and others, and the rebels were routed. Bradshaw got away, and managed to flee the country. Bickerstaffe fled as well, but made it only to the church at Croston, where he died of his wounds. As for Banaster and Lea, they escaped to Chernock Richard, where they were betrayed by a Henry de Eufurlong, probably a tenant of Banaster. They were captured by William de Holland and Thurstan de Norley, led away to Leyland Moor, and beheaded.<sup>140</sup>

This summary execution of the rebels is an event that would later receive the attention of the king's justices. At the time, the urgent situation in combination with Lancaster's strong position at court left the crown unable to react, but in 1323 the case

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<sup>137</sup> See below, p. 184. Strangely enough, the rebels did not attack Holland's manor of Upholland, even though they passed nearby (see **Map 4, p. xi**).

<sup>138</sup> *CPR 1313-1317*, p. 421; *VCH*, IV, pp. 330-1.

<sup>139</sup> Adam de Radcliffe was on the list of pardons for Lancaster's followers in 1318: *CPR 1317-1321*, p. 227; Henry de Bury's son Henry was married to Margery, or Margaret, daughter of Richard de Radcliffe, Adam's brother, whom the rebels were really after when they abducted Adam: *VCH*, V, pp. 58-9, 129-30; Ferrer (ed.), *Final Concords, part II*, p. 29; Tupling, *South Lancashire*, pp. xlii-xlvi, 27-8, 38-9, 40-6, 84-5 *et passim*. For more on the Radcliffes and their connections to the Burys, see below, p. 226.

<sup>140</sup> KB 27/255/21Rd; *VCH*, II, pp. 198-9; Tupling, *South Lancashire*, pp. xlvi-xlvii, 37-8.

came up before the King's Bench. It was stated that 'by the order of Thomas earl of Lancaster and Robert de Holand' they were beheaded 'feloniously and against the lord king's peace'<sup>141</sup> Lancaster had in this situation committed an offence not only towards the king, by circumventing his authority, but also against his own retainers, by denying them any clemency, or even due process of law. The situation also reflects Lancaster's treatment of Gaveston, whose execution had caused outrage, and helped isolate Lancaster.<sup>142</sup> Perhaps the execution of Banaster and Lea provoked similar feelings at a local level, and led to the widespread desertion that was to be Lancaster's downfall seven years later.

The so-called *posse comitatus* used against the rebels consisted of a great number of knights from north Lancashire, like the Dacres and the Harringtons, and others with very little connection to the county at all, such as Vavasour or Sir Walter de Strickland.<sup>143</sup> Determining the composition of a retinue is an imprecise science, even for a magnate as well-documented as Thomas of Lancaster. In this case, however, we are fortunate to have the Sherburn Indenture, which presents a good picture of Lancaster's retinue six years after Banaster's rebellion. On this list, we find most of the men in charge of suppressing the rebellion: John and Michael de Harrington, Adam de Huddleston, Robert de Holland, Edmund de Neville, Stephen de Segrave and Richard le Waleys.<sup>144</sup> It is significant that Lancaster should have chosen to use his retainers for the suppression of the rebellion. The *posse* was an important part in of local peacekeeping in medieval England,<sup>145</sup> and Lancaster's ignoring it might be taken as a sign of his lack of sensibility in managing his localities. Of course, a *posse* made up of local men might not have had enough force to fight the rebels; after all, a great portion of the county's armed forces was in the

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<sup>141</sup> Tupling, *South Lancashire*, p. 38.

<sup>142</sup> Tout, *Place of the Reign*, pp. 89-90; McKisack, *Fourteenth Century*, pp. 26-31; Phillips, *Aymer de Valence*, pp. 35-9.

<sup>143</sup> KB 27/255/15Rd; *KEI*, vol. IV, p. 287; Tupling, *South Lancashire*, p. 39.

<sup>144</sup> Wilkinson, 'The Sherbourne Indenture', p. 28; Maddicott, 'Thomas of Lancaster', pp. 541-53; *Thomas of Lancaster*, p.274. See also: Holmes, *Estates of the Higher Nobility*, pp. 134-42; Bradford, 'Parliament and political culture', pp. 181-2. William de Vavasour was killed in an encounter with the rebels. William Dacre died in 1318, but his son Ralph was at Sherburn. For more details on some of these men, see above, pp. 41, 60 and 177.

<sup>145</sup> Morris, *The Medieval English Sheriff*, pp. 225-8; Jewell, *English Local Administration*, pp. 165-8.

confederacy.<sup>146</sup> It could equally well be that the situation in the county had become out of control, to the point where Lancaster could no longer trust the local men for peacekeeping purposes, but had to rely on outsiders. If so, this is further evidence of the detrimental effect on local society of his policy towards the county.

It must be said that, even though the rebels were largely from south Lancashire and the *posse* consisting predominantly of northerners, the rebellion should not be seen in terms of a north-south conflict. Circumstances had it that the discontent had its root in the area around Robert de Holland and his land in the south, while Lancaster's main military retainers were mostly residing in the north. It does, however, accentuate the clear division within the county, where the north was dominated by a few families – mostly centred in Westmorland or Cumbria – with very little involvement in the affairs of the southern part of the county.<sup>147</sup>

In conclusion, we can now look to the question of Thomas of Lancaster's dealing with the county of Lancashire. In many ways, his failures here reflect those of Edward II on a national level. The main grievances of the Ordinances were Edward's excessive favouritism, inactivity towards Scotland, and an exacting fiscal policy. On all these points, Lancaster failed as well. His favouritism towards Holland distorted what was up until then a relatively stable internal power structure. His failure to participate in the Bannockburn campaign helped expose the north to Scottish raids, and his financial dealings with his tenants were extortionate. Both Lancaster and Holland seem to have lacked a sophisticated understanding of political realities, and a willingness to balance personal ambitions with collective considerations.

In light of this, the action of the Lancashire rebels in 1315 are understandable. We know that some of the rebels had personal grievances against Robert de Holland, yet the rebellion, from what we can tell, took the form of a loyalist uprising against an oppositional magnate. It was earlier suggested that this served as evidence of the local gentry's awareness of national political issues. This, of course, does not preclude opportunism; one can imagine that a direct attack on Robert de Holland was too risky,

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<sup>146</sup> The *posse* was often a rather primitive and ill-equipped affair: Cam, *Liberties and Communities*, p. 107.

<sup>147</sup> See above, p. 41.

considering his powerful connections, and that, for this reason, the only viable option was an approach that would circumvent Thomas of Lancaster, by appealing directly to the king. The question of the rebels' true motivations has no definite answer, but is also of limited interest. Of greater historical significance is the fact that they apparently chose to justify their acts by appeal to ideals and events beyond their own personal horizons. This bears witness to the growing conceptual maturity and political awareness of the early fourteenth-century gentry.<sup>148</sup>

Overall, Thomas of Lancaster failed badly in his management of the county, aided and abetted by Robert de Holland. The consequences came in the form of rebellion, though one quickly suppressed. The next chapter will deal with Lancaster's failure on a national level, with its far greater consequences for the earl.

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<sup>148</sup> See the writings of John Watts on this subject, based on ideas originally developed by Quentin Skinner: Watts, *Henry VI*, pp. 6-7; 'Ideas, principles and politics', pp. 117-20; Q. Skinner, 'Bolingbroke versus Walpole', in N. McKendrick (ed.), *Historical Perspectives: Studies in English Thought and Society; In Honour of J. H. Plumb* (London, 1974), pp. 104-8; J. Tully, 'The pen is a mighty sword: Quentin Skinner's analysis of Politics', in Tully (ed.), *Meaning and Context: Quentin Skinner and his Critics* (Oxford, 1988), pp. 7-25. For more on the growing political maturity of the late medieval gentry, see: Harriss, 'Political society and the growth of government'.

## 6. 1315 – 1328

### From the Banaster rebellion to the death of Robert de Holland

This chapter will pick up at the point where the last one left off, with the suppression of the Banaster rebellion, and from there continue up until 1328, the year that saw the death of Robert de Holland, a man who had been so central to the county's history for the previous two decades. The years from 1315 till 1328 can most conveniently be divided in two: the years before and after the death of Thomas of Lancaster in 1322, an event that would have great consequences both at a central and a local level.

What makes this period particularly difficult to assess is that our version of events is necessarily based almost entirely on one source: the 1323 royal inquisition at Wigan. The inquisition was taken under very special political circumstances, with Thomas of Lancaster's defeat at the battle of Boroughbridge having taken place the previous year. Tupling speaks of 'a display of energy which [Edward II] seldom showed in matters of state'.<sup>1</sup> Just as likely is that what we here see is the growing influence of the Despencers on royal decision-making; the fall of Lancaster had brought the Despencers into an almost unchallenged position of influence over Edward at court.<sup>2</sup> In any case, judicial inquiries were now launched all over the country. For the northern counties, this process was twofold: a commission in July to take the assizes in Yorkshire, Northumberland, Cumberland, Westmorland, Nottinghamshire, and Derbyshire, and later, in October, the King's Bench was sent on a tour to York, Wigan, Nottingham, Derby and Tutbury in Staffordshire.<sup>3</sup> The proceedings for Lancashire were transcribed and printed in full by G. H. Tupling in 1949. They offer an insight into life in the county that is not only of unique value for this specific period, but is hardly surpassed by any other document from the medieval period, as far as Lancashire is concerned. As opposed to other legal documents, such as regular King's Bench records or assizes, the 1323 inquisition does more than simply record the names and bare facts of each case, but goes into great detail on

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<sup>1</sup> Tupling, *South Lancashire*, p. xxxix.

<sup>2</sup> Fryde, *Tyranny and Fall*, pp. 58-86.

<sup>3</sup> Tupling, *South Lancashire*, pp. xxxix-xlii; Musson and Ormrod, *Evolution*, p. 199; C.R. Cheney and M. Jones (eds.), *A Handbook of Dates for Students of British History, New Edition* (Cambridge, 2000), p. 138.

specific events, the people, their background and connections and the reasons for their behaviour. We therefore know more about these few years of Lancashire history than we do about any other period up until the modern era. It is indeed an invaluable document, but there are nevertheless reasons to treat it with caution.

The year 1323 is significant, because it was in this year that Edward II empowered the King's Bench to enquire into felony and trespass, in the manner of a trailbaston commission.<sup>4</sup> The 1323 Lancashire inquisition was effectively a trailbaston commission, as can be seen clearly from the wording of the commission.<sup>5</sup> As we saw in the last chapter, the Despensers, who were by now in firm command of royal government, were notorious for their use of legal commissions for retaliatory or acquisitive means. As mentioned there, trailbaston commissions were particularly suited for legal fabrications aimed at entrapping enemies.<sup>6</sup> It must therefore be taken into account that the indictments could have been fabricated to harm an enemy, to please the authorities, or both. There are examples in these records of false accusations being made, or at least allegations to that effect. For example, on a commission of *oyer* and *terminer* issued on 16 October 1315 to Robert de Lathom and others, John de Walton, Stephen Shaw and Adam, son of Adam de Freckleton, stood accused of the murder of Henry de Bury. John and Stephen were convicted, while Adam failed to appear and was outlawed, but he was later pardoned, and the reason given for the pardon was that his indictment had been procured by his enemies.<sup>7</sup> In the trials of 1323, John le Norreys had been on a jury against Gilbert de Bickerstaffe and, after giving the verdict, had overheard Adam de Bickerstaffe complain that the jury 'had declared their verdict falsely and untruthfully in contempt of the lord king's court'. Adam denied guilt, but was imprisoned and released on paying a fine, under the condition 'that for the future he would conduct himself properly both towards the lord king and towards others'.<sup>8</sup> Of course we have no guarantee that these accusations, regarding perjury, were true either, but at least they provide evidence that false indictments were perhaps not uncommon, and, at the very least, occupied a

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<sup>4</sup> Sayles (ed.), *Select Cases*, vol. IV, pp. lv-lxvi; Kaeuper, 'Law and order', p. 745; Crook, 'The later eyres', p. 248; Waugh, *England in the Reign of Edward III*, p. 164.

<sup>5</sup> Tupling, *South Lancashire*, pp. 2-9; Bellamy, *Bastard Feudalism and the Law*, p. 80.

<sup>6</sup> See above, p. 182.

<sup>7</sup> *CPR 1317-1321*, p. 32; Tupling, *South Lancashire*, p. xliv.

<sup>8</sup> Tupling, *South Lancashire*, pp. 105-6.

central position in the consciousness both of justices and of the people who came before them.

As far as the proceedings in Lancashire of 1323 were concerned, the obvious victims were those who had previously benefited from the protection and favour of Thomas of Lancaster; namely Robert de Holland and his circle. We must assume that these techniques were used in equal measure also by the opposite side of the conflict, and that therefore, as already suggested, the previous part of the narrative, concerning the conduct of the rebels in 1315, should also be subject to scepticism and suspicion of fabrications and slander. While it is undoubtedly true that all of these testimonies must be treated with care, it is nevertheless more of a concern with the period we are dealing with here; the period from the suppression of the rebellion until Lancaster's fall at Boroughbridge. For this period, and the stories of abuse of power by Lancaster's adherents, we have a situation where the crown itself, and by extension its judicial branch, are directly and even personally involved in the process.<sup>9</sup> It is therefore likely that the most egregious corruption of justice would take place against those who had acted against the king, and sided with Thomas of Lancaster.

It is also quite conspicuous how many of the indictments centre on Robert de Holland, as the instigator of criminal activity, or protector of criminals. Since the inquisition was to a large degree intended to root out any last Lancastrian resistance, Holland, as one of Lancaster's main allies, was a natural target, both as a genuine threat and as a symbol. Holland was in fact one of the few persons mentioned by name in the articles of inquiry of the trial.<sup>10</sup> As mentioned above, actions such as the execution of Adam Banaster and Henry de Lea were said to have been carried out on the order of Thomas of Lancaster *and* Robert de Holland.<sup>11</sup> Holland, though hardly guiltless, seems to have been singled out by the crown as a scapegoat. To take the records of the proceedings as proof of a general, and exceptional, situation of lawlessness haunting Lancashire in this period, as Tupling has done, is perhaps too literal an interpretation of the sources. One could just as easily interpret the crime as

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<sup>9</sup> The king resided for a few days at Robert de Holland's manor of Upholland, near Wigan, where the trial was held: C.H. Hartshorne, 'An itinerary of Edward II', *Collectanea Archaeologica*, 1 (1861), p. 28; Tupling, *South Lancashire*, pp. xli, 98.

<sup>10</sup> Tupling, *South Lancashire*, p. 7.

<sup>11</sup> See above, p. 184. KB 27/258/1R; 254/11; Tupling, *South Lancashire*, pp. 38-9.

manifestations of northern violence, perhaps intensified by the Great Famine of 1315-17 and the Scottish incursions.<sup>12</sup> This caveat must be born in mind throughout the reading and interpretation of this document; though undoubtedly it reflects a true situation, the exact details of the narrative can never be taken at face value.

The period from November 1315 to the time around Lancaster's – and subsequently also Holland's – fall in March 1322 was marked by the almost complete dominance of Holland's faction over Lancashire society. Immediately after Banaster had been put to death, Robert de Holland (who had not taken part in the actual fighting) and his men started taking ransoms for the earl from those suspected of being Banaster's supporters. Holland, for instance, took 260 marks from Adam de Bickerstaffe, and goods belonging to William de Bradshaw at Haigh and Blackrod worth £40. But the victims were not limited to those who had taken part in the rebellion. The sum of the alleged extortions under Holland was estimated at £5000.<sup>13</sup> Others, such as Henry Nightingale and Roger de Lever, were summarily beheaded by members of the *posse*, because they 'belonged to the company of Adam de Banastre'.<sup>14</sup>

Tupling describes the situation in the county during this period. Depending on how one chooses to look at it, the following can be read as an illustration of the lawless conditions – the way Tupling presents it – or a testimony to the inventiveness of the charges. Robert de Holland was accused of harbouring a murderer who had killed a servant of William Butler in 1317,<sup>15</sup> and of direct involvement in a murder in 1322.<sup>16</sup> His nephew Richard allegedly obstructed an assize later that same year.<sup>17</sup> In 1319, Richard's associate Thurstan de Norley stood accused of stealing £13 in cash from William, son of William de Skipton, at Preston.<sup>18</sup> In a case of theft of livestock

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<sup>12</sup> This is the conclusion drawn by both Maddicott: *Thomas of Lancaster*, pp. 176-7; and Walker: *Lancastrian Affinity*, p. 154. Lancashire, along with other northern counties, seems to have produced a great number of *querelae* in the last years of the eyre: Burt, 'Demise of the General Eyre', pp. 6-8. Yet, for a discussion of the concept of 'northern violence', and its reality, see: A.J. Pollard, 'The characteristics of the fifteenth-century north', in J.C. Appleby and P. Dalston (eds.), *Government, Religion and Society in Northern England, 1000-1700* (Stroud, 1997), pp. 131-43; McLaughlin, 'Gentry perceptions of violence', pp. 132-3, 163-6; Armstrong, *England's Northern Frontier*, pp. 6-8.

<sup>13</sup> Tupling, *South Lancashire*, pp. xlviii, 79; Maddicott, *Thomas of Lancaster*, p. 177.

<sup>14</sup> Tupling, *South Lancashire*, pp. xlvii-xlviii, 39.

<sup>15</sup> Tupling, *South Lancashire*, p. 17.

<sup>16</sup> KB 27/272/3R.

<sup>17</sup> Tupling, *South Lancashire*, pp. 69-71

<sup>18</sup> KB 27/235/76d.

and money the same year, the defendant is not identifiable, but the victim was Margareta, widow of Adam Banaster, implying that exploitation of the losing side from the 1315 rebellion was still going on.<sup>19</sup> Other cases fall into the same category: a Simon de Bickerstaffe – perhaps a tenant or relative of Ralph – was murdered in 1316 by a Richard de Walton,<sup>20</sup> while a widow named Dionysia de Bickerstaffe was the victim of a burglary in 1322.<sup>21</sup> That Holland had Lancaster’s sanction for this conduct – or at least that this was generally assumed – is attested by the case of Adam de Tetlow who, after committing murder, allegedly ‘obtained a letter from the earl of Lancaster and letters of pardon from Robert de Holand’ as protection against any charges.<sup>22</sup>

The best documented example of Holland's excesses comes in the case of his disputes with William de Bradshaw and his family. The fact that Lancaster created mesne lordships for Holland must have been a provocation to the original tenants, as in the case of Bradshaw’s manor of Haigh.<sup>23</sup> There was, however, nothing illegal about this process, so, if this was the rebels’ only grievance, it is understandable that they sought extra-legal remedies.<sup>24</sup> Yet it is also claimed that Holland ‘entered into certain possessions of his master in the southern part of the county’ for which ‘he had shown no charter or other authorization from the earl, nor had any of the free tenants of the wapentakes recognized the transfer by attournment [sic]’.<sup>25</sup> If there were indeed legal actions that Holland’s opponents could have taken, and rebellion still occurred, then this could be a sign of the impossibility of getting a fair trial against somebody as well connected as Robert de Holland.

We do not know the exact details of Holland’s entry into these lands, since no records of grants by Lancaster are preserved. Neither do we know if the entry took

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<sup>19</sup> KB 27/235/13d

<sup>20</sup> CCR 1313-1318, p. 282.

<sup>21</sup> Tupling, *South Lancashire*, p. 35.

<sup>22</sup> Tupling, *South Lancashire*, p. xlvi. Tetlow is described as Holland’s kinsman: Tupling, *South Lancashire*, pp. 36, 75.

<sup>23</sup> Porteus, ‘The Mab’s cross legend’, pp. 9-10; Maddicott, ‘Thomas of Lancaster and Sir Robert Holland’, pp. 452-3. The same was the case with several manors in Cheshire: Morgan, *War and Society*, p. 50.

<sup>24</sup> This is provided the grant was made in accordance with *Quia Emptores*, see: Bean, *Decline of English Feudalism*, pp. 307-8.

<sup>25</sup> VCH, II, p. 198; Somerville, *History of the Duchy of Lancaster*, p. 21; Tupling, *South Lancashire*, pp. xlii-xliii.

place before or after the rising, and consequently whether one caused the other.<sup>26</sup> We do, however, have one clear example of Holland's rapaciousness with regard to Bradshaw's manors, involving events taking place after, not before, the rebellion. After Bradshaw was forced into exile he was declared an outlaw, and his lands were taken into the king's hands. William himself was apparently presumed dead at this point, but his wife Mabel (now termed simply Mabel de Haigh) seems to have remained in possession of the lands, according to an inquiry held at Haigh 26 June 1318. On 3 July, however, both Haigh and the adjacent manor of Blackrod were given to Holland, because 'it appears by inquisition that William de Bradeshagh who was outlawed for felony held them of Robert'.<sup>27</sup> A second inquiry reached the same conclusion.<sup>28</sup> At this point, then, there seems to be no doubt of Holland's mesne lordship.

This transfer of land is, however, highly questionable. First, the land was Mabel's patrimony, so forfeiture on her husband's part should not necessarily lead to her dispossession.<sup>29</sup> Furthermore, William had already at this point received the king's pardon for his participation in the rebellion, a fact that does not seem to have influenced the proceedings.<sup>30</sup> This case shows clearly the divisive rather than unifying effect Holland had on Lancashire society, and it was to play a great part in the continuation of the county feuds after Bradshaw's return from exile.<sup>31</sup>

Once the rebellion was over, it would have been natural for Thomas of Lancaster to attempt to reestablish authority and restore order, in concert with the crown. This effort, however, was impeded by continued tensions between earl and king. Lancaster's eventual downfall in 1322 was preceded by a long-drawn struggle between the two over political power. After Bannockburn, Lancaster took advantage of the king's defeat to move back into the centre of power, and in September of that year, at the York parliament, he carried out an extensive replacement of central and local government officials. This was to be the start of what Maddicott has termed 'the Lancaster administration'. On 8 August 1315, Thomas was appointed *superior*

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<sup>26</sup> Tupling, *South Lancashire*, p. xliii.

<sup>27</sup> Porteus, 'The Mab's cross legend', p. 18.

<sup>28</sup> Porteus, 'The Mab's cross legend', p. 19.

<sup>29</sup> *Biog. Sketches*, p. 10.

<sup>30</sup> Porteus, 'The Mab's cross legend', pp. 18-19.

<sup>31</sup> See below, p. 203.

*capitaneus* of the north, and on 17 February 1316 he became a member of the royal council. Yet this situation was not to last. As mentioned above, the death of his main supporter, the Earl of Warwick, in August 1315, combined, perhaps, with personality flaws on Lancaster's part, made life at court increasingly difficult for him.<sup>32</sup> Sometime around April 1316 he left for the north, starting a period of increasing isolation that was to last until 1321.<sup>33</sup>

The treaty of Leake, of 9 August 1318, and later the Parliament of York in October of that year, established what posterity has more or less accurately termed 'the middle party': a group of nobles and prelates supportive of the king, who managed to create a *modus vivendi* between Edward and Thomas.<sup>34</sup> Yet Thomas's isolation continued, and his situation did not improve by him leaving the siege of the Scottish castle of Berwick 16 September 1319; rumours of conspiratory activities with the Scots would follow him from that day on.<sup>35</sup> Lancaster's isolation was only broken when the king's new favourite Hugh Despenser started a project of aggrandizement in the Welsh marches that was to alienate the marcher lords and allow the earl to build a new coalition against the king. Lancaster used the disruption to defy the king openly, and hold large assemblies of his retainers in the north, contrary to Edward's command: one in Sherburn on 28 June 1321, and another at Doncaster in November. His last stand was short-lived, however, ending in the battle of Boroughbridge 16 March 1322, followed by his execution on the 22nd.<sup>36</sup>

Thomas of Lancaster's lands were forfeited at his execution. A bureaucratic innovation was introduced to administer these lands for the crown, whereby a small number of local men were appointed in each county as keepers of the rebels' lands.<sup>37</sup>

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<sup>32</sup> See above, p. 182.

<sup>33</sup> Tout, *Place of the Reign*, pp. 90-3, 95, 100-5 *et passim*; McKisack, *The Fourteenth Century*, pp. 46, 48; Maddicott, *Thomas of Lancaster*, pp. 164-5, 170, 181, 187, 190; Phillips, *Aymer de Valence*, pp. 76-7, 95; *Edward II*, pp. 244-7, 276; Haines, *King Edward II*, pp. 95-7, 103-4.

<sup>34</sup> For Phillips's challenge of Tout's orthodoxy on this, and the current consensus, see above, p. 4.

<sup>35</sup> Haines, *King Edward II*, p. 267; M. Brown, *Bannockburn: The Scottish War and the British Isles 1307-1323* (Edinburgh, 2008), pp. 78-9; Phillips, *Edward II*, p. 351; A. King and C. Etty, *England and Scotland, 1286-1603* (Houndmill, 2016), pp. 35-6.

<sup>36</sup> Tout, *Place of the Reign*, pp. 109, 120, 134 *et passim*; Somerville, *History of the Duchy of Lancaster*, pp. 27-8; McKisack, *The Fourteenth Century*, pp. 54-7, 67; Maddicott, *Thomas of Lancaster*, pp. 226, 229, 249, 256-7, 311-2; Phillips, *Aymer de Valence*, pp. 170-1, 173, 184-5, 197, 224-5; *Edward II*, pp. 378-409; Morgan, *War and Society*, pp. 50-2; Haines, *King Edward II*, pp. 139-41.

<sup>37</sup> *CCR 1318-1323*, p. 576; *CCR 1327-1330*, p. 72; Astill, 'The medieval gentry', p. 155; Waugh, 'Third century', p. 55.

In Lancashire, the men most frequently encountered in this capacity were Gilbert de Singleton and John Travers – men of a high standing in local society, who had not been involved in the county feuds, and whose connections to the late earl were no more than tenuous (Singleton was included on Lancaster’s 1313 pardon, while Travers’ father had served as sheriff from 1302 to 1307).<sup>38</sup> The process by which Thomas of Lancaster’s brother Henry was restored to his patrimony was a gradual one, and was not completed until a more favourable political climate allowed it.<sup>39</sup> In December 1326, thanks to his support for the coup of Isabella and Mortimer, Henry received the honor of Lancaster, along with other family estates, from the crown.

The full restoration of the Lacy lands took even longer.<sup>40</sup> After Thomas of Lancaster’s forfeiture in 1322, the Lacy part of the inheritance was restored to Thomas’s widow, Alice de Lacy. Alice granted parts of her land to Henry of Lancaster, while other parts – including the honor of Clitheroe – reverted to the crown.<sup>41</sup> From this reversion, Edward III in 1327 granted Clitheroe to his mother for life.<sup>42</sup> The honor did not return to the possession of the earls of Lancaster until 1348, when Isabella released all her rights to Henry of Grosmont.<sup>43</sup> This intermission was to have a major influence on local power politics, since Isabella was to rely on members of the Radcliffe family as stewards of the honor of Blackburnshire (or Clitheroe).<sup>44</sup> Their connection to the royal family undoubtedly helped the Radcliffes’ rise to local pre-eminence, a process we will explore in depth in the next chapter.

Lancaster’s national difficulties were mirrored on a local level. The last chapter numbered the many causes for discontent with the earl that could have been behind the Banaster rebellion, one of these causes being his indifference towards Lancashire.<sup>45</sup> In the aftermath of the rebellion, he made one of his rare visits to the

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<sup>38</sup> *CPR 1313-1317*, p. 21; *LOS*, p. 72

<sup>39</sup> The process is described in detail in: Somerville, *Duchy of Lancaster*, pp. 31-8.

<sup>40</sup> SC 8/56/2768, 57/2806.

<sup>41</sup> Clitheroe was originally the possession of Henry de Lacy, who surrendered his land to Edward I, to have it re-granted with remainder to Edmund of Lancaster and his heirs: *CIPM*, IX, 107; *CPR 1321-1324*, p. 382; Somerville, *History of the Duchy of Lancaster*, pp. 33-5.

<sup>42</sup> *CPR 1327-1330*, p. 32; *1330-1334*, p. 195; *1343-1345*, p. 447; *VCH*, VI, pp. 230-4. This was with the exception of Ightenhill Park, which he reserved for himself: *CIPM*, IX, 107. Ightenhill was in Edward’s possession in 1333; KB 27/308/15R.

<sup>43</sup> Somerville, *History of the Duchy of Lancaster*, p. 35; *VCH*, VI, pp. 260-72

<sup>44</sup> See below, p. 235.

<sup>45</sup> See above, p. 180.

county. In early November 1315, he was in Wigan, from where he requested a commission of *oyer* and *terminer* from the king, to deal with the rebels.<sup>46</sup> After this visit, according to the itinerary provided by Maddicott, he can only be found in Lancashire one more time before his death, when he visited Whalley in July 1316. This was consistent with a general trend following the earl of Warwick's death in August 1315, when Lancaster largely withdrew from public life, and increasingly isolated himself at Pontefract Castle.<sup>47</sup> Lancaster's influence was still substantial, however, and could be used to the benefit of his affinity. One way this was done was by securing a general, royal pardon for his followers in 1318, as he had done in 1313, but this time listing even more men.<sup>48</sup>

Yet a document like this says nothing about the narrower circle of the earl's retainers. As we saw in the previous chapter, the earl relied mostly on a small group of northern men for the suppression of the rebellion in 1315.<sup>49</sup> This pattern was repeated at the Sherburn Assembly in June 1321. Those present who had any association with Lancashire, for the most part belonged to the greater border families. The exceptions were Lancaster's favourite, Robert de Holland, and Edmund de Neville, whose value to the earl was probably as a lawyer and administrator, rather than as a member of the Lancashire gentry.<sup>50</sup>

Assuming that Thomas attempted to assert dominance over the county in the years from 1315 to 1322, a natural path would be through the dominance of local office. There are signs that Lancaster did indeed manage to install his men in some central positions in the years immediately after the 1315 rebellion. A commission of array appointed in March 1316, for an intended Scottish campaign, included Edmund Dacre, who had taken part in suppressing the rebellion the previous year, Roger de Pilkington, who would later fight with Lancaster at Boroughbridge, and Nicholas de Leyburn of Westmorland, who was included in the Gaveston pardon in 1313.<sup>51</sup> Three months later, Robert de Holland was commissioned to supervise the levy for

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<sup>46</sup> Maddicott, *Thomas of Lancaster*, pp. 176, 344. For more on this commission, see above, p. 184.

<sup>47</sup> Maddicott, *Thomas of Lancaster*, pp. 190, 256-7, 331, 344-7.

<sup>48</sup> *CPR 1317-1321*, p. 227; Maddicott, *Thomas of Lancaster*, p. 232. See above, pp. 133 and 158.

<sup>49</sup> See above, p. 185.

<sup>50</sup> Wilkinson, 'The Sherbourne Indenture', p. 28; Maddicott, *Thomas of Lancaster*, p. 274.

<sup>51</sup> *CPR 1313-1317*, pp. 21, 460; *CFR 1307-1319*, p. 296; Tupling, *South Lancashire*, p. 39; *Parl. Writs*, vol. II, ii, pp. 201, 211.

Lancashire and three other counties.<sup>52</sup> The next year Pilkington was commissioned again, along with William Gentil, who had already served as Lancaster's deputy sheriff once (1307-09), and would do so again (1320-22).<sup>53</sup>

As mentioned above, however, Lancaster's men could have been employed as much for practical as for political reasons.<sup>54</sup> In other fields of royal administration, the Lancaster connection was less pronounced. There are too few peace commissions to give a good impression,<sup>55</sup> but when we include other legal commissions we get a better picture. The lawless conditions (an indication that this was indeed a reality) necessitated at least six commissions of *oyer and terminer*.<sup>56</sup> As already mentioned, these commissioners were gentry member with extensive legal and administrative experience, and tended to be of northern provenance.<sup>57</sup> Lancaster's retainer Edmund de Neville was a frequent commissioner,<sup>58</sup> but Neville seems to have been a capable administrator whose value to the crown was independent of his association with Thomas of Lancaster.<sup>59</sup> Even after the restoration of royal authority in 1322, Neville was immediately trusted with official work: he was a justice of assize in July 1323,<sup>60</sup> and a commissioner of array in December 1324.<sup>61</sup>

As seen above, the evidence shows that – even after 1315 – Lancaster retained few Lancashire men, and had little involvement with the gentry at large.<sup>62</sup> It therefore comes as no surprise that, when the earl needed the men of Lancashire to come to his aid and give military support, few answered the call. In early March 1322, Holland gathered a large number of men at Ravensdale in Derbyshire, anticipating orders from Thomas of Lancaster.<sup>63</sup> Not many of these men belonged to any of the major Lancashire gentry families. Among the few notable persons were Sir Robert de

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<sup>52</sup> *CPR 1313-1317*, p. 478.

<sup>53</sup> *Parl. Writs*, vol. II, ii, pp. 489, 492, 496; *LOS*, p. 72.

<sup>54</sup> See above, p. 166.

<sup>55</sup> *CPR 1317-1321*, p. 176 (May 1318); *Parl. Writs*, vol. II, ii, p. 151 (June 1320).

<sup>56</sup> *CPR 1313-1317*, p. 421 (November 1315); *CPR 1317-1321*, p. 87 (September 1317); *CPR 1317-1321*, pp. 84, 176 (March 1318); *CPR 1317-1321*, p. 184 (June 1318); *CPR 1317-1321*, p. 465 (August 1319); *CPR 1317-1321*, p. 606 (May 1320).

<sup>57</sup> See above, p. 100.

<sup>58</sup> September 1317, March 1318, June 1318 and October 1320.

<sup>59</sup> See above, p. 60.

<sup>60</sup> KB 27/254/16d.

<sup>61</sup> *Parl. Writs*, vol. II, ii, p. 684.

<sup>62</sup> See above, p. 133.

<sup>63</sup> Tupling, *South Lancashire*, pp. xxxi-xxxii, 80-1; Maddicott, 'Thomas of Lancaster and Sir Robert Holland', p. 467.

Dalton and Gilbert de Haydock. Dalton had previously shown his loyalty to Lancaster when he was among the men responsible for capturing and executing Banaster and Lea after their failed rebellion in 1315.<sup>64</sup> As for Haydock, he had no discernible relations with the earl, and was probably acting out of personal loyalty to Robert de Holland. Holland was mesne lord of the manor of Haydock, and members of the two families often appeared on witness lists together.<sup>65</sup> At the actual battle of Boroughbridge, a few days later, turnout was even more scant; the – admittedly unreliable – Boroughbridge Roll of arms lists only Robert’s nephew Richard de Holland and Roger de Pilkington among those captured.<sup>66</sup>

Neither did the more militarily significant men of the northern part of the county remain loyal in great numbers. John de Harrington and Adam Huddleston did attend the Sherburn Assembly.<sup>67</sup> Harrington, upon receiving a royal writ forbidding him to attend the Doncaster meeting, abstained, while Huddleston ignored these commands.<sup>68</sup> Though Huddleston’s arms are enrolled in the Boroughbridge Roll, it is unclear if he actually fought, but he was reported dead by April,<sup>69</sup> so it seems likely that he either died in battle, or was executed shortly afterwards.<sup>70</sup>

Of greatest interest is the defection of Robert de Holland. Holland had received the same royal orders as Harrington and Huddleston, but initially ignored them.<sup>71</sup> A last warning was then issued as the king was moving his forces north to face Lancaster.<sup>72</sup> Twelve days before the final battle, on 4 March, Holland was commanded to proceed to the king with horses and arms as speedily as he possibly

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<sup>64</sup> Tupling, *South Lancashire*, p. 38.

<sup>65</sup> LA, DDBI 42/48, 55/9; LA, DDIIn 22/5, 53/21; *VCH*, IV, pp. 137-40.

<sup>66</sup> *Parl. Writs*, vol. II, ii, pp. 191-201. The authenticity of this roll has recently been challenged: B. Wells-Furby, ‘The “Boroughbridge roll of arms” reconsidered’, *Historical Research*, 86 (2013), pp. 196-206.

<sup>67</sup> Wilkinson, ‘The Sherbourne Indenture’, p. 28.

<sup>68</sup> Rymer, *Foedera*, vol. II, pp. 26-7

<sup>69</sup> *CIPM*, VI, 289.

<sup>70</sup> Michael Harrington and Edmund de Neville were also present at Sherburn: Tupling, *South Lancashire*, pp. xxvi-xxx; Maddicott, *Thomas of Lancaster*, pp. 274, 268-312; ‘Thomas of Lancaster and Sir Robert Holland’, p. 467; ‘Thomas of Lancaster’, p. 546; McKisack, *Fourteenth Century*, pp. 61-7; *Parl. Writs*, vol. II, ii, pp. 181, 556.

<sup>71</sup> *Parl. Writs*, vol. II, ii, p. 235.

<sup>72</sup> *Parl. Writs*, vol. II, ii, p. 556.

could, and this time he complied.<sup>73</sup> Though he may have saved his life this way, he was nevertheless put in prison, where he remained for the next five years.<sup>74</sup>

Contemporary chroniclers gave much attention to Holland's alleged betrayal of Lancaster.<sup>75</sup> His motivation has also been a subject for speculation among modern historians. According to Fryde, Holland was perhaps swayed by the fact that the king held his daughter as hostage.<sup>76</sup> Tupling believed Holland wanted to assess the king's forces before making a commitment.<sup>77</sup> The answer is probably no more complicated than that given by Maddicott: Holland's 'motive in deserting his lord was obvious: to save his own life in what looked likely to be – and indeed became – a military catastrophe'.<sup>78</sup> Legally, of course, Holland was in his full right. Holland's indenture with Lancaster does not survive, but we can assume it differed little from the formula applied in Lancaster's other indentures – and those of all great lords – that always made exceptions for the king in requiring the retainer's loyalty (*sauve le corps le Roy*).<sup>79</sup> Neither was Holland alone in his desertion; at least ten of Lancaster's retainers left him before Boroughbridge, and discontent in the ranks with his behaviour towards the king can be traced back as far as 1320.<sup>80</sup> As for the other members of the Lancashire gentry, the issue was even more straightforward: their connections with the earl were so weak, and so unfruitful, that there was nothing to justify the drastic step of rising up against the king.

One more thing should be said about Robert de Holland. Though his connection with earl Thomas was as strong as ever, and his dominance of Lancashire affairs remained unchallenged, his association with the county subsided somewhat

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<sup>73</sup> *Parl. Writs*, vol. II, ii, p. 181

<sup>74</sup> *KEI*, vol. II, p. 234; Maddicott, 'Thomas of Lancaster and Sir Robert Holland', pp. 468-9; 'Holland, Sir Robert', *ODNB*; Haines, *King Edward II*, pp.138-9.

<sup>75</sup> W.M. Ormrod, 'The road to Boroughbridge: the civil war of 1321-2 in the Ancient Petitions', in P.A. Brand and S. Cunningham (eds.), *Foundations of Medieval Scholarship: Records Edited in Honour of David Crook* (York, 2008), pp. 81-2.

<sup>76</sup> Fryde, *Tyranny and Fall*, p. 56.

<sup>77</sup> Tupling, *South Lancashire*, p. xxxiii.

<sup>78</sup> Maddicott, 'Holland, Sir Robert', *ODNB*.

<sup>79</sup> Tout, *Chapters*, vol. II, pp. 185-7; Harriss, 'Introduction' in *England in the Fifteenth Century*, p. xiv; Jones and Walker (eds.), 'Private indentures', pp. 17-18, 21, 56-61. In fact, at least two of Lancaster's retainers explicitly used this excuse to withdraw their support from him: Maddicott, *Thomas of Lancaster*, pp. 295-6.

<sup>80</sup> Maddicott, *Thomas of Lancaster*, pp. 295-7; Phillips, *Aymer de Valence*, p. 225; *Edward II*, p. 416; Morgan, *War and Society*, p. 50. Astill believes the reduction of the Lancaster retinue became permanent, as far as Leicestershire was concerned: Astill, 'The medieval gentry', pp. 225-6.

during this period. With the death of Alan la Zouche in 1314, Holland came into the greater part of the Zouche inheritance, most of it concentrated in the counties of Leicestershire, Northamptonshire and Hertfordshire.<sup>81</sup> Holland did not disappear completely from county affairs; as we have seen, he was implicated in various criminal cases.<sup>82</sup> As late as in March 1321, he headed a list of witnesses to a grant, including such men as Robert de Lathom, William Butler and Matthew de Haydock,<sup>83</sup> all prominent members of the western network described in a previous chapter.<sup>84</sup> This particular grant was of personal interest to Holland, however; it was the settlement of a dispute between William de Walton and Adam de Ireland over land in the manor of Hale, over which Holland held lordship.<sup>85</sup> Generally, his involvement with the county and its men became infrequent.

While Holland's prominence receded in Lancashire, that of the Radcliffe family grew. More will be said in the following chapter about the ascendancy of the extensive Radcliffe clan, but their growing prominence was manifesting itself already at this point. As we have seen in a previous chapter, the royal pardons procured for Lancaster's adherents in 1313 and 1318 show a shift of power from the network around Holland to that of the Radcliffe family.<sup>86</sup> Increasingly, the Radcliffes, who had largely stayed out of the fray in 1315, got involved in county feuds.<sup>87</sup> There were violent events in both 1321 and 1322 where members of the Radcliffe family clashed with the Tyldesley and Hesketh families respectively.<sup>88</sup> Several members of the Radcliffe family were also with Holland at Ravensdale in March 1322, perhaps a sign of closer connections between the two families.<sup>89</sup> This trend towards greater relevance would become more pronounced over the following years.

With Thomas of Lancaster's rebellion over, it was time for the crown to deal with his associates. Certain measures had already been taken by the time the royal inquisition arrived in August, in particular against those most closely associated with

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<sup>81</sup> Maddicott, 'Thomas of Lancaster and Sir Robert Holland', pp. 457-9.

<sup>82</sup> See above, p. 191.

<sup>83</sup> LA, DDIn 22/5.

<sup>84</sup> See above, p. 151.

<sup>85</sup> VCH, III, pp. 140-9.

<sup>86</sup> See above, p. 158.

<sup>87</sup> The rebels did seize Adam de Radcliffe at Radcliffe parsonage as one of their first acts: Tupling, *South Lancashire*, p. 42.

<sup>88</sup> KB 27/255/47d; Tupling, *South Lancashire*, p. 31.

<sup>89</sup> Tupling, *South Lancashire*, pp. 80-1

the late earl. As mentioned earlier, it appears that relatively few Lancashire men took part in the battle of Boroughbridge.<sup>90</sup> The first mention of keepers of the king's lands in the county is from 1 May 1322, a month and a half after the battle. This is a writ to keepers of castles to summon rebels to do homage to the king. In this writ, only the great names are mentioned; none of the lesser adherents of Thomas of Lancaster appear by name. Gilbert de Singleton is named as the keeper of various lands – the castle of Hanterton and of all the lands in Congleton, Whitley, and Longdale in Chester, and in Widnes in Lancashire – that belonged to Thomas of Lancaster, Robert de Holland, and Joan, countess of Lincoln. John Travers was named as custodian of certain lands in Lancashire and Cheshire. The rebels they were supposed to summon are not mentioned specifically by name.<sup>91</sup>

The next mention comes a few days later, on 18 May, when John Travers was required to assess the rebels' land. Again no names are mentioned.<sup>92</sup> There is some evidence implicating the men we have already seen involved in the rebellion; in July, Travers was ordered to restore land in Mundesleye to Willam de Hoton, apparently from Robert de Dalton.<sup>93</sup> Also in July, Gilbert de Haydock was discharged from prison for adherence to Lancaster, on the surety of Robert and John de Clitheroe.<sup>94</sup> This pattern continued over the following days, with restoration of certain lands and confiscation of others. Richard de Holland's land in Lancashire, Leicestershire and Warwickshire was restored, along with that of other rebels.<sup>95</sup> Alice de Lacy, on the other hand, continued to be punished for a rebellion in which she could have taken little part, estranged from her husband Thomas as she was. Gilbert de Singleton, in his capacity as 'keeper of the castle of Halton and of certain lands in co. Lancaster', was ordered to take possession of her livestock and bring it to the king.<sup>96</sup> The next day, Simon de Balderston, as auditor, was ordered to sell the rebels' stock in several counties.<sup>97</sup> Roger de Pilkington, who was with Thomas of Lancaster at

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<sup>90</sup> See above, p. 198.

<sup>91</sup> *CCR 1318-1323*, p. 540.

<sup>92</sup> *CPR 1321-1324*, p. 161.

<sup>93</sup> *CCR 1318-1323*, p. 664.

<sup>94</sup> *Parl. Writs*, vol. II, ii, p. 211.

<sup>95</sup> *CCR 1318-1323*, p. 571.

<sup>96</sup> *CCR 1318-1323*, p. 576.

<sup>97</sup> *CCR 1318-1323*, p. 581.

Boroughbridge, made a fine of £200 in July to save his life, and was released.<sup>98</sup> Then, on 13 November, Pilkington was dead, and his manors of Pilkington and Chetham, parts of Barton and Crompton, plus land at Farneworth, Great Laver, Hunersfield and Spotland, were restored to his widow Margery.<sup>99</sup> His death so shortly after his release is conspicuous, though the exact circumstances are not known.<sup>100</sup>

Moving beyond individual destinies, Boroughbridge affected the balance of power in Lancashire for two reasons: firstly, it led to the imprisonment of Robert de Holland. Secondly, it allowed William de Bradshaw to return to the county. As mentioned above, Bradshaw escaped the suppression of the rebellion in 1315, and went into exile.<sup>101</sup> The story of Bradshaw's absence and return is surrounded by myths and legends. There are two different versions of the so-called Mab's Cross Legend.<sup>102</sup> With some variations, these tell the story of how Bradshaw went away for seven or eight years to fight in the Holy Wars. Finding his wife Mabel remarried on his return, he responded by killing the new husband.<sup>103</sup>

Though his absence is in no doubt, Bradshaw probably never fought in any Holy Wars.<sup>104</sup> A more likely explanation is that William escaped into Wales after the rebellion was suppressed, and took refuge there. On 7 November, after the rebellion had been crushed, but with several of the rebels still on the loose, Thomas of Lancaster wrote the king requesting a commission for their capture. At the same time, he also asked for similar commissions to the justices of Chester and Wales, to prevent those he called 'traitors' from escaping that way.<sup>105</sup> Lancaster knew where the rebels were likely to seek refuge, and it was important to him to prevent this from

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<sup>98</sup> *Parl. Writs*, vol. II, ii, p. 211 *et passim*; *Biog. Sketches*, p. 75.

<sup>99</sup> *CCR 1318-1323*, p. 610; *KEI*, IV., p. 68.

<sup>100</sup> John Pilkington, in a family history from 1894, speculates that he may have been wounded in battle: J. Pilkington, *The History of the Lancashire Family of Pilkington and its Branches, 1066-1600* (Liverpool, 1894), p. 34.

<sup>101</sup> See above, p. 184.

<sup>102</sup> These two are the Norris Declaration, a recording of an oral family legend dating from 1564, and the Bradshaigh Roll (also called the Haigh Hall version, after the family's main residence), a pedigree from about 1647. The two versions were summarised and given a critical discussion by Rev. Thomas C. Porteus in 1945.

<sup>103</sup> Porteus, 'The Mab's cross Legend', pp. 1-5.

<sup>104</sup> Porteus believed he could have served with Henry of Grosmont in Prussia, Cyprus and Granada; Porteus, 'The Mab's cross Legend', pp. 33-4. This, however, is based on the old misconception that Grosmont was born around the turn of the century, while the modern consensus is that he was born around 1310: Fowler, *The King's Lieutenant*, p. 23.

<sup>105</sup> SC 1/21/190.

happening, so as to avoid a later revival of the conflict. This was probably also the explanation behind his summary execution of the captured leaders. Nevertheless, Bradshaw managed the escape.

William's long absence led to a local presumption of his death. We know this from a suit brought in 1319 by William de Anderton against a number of people for disseizing him of a manor. Among those who stood accused were Mabel de Bradshaw, and her husband William is referred to as deceased. Apparently, Mabel was fully in agreement with this. Her response to the lawsuit was that she could not answer to it as the writ was obtained while she held the land jointly with William, whereas 'William is now dead'.<sup>106</sup> All doubts were swept aside, however, when William returned to Lancashire in person. We do not know exactly when this took place, but a source from October 1323 tells us that Bradshaw had been riding about the county with an armed band of followers for about a year.<sup>107</sup> This puts his return in 1322, which coincides with Thomas of Lancaster's fall at the battle of Boroughbridge and Robert de Holland's incarceration.

Around the time when William de Bradshaw returned to the county, violence seems to have become endemic. At least a dozen separate violent encounters are supposed to have occurred in the year leading up to the royal inquisition. On what seem to be six different occasions, horses ranging from one to ten in numbers were allegedly stolen from William de Bradshaw.<sup>108</sup> In two of these cases, Richard de Holland was involved in the thefts. Holland is also accused of having tried to force entry into Bradshaw's manor of Blackrod.<sup>109</sup> Conflict was also carried out by proxy. Adam Bletherhose and Ranulf de Wolleye of Cheshire stole a horse with victuals and an aketon jacket from Bradshaw, to the value of 40s.<sup>110</sup> Bletherhose and others were again guilty of a similar theft at Wigan at Easter 1322. It was claimed that Adam de Hyndeleghe and Robert de Tyldesley knew about these robberies and supported the

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<sup>106</sup> JUST 1/424/8d; Porteus, 'The Mab's cross legend', pp. 19-20. Anderton was a neighbour of the Bradshaws at their Blackrod manor. In 1325, he mainprised for William after an alleged robbery of Thurstan de Norley: KB 27/260/143; 261/138d; 265/55d.

<sup>107</sup> Tupling, *South Lancashire*, p. 57.

<sup>108</sup> KB 27/254/102d; 256/50, 76d; 257/7R; Tupling, *South Lancashire*, pp. 10-11, 15, 22-4, 34.

<sup>109</sup> Tupling, *South Lancashire*, p. 33.

<sup>110</sup> An aketon was a padded protective jacket, like a doublet or a jupon: S.M. Newton, *Fashion in the Age of the Black Prince: A Study of the Years 1340-1365* (Woodbridge, 1980), p. 134; Shenton, 'Edward III and the coup of 1330', pp. 23-4.

perpetrators.<sup>111</sup> Tyldesley was described as a kinsman of Robert de Holland, and a member of the gang of Richard de Holland.<sup>112</sup>

Against the truthfulness of these charges can be raised the question of why an ordinary knight like Bradshaw would possess such a great number of horses. A punitive commission like this presented a good opportunity to make accusations, even if that meant going several years back in time. The indictments give the impression of a ritual back-and-forth, where allegations are met with counter-allegations. Also Richard de Holland claimed to have had horses stolen by William de Bradshaw during one violent encounter.<sup>113</sup> Bradshaw and his associates, meanwhile, allegedly carried out several attacks on others of Holland's allies, most prominent among these Thurstan de Norley.<sup>114</sup> Norley, for his part, stood accused in 1323 of recently having killed William Smert in the park of Northlegh, though for this he was acquitted.<sup>115</sup> He was also accused of harassing Bradshaw and his associates; in 1325 Bradshaw and William de Anderton alleged that he had, two years earlier, broken into the manor of Northlegh, where he had stolen livestock and abducted servants.<sup>116</sup>

Bradshaw was able to re-establish himself in his native county quickly and effectively. Not only did he restore balance to the ongoing county feuds, he was also elected to parliament as soon as 1325.<sup>117</sup> It is tempting to assume that he enjoyed magnate support, and there is in fact evidence that – at least at a later date – he was retained by earl Henry. On January 16, 1329, in the aftermath of Henry's failed rebellion, orders went out to the sheriffs of England to confiscate the lands of Lancaster and his adherents. Bradshaw is one of only ten men mentioned in this writ, implying both a central involvement in the plot and a close association with the earl.<sup>118</sup> Henry of Lancaster was later assumed to be responsible for Robert de

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<sup>111</sup> Tupling, *South Lancashire*, pp. 10-11. See also KB 27/255/10, 16Rd, 258/19R.

<sup>112</sup> KB 27/235/14Rd; Tupling, *South Lancashire*, p. 17, 75.

<sup>113</sup> Tupling, *South Lancashire*, pp. 12, 46-7

<sup>114</sup> KB 27/254/23, 260/143, 261/138d; Tupling, *South Lancashire*, p. 57. Norley had joined Richard de Holland in February 1322, on a mission to raise 500 men and bring them to Rochdale in Salford, to aid earl Thomas in his rebellion against the king: Tupling, *South Lancashire*, p. 74; Maddicott, *Thomas of Lancaster*, p. 309.

<sup>115</sup> Tupling, *South Lancashire*, pp. 15, 18, 57.

<sup>116</sup> KB 27/261/138d.

<sup>117</sup> *RMP*, p. 74.

<sup>118</sup> *CFR 1327-1337*, pp. 116-17. See also above, p. 134.

Holland's murder, so it is not unlikely that he should have wanted to support an enemy of the Holland family at an earlier point.<sup>119</sup>

In addition to Lancaster's fall and Bradshaw's return, a third event in the same period affected conditions in the county. North of Lancashire, the earl of Carlisle was causing another difficult situation for the crown. Andrew Harclay had been created earl after his contribution to the Boroughbridge campaign, and made captain and warden of the six northern counties. On 3 January 1323, exasperated by the inactivity and incompetence of the king, he concluded, on his own initiative, a truce with Robert Bruce at Lochmaben. When the king found out about this treason, an order went out immediately for Harclay's arrest, and he was executed on 3 March. The event influenced local power politics in the border counties, since it offered Anthony Lucy, who had long struggled with Andrew de Harclay over dominance of the north-west, the opportunity to take part in his rival's arrest and execution.<sup>120</sup> Yet the event had seriously undermined the king's authority, and raised questions about his ability to deal with the Scottish problem.<sup>121</sup> Other events served to enforce the general impression of lawlessness and resistance to authority in the north; at Lancaster's now forfeited castle of Pontefract, two officials guarding the earl's tomb were killed by a rampaging mob the same summer.<sup>122</sup>

The men of Lancashire had good reasons to be sympathetic to Harclay's cause, since the county – and particularly its northern part – had suffered greatly from the war with Scotland. War, together with famine and murrains, was a reason why the county was largely exempt from the lay subsidy of 1319.<sup>123</sup> Years after Harclay's death, in 1327, the Scots mounted another expedition into northern England: their successful Weardale campaign.<sup>124</sup> Shortly after this, Lancashire was only able to

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<sup>119</sup> For Henry of Lancaster's involvement in Robert de Holland's murder, see below, p. 211.

<sup>120</sup> Fryde, *Tyranny and Fall*, p. 157; Hall, 'The lords and lordship', p. 361; M.H. Keen, *Nobles, Knights and Men-at-Arms in the Middle Ages* (London, 1996), pp. 152-3; Haines, *Edward II*, pp. 167-8, 273; King, 'False traitors or worthy knights?', pp. 39-41.

<sup>121</sup> *VCH*, II, pp. 201-2; Tout, *Place of the Reign*, p. 135; Tupling, *South Lancashire*, pp. xxxviii-xxxix; McKisack, *The Fourteenth Century*, p. 75; Barrow, *Robert Bruce*, pp. 351-3; Maddicott, *Thomas of Lancaster*, p. 323; Phillips, *Aymer de Valence*, pp. 229-30.

<sup>122</sup> Musson, 'Peacekeeping in early-fourteenth-century Lancashire', p. 44.

<sup>123</sup> C. McNamee, *The Wars of the Bruces: Scotland, England and Ireland, 1306-1328* (East Linton, 1997), p. 90.

<sup>124</sup> R. Nicholson, 'The last campaign of Robert Bruce', *EHR*, 77 (1962), pp. 233-46; Haines, *King Edward II*, pp. 277-8.

contribute forty percent of its peacetime level to the lay subsidy.<sup>125</sup> In both cases it is unclear whether the Scots had actually reached as far south as Lancashire – tax evasion cannot be ruled out – but the 1322 raid into the county, and its devastating consequences, are well documented.<sup>126</sup> Under these circumstances, it is no surprise that certain Lancashire men associated themselves with Harclay and remained loyal to him throughout his negotiations with the Scots. One instance in particular gives us vital clues to the importance of personal relations between nobles and gentry in matters of great political importance. Robert de Leyburn was sheriff of Lancashire at the time. Leyburn was a Westmorland man, but he had a claim to some property in Garstang in Amounderness through his wife and, in a royal summons of 1324, he is listed under both the knights of Lancaster and those of Cumberland.<sup>127</sup> Leyburn stood accused in 1323 of recruiting support for Harclay’s enterprises and was replaced as sheriff as a result. According to the jury, ‘it was because Robert had married the earl’s sister that he made them take this oath unlawfully and seditiously against the king’s estate and to the king’s injury’.<sup>128</sup> Also John de Harrington was accused of recruiting for Harclay, making Edmund de Neville and Baldwin de Gynes swear their support ‘against their will’.<sup>129</sup> Harrington received a royal pardon, which presumably Leyburn did also, because in 1326 he returned to the office of sheriff.<sup>130</sup> These men were all northerners, with cross-county connections. The gentry of the southern part of the county were seemingly less affected by the events.

The only major military venture of the years from 1322 to 1327 was the rather lacklustre campaign known as the War of Saint-Sardos, a part of the perennial conflict over the sovereignty of the duchy of Gascony. The war that ensued was over in less than six months; the earl of Kent was forced to capitulate when reinforcements from King Edward were not forthcoming.<sup>131</sup> Queen Isabella was dispatched to conduct

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<sup>125</sup> Rogers, *War Cruel and Sharp*, p. 23.

<sup>126</sup> Tupling, *South Lancashire*, pp. xxxv-xxxix; Barrow, *Robert Bruce*, p. 344.

<sup>127</sup> *VCH*, VII, pp. 315-20; *Parl. Writs*, vol. II, ii, pp. 638-9. For more on Leyburn, see above, p. 82.

<sup>128</sup> Tupling, *South Lancashire*, pp. 15,17.

<sup>129</sup> KB 27/255/10R; Tupling *South Lancashire*, pp. 18-19.

<sup>130</sup> *LOS*, p. 72.

<sup>131</sup> McKisack, *The Fourteenth Century*, pp. 109-10; Sumption, *Trial by Battle*, pp. 91-9; Haines, *King Edward II*, pp. 314-18; Phillips, *Edward II*, pp. 461-6.

peace negotiations in 1325, along with the young Prince Edward, who would do homage to the French king in place of his father.<sup>132</sup>

The war coincided well with the crown's efforts to restore order after the Lancashire county feuds, and certain men of the county were involved in the war preparations. John Travers received a letter of protection in April 1324, for going to Gascony in the king's service, where he would serve as constable of Bordeaux.<sup>133</sup> He is mentioned as a clerk, bringing with him eight men. The commission was for one year, but he nominated attorneys to act on his behalf for two years. These were Thomas de Thornton and Lawrence Travers, John's brother.<sup>134</sup> Travers, however, was already in favour with the crown, since he served as keeper of the rebels' lands in the county after the defeat of Thomas of Lancaster and the imprisonment of Robert de Holland.<sup>135</sup>

For others, the war presented an opportunity for redemption. In June 1324, John de Lancaster was given a royal pardon and released from prison for his adherence to Thomas of Lancaster.<sup>136</sup> The timing of the pardon makes it natural to assume that it was granted in return for military service. Also William de Bradshaw, imprisoned at the time for his gang activities in the period since his return, was able to achieve bail and be released from prison.<sup>137</sup> Possibly also this was in return for a promise of serving in France. Other examples make the connection between military service and conflict resolution even clearer. On 7 January 1325, a pardon was extended to several Lancashire gentry members in return for serving the king in Guyenne, or Gascony. These included Richard de Holland, as well as Gilbert de Haydock, Robert de Dalton and Roger de Pilkington.<sup>138</sup> Haydock and Dalton, as we have seen, were with Holland at Ravensdale, while Pilkington was the son of one of the few Lancashire men captured at Boroughbridge.<sup>139</sup> By January 1325, however, the war was in reality over, and the king accepted a truce in May. Still, we can find at

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<sup>132</sup> Phillips, *Edward II*, pp. 471-9.

<sup>133</sup> Travers was appointed constable of Bordeaux on 1 April: C 61/35/4.

<sup>134</sup> *CPR 1321-1324*, p. 406.

<sup>135</sup> *CCR 1318-1323*, p. 627 *et passim*.

<sup>136</sup> *Parl. Writs*, vol. II, ii, p. 255. As we have seen above, John de Lancaster was also included in a wider pardon extended in January of 1325.

<sup>137</sup> *CCR 1323-1327*, p. 213.

<sup>138</sup> *Parl. Writs*, vol. II, ii, p. 690.

<sup>139</sup> See above, p. 196. Farrer and Brownbill assume that this Roger was punished for having taken part in the rebellion with his father: *VCH*, V, pp. 88-92.

least one example of a pardon actually being repaid by service overseas. John, son of Hugh de Tyldesley, was staying in Gascony in the king's service in October 1325, along with his brothers Henry and Robert. They were given a writ of protection, even if outlawed for certain felonies.<sup>140</sup> The felonies in question, or at least one such, can easily be traced to a case in 1324 where Hugh de Tyldesley stood accused of receiving his son Robert after the latter killed Robert son of Martin Clerk at Worsley.<sup>141</sup> Robert's brother John, on the other hand, had been outlawed as early as 1319 for various crimes, along with Richard de Holland.<sup>142</sup> It therefore seems that pardons in exchange for service in war were used by Edward II, though not by far as extensively and as systematically as his father had, and his son would.<sup>143</sup> By the same token, the war was also an opportunity to restore certain people to local society after their involvement in the rebellion of Thomas of Lancaster, and after the punitive legal proceedings of the year before.

As we have seen, the Despenser regime in 1323 responded to the disturbances in the county by appointing the 'professional' sheriff John Darcy, equipped with money and men, to restore order.<sup>144</sup> The measure was of brief duration, however; Darcy was replaced before the royal inquisition arrived in August. This represented a return to normalcy, since in Darcy's place was appointed Gilbert de Southworth. Southworth, who served for three years, had not been involved in any of the recent disturbances, but neither did he have much administrative experience.<sup>145</sup> His main quality was that he represented a prominent family, respected by other gentry members. The intention seems to have been to leave the county to its own devices as quickly as possible. One must assume the regime had little interest in the county once the punitive and extortionate legal proceedings were over. Of greater interest are parliamentary elections, for what they say about local conditions. Professionalism is a recurrent theme: Edmund de Neville, for instance, represented the county four times

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<sup>140</sup> *CCR 1323-1327*, p. 415.

<sup>141</sup> KB 27/257/7R. This is the case referred to in the quote from Tupling above, p. 192: *South Lancashire*, pp. 32-3, 57. Robert de Tyldesley was also accused of murdering Adam Scott in March 1322: Tupling *South Lancashire*, p. 13.

<sup>142</sup> KB 27/235/14Rd.

<sup>143</sup> For more on this, see above, p. 164, and below, p. 247.

<sup>144</sup> See above, p. 82.

<sup>145</sup> For more on Southworth, see above, p. 78.

in parliament between 1322 and 1328.<sup>146</sup> At the same time, there are hints that elections became politicised, the way they were prior to the 1315 rebellion.<sup>147</sup> Most conspicuously, William de Bradshaw was elected both in 1325 and for the February parliament of 1328. This seems consistent with his alleged feud with the remnants of the Holland circle, and implies that the discontented were still a powerful political force in the county. Furthermore, Gilbert de Haydock, who was at Ravensdale, was returned to parliament in February 1324. This could be taken as a sign of lingering Lancastrian loyalty, but more likely it is just a reflection of Haydock's local significance. His election, however, does not seem to have been acceptable to the crown, because in the writ *de expensis*, Thomas de Lathom is substituted for Haydock.<sup>148</sup> As we have seen above, Haydock was not finally pardoned until January 1325.<sup>149</sup>

Looking again at royal officers, this time in the period from 1322 to 1328, the pattern is much the same as for the period immediately preceding it. There were at least four commissions of the peace<sup>150</sup> and six commissions of *oyer* and *terminer*<sup>151</sup> during these years. The most frequently employed officers were Richard de Hoghton (five times), John de Lancaster (four times), John de Harrington, Thomas de Lathom and Edmund de Neville (three times each). These were not men who had distinguished themselves through particularly faithful adherence to the crown. In fact, both Harrington and Neville had come dangerously close to being labelled rebels.<sup>152</sup> What they had in common was administrative experience, as well as being primarily from the northern part of the county. This latter fact may have helped secure equity, since the majority of the county's population resided in the south, but it also shut these same men out from attractive appointments.

Most of the *oyer* and *terminer* commissions were of a general nature, though one particular special commission was a portent of things to come. A complaint about

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<sup>146</sup> *RMP*, pp. 65-81.

<sup>147</sup> See above, p. 175.

<sup>148</sup> *RMP*, p. 69.

<sup>149</sup> See above, p. 207.

<sup>150</sup> *CPR 1321-1324*, p. 382 (November 1323); *CPR 1324-1327*, p. 228; *Parl. Writs*, vol. II, ii, p. 275 (July 1325); *CPR 1324-1327*, p. 285 (February 1326); *CPR 1327-1330*, p. 90 (March 1327).

<sup>151</sup> *CPR 1321-1324*, pp. 160, 162 (May 1322); *CPR 1321-1324*, p. 256 (November 1322); *CPR 1321-1324*, p. 374 (July 1323); *CPR 1321-1324*, p. 446 (March 1324); *CPR 1327-1330*, pp. 283-4 (February 1328); *CPR 1327-1330*, p. 297 (June 1328).

<sup>152</sup> See above, pp. 198 and 206.

trespass on his lands was brought in May 1322 by Richard de Hulton against certain members of the Radcliffe family. For the reasons mention above, there is no sign of partiality through association between justices and plaintiffs, but the Radcliffes and legal trouble will be a staple of the next two chapters. The ascendancy of the Radcliffe family has already been mentioned.<sup>153</sup> There are signs that the Radcliffes were gaining favour with the earl of Lancaster prior to 1322 but, during the rule of the Despensers, this connection had limited value. This goes for their neighbours and associates as well. It is probably no coincidence that in 1316, the year after the Banaster rebellion, Lancaster's staunch adherent – and the Radcliffe family's close neighbour – Roger de Pilkington was elected to parliament along with his younger brother John.<sup>154</sup> In the years from 1322 to 1328, however, one searches in vain for any members of the Radcliffe circle, or anyone at all from the wapentake of Salford, among the shire representatives. The same is the case for the commissioners of the peace and of *oyer* and *terminer*, perhaps a sign of a temporary eclipse of the entire Radcliffe network during this period. This, however, was not accompanied by a corresponding dominance by the eastern network; with central families like Holland, Haydock and Bradshaw out of royal favour, this faction was in no position to exploit the situation.

The Boroughbridge rebellion and the 1323 proceedings in Lancashire were spectacular events, but their impact on local society was nowhere near as dramatic as that of the 1315 rebellion. As we have seen, the treatment of most of the rebels was relatively lenient; families like Dalton, Haydock and Pilkington were mostly back in royal favour by 1325.<sup>155</sup> The only family to suffer long-lasting consequences from these events was that of Robert de Holland. It was not until the next major event on a national scale, namely the replacement of Edward II and the Despenser regime with that of Isabella and Mortimer, that Holland was set free.<sup>156</sup> In December 1327, Isabella rewarded Holland for abandoning her husband five years earlier by releasing

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<sup>153</sup> See above, p. 195.

<sup>154</sup> *Biog. Sketches*, pp. 74-6.

<sup>155</sup> See above, p. 207.

<sup>156</sup> M.V. Clarke, 'Committees of estates and the deposition of Edward II', in *Medieval Representation and Consent* (Oxford, 1936), pp. 173-95; Fryde, *Tyranny and Fall*, pp. 197-200; C. Valente, 'The deposition and abdication of Edward II', *EHR*, 113 (1998), pp. 852-81; Dodd, 'Parliament and political legitimacy', pp. 167-74; Phillips, *Edward II*, pp. 502-29.

him from prison and restoring him to his lands.<sup>157</sup> Henry of Lancaster, on the other hand, had clearly not forgiven Holland's treason against his brother, and it is most likely that it was the earl who ordered the murder of Holland, which happened on 15 October 1328. The crime took place outside Lancashire, in Hertfordshire, and there is no indication that any Lancashire men were involved.<sup>158</sup> His son and heir, Robert, took up residence at Thorpe Waterville in Northamptonshire and never played much of a part in Lancashire affairs.<sup>159</sup>

Once the new regime was in place in 1327, conditions in Lancashire began to stabilise. The Mortimer administration moved fast to correct the depredations of the Despensers; garnering support for the new regime was a matter of greater urgency than were the royal finances.<sup>160</sup> In February 1327, an inquisition *post mortem* was finally taken for Thomas of Lancaster's lands. This meant that the widows of Adam Banaster and Henry de Lea, whose husbands had been tenants of the earl before they rebelled 1315, could receive the dower of this land.<sup>161</sup> Also in February, Edmund de Neville – who had never been out of royal employment, in spite of his adherence to Thomas of Lancaster – was acquitted of 70 out of 100 marks of a fine he had incurred for arraying men for Earl Thomas.<sup>162</sup> Though Robert de Holland had to wait until December, the widow of his brother William had her late husband's lands restored to her as early as March.<sup>163</sup> In April, a three-man commission of inquiry was appointed to look into the lands formerly held by the Despensers in the county.<sup>164</sup>

Parallel with this, the county feuds largely died down after 1325. Richard de Holland, whether he served out his military pardon or not, is not heard of again from

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<sup>157</sup> *CCR 1327-1330*, p. 192.

<sup>158</sup> Maddicott, 'Thomas of Lancaster and Sir Robert Holland', pp. 469-70; Haines, *King Edward II*, p. 203.

<sup>159</sup> Maddicott, 'Thomas of Lancaster and Sir Robert Holland', pp. 472. It was the younger son of the family, Thomas, who enhanced the family's fortune when he became earl of Kent through his marriage to Edward III's cousin Joan: M.M.N. Stansfield, 'The Hollands', pp. 18-45; 'Holland, Thomas, earl of Kent (c.1315-1360)', *ODNB*.

<sup>160</sup> Fryde, *Tyranny and Fall*, p. 210.

<sup>161</sup> *CIPM*, VII, 82.

<sup>162</sup> *SC 8/156/7760*; *CCR 1327-1330*, p. 20. It is not clear, as Fryde claims, that Neville was '...wrongly indicted for sending men to help Lancaster': Fryde, *Tyranny and Fall*, p. 74. All we know is that he did not muster any men for the earl, whether he tried to or not: Tupling, *South Lancashire*, pp. 63-7; Maddicott, *Thomas of Lancaster*, p. 309.

<sup>163</sup> *CCR 1327-1330*, p. 72.

<sup>164</sup> *CFR 1327-1337*, p. 39.

this point on and, with this, the Holland faction lost its leader.<sup>165</sup> The conciliatory spirit can perhaps be illustrated by the fact that, in February 1328, William de Bradshaw and the man responsible for suppressing his rebellion, Edmund de Neville, represented the county together in parliament.<sup>166</sup> Henry of Lancaster, who had been out of favour with Edward II, now again enjoyed – at least temporarily – some influence at court. Isabella and Mortimer’s coup had succeeded to a large extent thanks to Henry’s active support. After the coup, Henry was rewarded for his assistance, when he was finally restored to most of his brother's possessions.<sup>167</sup> The restored favour trickled down to the earl’s localities: in September 1327, he secured a three-year grant of pontage for the town of Lancaster.<sup>168</sup>

Yet this new-found stability was illusory. The crown had resorted to a form of technocracy in their governing of the county, where administration was left mostly in the hands of men who were highly capable, but also geographically and politically removed from the affairs of the majority of the county gentry. These latter men were largely shut out of legal and administrative offices, and could at best express their dissent through parliamentary elections. Tempting as it is, we should not see this situation as a failure of the Despenser regime in particular. Instead, what we are seeing is the limitation of medieval government when it comes to the direct management of local affairs. Thomas of Lancaster and Robert de Holland were out of the picture, Henry of Lancaster was only gradually coming to prominence, and did not have a strong connection to the county in the first place. In this situation, the only option open to the crown was to fall back on the names that occurred so frequently in past records, and largely ignore the benefits of wider gentry involvement. The following years would see a change to this pattern, as the Radcliffe family gradually filled the power vacuum left by Robert de Holland.

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<sup>165</sup> *KEI*, vol. II, pp. 232-3.

<sup>166</sup> *RMP*, p. 81.

<sup>167</sup> See above, p. 194.

<sup>168</sup> *CPR 1327-1330*, p. 170.

## 7. 1328 – 1345

### From the death of Robert de Holland to the eve of the Liverpool massacre

If the years from 1315 to 1328 were marked by chaos and disorder, the years from 1328 to 1345 were ones of attempted consolidation and restoration of order. On a national level, the challenge lay in finding a degree of peace after the turmoil of the reign of Edward II. Henry of Lancaster's objective was to return to a position of prominence in national politics and local affairs. As for the gentry of Lancashire, a level of equilibrium had to be found, now that so many of the most prominent men in county affairs had died in violent ways.

These challenges were met successfully to varying degrees. For the nation as a whole, there is no doubt that the accession and eventual ascent to power of Edward III was fortunate. The Mortimer regime came to an end when the young king decided to pre-emptively strike against his protector, and with a few trusted companions took Mortimer by surprise at Nottingham Castle on 19 October, and had him executed.<sup>1</sup> Despite the relatively short-lived crisis of 1340-1, Edward III's rule in England was unchallenged from then until the end of his reign, and he was considered one of the most powerful princes in Europe.<sup>2</sup>

The accession of Edward III carried with it benefits also for Henry of Lancaster. Under the regime of Isabella and Mortimer, he had been restored to the full possessions forfeited by his brother Thomas in 1322. This was a reward for his acquiescence in their invasion and the deposition of Edward II in 1326-27.<sup>3</sup> Like most of his contemporaries, however, he soon grew impatient with the rule of Mortimer, which was hardly less repressive and acquisitive than that of the Despensers.<sup>4</sup> After his failed rebellion of 1329 he was not actively involved in Edward's coup at

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<sup>1</sup> McKisack, *The Fourteenth Century*, p. 101; Prestwich, *Plantagenet England*, pp. 223-4.

<sup>2</sup> This has most recently been expressed in: R.W. Barber, *Edward III and the Triumph of England: The Battle of Crécy and the Company of the Garter* (London, 2013). See also: Keen, *England in the Later Middle Ages*, p. 111; Waugh, *England in the reign of Edward III*, p. 17; Rogers, *War Cruel and Sharp*, p. 23. The first international observer to comment on England's military revolution was Petrarch, in 1360: Ayton, *Knights and Warhorses*, p. 9; A. Curry, 'Western Europe, 1300-1500', in A. Curry and D.A. Graff (eds.), *The Cambridge History of War: Volume 2, War and the Medieval World* (Cambridge, 2020), p. 352.

<sup>3</sup> Somerville, *History of the Duchy of Lancaster*, pp. 31-2; Fowler, *The King's Lieutenant*, pp. 24-5.

<sup>4</sup> Holmes, 'The rebellion of the Earl of Lancaster', pp. 84-9; Haines, *King Edward II*, pp. 199-201.

Nottingham in 1330, though it was certainly carried out with his blessing.<sup>5</sup> With Edward III both on the throne and at the helm of government, Lancaster could finally take up the position at the centre of national politics that was rightfully owed to him through his status as the greatest landowner in the nation, and a loyal adherent of the new king. As mentioned above, however, it was around this time that blindness prevented Lancaster from taking part in national politics; after this, his role was increasingly taken over by his son Henry of Grosmont.<sup>6</sup>

In local, Lancashire affairs, the efforts towards reconciliation and restoration of order were far less successful. The period saw the emergence of the Radcliffe family as the centre of power in the county but, rather than being a force for good, the predominance of the Radcliffes served only to deepen tensions and strengthen resentment among their antagonists. The conflict would culminate in an episode of bloodshed on an unprecedented level by the end of the period.

Upon Edward III's assumption of power in 1330, one of the first points on the agenda was dealing with the Scottish situation. England's vulnerability was apparent; only hours after Edward's coronation, the Scots staged an invasion of northern England, in an attempt to take advantage of the chaotic political situation.<sup>7</sup> The 'shameful peace' of Northampton, signed in the young king's name in March 1328, was at best a temporary solution.<sup>8</sup> A turning point came with Edward's resounding victory in the battle of Halidon Hill on 19 July 1333. This returned the initiative to the English. Edward's campaigns in Scotland continued intermittently for the following years until 1337, when Philip VI's confiscation of the duchy of Aquitaine turned the English king's attention towards continental affairs.<sup>9</sup>

The impact of Anglo-Scottish warfare, and the Scottish raids in particular, was especially severe in the north of England – primarily in the border counties, but also

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<sup>5</sup> For more on this, see above, p. 134.

<sup>6</sup> See above, p. 129.

<sup>7</sup> Barrow, *Robert Bruce*, p. 356; Nicholson, *Edward III and the Scots*, p. 15; Fryde, *Tyranny and Fall*, p. 210. The English 1327 campaign to repel the Scots is known in some detail from the chronicle of Jean le Bel, who experienced it first-hand: J. le Bel, *The True Chronicles of Jean le Bel, 1290-1360*, ed. N. Bryant (Woodbridge, 2011), pp. 42-50.

<sup>8</sup> E.L.G. Stones, 'The Anglo-Scottish negotiations of 1327', *Scottish Historical Review*, 30 (1951), pp. 49-54; Nicholson, *Edward III and the Scots*, pp. 50-5; Brown, *Wars of Scotland*, pp. 228-9.

<sup>9</sup> Ormrod, *Edward III*, pp. 9-10; Rogers, *War Cruel and Sharp*, pp. 123-6.

as far south as Yorkshire and Lancashire. In the previous chapter, we saw how the war impeded Lancashire's ability to contribute fully to lay subsidies.<sup>10</sup> The victory at Halidon Hill helped expunge the trauma of Bannockburn, but its effects were temporary, and resistance soon re-emerged.<sup>11</sup> As far as the north of England was concerned, there were great hopes that the event would end Scottish incursions, but these soon resumed.<sup>12</sup> The king himself stayed in the north for longer periods, when York functioned as capital.<sup>13</sup>

The northern counties became the focus of military preparation, both for the raising of troops and for the defence of the realm. On 7 October 1332, for the first time since 1328, troops were raised for Scotland in Lancashire, Yorkshire, Derbyshire and Cheshire.<sup>14</sup> The responsibility for the defence of the western March was as usual trusted to border lords from Cumberland and Westmorland; in November 1334, the western command was given to Anthony Lucy, Robert de Clifford and Ralph Dacre.<sup>15</sup>

For the organisation of warfare in the counties, we again see a reliance on experienced and well-connected men. As always, the relative newcomer in the county, Edmund de Neville, figures prominently as a semi-professional administrator. Neville served on commissions of array in 1332, 1333, 1335 and 1338.<sup>16</sup> Also Richard de Hoghton, who had been a frequent commissioner in the 1320s, was used as frequently in the new reign. Hoghton was commissioned to array troops in 1333 (when he was unable to act, and was replaced with Neville), 1338 and 1339.<sup>17</sup> Robert de Shireburne, who sat as Knight of the Shire with Edmund de Neville in 1335, also served as

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<sup>10</sup> See above, p. 205.

<sup>11</sup> I.A. MacInnes, "'Shock and awe': the use of terror as a psychological weapon during the Bruce-Balliol civil war, 1332-1338', in A. King and M.A. Penman (eds.), *England and Scotland in the Fourteenth Century: New Perspectives* (Woodbridge, 2007), pp. 42-3; Rogers, *War Cruel and Sharp*, p. 74.

<sup>12</sup> Rogers, *War Cruel and Sharp*, p. 75; Barker, 'The Claxtons', pp. 193-4; A.J. Macdonald, 'The kingdom of Scotland at war, 1332-1488', in E.M. Spiers, J.A. Crang and M. Strickland (eds.), *A Military History of Scotland* (Edinburgh, 2012), p. 163. There was allegedly a Scottish raid reaching as far south as Lancashire in 1384: *VCH*, II, p. 210.

<sup>13</sup> W.M. Ormrod, 'York and the Crown under the first three Edwards', in S.R. Jones (ed.), *The Government of Medieval York: Essays in Commemoration of the 1396 Royal Charter* (York, 1997), pp. 14-33.

<sup>14</sup> *CPR 1330-1334*, p. 359; Nicholson, *Edward III and the Scots*, p. 94. Lancashire was required to provide 400 archers – more even than Yorkshire's 300.

<sup>15</sup> Nicholson, *Edward III and the Scots*, p. 179. For more on these three, see above, pp. 41, 139 and 205.

<sup>16</sup> *CPR 1330-1334*, pp. 322-3, 359, 401; *1334-1338*, p. 138; *1338-1340*, p. 135.

<sup>17</sup> *CPR 1330-1334*, p. 401; *1338-1340*, pp. 135, 280.

commissioner of array in 1332 and 1335.<sup>18</sup> The northern border lords also had a natural position on these commissions: Ralph Dacre in 1330 and 1338, John de Harrington in 1333 and 1340, John de Lancaster in 1339.<sup>19</sup> All in all there is no indication that the new regime ushered in a change in administrative personnel on a local level, or that any sort of favouritism was allowed to take root; the men employed for military recruitment were largely the same as in the previous reign.<sup>20</sup>

In organising large-scale military campaigns, it was natural that the king should rely on the assistance of great magnates such as the earl of Lancaster, and Henry of Lancaster did in fact contribute troops to the Weardale campaign in 1327. As late as in 1332, he was at least indirectly involved in the planning of an expedition to Ireland that would later be aborted. On the basis of the advice of Henry of Lancaster, the sheriff was ordered to recruit sixty archers from the county of Lancashire for the campaign.<sup>21</sup> For later campaigns, Edward increasingly had to depend on the incapacitated Henry's son, Henry of Grosmont.<sup>22</sup> Grosmont was still young and relatively inexperienced, so his entry into the higher levels of the nobility was a gradual process. He was made earl of Derby in 1337, and at the same time received an annual allowance of 1,000 marks. The next year he was given a number of the Chaworth manors of his mother, and in 1342 he was granted Pontefract Honor.<sup>23</sup> His military advancement preceded these territorial grants, however. He may or may not have been present at Halidon Hill, but he certainly took part in the much less successful Roxburgh campaign of 1334–5.<sup>24</sup> The next year, in 1336, he was given

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<sup>18</sup> *RMP*, p. 107; *CPR 1330-1334*, p. 359; *1334-1338*, p. 138.

<sup>19</sup> *CPR 1327-1330*, p. 564; *1330-1334*, p. 401; *1338-1340*, pp. 135, 280; *1340-1343*, p. 94.

<sup>20</sup> For the repeated appointment of a limited number of men, see: Saul, *Knights and Esquires*, pp. 160-1; Wright, *Derbyshire Gentry*, pp. 5, 94; Payling, *Political Society*, p. 109; Acheson, *A Gentry Community*, p. 134; Gorski, *Fourteenth-Century Sheriff*, p. 57. For more on the office-holding elite of the county, see above, p. 57.

<sup>21</sup> *CCR 1330-1333*, p. 487.

<sup>22</sup> Fowler, *The King's Lieutenant*, p. 27; Prestwich, *The Three Edwards*, p. 198; G.E. St. John, 'War, the church, and English men-at-arms', in C. Given-Wilson (ed.), *Fourteenth Century England VI* (Woodbridge, 2010), p. 88.

<sup>23</sup> Fowler, *The King's Lieutenant*, p. 28. Henry's mother Maud Chaworth was the heiress of Patrick Chaworth, whose lands lay in Wales, Hampshire and Wiltshire: Fowler, *The King's Lieutenant*, p. 23. Through Maud Henry also had family ties to the Despensers – Maud's widowed mother Isabel was married to Hugh Despenser the elder: Fryde, *Tyranny and Fall*, pp. 29-30; S.L. Waugh, 'The fiscal uses of royal wardships in the reign of Edward I', in P.R. Coss and S.D. Lloyd (eds.), *Thirteenth century England I* (Woodbridge, 1986), p. 54.

<sup>24</sup> Nicholson, *Edward III and the Scots*, pp. 176-7; Fowler, *The King's Lieutenant*, pp 30-1; Barber, *Edward III and the Triumph of England*, p. 103.

his first personal command, when he was made captain and leader of the army that was to go in advance of the king's arrival in Perth.<sup>25</sup> Later, his attention would also be drawn to continental affairs. He was in the Low Countries in 1338–40 and returned later in 1340, when he was taken prisoner and ransomed. In 1341 he returned to Scotland, before campaigning in Brittany in 1342–3 and in Spain later in 1343. In 1345 he was made captain of Aquitaine.<sup>26</sup>

In these campaigns he was dependent on extensive use of his own personal retinue. On the 1336 campaign, for instance, when he was given command of 500 men-at-arms and 1,000 mounted archers, he was also contracted to bring 100 of his own men. Of these, Fowler was able to establish the names of ninety-four.<sup>27</sup> Likewise, for the 1338–40 campaign in the Low Countries, he is listed with a personal retinue of 93 men, of whom we know the name of 70, and for Brittany in 1342–43 there were 182, with only 48 names surviving.<sup>28</sup>

Among those who served with Grosmont and whose names we do know, there were surprisingly few Lancashire men. For the period up until 1345 there was no more than a handful by even the most generous count. One man who had a Lancashire connection, John Blount, served on the 1338–40 campaign.<sup>29</sup> Blount was appointed deputy sheriff of the county in 1342, a job previously held by his brother William, who had been killed while serving in that capacity in 1337.<sup>30</sup> John was not a landowner in the county, and was rewarded for his service to Henry by land in Tutbury Honor in Staffordshire.<sup>31</sup> A William de Langton appearing in 1344 can be ignored; the name was a common one, and there is no indication that he was part of the Lancashire Langton family.<sup>32</sup>

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<sup>25</sup> Rogers, *War, Cruel and Sharp*, pp. 115–16; I.A. MacInnes, *Scotland's Second War of Independence, 1332–1357* (Woodbridge, 2016), pp. 25–8.

<sup>26</sup> Fowler, *The King's Lieutenant*, pp. 32, 34–5, 37–38.

<sup>27</sup> While only the numbers are printed in the book, the Ph.D. dissertation on which the book is based contains the lists of names.

<sup>28</sup> Fowler, *The King's Lieutenant*, pp. 32, 229.

<sup>29</sup> C 76/12/8. The Blounts are described by Fowler as '...among the [Lancaster] family's most trusted servants': *The King's Lieutenant*, p. 27. See also: Holmes, *Estates of the Higher Nobility*, p. 68.

<sup>30</sup> *CPR 1334–1338*, p. 580; *1338–1340*, p. 184.

<sup>31</sup> DL 28/32/17 fo. 13r.

<sup>32</sup> C 76/19/19.

The Richard de Byron serving with Grosmont in 1336 is more likely to be a Lancashire man.<sup>33</sup> The Sir John de Dalton who went to Aquitaine in 1344 is clearly John de Dalton of Bispham in Leyland.<sup>34</sup> Dalton served again with Grosmont in Aquitaine in 1345.<sup>35</sup> Among this select group of men from the county of Lancashire who served with Henry of Grosmont in the early years of his military career was also Robert de Radcliffe, who was part of the 1336 campaign to Scotland.<sup>36</sup> This early connection between the future earl of Lancaster and the Radcliffe family, as we shall see later, is significant.

A second priority for the young king after the removal of Mortimer in 1330 was to reform the administrative apparatus, and correct the many wrongs of his father's reign and the regency. There was no wholesale purge of the administration, like the one that came a decade later. Continuity was important for the new regime, and most top officials remained in place.<sup>37</sup> As we have already seen in the case of the commissioners of array, continuity was valued also on a local level. One great change that did occur, was the replacement of all royally appointed sheriffs.<sup>38</sup> This, however, did not affect Lancashire, with its comital shrievalty; Henry of Lancaster had received the liberty previously held by his brother on 21 April 1327, only three months after the fall of Edward II. John de Denum, who had been appointed deputy sheriff in 1328, remained in office until 1332.<sup>39</sup>

What did affect Lancashire to the same extent as the other counties was the nomination of legal commissions. The peace commissions of 1331 and 1332 represent the first major initiatives in this field by Edward III, after the failed attempt at reviving the eyre under the Mortimer regime.<sup>40</sup> Unlike in other parts of the country,

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<sup>33</sup> E 101/15/12. It should be mentioned that, whereas the muster roll names him as an esquire, a case before the King's Bench two years earlier names Richard de Byron as a knight: KB 27/297/27R.

<sup>34</sup> C 76/19/19.

<sup>35</sup> E 101/25/9 m. 3.

<sup>36</sup> DL 101/15/12.

<sup>37</sup> Prestwich, *Plantagenet England*, p. 269.

<sup>38</sup> Tout, *Chapters*, vol. III, p. 35.

<sup>39</sup> *LOS*, p. 72.

<sup>40</sup> B.H. Putnam, *Proceedings before the Justices of the Peace in the Fourteenth and Fifteenth Centuries: Edward III to Richard III* (London, 1938), p. xxxix; Cam, *Liberties and Communities*, pp. 143-4; Crook, 'The later eyres', pp. 241-2, 244; *The Eyre of Northamptonshire: 3-4 Edward III, A.D. 1329-1330*, ed. D.W. Southerland (London, 1983); A. Verduyn, 'The Commons and the early justices of the peace under Edward III', in P.W. Fleming, A. Gross and J.R. Lander (eds.), *Regionalism and Revision: The Crown and its Provinces in England, 1200-1650* (London, 1998), pp. 92-5.

there was not much overlap between the peace commissions and *oyer* and *terminer* commissions of these years.<sup>41</sup> This can be explained by the fact that the general *oyer* and *terminer* commissions appointed in February 1331 and 1332 both also included the counties of Cumberland and Westmorland, while the peace commissions were for Lancashire alone.<sup>42</sup> What we do see, is that the 1332 peace commission, which had the authority to hear and determine cases, was reinforced with border lords.<sup>43</sup> To the commission appointed on 12 February, was added John de Harrington and John de Lancaster on 21 March, who both fit this description.<sup>44</sup>

That continuity was valued can be seen in an appointment to an individual *oyer* and *terminer* commission coming shortly after the national ones of 1331.<sup>45</sup> The commissioners were John Travers, William de Tatham and John de Lancaster, who had all served as keepers of the rebels' land in Lancashire after the forfeiture of Thomas of Lancaster and Robert de Holland.<sup>46</sup> The commission concerned the keeper of the king's chase of Bowland, a part of the forfeited Clitheroe honor, which explains why these three were ideally suited for the job.

At least two of the three men were also closely involved in other aspects of local administration, and can be seen by their appointments to have been professionals. Lancaster had served as commissioner of *oyer* and *terminer* repeatedly before, as well as justice of assize, keeper of the peace, commissioner of array and knight of the shire.<sup>47</sup> Travers, before being appointed a justice at the central court, had taken the assize at least twice in Lancashire, besides serving as commissioner of *oyer*

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<sup>41</sup> Though, as Musson has observed, the peace commission of 1332 was also in Lancashire a merger of the peace and *oyer* and *terminer* commissions of the previous year: *CPR 1330-1334*, pp. 133, 136, 268; Musson, *Public Order and Law Enforcement*, pp. 60-3.

<sup>42</sup> *CPR 1330-1334*, p. 133; *CCR 1330-1333*, pp. 425, 537.

<sup>43</sup> Musson, *Public Order and Law Enforcement*, pp. 229-34. For the expansion of the peace commissions, starting already with those of 1327 and 1329, see above, p. 108.

<sup>44</sup> *CPR 1330-1334*, p. 292.

<sup>45</sup> *CPR 1330-1334*, pp. 135, 141. The defendant is the rather obscure Richard de Spaldington, who is hard to connect to any of the justices.

<sup>46</sup> *CFR 1319-1327*, p. 223; *CPR 1321-1324*, pp. 161, 220; *CCR 1318-1323*, pp. 540, 571, 573, 610; *1323-1327*, pp. 4, 12, 140; *CCR 1327-1330*, pp. 72, 248, 286-7; *Biog. Sketches*, p. 100. Tatham, at least, still served as keeper of royal lands in the county by 1331: *CCR 1330-1333*, pp. 232, 239. For more on these keepers, see above, p. 194.

<sup>47</sup> John de Lancaster was for natural reasons a common name in the county, so the identity of any individual officer cannot be determined with absolute certainty; *KB 27/251/12d*; *RMP*, pp. 51, 53; *CPR 1313-1317*, pp. 108, 124, 421; *1317-1321*, p. 606; *1321-1324*, pp. 54, 56, 123, 160, 162, 256, 341, 446; *1327-1330*, p. 283-4; *CCR 1302-1307*, pp. 142-3.

and *terminer*, commissioner of array and as tax collector.<sup>48</sup> Tatham was an outsider, and apart from his position as keeper of the rebels' land, cannot be found held any previous office in the county. He remained involved with Lancashire, however; in 1333 he was a commissioner to oversee the wool subsidy, and in 1339 he was appointed steward of Blackburnshire by the earl of Lancaster.<sup>49</sup> With Lancaster and Travers, we again get a clear sense of continuity between the reigns of Edward II and Edward III in royal administration of the shires.

Generally, the period from 1328 to 1345 shows a level of continuity in the men and families who were given official work by the crown. This can be seen as part of a wider, national trend in the years 1338-44/5, when Edward III tried to exercise tighter control over the judicial system through the use of trusted men.<sup>50</sup> At its most extreme, this manifests itself in the aforementioned *oyer* and *terminer* commission appointed in connection with Edward's purge of the administration in 1340, when a number of magnates were named as commissioners.<sup>51</sup> For the most part, however, commissioners remained a mix of substantial southern Lancashire men like Hoghton and Lathom, border lords from the northern counties, like Harrington and Lancaster, semi-professional gentry like Edmund de Neville, and professional justices from the central courts. There was also a tendency for a small group of men to be used repeatedly in various capacities. Though over fifty people can be found acting as crown officials in the period, the vast majority of these appeared only once or twice. A handful of men overwhelmingly dominate the list, and few commissions were created without including at least one of these. John de Hornby,<sup>52</sup> John de Lancaster<sup>53</sup> and Thomas de Lathom<sup>54</sup> served on eight commissions each in the given period. The

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<sup>48</sup> KB 27/251/12d; *Parl. Writs*, vol. II, ii, pp. 136-8, 146-8, 479, 481, 618; *CPR 1321-1324*, pp. 160, 224, 240, 264. For more on Travers, see above, p. 144.

<sup>49</sup> *CPR 1327-1337*, p. 354; Somerville, *History of the Duchy of Lancaster*, p. 355. Tatham could have been rewarded for service in France, for which he received protection in 1325. Here he is mentioned as the parson of Halughton (Houghton), which is in Leicestershire: *CPR 1324-1327*, p. 148.

<sup>50</sup> W.R. Jones, 'Rex et ministri: English local government and the crisis of 1341', *Journal of British Studies*, 13 (1973), pp. 4-6; Musson, *Public Order and Law Enforcement*, pp. 84-5; Carpenter, 'Bastard feudalism in the fourteenth century', pp. 83-6.

<sup>51</sup> *CPR 1340-1343*, p. 112. See above, p. 100.

<sup>52</sup> *CPR 1330-1334*, pp. 390, 354, 441, 443, 451; *1334-1338*, p. 4; *1338-1340*, pp. 135, 272.

<sup>53</sup> *CPR 1327-1330*, pp. 283-4; *1330-1334*, pp. 135, 390, 451; *1334-1338*, p. 368; *1338-1340*, pp. 272, 280; *1340-1343*, p. 98.

<sup>54</sup> *CPR 1327-1330*, p. 422; *1330-1334*, pp. 136, 286, 292, 354, 401; *1334-1338*, p. 368; *1340-1343*, pp. 27, 98; *1343-1345*, p. 394.

numbers are even higher for others: twelve for Richard de Hoghton,<sup>55</sup> thirteen for Edmund de Neville<sup>56</sup> and fourteen for John de Harrington.<sup>57</sup> These were all Lancashire men, and, with the exception of Lathom and Hoghton, from north of the Ribble.

In most of these appointments there is little sign of any political purpose, either by the king or through the influence of the earl of Lancaster or his son. The most trusted local officials were simply the most capable, territorially and militarily most substantial, and those with most local influence (though all of them did not necessarily fulfil all of these characteristics). Those families that failed to hold office were primarily those that had disappeared or been marginalised through rebellion and death over the preceding years, like the Bickerstaffes and the Hollands. It is also possible that offices simply became less politicised in these years, partly thanks to better kingship, partly – as we have already seen in the case of the knights of the shire – thanks to the escalating war effort.<sup>58</sup> Still, there are possible exceptions to this rule, found in the case of the Radcliffe and Trafford families, and to a certain extent also the families connected with them, such as the Ashtons and the Tyldesleys. To understand this, we have to look in more detail at specific events in the county during these years, starting with the clearest evidence that order had not been fully restored at this point.

During the royal court's prolonged stays in the north, the King's Bench would take the opportunity to hear cases in the localities.<sup>59</sup> After the collapse of the eyre, this was one of the methods by which the legal system dealt with overflow of cases: the King's Bench would fill the gaps left by the various assizes and legal commissions.<sup>60</sup> From Michaelmas 1332 to Michaelmas 1333, the King's Bench sat in York, which led to an

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<sup>55</sup> *CPR 1327-1330*, pp. 422, 429; *1330-1334*, pp. 136, 286, 292, 401; *1334-1338*, pp. 65, 504; *1338-1340*, pp. 135, 272, 280, 504; *1340-1343*, p. 155; *1343-1345*, p. 394; *CFR 1337-1347*, p. 53.

<sup>56</sup> *CPR 1327-1330*, p. 527; *1330-1334*, pp. 322-3, 359, 401; *1334-1338*, pp. 138, 210, 504; *1338-1340*, pp. 135, 272, 504; *1340-1343*, pp. 151, 155, 314; *1343-1345*, p. 394.

<sup>57</sup> *CPR 1327-1330*, pp. 422, 429; *1330-1334*, pp. 354, 401, 440, 443; *1334-1338*, p. 4; *1338-1340*, p. 272; *1340-1343*, pp. 27, 94, 98, 151, 155, 314; *1343-1345*, p. 394; *CFR 1337-1347*, p. 393.

<sup>58</sup> Carpenter, 'Bastard feudalism in the fourteenth century', p. 83. See above, p. 94.

<sup>59</sup> See above, p. 168. Sayles downplayed the importance of the court's itineration, though for places that were actually visited, such as Lancashire, there can be no doubt that the impact was significant: Sayles (ed.), *Select Cases*, vol. IV, p. xlvi; vol. VI, pp. ix-xii.

<sup>60</sup> Musson and Ormrod, *Evolution*, p. 18.

increase in cases relating to the largest of the northern counties, as well as those of its neighbours. But the King's Bench also visited other localities while the royal court was itinerant, and in the Trinity term of 1334 – for the first time since the inquisition of 1323 – it heard cases in Lancashire.<sup>61</sup>

The session that visited Wigan and Lancaster acted primarily as an assize court; these cases took up the bulk of its business.<sup>62</sup> There was also the equally relatively new practice for the court of hearing pleas of the crown in the shire and delivering the gaols.<sup>63</sup> Edward III was not above using the court for political purposes, as his father had done, but in different ways. While Edward II and the Despensers had used the King's Bench rapaciously, Edward III was more concerned with punishing those royal officers he perceived to have failed him, particularly in the field of military recruitment.<sup>64</sup> Such instances can be found also in the 1334 Lancashire session, where accusations were levelled against sheriff Robert Foucher for alleged failings in recruiting for the Halidon Hill campaign.<sup>65</sup> All in all, the crown was less vindictive in its use of the legal system, but local men could still use it to settle feuds. Again, as in the case of the 1323 inquisition, we need to be careful not to take indictments at face value. As with the itinerant King's Bench from the 1320s, this session also took the form of a trailbaston commission, which produced a particular kind of charge, centred on conspiracy and gang activity.<sup>66</sup> One example of this can be found in the case against Adam, son of Hugh de Tyldesley, who was allegedly the leader of a gang of men, including also his brothers John, Robert and William.<sup>67</sup>

The most prominent among the criminal pleas it heard in this Lancashire session was the murder of William de Bradshaw, which occurred in 1333. The murder of Robert de Holland five years earlier did not have the same effect on local society; Holland had just been released from five years of incarceration, he was politically

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<sup>61</sup> Musson and Ormrod, *Evolution*, pp. 198-9.

<sup>62</sup> KB 27/297.

<sup>63</sup> This system had become firmly established by 1323, though occasionally practiced also prior to this: Musson and Ormrod, *Evolution*, p. 18; Sayles (ed.), *Select Cases*, vol. II, pp. xxxv-xxxvii.

<sup>64</sup> Ormrod, *Edward III*, p. 66; Carpenter, 'War, government and governance', pp. 19-20; 'Bastard feudalism in the fourteenth century', p. 66.

<sup>65</sup> KB 27/297/19R. Charges were also brought against Foucher's predecessor, John de Denum: KB 27/297/27R.

<sup>66</sup> See above, p. 9.

<sup>67</sup> KB 27/297/22Rd. For more on the Tyldesley family, see below, p. 229.

emasculated, and still not fully restored to his possessions.<sup>68</sup> With Bradshaw the story was different; after his return from exile around 1322, Bradshaw was still a highly regarded man in the county. This can be seen by his election to parliament in the years 1328, 1330 and 1331, in the period of just over ten years when he was back in the county.<sup>69</sup> Bradshaw was the last survivor of the four men who had led the 1315 rebellion,<sup>70</sup> and as such he was a natural rallying point for that faction of the county feuds. His death gives valuable insight into the factional division of the county at this point.<sup>71</sup> The first mention of the event is in a trailbaston commission from 1 March 1334.<sup>72</sup> It comes up again during the Trinity term of the King's Bench that same year, when the court sat in Lancaster and Wigan from 1-22 June,<sup>73</sup> and at subsequent sessions.<sup>74</sup> Though the alleged murderers were men from below the gentry class, it emerges here that John, Robert, and other members of the Radcliffe family both harboured the killers after the deed, and participated in its planning.<sup>75</sup>

At this point we need to explore who exactly the Radcliffes were, and how they were connected to other Lancashire families. The picture is a complex one; the family was extensive and split into several different branches (see **Figure 2, p. 224**). The head of the family in the early fourteenth century was Richard de Radcliffe of Radcliffe Tower, who was still alive in 1309.<sup>76</sup> Richard had several legitimate sons who survived into adulthood. William was the heir to the manor of Radcliffe, and it was through him that the main line of the family continued. He died before 1346, when his son Richard was in possession of Radcliffe manor.<sup>77</sup> William's brother Adam became parson of the church of Bury, and was dead by 12 December 1331.<sup>78</sup> Finally there was a John, son of Richard de Radcliffe, who died around 1362. John

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<sup>68</sup> See above, p. 198.

<sup>69</sup> *RMP*, pp. 81, 91, 94.

<sup>70</sup> See above, p. 184.

<sup>71</sup> For a full account, see: T.C. Porteus, 'The mysterious murder of Sir William Bradshaigh, 1333', *Transactions of the Lancashire and Cheshire Antiquarian Society*, 56 (1941-42), pp. 1-24.

<sup>72</sup> SC 8/168/8376, 296/14769; *CPR 1330-1334*, pp. 572-3.

<sup>73</sup> KB 27/297/12R, 23Rd, 24R, 24Rd, 42Rd ii; Musson and Ormrod, *Evolution*, p. 199; Cheney and Jones (eds.), *A Handbook of Dates*, p. 130.

<sup>74</sup> KB 27/299/20Rd, 300/7Rd.

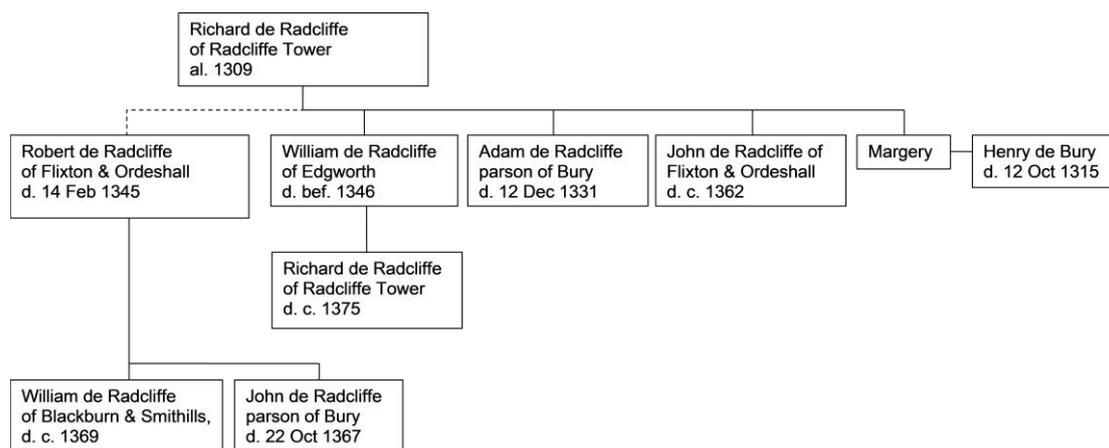
<sup>75</sup> KB 27/299/20Rd, 300/7Rd, 302/9R.

<sup>76</sup> Ferrer (ed.), *Final Concords, part II*, p. 5.

<sup>77</sup> *VCH*, V, pp. 56-67. This Richard is described as a valet of Henry of Grosmont: Fowler, *The King's Lieutenant*, pp. 178-9. William also had at least two other sons, called Adam and William: KB 27/314/25R.

<sup>78</sup> *VCH*, V, pp. 122-8.

was a well-established member of Lancashire society; though he is easily confused with another member of the family with the same name – to whom we shall soon return – it seems clear that this was the John de Radcliffe who represented the county in parliament in 1340.<sup>79</sup> He also served as tax collector, and sat on commissions of *oyer* and *terminer*, the first of these in 1341.<sup>80</sup>



**Figure 2:** Radcliffe family

Parallel to the main branch of the Radcliffe family, there was also a bastard branch established by Richard de Radcliffe's illegitimate son Robert. Richard managed to create a good landed position for his bastard son, by granting him the manors of Ordsall and Flixton in Salford.<sup>81</sup> Robert was a knight of the shire in September 1334, as well as in February 1338 and January 1340.<sup>82</sup> He reached the pinnacle of county administration when he served as deputy sheriff from Easter 1337 to October 1342.<sup>83</sup> He also served as commissioner of array in 1338 and 1340.<sup>84</sup> Robert's son, William, also took on an important role in local society; he sat as knight of the shire on four different occasions: in 1344, 1351, 1361 and 1366.<sup>85</sup> The manors of Ordsall and Flixton had reverted to John de Radcliffe after Robert's death, but

<sup>79</sup> *RMP*, p. 128.

<sup>80</sup> *CPR 1338-1340*, pp. 504, 515; *1340-1343*, pp. 307, 313.

<sup>81</sup> Baines, *Lancaster*, vol. II, btw. pp. 352-3; *VCH*, IV, p. 210; *Biog. Sketches*, p. 82.

<sup>82</sup> *RMP*, pp. 104, 119, 128; *Biog. Sketches*, p. 82.

<sup>83</sup> *LOS*, p. 72.

<sup>84</sup> *CPR 1338-1340*, p. 137; *1340-43*, p. 94.

<sup>85</sup> *RMP*, pp. 139, 148, 167; *Biog. Sketches*, p. 83.

William still held a moiety of the manors of Blackburn and Smithills. A protracted legal battle over land in Flixton and Blackburn lasted throughout William's life, and continued after his death around 1369 under his son Ralph.<sup>86</sup> Robert's younger son, and William's brother, was named John, and took over as parson of the church of Bury after the death of his half-uncle Adam in 1331. This position he held, with a short hiatus, until his own death in 1367.<sup>87</sup> This is the John de Radcliffe we have already encountered above, as the man who allegedly planned the murder of William de Bradshaw and harboured his murderers. We have also seen that his father Robert, Richard de Radcliffe's bastard son, was accused of supporting his son in the crime.<sup>88</sup>

The first question that needs to be asked, when exploring the issue of the Radcliffes' involvement in the death of William de Bradshaw, is what was the source of the animosity between the two families. The exact explanation probably lies in a complex mix of tenurial and political entanglements, as well as issues of a personal and private nature, many of which we will probably never fully understand. One direct precedent for the hostility, however, can be found in the events of the rebellion of 1315.

Only three or four days after the confederacy of Adam Banaster had gathered, a smaller contingent from his force, led by Nicholas de Singleton and John de Croston, was sent off to Radcliffe to capture Adam de Radcliffe and his brothers. At the Radcliffe parsonage they found Adam, and from there they proceeded to the house of Sir Henry de Bury, in search of the other brothers. When the brothers were not found, Henry de Bury was killed instead. From the 1323 proceedings it appears that John de Croston and three other men of lesser significance had already been found guilty of this murder and had been executed.<sup>89</sup> Bradshaw was one of the knights responsible for dispatching the contingent that had killed Bury and this was one of the main indictments on which he was outlawed.<sup>90</sup> Stories of rebels compelling notable members of society to join their party were not uncommon. In a similar case, it was

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<sup>86</sup> J.S. Roskell (ed.), *The House of Commons, 1386-1421*, vol. IV (Stroud, 1992), p. 162.

<sup>87</sup> *VCH*, V, pp. 122-8

<sup>88</sup> See above, p. 222.

<sup>89</sup> Tupling, *South Lancashire*, pp. 42-3. This crime was originally the focus of a commission of *oyer and terminer* issued to Robert de Lathom and others on 16 October 1315, 'touching the persons who killed Henry de Bury at Bury': *CPR 1313-1317*, p. 419.

<sup>90</sup> Tupling, *South Lancashire*, pp. 42-3.

said that the rebels sent for Sir Adam de Walton. ‘And when he came they made him take an oath to them by compulsion and against his will, and he rode with them but did nothing unlawful.’<sup>91</sup> This could of course be a convenient defence for those who had joined voluntarily but, in the case of the Radcliffe brothers, that is unlikely. The hostile intent of the rebels’ emissaries is clearly demonstrated by the murder of Henry de Bury, a close associate of the Radcliffes.

The connection between the Bury and Radcliffe families went back a long way, a natural outcome of the fact that the Radcliffe and Bury manors were situated only a few miles apart in central Salford. The inquisition *post mortem* of Henry de Lacy shows Henry de Bury as well as both Richard and William de Radcliffe as tenants of the earl.<sup>92</sup> In 1301, the same Henry de Bury who was killed in 1315 brought a case against Richard de Radcliffe for trespassing on his land in Bury.<sup>93</sup> This was, however, a relatively rare case of conflict; the rule was co-operation. In 1306, a Richard de Bury was co-defendant with Robert and William, sons of Richard de Radcliffe, in a case brought by Richard de Workesley.<sup>94</sup> The two families were later connected through marriage: a plea before the Duchy of Lancaster common bench in 1356 shows that Richard de Radcliffe’s daughter Margaret was married to the late Henry of Bury.<sup>95</sup> This is confirmed by a grant of land in Bury, made in 1318 to Margaret (here called Margery), daughter of Richard de Radcliffe, with remainder to the heirs of Henry de Bury.<sup>96</sup> The connection was further strengthened through the advowson of the church of Bury, which went to a Radcliffe for almost fifty years. A Richard de Radcliffe who was fined for assembling with Robert de Holland at Ravensdale transferred from the parish of Radcliffe to that of Bury in 1318.<sup>97</sup> The patron was the Margaret de Bury from the grant above. In 1331, John de Radcliffe, the man involved in the murder of William de Bradshaw, took over, and allegedly

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<sup>91</sup> Tupling, *South Lancashire*, p. 43. A parallel can be found in case of the Suffolk rebels during the Peasants’ Revolt in 1381, who, according to Walsingham, tried to force William de Ufford, earl of Suffolk, to join their cause. When Ufford escaped, the rebels allegedly compelled other lords and knights to join them: T. Walsingham, *The St Albans Chronicle: The Chronica Maiora of Thomas Walsingham*, ed. J. Taylor, W. R. Childs and L. Watkiss (Oxford, 2002), p. 488.

<sup>92</sup> *CIPM*, V, 279.

<sup>93</sup> KB 27/164/38d; 166/24d; 167/28d; 168/32d; 170/22d; 172/66d.

<sup>94</sup> KB 27/183/38d; 186/19; 188/38.

<sup>95</sup> DL 35/5/16d. This Henry was the son of the murder victim from 1315.

<sup>96</sup> Ferrer (ed.), *Final Concords, part II*, p. 29.

<sup>97</sup> *VCH*, V, pp. 122-8; Tupling, *South Lancashire*, p. 80.

used the rectory as a base for planning the crime.<sup>98</sup> A further link between the families was Geoffrey de Bury, who was also implicated in the circle around this John.<sup>99</sup> In 1337 it was alleged that these two and others had been poaching in the king's parks of Ightenhull and Mosebury in 1333.<sup>100</sup>

Investigating the role of the Radcliffes in local feuds, we need also to examine their connection with Robert de Holland.<sup>101</sup> Certainly, both families belonged to the affinity of Thomas of Lancaster; several Hollands and Radcliffes appear on the general pardon extended to the earl's retainers in 1318.<sup>102</sup> There is also the instance of several members of the Radcliffe family being present in the force Robert de Holland gathered at Ravensdale to come to the aid of Thomas of Lancaster in 1322.<sup>103</sup> Even so, the connection between the Holland and Radcliffe family prior to the events of the early 1330s does not seem to be a strong one. The last chapter described Holland's exploitation of William de Bradshaw's widow during Bradshaw's absence and Bradshaw's feud against the Holland family following his return.<sup>104</sup> Yet, rather than the Radcliffes carrying on this feud, it is more likely that their problems with Bradshaw had different roots.

In fact, between Ravensdale and Bradshaw's murder, several members of the Radcliffe family can be found to ally themselves with Bradshaw. A presentment of the alleged warring confederacies of 1322-3 puts Adam, John and Roger, brothers of William de Radcliffe, in the confederacy of William de Bradshaw.<sup>105</sup> These were the same men who in 1315 had been targeted by the Banaster rebellion and in 1322 had joined Robert de Holland's effort to rally support for Thomas of Lancaster's rebellion.<sup>106</sup> At first sight, it seems odd that they should now join a leader of the 1315 rebellion, in his fight against Robert de Holland's nephew. One could suspect

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<sup>98</sup> See above, p. 222.

<sup>99</sup> Perhaps a nephew; he acted as deforciant in a fine from 1313, called 'Geoffrey, son of Robert de Bury': Ferrer (ed.), *Final Concords, part II*, p. 13.

<sup>100</sup> KB 27/306/42R, 308/15R.

<sup>101</sup> See above, p. 200.

<sup>102</sup> *CPR 1317-1321*, p. 227.

<sup>103</sup> Tupling, *South Lancashire*, pp. 80-2.

<sup>104</sup> See above, p. 192.

<sup>105</sup> Tupling, *South Lancashire*, p. 93-6. That these men were gentry sons is made clear by the high fines incurred: John de Radcliffe was fined £20 and Roger de Radcliffe £10. In comparison, most of the other defendants were given fines ranging between ½ mark and 20 shilling

<sup>106</sup> See above, pp. 183 and 200.

false indictments, confusion of names or shifting allegiances, but none of these explanations gives a satisfactory explanation for the behaviour of the Radcliffe family at this time. More likely, belonging to the eastern part of the county, their interests did not coincide with the battle lines between the western families that had dominated so much of county affairs up until this point.

The murder of William de Bradshaw, as presented earlier in the chapter, could appear to be an act of unprovoked, one-sided aggression on the part of the Radcliffes. A document from this period, however, presents a very different story from the one we find in the legal records. In a petition to the king, John de Radcliffe, Richard de Radcliffe and twelve other unnamed men, who had been imprisoned for the death of William de Bradshaw and for breaking into the park of Ingunthill, asked for justice.<sup>107</sup> The petition is not dated, but it must have been written shortly after the trailbaston commission appointed in early March 1334 to look into Bradshaw's murder.<sup>108</sup> What is particularly interesting about this petition, is that the accused here name their enemies as 'les freres de Trafford & les freres de Tyldeslegh & touz les allyes William de Bradshagh'. This brings in an entirely new aspect to the county feuds: the Trafford and Tyldesley families were allegedly not only allied to William de Bradshaw, but were aiming to 'destruire les Radecllyfs & totes lo' linage'. Allowing for a measure of hyperbole on the part of the accused criminals, this is still a very rare example of the actual voice of Lancashire gentry members coming through in the records and giving their personal point of view on the alignment of the various factions in the feud. The allegation is not entirely far-fetched judging by the surrounding evidence. The commissioners charged with the investigation of the murder were William de Worthington, a neighbour of William de Bradshaw,<sup>109</sup> Robert de Souky, who held no land in the county,<sup>110</sup> and John de Ashton. The Trafford and Ashton families were closely linked in several ways.<sup>111</sup> As late as in 1343, before a commission of *oyer* and *terminer*, Henry de Trafford and John de

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<sup>107</sup> SC 8/68/3375.

<sup>108</sup> CPR 1330-1334, pp. 572-3.

<sup>109</sup> In a fine from 1318, he put in a claim on a grant of land from Mabel de Haghe (Bradshaw) to Edmund de Neville: Ferrer (ed.), *Final Concords, part II*, p. 28.

<sup>110</sup> CCR 1333-1337, p. 230.

<sup>111</sup> Members of the two families occasionally appeared as co-defendants before the King's Bench, see: KB 27/296/98; JUST 1/430/17.

Ashton were accused of retaining men for unlawful purposes.<sup>112</sup> The appointment of an outsider, a neighbour of William de Bradshaw, and an associate of Henry de Trafford to investigate crimes committed by the Radcliffes, may corroborate the allegation that their enemies were plotting to use the legal system to hurt them.

The Tyldesley family was of less local significance than any of the others mentioned; they were rarely involved in county administration, and their landed interests were limited to the manor of Tyldesley east in West Derby, and the neighbouring manor of Astley.<sup>113</sup> Like that of the Radcliffes, their allegiance was subject to change; while the Radcliffes seem to have allied themselves with the Bradshaw faction during the county feuds of 1322-3, the Tyldesleys were accused of riding in the company of Richard de Holland.<sup>114</sup> Neither was the aforementioned Trafford-Tyldesley alliance of any permanence. In 1341, Henry de Trafford, together with Roger de Pilkington and John de Ashton, allegedly attacked members of the Tyldesley family.<sup>115</sup> As we shall see later, for family reasons the Tyldesleys had divided loyalty between the Radcliffe and Trafford families.<sup>116</sup>

Of greater importance is the mention of the Traffords. This was one of the dominant gentry families in the county throughout the period, but as we have seen, mostly stayed out of the fray of county infighting up until this point.<sup>117</sup> The idea that the Traffords were allied to William de Bradshaw and in opposition to the Radcliffes by 1334 is certainly one worth exploring. The alignment of Bradshaw and Trafford versus the Radcliffes is by no means apparent in the early stages of the Lancashire feuds. Sir Henry de Trafford was in fact one of the victims of the Banaster rebellion. On 31 October, the rebels allegedly arrived at Trafford, where they 'seized, led and carried away goods and five mares with foals, brass pots and other chattels, to the value of 10 marks, belonging to Henry de Trafford'.<sup>118</sup> Not too much should be read into this; these were probably simply the actions of a marauding and poorly

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<sup>112</sup> JUST 1/430/29.

<sup>113</sup> VCH, III, pp. 439-49. The placement of the manors put them in a position half-way between the eastern and western networks in south Lancashire.

<sup>114</sup> Robert de Tyldesley was described as a kinsman of Robert de Holland: see above, p. 204.

<sup>115</sup> JUST 1/430/17.

<sup>116</sup> See below, p. 231.

<sup>117</sup> See above, p. 183.

<sup>118</sup> Tupling, *South Lancashire*, p. 45. Though the account is not explicit on this, it appears that the whole rebel force was assembled at this point, meaning that William de Bradshaw was part of the raid at Trafford.

disciplined band of rebels arriving at Manchester and taking the opportunity to loot what must have been one of the wealthiest – if not the wealthiest – manor in that area. Still it becomes clear that neither Sir Henry de Trafford, nor any members of his immediate family, were part of the Banaster confederacy or in any way supporting it.

As for the earlier dealings between the Radcliffes and the Traffords, here there are also few clues as to the origin of the antagonism between the two families. They were both summoned to attend the great council at Westminster in 1324 – William de Radcliffe as a man-at-arms and Henry de Trafford as a knight – attesting both families' importance in the locality.<sup>119</sup> The fact that they were both tenants of Henry de Lacy, and subsequently of Thomas of Lancaster, is not greatly significant, seeing how the two earls held so much land in the county.<sup>120</sup> Their neighbouring landed interest in the hundred of Salford does not seem to have been the source of any significant disputes at this point.<sup>121</sup> There are in fact several examples of co-operation and peaceful coexistence between the two families. In the episode discussed above,<sup>122</sup> where members of the Radcliffe family were convicted of participating in the confederacy of William de Bradshaw, it was Henry de Trafford who stood as main surety for the Radcliffes, along with John de Ashton and others.<sup>123</sup> In an assize of *novel disseisin* from 1324 – brought by Thomas son of Adam de Hulm – Adam de Radcliffe stood as a co-defendant, with Henry de Trafford and several members of the latter's family.<sup>124</sup> Members of the two families also appear together as witnesses on various deeds through the early part of the century,<sup>125</sup> and as witnesses to each other's deeds.<sup>126</sup> As was the case with so many families in this provincial society, the Trafford and Radcliffe families were in fact connected by marriage. A case before the palatinate court in 1358 makes it clear that Robert de Radcliffe, bastard son of

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<sup>119</sup> *Parl. Writs*, vol. II, ii, pp. 638-9.

<sup>120</sup> DL 40/1/11.

<sup>121</sup> The Radcliffe manor of Flixton with Ordsall was adjacent to the manor of Urmston – over which the Traffords held superior lordship – and close to the Trafford *caput* of Stretford: *VCH*, V, pp. 46-56.

<sup>122</sup> See above, p. 227.

<sup>123</sup> Tupling, *South Lancashire*, p. 95.

<sup>124</sup> JUST 1/426/6. The land in question was located in 'Barton by Workesle', the place called Worsley today, about halfway between Radcliffe and Trafford and to the west: *VCH*, IV, pp. 363-392.

<sup>125</sup> GMCRO, E 7/9/1/10 (1296); 10/2/7 (1300).

<sup>126</sup> LA, DDT 25/18/134 (1315); LA, DDX 895/48 (1324).

Richard de Radcliffe, was married to Anabella, daughter of Richard de Trafford, the thirteenth-century ancestor of the string of Henrys in our period.<sup>127</sup>

If it is indeed true, then, that the Traffords were allied with William de Bradshaw and bent on the destruction of the Radcliffe family by the mid-1330s, this must have been due to developments in the later 1320s or early 1330s. In the aftermath of the Bradshaw murder case, evidence starts to emerge of growing tension between the two families. We see signs of this in a case from 1337. Here Robert, son of Henry de Trafford, accused ‘John parson of the church of Bury’ – that is John de Radcliffe – and other men of trespassing on his property of Denhulm (Hulme, near Trafford), and stealing £20 worth of grain.<sup>128</sup> A fine from 1344 may explain the background for the family feud. It concerns the manor of Astley near Tyldesley. Apparently, Hugh de Tyldesley had at some point enfeoffed one Emma and her husband Adam de Trafford of the manor.<sup>129</sup> Adam and Emma in turn conveyed the manor to Robert de Radcliffe, for a rent of 11s 6d, with remainder to Robert’s heir Richard. When Robert died the next year, Thurstan, son of Hugh de Tyldesley and Adam de Trafford unsuccessfully tried to re-enter the manor.<sup>130</sup> Robert was the bastard son of Richard de Radcliffe, and the fact that the manor was conveyed to Robert and his heir in the first place has been taken as a sign that his mother was a sister of Hugh de Tyldesley.<sup>131</sup> If this is correct, that means that the two families of Trafford and Radcliffe were connected by kinship through Tyldesley, which could explain the ambivalent position of that latter family in the conflict. It is also likely that the dispute over the manor of Astley was a contributing factor in the escalation of the Radcliffe-Trafford feud. The complex web of marriage alliances between gentry families could be a source of both conciliation and animosity. As we have seen

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<sup>127</sup> JUST 1/438/7d; GMCRO, E 7/28/1/103-4.

<sup>128</sup> KB 27/308/5d

<sup>129</sup> Emma could either have been Hugh’s sister, daughter, or wife (who then only later married Adam de Trafford). Adam de Trafford was the son of John de Trafford, who in turn was the son of the Henry de Trafford who died in 1334. John died before his father, and was succeeded by his oldest son, another Henry: Baines, *Lancaster*, vol. III, p. 237; *VCH*, III, pp. 445-9; Ferrer (ed.), *Final Concords, part II*, p. 128-9.

<sup>130</sup> Ferrer is probably wrong to assume that Robert de Radcliffe died without issue; both William and John are repeatedly referred to as ‘son of Robert’. This property nevertheless descended to a Richard, the son of one of Robert’s legitimate half-brothers. The matter was settled in 1353, after the death of both Emma and Adam, when their daughters Ellen and Cecily released their rights to Richard de Radcliffe in accordance with the original concord: Ferrer (ed.), *Final Concords, part II*, p. 128-9.

<sup>131</sup> Ferrer (ed.), *Final Concords, part II*, p. 128-9.

previously, the Radcliffes were also connected by marriage to the Trafford family, with whom they were now in conflict.<sup>132</sup> The large family and great landholdings of the Radcliffes enabled them to build an extensive network but also entangled them in complicated factional strife.

While the Traffords may have been scheming against their enemies, the Radcliffes were cultivating their own networks. This meant maintaining a close group of associates for pursuing their immediate aims, as well as keeping a wider network involving the significant though factionally neutral gentry families. The accusations made against the Radcliffes of gang activity invariably centre on John de Radcliffe, the parson of Bury church; numerous indictments have him at the head of, or included in, a group of men accused of various criminal acts.<sup>133</sup> The phenomenon by which priests were presented as criminals and leaders of gentry aggression in the period was not uncommon, and probably had more to do with the fact that they were younger gentry sons than with their profession. The best known example is Richard Folville of the Leicestershire Folvilles.<sup>134</sup> There are also the cases of Robert Bernard, the defrocked vicar of Bakewell associated with the Coterel gang, and John de Rippinghale, the crown jewel thief of 1303 known as ‘the Chaplain’ or ‘the Priest’.<sup>135</sup> The indictments against Radcliffe centre on the years immediately after William de Bradshaw’s death, but they continue well into the 1340s and 1350s, as we shall see in the next chapter. The last recorded offence is mentioned as late as 1357, when he received a pardon for the abduction of James Daudeleye's ward, Margery.<sup>136</sup> Henry de Bury replaced Radcliffe with a Henry de Over as vicar on 13 March 1335, but Radcliffe was back in the position by 17 May.<sup>137</sup> Apart from this he seems to have

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<sup>132</sup> See above, p. 230.

<sup>133</sup> *CPR 1330-1334*, pp. 572-3; *1354-1358*, p. 563; JUST 1/430/18d; KB 27/297/26Rd, 299/13R, 299/20Rd; 300/7Rd, 300/11R, 302/6Rd, 302/9R, 306/42R, 308/14R, 308/15R, 310/13Rd, 314/7R, 316/17R, 318/4Rd, 344/2R, 350/17R.

<sup>134</sup> Stones, ‘The Folvilles of Ashby-Folville’, p. 117.

<sup>135</sup> Bellamy, ‘The Coterel gang’, p. 699; P. Doherty, *The Great Crown Jewels Robbery of 1303: The Extraordinary Story of the First Big Bank Raid in History* (London, 2005), p. 121.

<sup>136</sup> *CPR 1354-1358*, p. 563.

<sup>137</sup> Most likely Radcliffe was incarcerated; an arrest order was made for him at the Hilary term of 1335, but he was mainprised for: KB 27/299/13R. The court sat at York from 3-29 May: Musson and Ormrod, *Evolution*, p. 199; Cheney and Jones (eds.), *A Handbook of Dates*, p. 122.

served uninterrupted until his death in 1367.<sup>138</sup> If indeed this was his only spell in incarceration, he was allowed to operate with impunity over a long period of time.

As mentioned above, the Radcliffes were not strongly linked to Robert de Holland during his period of supremacy in the county. Once the Radcliffes emerge as factional leaders in the 1330s, however, we can find a connection between the two families in the person of Thurstan de Holland. Thurstan was the – probably illegitimate – son of Sir William de Holland of Denton, Robert de Holland's brother, and Margaret de Shoresworth. Margaret, who was the heiress of Denton, may not have been legally married to William de Holland, but she did later marry Robert de Radcliffe, which made Thurstan de Holland the probably illegitimate half-brother of William de Radcliffe.<sup>139</sup> The involvement of Thurstan in the county feuds went back to the 1315 rebellion, when his father was robbed of 'a hundred sheep, sixteen oxen, twelve cows, and sundry other goods and chattels, to the value of £40'.<sup>140</sup> The Thurstan de Holland who was involved with the confederacy of Richard de Holland in 1322-23 was probably a different person.<sup>141</sup> The Thurstan who was William de Holland's son starts to appear in the records frequently around the time of William de Bradshaw's murder. The first case is an unrelated matter, where he stands accused with John and Adam de Radcliffe and others of poaching in the king's parks of Ightenhull and Mosebury.<sup>142</sup> Then, in March 1334, he is mentioned in the trailbaston commission discussed above,<sup>143</sup> where he appeared alongside John and Richard de Radcliffe as a defendant in the case of Bradshaw's murder.<sup>144</sup> The next year he stood as mainprise for John de Radcliffe accused of harbouring the murderer.<sup>145</sup> Though the

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<sup>138</sup> *VCH*, V, pp. 122-8.

<sup>139</sup> *VCH*, IV, p. 312 n.; Porteus, 'The mysterious murder', p. 14.

<sup>140</sup> Tupling, *South Lancashire*, p. 45. It should be added that William himself, during the suppression of the rebellion, led a group of men who robbed Wigan to an even higher sum: Tupling, *South Lancashire*, p. 40.

<sup>141</sup> This Thurstan was a parson of the church of Preston, appointed by Thomas of Lancaster in 1321, until Henry of Lancaster replaced him with Henry de Walton on 24 September 1348: Tupling, *South Lancashire*, p. 96; *VCH*, VII, pp. 72-91.

<sup>142</sup> KB 27/308/15R.

<sup>143</sup> See above, p. 222.

<sup>144</sup> *CPR 1330-1334*, pp. 572-3.

<sup>145</sup> KB 27/302/9R. He appears repeatedly after this, accused of various misdoings, up until 1338. This year he was outlawed, presumably for his involvement in the murder of Matthew, Hugh, and Roger Gilbrand, which he had allegedly committed the year before: KB 27/310/3Rd, 314/25R. Even after this his criminal activities did not stop; in 1340 Henry de Hindelegh accused him before a general *oyer* and *terminer* commission of breaking into his house at Atherton: JUST 1/430/16.

Radcliffes did not inherit the feuds of the Holland family, it seems that they were able to accommodate the malcontents from that faction by allowing them into their circle, as in the case of Thurstan de Holland.

That the Radcliffes all the while maintained more respectful, legal and official connections with other gentry families can be seen by their links to another influential family in southern Lancashire: the Haydocks. Robert de Radcliffe appeared as witness with Gilbert de Haydock, the lord of the manor, and Gilbert's brother Henry to a 1332 agreement over rights of passage through Altcar made between the abbot of Mirawall and William Blundell of Ince.<sup>146</sup> In the parliament of 1334, Robert de Radcliffe and Henry de Haydock represented the county together.<sup>147</sup> Their connection also extended to joint dealings with the earl of Lancaster: in 1344, the same Henry de Haydock and John de Radcliffe made an indenture of debt with Henry of Lancaster. Owing the earl £100, they got off with paying £52 16s 3d.<sup>148</sup> Henry de Haydock was a younger son of Gilbert de Haydock. He was a priest and had an illustrious career: in 1360 he was made Chancellor of the Duchy of Lancaster.<sup>149</sup> The debt he owed to the earl of Lancaster with John de Radcliffe should probably be seen in conjunction with the fact that John and Robert de Radcliffe owed Haydock £200 at the same time.<sup>150</sup>

Very simply put, we can say that we are dealing with two branches of the Radcliffe family: one that was illegitimate in both senses of the word, and one that was expanding its power and influence through legal means. The question that arises is then whether these were two detached branches working independently, or if the family connection was strong, and the various activities combined to advance the collective interests of the lineage. The answer seems to be the latter. First of all, the distinction suggested is overly simplified. John de Radcliffe, from the 'establishment' branch, appears to be responsible for the murder of William de Bradshaw and numerous other transgressions, in which his brother William occasionally joined him,<sup>151</sup> and his father Robert gave him at least some assistance, or possibly outright

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<sup>146</sup> LA, DDIn 53/25.

<sup>147</sup> *RMP*, p. 104.

<sup>148</sup> *CCR 1343-1346*, pp. 450-1.

<sup>149</sup> Baines, *Lancaster*, vol. I, p. 182; *Biog. Sketches*, pp. 50-1; *VCH*, IV, pp. 137-40.

<sup>150</sup> *CCR 1343-1346*, p. 450.

<sup>151</sup> KB 27/308/15R.

support, in these activities.<sup>152</sup> At the same time, Robert de Radcliffe, the illegitimate son of Richard de Radcliffe, was a highly respected man in the county, as can be seen from his numerous royal commissions and his elections to parliament mentioned above. Likewise, several sons of Richard de Radcliffe's legitimate sons, as we have seen, were accused of riding with John de Radcliffe on his criminal ventures. Furthermore, the two branches of the family supported each other when needed, as when John son of Richard mainprised for John son of Robert de Radcliffe for harbouring William de Bradshaw's murderer in 1335,<sup>153</sup> or when John de Radcliffe at some point in the 1350s did the same for a Robert de Radcliffe (not his father, who died in 1345, probably his cousin) for an unnamed crime.<sup>154</sup> Also the deed evidence shows some co-operation between the two families, as when Richard son of William de Radcliffe in 1341 granted a piece of land in Radcliffe to William son of Robert de Radcliffe.<sup>155</sup>

The connections of the Radcliffe family went further than the county boundaries, however, and herein can probably be found part of the clue to their ascendant fortune. Their connection with the Lancaster family went back to the time of Thomas of Lancaster; as we have seen above, the first major indication of this can be found in the 1318 royal pardon, where both Adam, John and Roger de Radcliffe were on the list.<sup>156</sup> The period of Henry de Lancaster's tenure is not a good one for the study of local magnate influence and patronage, considering his estrangement from the court and subsequent illness and inactivity, but there are signs that the Radcliffe connection continued also here. As we have seen above, Robert de Radcliffe was contracted to go with Earl Henry to Scotland in 1336,<sup>157</sup> and John de Radcliffe borrowed a substantial amount of money from the earl in 1344.<sup>158</sup>

More important in this period, however, was the family's service to Queen Isabella as stewards of the honor of Blackburnshire.<sup>159</sup> The association of the Radcliffe family with this post started shortly after Queen Isabella's acquisition, and

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<sup>152</sup> KB 27/300/7Rd.

<sup>153</sup> KB 27/302/9R.

<sup>154</sup> JUST 1/441/1.

<sup>155</sup> LA, DDX 895/50. See also LA, DDX 895/49 and LA, DDX 895/53.

<sup>156</sup> *CPR 1317-1321*, p. 227. See above, p. 133.

<sup>157</sup> E 101/15/12.

<sup>158</sup> *CCR 1343-1346*, pp. 450-1.

<sup>159</sup> See above, p. 195.

continued under its subsequent lords. In the years 1331-2, Richard de Radcliffe appears as steward of Blackburnshire. We later find John de Radcliffe holding the same position, in the years 1341-7 and 1348-9. Another Richard de Radcliffe then served as steward continuously in the period 1353-72.<sup>160</sup> Since the honor was restored to Henry of Grosmont in 1348, this is a sign that the Radcliffes also had associations with the earl, as we have already seen evidence of in military affairs.<sup>161</sup> The position of steward of Blackburnshire was at the time one of the major offices in the county, along with that of deputy sheriff. This office was clearly connected to that of forester of the queen's forests in the county; between 1339 and 1345, Richard de Radcliffe was mentioned as forester for Queen Isabella in Blackburnshire.<sup>162</sup>

That the Radcliffe family was not out of favour with the crown becomes clear at a later date. In the period from 1328 to 1340, we find no members of the Radcliffe family on any royal commissions. Then, in the years from 1340 till 1344, John and Robert de Radcliffe appear six times on various commissions of tax collection, array or justice.<sup>163</sup> They were similarly well-integrated into local society, if the returns to parliament are anything to go by. In the first decade of the present period, from 1328 to 1338, the only Radcliffe to represent the county in parliament was Robert de Radcliffe in September 1334. Then, in February 1338 he was returned again, in 1340 both he and John de Radcliffe sat at the January parliament, and in 1344, it was the turn of William de Radcliffe.<sup>164</sup> It seems that the Radcliffe family were temporarily absent from county affairs during the period of their greatest legal troubles, only to return in full force once the controversy had settled down.

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<sup>160</sup> Somerville, *History of the Duchy of Lancaster*, pp. 355, 362.

<sup>161</sup> See above, p. 217.

<sup>162</sup> JUST 1/430/7; *CCR 1339-1341*, p. 152; *CPR 1343-1345*, p. 592. That Edward III himself should have been involved in these affairs seems unlikely, since his involvement in the localities – unlike that of Richard II – was minimal: C. Given-Wilson, *The Royal Household and the King's Affinity: Service, Politics and Finance in England, 1360-1413* (New Haven, London, 1986), p. 264. One exception was John de Winwick, the son of a minor Lancashire landowner, who was employed by Edward III as a sergeant: Partington, 'Edward III's enforcers', p. 92; *CPR 1343-1345*, pp. 246, 461; *CCR 1354-1360*, p. 443. Winwick later became Edward's keeper of the privy seal: Ormrod, *Edward III*, pp. 83-4; Bennett, *Community, Class and Careerism*, p. 151; Tout, *Chapters*, vol. V, pp. 34-6.

<sup>163</sup> *CPR 1338-1340*, p. 504; *1340-1343*, pp. 87, 94, 151, 155; *1343-1345*, p. 417.

<sup>164</sup> *RMP*, pp. 104-39.

This chapter has shown how shifting local loyalties could be, between such families as Bradshaw, Trafford, Tyldesley, Holland and Radcliffe. The Radcliffes, who found themselves in mortal conflict with William de Bradshaw, had previously been more or less indifferent to the conflict between Holland and Bradshaw, even apparently siding with Bradshaw. The conflict of these latter years can therefore not be seen in the light of the previous county feuds. This is only surprising if we forget that southern Lancashire was geographically divided between an eastern and a western part, and that social interaction mostly followed this divide.<sup>165</sup> The Holland and Radcliffe families inhabited different worlds in this environment, with Bradshaw at the halfway point. Previous chapters have emphasized the significance of wider, political issues as a source of conflict: access to magnate influence and patronage and matters of national stability and security. Though these issues were undoubtedly important, all politics was ultimately local.<sup>166</sup> The main concern of any gentry family was the security of their landed interest, which is why the Radcliffes – like other Salford gentry – showed little concern for the ascendancy of Robert de Holland. When conflict eventually did emerge between them and William de Bradshaw, this also had its roots in local, landed concerns, through the neighbouring families of Tyldesley and Trafford.

By 1345, the growing local influence of the Radcliffes was obvious. They were cultivating magnate ties, at the same time as they became increasingly central to royal administration of the shire. A comparison could be made to the role Robert de Holland had played in the 1310s. Yet the analogy to Holland is not perfect; there were also stark differences. First, while Holland was only one man with a local following, the Radcliffe faction consisted of several individual family members spread out over different branches, some of whom were capable administrators and soldiers. Secondly, while Holland came from relatively humble origins and owed his advancement largely to favouritism based on a personal connection to Thomas of Lancaster, the Radcliffes were a well-established family in the county, with an extensive network of friends and relatives on which to build their prominence.<sup>167</sup> Yet,

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<sup>165</sup> See above, p. 150.

<sup>166</sup> P.R. Coss, *The Foundations of Gentry Life: The Multons of Frampton and Their World 1270-1370* (Oxford, 2010), p. 73.

<sup>167</sup> For the Radcliffes' central position in the county's eastern network, see above, p. 153.

by the end of the period dealt with in this chapter, there were still unresolved issues, primarily the conflict between the Radcliffes and the Traffords. Furthermore, previous experience had shown the dangers of crown and earl leaving the county to its own devices, particularly if it was dominated by one minor local faction. One of the main questions for the next chapter is whether the Radcliffes were able to resolve these problems and use their leading position in the county as power brokers between central and local authority, or if they would perpetuate factional conflict by selfish promotion of their own interest in the manner of Robert de Holland.

## 8. 1345 – 1361

### From the Liverpool massacre to the death of Henry of Grosmont

Henry of Lancaster died on 22 September 1345, after around fifteen years of virtual inactivity, leaving his title to his son Henry of Grosmont, who already held a central position in national politics. The power vacuum and uncertainty that had existed in magnate leadership found a parallel in local affairs. The unpopular, yet undeniable dominance of Robert de Holland had not been replaced with any satisfactory and permanent alternative. Instead, as we saw in the previous chapter, the Radcliffe family was gradually rising to prominence, through an unstable network of connections, occasionally erupting in conflict and mutual recriminations. This situation culminated in an event of unprecedented violence that serves well as a starting point, and a focal point, for this last chronological chapter. On 14 February 1345, a band of armed men entered the county court of Lancaster sitting at Liverpool. There they not only prevented the justices from addressing the grievances of plaintiffs but, according to later indictments, killed as many as twenty-six men, and carried off their armour.<sup>1</sup> The victims were prominent men in local society; among them were the son of Sir Henry de Trafford, the son of Gilbert de Haydock, and several other members of the local gentry. This Liverpool massacre, though of exceptional proportions, can be seen as part of the disturbances that had taken place in the county for decades. Just as in the years 1315 to 1323, the problems grew to such proportions as to demand the attention both of the king and of the county's dominant magnate.

Both these men, however, were deeply involved in other affairs at the time. Except for the naval victory at Sluys in 1340, there were few military victories in the early years of the Hundred Years' War.<sup>2</sup> By 1345, Edward III had largely given up the policy of pursuing expensive military alliances, shifting to direct action.<sup>3</sup> The

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<sup>1</sup> KB 27/344/8, 345/2, 346/105, 347/3d, 4Rd, 15Rd, 350/16R, 17R, 352/14Rd, 16R, 16Rd, 356/7R, 20Rd, 21R; *CPR 1343-1345*, p. 499; *CCR 1349-1354*, pp. 48-50, 79-80; *VCH*, II, p. 204.

<sup>2</sup> Prestwich, *The Three Edwards*, p. 194; C. Allmand, *The Hundred Years War: England and France at War c.1300-c.1450* (Cambridge, 1988), p. 13; Ormrod, *Edward III*, p. 22; Sumption, *Trial by Battle*, ch. X; G. Cushway, *Edward III and the War at Sea: The English Navy, 1327-1377* (Woodbridge, 2011), pp. 90-100.

<sup>3</sup> For the financial burden caused by these coalitions, see: W.M. Ormrod, 'The crown and the English economy, 1290-1348', in B.M.S. Campbell (ed.), *Before the Black Death: Essays in the Crisis of the Early Fourteenth Century* (Manchester, 1991), pp. 149-83.

following years saw a string of English victories on the Continent, foremost among these the battle of Crécy in 1346, and the siege of Calais ending in surrender the following year.<sup>4</sup> While the siege of Calais was going on, the Scots invaded northern England, meeting with defeat at the battle of Neville's Cross.<sup>5</sup> The battle largely settled the Anglo-Scottish war, a state of affairs formalised by the treaty of Berwick in 1357.<sup>6</sup> After a lull following the Black Death, the war in France was resumed in the mid-1350s, culminating in the victory at Poitiers in 1356.<sup>7</sup> This initial phase of the Hundred Years' War was concluded in 1360 by the Treaty of Brétigny.<sup>8</sup>

Through all of this, Henry of Grosmont was one of King Edward III's most trusted military commanders and administrators.<sup>9</sup> As we have seen above, he had already proved his military skills by this point.<sup>10</sup> In 1345, Henry was part of the king's expedition to the continent, consisting of a three-pronged attack led respectively by the earl of Northampton in Brittany, the king in Flanders and Henry himself in Aquitaine.<sup>11</sup> In March, Henry was made captain of Aquitaine, and he arrived at Bordeaux in June. After a successful *chevauchée* through the countryside, he met with a French army at Auberoche on 21 October, where he won the greatest victory of his military career.<sup>12</sup> By this time his father was already dead, and Henry had become earl of Lancaster. Henry's loyalty and success were richly rewarded by the king, the greatest of these rewards being the grant of the title of duke and palatinate status for the county of Lancashire in 1351.<sup>13</sup>

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<sup>4</sup> Fowler, *The King's Lieutenant*, pp. 70-2; A. Ayton and P. Preston (eds.), *The Battle of Crécy, 1346* (Woodbridge, 2005).

<sup>5</sup> Sumption, *Trial by Battle*, pp. 552-3; C.J. Rogers, 'The Scottish invasion of 1346', *Northern History*, 34 (1998), pp. 51-69; D.W. Rollason and M.C. Prestwich (eds.), *The Battle of Neville's Cross, 1346* (Stamford, 1998); Brown, *The Wars of Scotland*, pp. 247-8; A. King, 'A good chance for the Scots? The recruitment of English armies for Scotland and the Marches, 1337-1347', in A. King and D. Simpkin, *England and Scotland at War, c. 1296-c.1513* (Leiden, 2012), pp. 144-56.

<sup>6</sup> Brown, *The Wars of Scotland*, p. 316.

<sup>7</sup> J. Sumption, *The Hundred Years War, vol. 2: Trial by Fire*, (London, 1999), ch. V; Rogers, *War Cruel and Sharp*, pp. 348-84.

<sup>8</sup> J. le Patourel, 'The treaty of Brétigny, 1360', *TRHS*, 5<sup>th</sup> series, 10 (1960), pp. 19-39; Sumption, *Trial by Fire*, ch. IX; C.J. Rogers, *War Cruel and Sharp*, pp. 417-19; 'The Anglo-French peace negotiations of 1354-1360 reconsidered', in J.S. Bothwell (ed.), *The Age of Edward III* (York, 2001), pp. 193-214.

<sup>9</sup> *CPR* 1334-1338, p. 400; Sumption, *Trial by Battle*, p. 455.

<sup>10</sup> See above, p. 216.

<sup>11</sup> Fowler, *The King's Lieutenant*, pp. 49-50; Morgan, *War and Society*, pp. 102-3.

<sup>12</sup> Fowler, *The King's Lieutenant*, pp. 54-9; Sumption, *Trial by Battle*, pp. 455-69.

<sup>13</sup> Somerville, *Duchy of Lancaster*, pp. 40-1.

This short summary of national events, and of Henry's role in them, presents us with four major factors that would greatly affect the gentry of Lancashire. First, the escalation of the war in France and the continuation of the Scottish wars presented potential opportunities for professional military men. Secondly, the dominant local noble was heavily engaged in foreign warfare, and therefore often absent. Thirdly, the Black Death reduced the population significantly and changed economic and tenurial conditions for the local landowners. Fourthly, and lastly, the creation of the palatinate introduced an entirely new administrative and judicial situation to the county. Before exploring these events and their consequences, however, we should look in greater detail at the major situation that confronted Henry in Lancashire: the Liverpool massacre of 1345.

The last chapter described the circumstances of the murder of William de Bradshaw in 1333. To summarise briefly: the murderers were allegedly members of the Radcliffe family, while the Radcliffes claimed that they were the target of persecution by the families of Bradshaw, Tyldesley and Trafford. Among these, the Tyldesley family had long evinced shifting loyalties, as they would continue to do. Though the decade leading up to 1345 was relatively peaceful, there were signs of lingering conflict between the Radcliffe and Trafford families. This feud seems to have been at the core of the conflict leading up to the Liverpool massacre, where the greatest number of defendants and victims, respectively, came from those two families.

As in the case of the murder of William de Bradshaw, the full extent of the crime and the identities of those involved were only gradually revealed. The first mention, as in the Bradshaw case, is in the form of an *oyer* and *terminer* commission issued on 8 March 1345, by which nine commissioners were ordered to investigate the disturbers who, 'with banners unfurled as in war', disrupted an *oyer* and *terminer* commission sitting at Liverpool.<sup>14</sup> One thing that is immediately obvious about this commission is the seriousness with which the king took the case. This can be seen from the prominent men included on the list. One of them was Richard de Willoughby, who had served as Chief Justice of the King's Bench from 1338 to

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<sup>14</sup> *CPR 1343-1345*, p. 499. See also: *CCR 1343-1346*, p. 650; *1346-1349*, pp. 79, 364; *CPR 1343-1345*, p. 278.

1340.<sup>15</sup> Another conspicuous fact about the commission is that it consisted entirely of outsiders; no member of the higher gentry of Lancashire was included among the commissioners and none of the men on the commission can be seen to have any non-professional connection to the county.<sup>16</sup> This could be a sign of the crown's direct involvement in the case, and a concern for an impartial treatment. It could also be a sign of the early involvement of Henry of Grosmont in the affairs of the county, and a different approach to county administration, a subject to which we shall return later.<sup>17</sup>

The case was not resolved with the *oyer* and *terminer* commission, and was pursued in court at least until the Easter term of 1349.<sup>18</sup> Among the victims of the crime, the most prominent were the members of the Trafford family. One of the victims is named as Galfrid, son of Sir Henry de Trafford, who was the head of the Salford Trafford family.<sup>19</sup> Others are more difficult to distinguish, such as Richard, brother of Henry de Trafford, and Richard, John and Robert, sons of John de Trafford senior.<sup>20</sup> Again we can see the association between the Trafford and Ashton families: another victim was Robert, son of John de Ashton, head of the Ashton family.<sup>21</sup> Furthermore, the connection between the Traffords and the Bradshaws seems to continue in one form or another, for two of the victims were Adam de Bradshaw and his brother Henry.<sup>22</sup> Another significant man who fell victim to the massacre was Gilbert, son of Gilbert de Haydock, lord of Haydock in West Derby.<sup>23</sup> As seen above, the Haydock family was central to the regional network of the western part of south

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<sup>15</sup> Willoughby fell victim to Edward III's purge of the administration in 1340, but was restored to the common bench in 1343: S.J. Payling, 'Willoughby, Sir Richard (c.1290–1362)', *ODNB*.

<sup>16</sup> The remaining commissioners were William Basset, Simon de Drayton, Thomas de Feraris, John de Freland, Richard de Islep and Robert de Morle: *CPR 1343-1345*, p. 499.

<sup>17</sup> See below, p. 268.

<sup>18</sup> The following term, which would have been the Trinity term, was closed because of the plague: Musson and Ormrod, *Evolution*, p. 200.

<sup>19</sup> If this was the Henry de Trafford who died around 1288, then Galfrid would have been an old man at his death. More likely it was Henry (I)'s son Henry (II), who married in 1290 and died in 1334: Baines, *Lancaster*, vol. III, p. 237.

<sup>20</sup> This Henry (III) is most likely the grandson of Henry (II), who came of age in 1336. The John in question is either Henry (III)'s father, who died before his own father, Henry (II), or a younger brother of Henry (I), who was a priest and went by that name. Again, this would have made the victims quite advanced in age by 1345: Baines, *Lancaster*, vol. III, p. 237.

<sup>21</sup> For more on this connection, see above, p. 228.

<sup>22</sup> These were members of the Bradshaw family of Pennington, not the original Westleigh family or the Blackrod and Heigh branch of Sir William de Bradshaw. The families were nevertheless connected: *VCH*, III, pp. 421-6; 426-31; V, pp. 299-303.

<sup>23</sup> KB 27/346/105; *VCH*, IV, pp. 137-40.

Lancashire, as the Radcliffes were in the east.<sup>24</sup> There is, however, little evidence that the Haydocks had until then been very much involved in local feuds.

The list of perpetrators was altogether longer and more illustrious. As in the case of Bradshaw's murder, the Radcliffes figured prominently. Again, John de Radcliffe, the parson of Bury, seems to have played a central part, though there is no clear indication that he held a leading role in this event, as he had previously.<sup>25</sup> The composition of the Radcliffe family group had otherwise changed little over the last decade;<sup>26</sup> again we find Richard de Radcliffe's younger son of the legitimate branch, John de Radcliffe,<sup>27</sup> and this John's nephews, Richard son of William, William son of Robert<sup>28</sup> and Robert son of Robert.<sup>29</sup> Furthermore, Thurstan de Holland, mentioned above, was still riding in the company of the Radcliffes.<sup>30</sup> Also Sir Henry de Bury, whose association with the Radcliffes was explained in the previous chapter,<sup>31</sup> appears among the 1345 defendants.<sup>32</sup> In the last chapter we also saw the conflict of allegiance of the Tyldesley family,<sup>33</sup> which this time around resulted in Hugh, son of Adam de Tyldesley, taking the side of the Radcliffes against the Trafford family.<sup>34</sup>

So far there are few surprises in the lists of defendants in this case, based on what we know from the previous chapter. What is conspicuous, however, is the number of men from other gentry families who were now associated with the Radcliffes and took part in their criminal activities. Not only is the list longer, but the geographical distribution is much wider. As we remember from Chapter 4, the Radcliffe network had its core in central Salford, in south-east Lancashire, but the family was also one of the few with a network that extended beyond their immediate locality.<sup>35</sup> The names of the defendants in 1345 include such men as Hugh le Norreys and his brother Robert,<sup>36</sup> as well as Gilbert, Thomas, Matthew and John de

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<sup>24</sup> See above, p. 151.

<sup>25</sup> KB 27/345/2, 350/17R, 356/21R.

<sup>26</sup> For a description of the Radcliffe family, see above, p. 223.

<sup>27</sup> KB 27/346/40R+d, 350/16R, 356/21R.

<sup>28</sup> KB 27/346/40R+d, 350/16R, 352/16Rd, 356/21R.

<sup>29</sup> KB 27/354/15Rd.

<sup>30</sup> KB 27/345/1R, 346/40R+d, 350/17R, 352/14Rd, 356/21R.

<sup>31</sup> See above, p. 226.

<sup>32</sup> KB 27/346/40R+d, 350/16R, 352/16Rd, 356/20Rd.

<sup>33</sup> See above, p. 229.

<sup>34</sup> KB 27/345/1R, 346/40R+d, 350/17R, 356/21R.

<sup>35</sup> See above, p. 153.

<sup>36</sup> KB 27/345/2, 350/17R, 356/21R.

Southworth,<sup>37</sup> all from West Derby, Sir William de Hesketh from Leyland,<sup>38</sup> and Gilbert de Singleton and his son Thomas from Amounderness.<sup>39</sup> All of these were members of substantial gentry families, and they represent a wide geographical spread, even extending beyond the Ribble.

The emergence of the network of families behind the Liverpool massacre can be seen in a deed from 1335, somewhat ironically to be found in the Trafford deed collection. A quitclaim from Richard to Thomas de Hulme was witnessed by John, Richard and William de Radcliffe, Henry de Bury, Thurstan de Holland and Robert de Workesley.<sup>40</sup> These were all among the defendants in connection with the Liverpool massacre ten years later.<sup>41</sup> Going even further back, the royal pardon of 1318 contained names from the Radcliffe, Holland, Southworth and Travers families, again all among the aggressors in 1345.<sup>42</sup> This strengthens the impression that the Radcliffe family was actively building a network of influence in the county, an influence further bolstered by what they had of noble and royal connections.<sup>43</sup>

The Liverpool massacre had a significant impact on Henry of Grosmont's campaign that year. It was in the reign of Edward III that a new and more efficient system of military recruitment developed, in which forces operating overseas without the king consisted of contracted mixed retinues composed of mounted archers and men-at-arms, along with conscripted forces.<sup>44</sup> The new system could offer great monetary rewards for the military commanders involved, in addition to the regular spoils of war in the form of loot, ransom and land. As we saw in the previous chapter,

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<sup>37</sup> Gilbert was the lord of Southworth manor, and Thomas his son. Matthew, a priest, was probably his brother, and John was Matthew's son: *VCH*, IV, pp. 168-70; KB 27/347/4Rd, 5Rd.

<sup>38</sup> KB 27/346/40R+d, 350/16R, 356/20Rd.

<sup>39</sup> KB 27/346/40R+d, 350/16R, 352/16Rd, 356/20Rd.

<sup>40</sup> LA, DDTTr 29/6/295. The Radcliffes also used members of such families as Bury, Holland and Pilkington to witness their own deeds in the period 1338-41: LA, DDX 895/49, 50 and 51. At the same time, Henry de Trafford appeared on a list of witnesses with Richard de Radcliffe as late as 1339: LA, DDTTr 26/1/215.

<sup>41</sup> For Workesley, see KB 27/345/2; 350/17R; 356/21R.

<sup>42</sup> *CPR 1317-1321*, p. 227.

<sup>43</sup> See above, p. 235.

<sup>44</sup> Ayton, *Knights and Warhorses*, pp. 10-15; 'English armies in the fourteenth century', in A. Curry and M. Hughes (eds.), *Arms, Armies and Fortifications in the Hundred Years War* (Woodbridge, 1994), pp. 21-38; Prestwich, 'Miles in armis strenuus', pp. 201-220; 'Edward I's armies', *Journal of Medieval History*, 37 (2011), pp. 233-44; Curry, 'Western Europe, 1300-1500', p. 372. Mixed retinues gradually became a greater part of the armed forces; at this point they made up about half of major foreign expeditions: A. Ayton, 'Sir Thomas Ughtred', p. 110; 'Military service and the dynamics of recruitment', pp. 30-1.

Henry of Grosmont had already by this time emerged as a military captain holding independent commands. In March 1345, he began the process of preparing the campaign that would lead to the victory at Auberoche. This would also be one of the largest expeditions in Lancaster's career, measured in number of men under his command.<sup>45</sup> Yet the challenges concerned not only numbers, but also finances. The nobility in this period were often creditors of the crown, and repayments could be slow.<sup>46</sup> Although Grosmont received almost £21,000 from the crown for the campaign, his expenses were over £38,000, leaving him with a deficit of close to £18,000.<sup>47</sup> In this situation, pardons were a welcome source of recruitment, since the recipients had to serve at their own expenses. The Liverpool massacre offered an opportunity in this situation for Grosmont to boost recruitment, and help with conflict resolution at a local level at the same time. In July 1345, on Grosmont's petition, pardons were extended to a number of Lancashire men, in return for a promise of service in the French wars. The pardons were issued over the course of a week, from 5 to 12 July, only days before Grosmont's departure for Aquitaine on 23 July.<sup>48</sup> The exact terms of the pardons required service for the king in Gascony or elsewhere for a year and demanded that the men serve at their own charge. For this they would be pardoned for all crimes committed before 16 June. Though specific crimes for which pardons were required were not mentioned, there is no doubt that the Liverpool massacre of February was what constituted the background for the writ. The list of those pardoned contained most of the main names that we have already encountered on the lists of defendants in the Liverpool case, including John, Richard and William de Radcliffe, Thurstan de Holland, Henry de Bury, Thomas de Singleton, Gilbert de Southworth and Hugh de Tyldesley.<sup>49</sup> In a sense, Henry of Grosmont was here taking on the role of the dominant magnate of the county of Lancashire, and an intermediary between local society and the royal court, several months before his father's death put

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<sup>45</sup> Fowler, *King's Lieutenant*, p. 229.

<sup>46</sup> Prestwich, *The Three Edwards*, pp. 152-4.

<sup>47</sup> A.E. Prince, 'The payment of army wages in Edward III's Reign', *Speculum*, 19 (1944), pp. 152-3; Fowler, *The King's Lieutenant*, pp. 222-4; Harriss, *King, Parliament, and Public Finance*, p. 324; Ormrod, *Edward III*, pp. 115-17.

<sup>48</sup> Fowler, *King's Lieutenant*, p. 52. Grosmont was the most frequent intercessor for pardons in the reign of Edward III, and overall, the period around 1346 was particularly busy in this respect: Lacey, *The Royal Pardon*, pp. 186, 203-4.

<sup>49</sup> *CPR 1343-1345*, pp. 530-2.

him in that position officially. He continued in this role also after succeeding, by obtaining pardons in July 1347 for several of the Lancashire men involved in the abduction of Margery de la Beche, seemingly retrospectively for military services rendered.<sup>50</sup>

We shall return in more detail later to Henry of Grosmont's role as an administrator of the county of Lancashire and the various changes he instituted in the county. What is of importance here, however, is the mechanism of co-operation that lay behind this pardon. The use of pardons in exchange for military service was not a new phenomenon, nationally or locally. As we have seen previously, Edward I used the method extensively when recruiting troops for his wars in Scotland in the 1290s and 1300s.<sup>51</sup> Even Edward II had used pardons as a means of recruiting troops for the war of Saint-Sardos.<sup>52</sup> What was new about this particular pardon was that it represented a collaboration between the earl of Lancaster and the crown in actively attempting to resolve a conflict situation in the localities. In the half-century since the death of Edmund Crouchback, no similar example can be found of the crown and a local magnate working in unison to address a local conflict in the county of Lancashire. Admittedly, Edward II had consented to Thomas of Lancaster's suppression of the Banaster rebellion in 1315 but this occurred at the height of the Lancaster administration and the king was probably forced to assent to whatever demands the earl presented.<sup>53</sup> As for the 1323 inquisition, this happened in the power vacuum left after the death of Thomas of Lancaster and was a retaliatory measure by the crown, rather than a serious attempt at peacekeeping.<sup>54</sup> In 1335 there were attempts by the crown to clean up after the murder of William de Bradshaw, possibly to prevent the county feuds from reigniting. There is no sign, however, that Henry of Lancaster was actively involved in these measures; by this time he is considered already to have been incapacitated by blindness.<sup>55</sup> Neither was Henry of Grosmont,

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<sup>50</sup> See below, p. 251. *CPR 1345-1348*, pp. 344-5, 543-4; Tout, *Chapters*, vol. IV, pp. 130-1. Given the date of the pardon, it is of course not impossible that it had something to do with the siege of Calais.

<sup>51</sup> See above, p. 164.

<sup>52</sup> See above, p. 206; 'The war of Saint-Sardos (1323-25): Gascon correspondence and diplomatic documents', ed. P. Chaplais, *Camden Society*, 3rd series, 87 (1954).

<sup>53</sup> See above, p. 184.

<sup>54</sup> See above, p. 188.

<sup>55</sup> Fowler, *King's Lieutenant*, p. 27; Haines, *King Edward II*, p. 209; W.M. Ormrod, 'Henry of Lancaster [Henry of Grosmont], first duke of Lancaster (c. 1310-1361)', *ODNB*.

who had no formal connection with the county at this point, active in Lancashire affairs.

The pardons of 1345 can equally be contrasted with the similar pardon from 1313, obtained by Thomas of Lancaster for himself and his retainers.<sup>56</sup> This pardon was specifically for Lancaster's involvement in the death of Piers Gaveston, who was the source of much of the strife between the two.<sup>57</sup> Even though the pardon was a reward obtained by the earl for his loyal followers, it had none of the beneficial effects that the 1345 pardon had. It did nothing to restore good relations between the king and his subjects; at best it established a form of *modus vivendi*. Furthermore, the pardon was unconditional, so for the king nothing was gained. As we have seen, the remedy in this case was of a highly temporary matter and conflicts both at a national and a local level were bound to re-emerge.

The real problem facing the crown, however, was the fact that those involved in these various affairs were of relatively high social standing. When civil unrest reached such proportions as this, and involved people of a certain local status, the crown's options for dealing with the situation were limited. To use the extreme measure of the law and bring felony charges was not a viable option.<sup>58</sup> Even if the defendants could be brought to trial, and convictions could be reached, it would be hazardous to execute a number of the local gentry. This would not only alienate a great portion of local society but at the same time also eliminate many of those on whom the crown depended for local governance.

The legal remedies applied by the crown, however, had only limited effect. The King's Bench was of imperfect value in dealing with criminal cases, simply because of the problems involved with bringing the defendants to trial.<sup>59</sup> When the parties in a conflict were men of great standing in their locality, it was also difficult to

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<sup>56</sup> *CPR 1313-1317*, p. 21.

<sup>57</sup> See above, pp. 133 and 158.

<sup>58</sup> Though gentry members were occasionally charged with – and even convicted of – felony, this was not common: Denholm-Young, *The Country Gentry*, p. 51; B.A. Hanawalt, 'Fur collar crime: the pattern of crime among the fourteenth-century English nobility', *Journal of Social History*, 8 (1975), p. 3; Carpenter, 'Law, justice and landowners', p. 214; Powell, *Kingship, Law, and Society*, p. 70. The reluctance to bring felony charges against the aristocracy was one of the motives behind the development of the crime of conspiracy, as an alternative to charges of treason: Harding, 'Origins of the crime of conspiracy', pp. 94, 100.

<sup>59</sup> Baker, *Introduction*, pp. 52-3; M. Blatcher, *The Court of King's Bench, 1450-1550: A Study in Self-Help* (London, 1978), pp. 51-7.

come to a resolution that would be satisfactory to the victims, without creating further animosity by alienating the supporters of the defendants. Ideally, the king should be able to restore a semblance of justice to the localities, without reducing too far the standing of men who were central to local society and who could as such be of value to central authority. This was where the instrument of the royal pardon came into use. The pardon in exchange for military service had already been used with some success to deal with the Folvilles a decade earlier, and now it seems a similar process was tried in Lancashire.<sup>60</sup> Edward Powell – writing about the reign of Henry V – has shown how the royal pardon, when properly employed, could serve not only as a recruitment tool, but also as a peacemaking tool.<sup>61</sup> The pardons, and the accompanying military service, could help remove troublesome young men from the localities, and give them a chance to redeem themselves and make a new start.<sup>62</sup>

At the same time, contemporaries were wary of the potentially disruptive effect excessive use of royal pardons could have on society. In the later 1340s, there were petitions in parliament regarding this recruitment method. The concern was that criminals would lose respect for the law if pardons were too easily obtainable.<sup>63</sup> For the practice to be acceptable to the king's subjects at large, it had to be perceived as being carried out with moderation, serving the benefit of the nation, and reaping concrete rewards. In Powell's words, 'public order rested not on institutions, but on the character and the personality of the king.'<sup>64</sup> In this case one could add also on the character and the personality of the locality's dominant magnate, and the relationship in which he stood with the king.

In the specific case of the 1345 pardon, it is difficult to assess its efficiency as a recruitment tool for the crown in the wars in France. The success of the measure depended on the recipients of the pardons actually fulfilling their part of the bargain and delivering military service as stipulated in the agreement, but it was notoriously

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<sup>60</sup> Stones, 'The Folvilles of Ashby-Folville', pp. 128-9.

<sup>61</sup> Powell, *Kingship, Law, and Society*, pp. 240-6. Carpenter finds a development from a punitive to a more conciliatory use of such pardons in Warwickshire at a slightly later date, in 1352: Carpenter, *Bastard Feudalism in Fourteenth-Century Warwickshire*, pp. 54-5.

<sup>62</sup> Powell, *Kingship, Law, and Society*, pp. 71-2. See also: Kaeuper, *War, Justice, and Public Order*, pp. 126-7; Maddern, *Violence and Social Order*, pp. 17-18; Lacey, *The Royal Pardon*, pp. 99-100.

<sup>63</sup> Hewitt, *Organization of War*, pp. 30, 174; *The Parliamentary Rolls of Medieval England, 1275-1504: Vol. IV, Edward III, 1327-1348*, ed. J.R.S. Phillips and M. Ormrod (Woodbridge, 2012), pp. 428, 430; Lacey, *The Royal Pardon*, pp. 52-8, 102-6.

<sup>64</sup> Powell, *Kingship, Law, and Society*, p. 246.

easy to get an exemption.<sup>65</sup> Of those who received pardons, how many actually went overseas? It is impossible to give any exact numbers; for that the sources are too incomplete.<sup>66</sup> Furthermore, many on the list were of relatively low status, and therefore must have left fewer traces in the records. On the list of wages and expenses for Henry of Lancaster's soldiers in the 1345 campaign, there is not a single name from the list of pardons from earlier that year.<sup>67</sup> This does not necessarily mean that none of the men served with him; the lists of expenses were often highly incomplete.<sup>68</sup> There is circumstantial evidence that some may indeed have served. In June 1346, an assize against William de Radcliffe was stayed, since William was in France in the company of the earl of Arundel.<sup>69</sup> The king at the same time made it clear that it was not his intention to protect 'those who have made recent disseisins and then set out in his service'.<sup>70</sup> It is also clear that others did not deliver the service due. John de Radcliffe, the parson of Bury, appeared before the King's Bench in the Trinity term of 1346 – less than a year after Henry of Grosmont had left for France – presenting his pardon.<sup>71</sup> Meanwhile, the other John de Radcliffe, of the legitimate branch of the family, had the conditions of the pardon remitted until 27 January 1346, owing to his position as the queen's steward of Blackburnshire. Later in 1346, however, he was at the siege of Calais, accompanied by a retinue of two knights, twelve esquires and fourteen archers.<sup>72</sup> This is testimony both to the military power the Radcliffes could muster at this point and to the fact that a military pardon could be an opportunity as much as a punishment.

After looking at this obviously concerted effort by the crown and Henry of Grosmont to bring peace to the county, the natural question would be to what extent this was successful. From the day of the Liverpool massacre in 1345, a little less than

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<sup>65</sup> Hurnard, *King's Pardon for Homicide*, p. 325.

<sup>66</sup> Hewitt, *Organization of War*, p. 30. It is unfortunate, for the purpose of this study, that the highly useful 'Soldier in Later Medieval England' project only starts in the year 1369: Bell, Curry *et al.*, *The Soldier Experience*, p. xi. For speculations on Henry's organisation of his forces, see: N.A. Gribit, *Henry of Lancaster's Expedition to Aquitaine, 1345-46: Military Service and Professionalism in the Hundred Years' War* (Woodbridge, 2016), p. 59.

<sup>67</sup> E 101/25/9.

<sup>68</sup> Fowler, *King's Lieutenant*, pp. 227-9; Ayton, *Knights and Warhorses*, pp. 138-55.

<sup>69</sup> Arundel fought at Crécy, with 304 men: G. Wrottesley, *Crécy and Calais* (London, 1898), p. 193.

<sup>70</sup> *CCR 1346-1349*, p. 83.

<sup>71</sup> KB 27/345/2.

<sup>72</sup> *Biog. Sketches*, p. 79.

four years would pass before the next large-scale event that would affect the county, namely the Black Death, followed by the introduction of the palatinate two years later. These six years, if we set the starting point a few months later, also mark the younger Henry of Lancaster's tenure as earl of the county, before being elevated to duke.<sup>73</sup> The six years before the creation of the palatinate can serve as a measure of the effectiveness of the peacemaking efforts of 1345.

The most obvious place to look for an answer to this question would be the level of legal activity in the King's Bench. During the period from 1345 to 1351, the King's Bench was only out of Westminster a handful of times and only twice did it sit in York.<sup>74</sup> Still, there is little doubt that we see a spike in cases concerning the county of Lancaster immediately after the Liverpool massacre (see **Figure 1, p. 169**). In the thirteen terms from the first mention of the case in the Easter term of 1346 until the last mention in the Easter term of 1349, almost fifteen cases on average dealt with the county of Lancashire.<sup>75</sup> This compares to an average below four for a corresponding period directly preceding the event, during which period the court visited the north more, rather than less often.<sup>76</sup> Naturally, many of these cases were directly related to the massacre itself, a great deal of these being *Rex*-cases brought by the crown.<sup>77</sup> In total, at least fourteen cases from the period are explicitly concerned with the events at Liverpool and ten of these were on the *Rex* side of the plea rolls.<sup>78</sup> Other pleas could have been more or less directly connected to the massacre, without this being explicitly declared in the rolls.

The increase in litigation then leaves us with the question of whether we are dealing with a surge of antagonism in the aftermath of the massacre – perhaps pent-up strife released by the event – or if we are simply seeing the royal system of justice trying to deal with a local conflict and serving as an instrument for peacekeeping and

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<sup>73</sup> Lancaster was elevated at the parliament of 9 February, the charter is dated 6 March: Hardy (ed.), *Charters of the Duchy of Lancaster*, pp. 9-11.

<sup>74</sup> Musson and Ormrod, *Evolution*, p. 200.

<sup>75</sup> KB 27/344-56.

<sup>76</sup> KB 27/331-43; Musson and Ormrod, *Evolution*, pp. 199-200.

<sup>77</sup> First mention of the case was in the Easter term of 1346, the final mention was in the Easter term of 1349: KB 27/344/8 to 356/21R. For more on *Rex* cases, see: Sayles (ed.), *Select Cases*, vol. II, p. xxviii; vol. IV, pp. xlvi, cvi; Harding, *Law Courts of Medieval England*, pp. 90; 110; P.C. Maddern, *Violence and Social Order: East Anglia 1422-1442* (Oxford 1992), pp. 35-6; Musson and Ormrod, *Evolution*, p. 17; <https://bit.ly/2GRhJpv> (National Archives).

<sup>78</sup> See above, p. 239 n.

conflict resolution. To answer this question, we need to look in more detail both at the King's Bench cases and those mentioned in other sources and particularly those that were not directly connected to the events at Liverpool but perhaps resulted from them.

On 8 July 1347, an *oyer* and *terminer* commission was issued to look into a group of 'evildoers, confederate together' who had attacked Lancaster Fair on 24 June that year.<sup>79</sup> The suspects had allegedly stolen goods, maimed certain people and taken prisoners that they held for ransom.<sup>80</sup> Shortly after, a commission was appointed to look into a raid on Queen Isabella's treasury at Whalley in Blackburnshire. The perpetrators were supposed to have made off with a somewhat enormous amount of loot: £2,000 of money and £3,000 worth of goods.<sup>81</sup> In neither one of these two cases are the suspects named, which makes it harder to put the events into the wider context of local feuds. But, if we are to take the allegations at face value, then the sheer scale of the operations imply that we are dealing with large groups of men and quite possibly with major figures in the locality. Another case from the same period does give names, though it concerns events taking place outside the county. In June 1346, John de Dalton and a number of accomplices were declared outlawed in Lancashire, having suffered the same fate in Wiltshire, for crimes committed at the manor of Beaumes near Reading. The allegations included murder and carrying off Margery, widow of Nicholas de la Beche. The crime was exacerbated by the fact that it had happened within the court of verge of the young duke of Clarence, who was acting as the keeper of the realm in his father's absence.<sup>82</sup> The outlaws included Gilbert de Haydock, father of the Gilbert de Haydock who had been killed at Liverpool the previous year.<sup>83</sup> Furthermore, the commission appointed to arrest the outlaws included three members of the Southworth family: Gilbert, Matthew and Thomas, all implicated in the Liverpool massacre.<sup>84</sup>

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<sup>79</sup> In 1337, Edward III had granted the borough an annual market at the Nativity of John the Baptist, in addition to the one already held at Michaelmas: *CChR 1327-1341*, p. 403; *VCH*, VIII, pp. 42-3; S. Letters, *Gazetteer of Markets and Fairs in England and Wales to 1516, Part 1* (PRO Lists and Indexes, Special Series, 32, 2003), p. 200.

<sup>80</sup> *CPR 1345-1348*, pp. 382-3; *VCH*, II, p. 204.

<sup>81</sup> *CPR 1345-1348*, pp. 381, 387, 395.

<sup>82</sup> *CPR 1345-1348*, pp. 319-20, 379, 384, 436, 543; *VCH*, II, p. 204; J.G. Bellamy, *The Law of Treason in England in the Later Middle Ages* (Cambridge, 1970), pp. 69-71; Bothwell, *Edward III and the English Peerage*, p. 58.

<sup>83</sup> See above, p. 242.

<sup>84</sup> See above, p. 243. Gilbert also received a pardon, see above, p. 245.

These pleas give us little information about the aftermath of the Liverpool massacre. The case involving Margery de la Beche was in fact something of a cause célèbre, but it was directed outwards, and had little to do with internal Lancashire feuds.<sup>85</sup> What is nevertheless clear is that lawlessness did not abate after 1345 but rather increased. If the crown and Henry of Grosmont – by now the earl of Lancaster – had indeed attempted to bring peace to the county through commissions of investigation into the Liverpool massacre and the pardons extended for the crime in return for service in France, they had failed in this, at least in the short term.

The 1345 pardon, valuable an historical document as it is, was of course not the full extent of Henry of Grosmont's dealings with the county of Lancashire. The period from the elder Henry of Lancaster's death on 22 September 1345 until the creation of the palatinate and dukedom of Lancaster on 6 March 1351 marks the period of Henry of Grosmont's tenure as earl of Lancaster. In this period, his unofficial position of authority prior to his blind father's death was now sanctioned with a title, entailing such privileges as the appointment of the county's deputy sheriff, and a choice among the local men for his affinity and military retinue that was in reality unchallenged. It is therefore necessary to ask what the nature of his relationship with the county was and how it differed from that of his two predecessors. No-one has assembled a complete itinerary for the career of Henry of Grosmont, as Maddicott has for Thomas of Lancaster,<sup>86</sup> but there is no indication that he visited the county in the period before 1351. This is not surprising, seeing how much of this period was spent in France, as well as in consolidating his estates, including the newly re-acquired honor of Pontefract.<sup>87</sup> During his sojourn in England in the period from late 1348 until the autumn of 1349, when the Black Death forced him out of the capital, he visited Kenilworth, Rothwell and Leicester, but apparently not Lancashire.<sup>88</sup> Not even in 1345, when his presence was perhaps most needed in the county, does he seem to have been in Lancashire in person. At this time his main

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<sup>85</sup> G. Seabourne, *Imprisoning Medieval Women: The Non-Judicial Confinement and Abduction of Women in England, c.1170–1509* (Farnham, 2011), p. 97; C. Dunn, *Stolen Women in Medieval England: Rape, Abduction, and Adultery, 1100-1500* (Cambridge, 2012), pp. 86-7. John de Dalton and Matthew de Haydock had previously served together under Grosmont in France: see above, p. 218, and below, p. 253.

<sup>86</sup> Maddicott, *Thomas of Lancaster*, pp. 341-7.

<sup>87</sup> Somerville, *History of the Duchy of Lancaster*, pp. 34-5; Fowler, *King's Lieutenant*, pp. 72, 172.

<sup>88</sup> Fowler, *King's Lieutenant*, p. 84.

focus was on preparing the expedition to Aquitaine, for which he left England on 23 July and did not return until January 1347.<sup>89</sup>

But Lancaster's physical absence from the county did not preclude a personal relationship with individual members of the local gentry. There was relatively little continuity between the affinities of Henry of Grosmont and that of his father.<sup>90</sup> This is probably the result of the fact that he was already a well-established magnate by the time of his father's death, with an affinity based on the land he already owned. It follows from this that the lands he inherited from his father, such as Lancashire, brought him in contact with the men he came to rely on to a lesser extent. As we have seen above, the list of wages and expenses for the Aquitaine campaign of 1345 contained none of the names from the Liverpool massacre pardon specifically intended to recruit men for that campaign.<sup>91</sup> Ignoring the pardon, the list still contains few Lancashire names; the only people who can be securely identified as members of the Lancashire gentry on this campaign are John de Dalton and Matthew de Haydock.<sup>92</sup> The remaining expeditions Lancaster made to the continent before being created duke in 1351 were a military expedition to assist with the siege of Calais in 1347, an expedition of a diplomatic nature to Calais and Flanders the next year, resulting in the Treaty of Dunkirk, and a second stint as lieutenant of Aquitaine from August 1349 to May 1350, which also included a brief *chevauchée*.<sup>93</sup> The lists of soldiers serving on these campaigns, compiled by Fowler, based on letters of protection, *restauro equorum*, and other sources, consist of eighty-one, seventeen and forty-one names respectively.<sup>94</sup> We have no evidence that any Lancashire men served with the earl on these occasions. Circumstantial evidence implies that this summary does not tell the whole story. As we have seen above, William de Radcliffe later served with both the earl of Arundel and with Henry le Scrope which may be taken as an indication that he was also present in Lancaster's retinue in 1345.<sup>95</sup> There were

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<sup>89</sup> Fowler, *King's Lieutenant*, pp. 49-70.

<sup>90</sup> Fowler, 'Henry of Grosmont', vol. II, p. 723; Fowler, *King's Lieutenant*, pp. 185-6. Ormrod seems to emphasise continuity more than Fowler: 'Henry of Lancaster', *ODNB*.

<sup>91</sup> See above, p. 249.

<sup>92</sup> E 101/25/9; Fowler, 'Henry of Grosmont', vol. II, pp. 244-63.

<sup>93</sup> Fowler, 'Henry of Grosmont', vol. II, pp. 244-63; Fowler, *King's Lieutenant*, pp. 70-2, 75-83, 84-95; Sumption, *Trial by Battle*, pp. 578-80; *Trial by Fire*, pp. 258-60.

<sup>94</sup> Fowler, *King's Lieutenant*, pp. 227-9.

<sup>95</sup> JUST 1/440/5; *CCR 1346-1349*, p. 83; see above, p. 132.

also other Lancashire men who served in the retinues of other captains. Adam de Hoghton, commissioned in November 1346 to collect the feudal aid for the knighting of the Black Prince, was replaced on the commission with William Lawrence in April 1347, because Hoghton was going to France in the prince's retinue.<sup>96</sup> Thomas de Lathom received a pardon in June 1346 in exchange for service in France and the same was the case for Nicholas de Ashton in December.<sup>97</sup> Though Henry of Lancaster is not mentioned explicitly in these cases, it is not unlikely that these men served under his command, or at least obtained military service through his influence. Nevertheless, the absence of Lancashire men in the military retinue of the earl of Lancaster is conspicuous. Again we see what we have already seen above: that Henry of Lancaster apparently relied on the men of Lancashire to a very limited degree for military service.<sup>98</sup>

Aside from Lancaster's purely military following, there is also the wider circle of his affinity to investigate: those who received gifts or annuities from the earl, or served him in various other capacities. Here it seems that he made very little effort to connect with the men of Lancashire but used the county as a source of patronage and offices for the men who were already in his affinity. Before Grosmont even became earl of Lancaster, on 1 May 1345, he made a grant of 10 marks of land in West Derby to John de Elmeshale, probably of Yorkshire.<sup>99</sup> As for local officers, we have already seen the trend under Henry of Lancaster the elder of employing non-local deputy sheriffs, and this did not change under Henry of Grosmont's tenure as earl.<sup>100</sup> Henry succeeded to the shrievalty on 22 September 1345, and on 2 November John Cockayne became deputy sheriff of the county. He remained in this office for almost five years, until October 1350, when he was succeeded by William Scargill, who in turn sat for two years.<sup>101</sup> Cockayne was, as we have seen above, from Derbyshire, but

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<sup>96</sup> *CFR 1337-1347*, p. 492; *1347-1356*, p. 21.

<sup>97</sup> *CPR 1345-1348*, pp. 486, 511.

<sup>98</sup> Indeed, the view of the north as heavily militarised at this point may be coloured by the situation in the fifteenth century, see: A. King, 'The Anglo-Scottish marches and the perception of "the North" in fifteenth-century England', *Northern History*, 49 (2012), pp. 37-50.

<sup>99</sup> *CCR 1389-1392*, p. 348; Fowler, 'Henry of Grosmont', vol. II, pp. 313-20. For more on this see above, p. 143.

<sup>100</sup> The same was also the case as far as Staffordshire was concerned: Gross, 'Adam Peshale', p. 159.

<sup>101</sup> *LOS*, p. 72.

was highly active in the county both during and after his tenure as sheriff.<sup>102</sup> Scargill, who was less active in the county apart from his time as sheriff, was a Yorkshire man.<sup>103</sup> This left only lesser offices in the hands of Lancashire men. John de Radcliffe remained steward of Blackburnshire after the honor was transferred to Henry of Lancaster in 1348.<sup>104</sup> William Lawrence also served as Henry of Lancaster's bailiff in the county from 1345 to 1346.<sup>105</sup> He also seems to have taken over from Radcliffe as steward of Blackburnshire in 1349 and served in that capacity until 1351.<sup>106</sup> Altogether, however, we seem to have a situation on the eve of the introduction of the palatinate, in which few Lancashire men were in the military retinue of the earl of Lancaster, were part of his peacetime affinity, or were trusted with any major offices at his disposal.

The one major event of the period that was entirely out of the range of control of the body politic was the Black Death. Recent studies, based on extensive research into manorial records, have been adjusting the number of deaths upwards<sup>107</sup> at a level ranging from one third of the population,<sup>108</sup> to almost half,<sup>109</sup> to over sixty percent,<sup>110</sup> and more.<sup>111</sup> The disease, having spread across the south from mid-1348, arrived in London early the next year.<sup>112</sup> It reached York in May 1349, and covered most of the rest of the north by the end of the summer.<sup>113</sup> The following winter killed off the plague virus, and by December 1349, the ravaging of the Black Death in England was mostly over.

Deaths were probably not evenly distributed between social classes. On a national level, we know that the higher nobility and the gentry were not as hard hit by

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<sup>102</sup> See above, p. 83.

<sup>103</sup> With others, he owed Henry Percy £100 in 1342, to be levied of their land in Yorkshire in default of payment: *CCR 1341-1343*, p. 674.

<sup>104</sup> KB 27/350/8Rd; Somerville, *History of the Duchy of Lancaster*, p. 362. See above, p. 235.

<sup>105</sup> BL, Add. Ch. 47306; KB 27/344/2R.

<sup>106</sup> Lumby (ed.), *Hoghton Deeds*, pp. 105, 157; Somerville, *History of the Duchy of Lancaster*, p. 362.

<sup>107</sup> O.J. Benedictow, *The Black Death 1346-1353: The Complete History* (Woodbridge, 2004), pp. 360-8.

<sup>108</sup> P. Ziegler, *The Black Death*, p. 230; S. Scott and C.J. Duncan, *Biology of Plagues: Evidence from Historical Populations* (Cambridge, 2001), p. 103.

<sup>109</sup> J. Goldberg, 'Introduction', in W.M. Ormrod and P.G. Lindley (eds.), *The Black Death in England* (Stamford, 1996), p. 4.

<sup>110</sup> Benedictow, *The Black Death*, p. 383.

<sup>111</sup> P. Arthur, 'The Black Death and mortality: a reassessment', in C. Given-Wilson (ed.), *Fourteenth Century England VI* (Woodbridge, 2010), p. 70.

<sup>112</sup> Ziegler, *The Black Death*, p. 156.

<sup>113</sup> Ziegler, *The Black Death*, p. 182; Scott and Duncan, *Biology of Plagues*, pp. 88-96.

the Black Death in 1348-9 as the general population.<sup>114</sup> However, we also know that the percentage of major landowning families who left a male heir fell from about 70% before the Black Death, to just over 50% a generation after.<sup>115</sup> As far as the county of Lancashire is concerned, we have no efficient way to estimate the death rate of the landed gentry. The problem is further exacerbated by the perennial shortage of inquisitions *post mortem*, because of the near-absence of crown land within the county.<sup>116</sup> For information on deaths among the major landowners of the county, we are dependent on surviving evidence of various kinds. We know that Adam Banaster of Bank died around 1349, as probably did also Sir John de Barton, Alan de Eccleston, Alan le Norreys of Speke and Robert Travers.<sup>117</sup> None of these men were central to the affairs of the county, and in none of the cases does the death seem to have ended, or seriously disrupted, the lineage.

The gentry, however, were affected by plague mortality also in indirect ways, through the death of their tenants and labourers. Opinions on the plague's effect on Lancashire have been divided. In 1890, Little dismissed contemporary accounts as highly exaggerated.<sup>118</sup> Sharpe France, however, in 1939 estimated that death rates in the county had been exceptionally high.<sup>119</sup> Later studies have tended to agree with the assessment made by Lunn in 1937: that the sparse population of the county led to death rates that were relatively low on a national scale.<sup>120</sup> But regardless of exact numbers of casualties, of which we will never be entirely certain, the wider social circumstances must also be taken into account. The county already had scarce resources, and was still recovering from the damages wrought by the Scottish raids. We must therefore assume that the consequences of the Black Death – shortage of manpower and rising costs of labour – was felt more acutely by the landowning class

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<sup>114</sup> Prestwich, *Plantagenet England*, p. 546.

<sup>115</sup> Payling, 'Social mobility', p. 55.

<sup>116</sup> See above, p. 45.

<sup>117</sup> DL 35/1/2; *VCH*, III, pp. 131-40, 348-52, 362-7; VI, pp. 102-8; VII, pp. 362-7.

<sup>118</sup> Little, 'The Black Death in Lancashire', pp. 524-5. See above, p. 28.

<sup>119</sup> R.S. France, 'A history of the plague in Lancashire', *Transactions of the Lancashire and Cheshire Antiquarian Society*, 90 (1938), pp. 1-175.

<sup>120</sup> J. Lunn, 'The Black Death in the bishop's registers', (Unpubl. Ph.D., University of Cambridge, 1937), cited in: J.F.D. Shrewsbury, *A history of Bubonic Plague in the British Isles* (Cambridge, 2005), p. 77. See also: E. Miller, 'Yorkshire and Lancashire', in Miller (ed.), *The Agrarian History of England and Wales, Volume 3: 1348-1500* (Cambridge, 1991), p. 44.

here than elsewhere. The situation was likely to exacerbate the local unrest that had been so prevalent up until this point.

Though the direct effects of the Black Death on Lancashire are hard to gauge, we can get an indication from the crown's reaction. On 20 October 1350, a twelve-man commission of *oyer* and *terminer* was appointed to enforce the Ordinance of Labourers in the county.<sup>121</sup> The list contains members of the major families such as Harrington (two), Shireburne, Haydock, Lathom and Hoghton, together with an equal number of royal justices.<sup>122</sup> This commission can be taken as a sign of local unrest; only one other *oyer* and *terminer* commission in this period was given similar powers to enforce the Ordinance of Labourers: one for Suffolk appointed on 18 November.<sup>123</sup> A peace commission from December the same year drives this point home even stronger.<sup>124</sup> This commission, containing sixty names, was exceptionally large. These drastic measures imply that the county was severely affected by the Black Death and its social repercussions, and perhaps by the fact that these came hard on the heels of the Liverpool massacre.

Three other peace commissions could boast similar numbers during our period, one in 1323, one in 1332 and one in 1345.<sup>125</sup> The commission in 1323 had employed half as many men, with a distinction between four keepers of the county and sub-keepers for each wapentake. The one from 1345 named thirty-three men, listed by wapentake. In 1350 there was no such specification, but the list still shows a cross-section of the county gentry at the time and their relations to the crown. What we notice in particular is that the Liverpool massacre seems to be water under the bridge to Westminster. The much smaller *oyer* and *terminer* commission to enforce the labour regulations contained only one man who had been involved on either side in that conflict: Gilbert de Haydock, who had lost a son in 1345. On the peace commission, on the other hand, sat a number of men from both sides of the conflict. We find William, son of Robert de Radcliffe, and Richard de Radcliffe (probably son

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<sup>121</sup> These were specially staffed commissions, separate from the commissions of the peace: W.M. Ormrod, 'The English government and the Black Death of 1348-9', in Ormrod (ed.), *England in the Fourteenth Century* (Woodbridge, 1986), p. 179.

<sup>122</sup> *CPR 1350-1354*, p. 26.

<sup>123</sup> *CPR 1350-1354*, pp. 27-8.

<sup>124</sup> C 66/230/3d; *CPR 1348-1350*, p. 533.

<sup>125</sup> JUST 1/428; *CPR 1321-1324*, p. 382; *1343-1345*, pp. 509-10. See above, pp. 188 and 222.

of William, see family tree). There are also members of the Hesketh, Holland, Norreys and Southworth families, all defendants five years earlier. More specifically, the list contains the names of six individual men who stood accused in 1345.<sup>126</sup> This was not to the exclusion of the families that had been victims of the massacre: on the commission were also two members of the Trafford family, and one each from the Ashton and Haydock families, all of whom had lost relatives at Liverpool.<sup>127</sup> The inclusive nature of the peace commission can perhaps be seen as an effort by the crown to settle the differences of the previous years. Though the growing influence of the Radcliffe family is apparent, there is no attempts at favouritism.

The final external factor to look at in this chapter, besides the Hundred Years' War and the Black Death, is the creation of the palatinate of Lancaster in 1351. By this act, Henry of Lancaster – now also the duke of Lancaster – received his own chancery, exchequer and judiciary for the county, leaving him with what was virtually an *imperium in imperio*. The two other major palatinate counties of Durham and Chester were based on ancient tradition but this grant must be considered an unprecedented event in medieval English history.<sup>128</sup> Even though attempts have been made to find a historical precedent also for the palatinate of Lancaster, it must be considered an entirely new creation.<sup>129</sup> Though it was previously common to play down the importance of liberties in favour of an emphasis on the dominance of central government, a trend in more recent historiography is to highlight the diversity of administration and power structures within the medieval English state.<sup>130</sup> It is

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<sup>126</sup> William de Hesketh, Thurstan de Holland, Gilbert de Ince, Richard de Radcliffe, William de Radcliffe and Matthew de Southworth.

<sup>127</sup> The Trafford and Ashton families were represented by their heads, Henry and John respectively.

<sup>128</sup> Palatinate status or palatinate-like liberties have, for various periods, been claimed for such diverse administrative areas as Shropshire, Kent, Ely, and the Northumberland liberties of Hexhamshire, Tynedale and Redesdale: Stubbs, *Constitutional History*, vol. I, p. 271; Morris, *The Medieval English Sheriff*, p. 64; Cam, *Liberties and Communities*, p. 209; Liddy, *The Bishopric of Durham*, p. 6; M.L. Holford 'Hexhamshire and Tynemouthshire', in Holford and K.J. Stringer (eds.), *Border Liberties and Loyalties: North-East England, c. 1200 – c. 1400* (Edinburgh, 2010), pp. 172-227. Precise definition is complicated by the fact that the term palatinate was not in use until the late thirteenth century: J.W. Alexander, 'The English palatinates and Edward I', *Journal of British Studies*, 22 (1983), p. 1.

<sup>129</sup> Rhodes, 'Edmund, earl of Lancaster', pp. 19-40; *VCH*, II, pp. 195-6, 205; Baines, *Lancaster*, vol. I, p. 56.

<sup>130</sup> T. Thornton, *Cheshire and the Tudor State, 1480-1560* (Woodbridge, 2000), pp. 1-15; R.R. Davies, 'The medieval state: the tyranny of a concept?', *Journal of Historical Sociology*, 16 (2003), pp. 280-300; K. Stringer, 'States, liberties and communities in medieval Britain and Ireland (c. 1100-1400)', in M.C. Prestwich (ed.), *Liberties and Identities in the Medieval British Isles* (Woodbridge, 2008),

therefore necessary to ask not only what the consequences of this administrative reorganisation were but also what prompted it.

If we look at the phrasing of the grant itself, we can see what Edward III himself chose to present as the official reasons for granting the palatinate and making Henry duke. The first point on the document is the blood relationship between the king and Lancaster and the propriety in elevating his cousin to a higher level of the nobility. This point was important since the title of duke, still only fourteen years old in the English peerage and granted only once before and then to the king's son and heir, would otherwise be reserved only for sons of the king throughout the reign of Edward III. Henry, described as Edward's 'cousin' in the grant, was in fact the king's second cousin, through their common great-grandfather, Henry III. Though the blood relation is emphasised, however, this is from the very start seen in conjunction with Lancaster's valuable service to the king, and his personal qualities.<sup>131</sup>

Later historians, such as Ferrer and Fowler, have been willing to take this latter explanation at face value.<sup>132</sup> The idea of military containment as a motivation behind the grant is taken more seriously by Somerville, who argues that the county of Lancashire was a better choice than Cumberland as a north-western bulwark against the Scots, because 'Cumberland was not militarily so effective as its southern neighbour'.<sup>133</sup> Other possible explanations have been presented as well: for one thing, the only existing duke in the peerage of England at the time was the Black Prince who already had palatine rights as earl of Chester. It was therefore only right that Henry, the second duke, should enjoy the same privilege.<sup>134</sup> Furthermore, the financial losses

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pp. 5-7; Holford and Stringer, 'Introduction', pp. 1-14; M.L. Holford, 'Feet of fines for the Palatinate of Durham, 1228-1457: liberties, law and the local community', *EHR*, 125 (2010), pp. 818-43.

<sup>131</sup> '*Sciatis quod etsi nos, debita consideratione pensantes gestus magnificos cunctorum qui nobis in guerris nostris laudabiliter et strenue servierunt, ipsos desideremus honoribus attollere et pro viribus juxta merita præmiare, quanto magis consanguineos nostros, quos tam in sapientia quam in gestu nobili alios præcellere conspiciamus, et qui nobis locum tenuerunt et tenere poterunt potioem, nos convenit majoribus honoribus et gratiis prærogare.*': Hardy (ed.), *Charters of the Duchy of Lancaster*, p. 9.

<sup>132</sup> Ferrer: 'No more adequate motive for the conversion of Lancashire into a county palatine can be discovered than a desire to do honour to one who was not only the greatest collateral member of the royal house but a distinguished soldier.': *VCH*, II, p. 206; Fowler: 'It has been argued that Edward III's primary concern was to defend north-western England against the Scots, as the palatinate of Durham defended the north-east; but he may have intended nothing more than to honour Henry.': *King's Lieutenant*, p. 173.

<sup>133</sup> Somerville, *History of the Duchy of Lancaster*, p. 41.

<sup>134</sup> Somerville, *History of the Duchy of Lancaster*, p. 42.

the crown suffered from the grant were negligible and the king preserved certain rights for himself, such as the right to taxation, the right to summon county representatives to parliament and the right to interfere in the palatinate court in cases of treason or error.<sup>135</sup> It has also been argued that since Henry had no male heir, Edward could expect the grant not to extend beyond Henry's lifetime.<sup>136</sup>

There is, however, another possible explanation for Edward's unprecedented and rather dramatic action, which has not been taken into account. As we have seen in the preceding pages, the situation in Lancashire was exceptionally chaotic and violent, even by the standards of the time. The previous half-century had witnessed a major armed rebellion, a county feud culminating in a large-scale massacre and the murder of several leading gentry members and a sheriff.<sup>137</sup> It may very well be that the crown simply realised its inadequacy in dealing with these problems and therefore decided to deputise the work to Henry of Lancaster.<sup>138</sup> The king certainly had faith in Lancaster's administrative abilities, in particular in his periods as lieutenant of Aquitaine. But the fact remained that Henry was mostly absent from the county and for long periods also from the country. By the grant of palatinate powers, he was given an opportunity to organise the defence of the county on a local basis – on a par with Durham or Chester – at the same time as instituting more permanent local measures of bringing peace to this volatile region. By this measure, his influence over the county was institutionalized, assuring that it was felt even when the earl was absent.

There were four occasions where a number of peace commissioners were appointed for each wapentake in Lancashire: in 1323, 1332, 1345 and 1350.<sup>139</sup> While

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<sup>135</sup> *VCH*, II, pp. 205-7; Somerville, *History of the Duchy of Lancaster*, pp. 41-3; Fowler, *King's Lieutenant*, pp. 173-4.

<sup>136</sup> McKisack, *The Fourteenth Century*, pp. 254-5; Fowler, *King's Lieutenant*, pp. 174-5; Ormrod, 'Henry of Lancaster', *ODNB*. Ormrod argues that only once the Lancaster patrimony came on royal hands, under John of Gaunt, did Edward III find it safe to grant the ducal title and palatinate in perpetuity. This, however, ignores the fact that the grant to John of Gaunt was made towards the end of Edward's life, when the king was in very poor health and Gaunt must be assumed to have been in control of royal government. See: Goodman, *John of Gaunt*, pp. 57, 62, 315.

<sup>137</sup> The caveat should be added here that Robert de Holland's assassination apparently had no connection to the county of Lancashire: see above, p. 199.

<sup>138</sup> The grant of liberties as a response to lawlessness was not unprecedented: Stringer, 'States, liberties and communities', p. 21. Though Tout mentions the lawlessness of the county as a possible reason behind the grant, he concludes that rewarding Grosmont and securing his services was the king's main motivation: Tout, *Chapters*, vol. III, pp. 191-5.

<sup>139</sup> *CPR 1321-1324*, p. 382; *1343-1345*, pp. 509-10; JUST 1/428; C 66/230/3d. For more on these commissions, see above, p. 108.

such commissions were often named for individual hundreds, or pairs of hundreds, appointments for each hundred in an entire county (or several) were extremely rare in the early fourteenth century. Musson finds only one such commission outside of Lancashire: covering Essex and Hertfordshire in 1321.<sup>140</sup> This – seen together with the exceptional size of these commissions<sup>141</sup> – is clear testimony to the crown's concern about lawlessness in Lancashire, yet such measures could only be of a temporary nature. A palatinate court, on the other hand, situated permanently in the county, could provide what Helen Cam referred to as 'justice on the doorstep'.<sup>142</sup> The problems the gentry of Lancashire experienced with obtaining justice – and their tendency to seek extra-legal remedies – were connected to the distance and difficult terrain separating them from Westminster. That there was still a demand for the kind of legal remedies the King's Bench could offer can clearly be seen in the surge in cases from Lancashire when the court sat in York.<sup>143</sup> The need for local justice was particularly acute in the aftermath of the Black Death, when the landed gentry was looking for more permanent ways to control the lower classes. This was the background for the Ordinance of Labourers, and the eventual emergence of the Justices of the Peace.<sup>144</sup>

After March 1351, as royal commissions in the county came to an end, we find a greater number of officers in the earl's employment. Interestingly, we can see a continuation of the tendency, described above, to employ non-local men to fill offices related to the county. To a large extent, this could have been simply a result of the scarcity of local men sufficiently qualified for the more technically demanding offices. This was particularly the case with the justices, for whom the duke had to head-hunt men, so to speak, from the royal system. This is not to say that these men had no connection to the county; some of them had worked there as royal justices or commissioner. On the October 1350 commission mentioned above, for instance, we

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<sup>140</sup> Musson, 'Peacekeeping in early-fourteenth-century Lancashire', p. 42. See also: Tupling, *South Lancashire*, p. lviii.

<sup>141</sup> See above, p. 108.

<sup>142</sup> H.M. Cam, 'The decline and fall of English feudalism', *History*, 25 (1940), p. 229.

<sup>143</sup> See above, p. 168.

<sup>144</sup> C. Given-Wilson, 'The problem of labour in the context of English government, c. 1350-1450', in J.S. Bothwell, P.J.P. Goldberg and W. M. Ormrod (eds.), *The Problem of Labour in Fourteenth-Century England* (Woodbridge, 2000), pp. 85-100; Musson and Ormrod, *Evolution*, pp. 52-3; M. Bailey, *The Decline of Serfdom in Late Medieval England: From Bondage to Freedom* (Woodbridge, 2014), p. 72.

find Hugh de Berwick and Thomas de Seton, who would both work as Lancaster's justices later on.<sup>145</sup> Berwick was a landowner from Market Lavington in Wiltshire, part of Grosmont's Chaworth inheritance, a connection through which he probably received his appointment.<sup>146</sup> He had been a justice of assize in the county as early as 1341<sup>147</sup> and served on a commission of *oyer* and *terminer* in 1348.<sup>148</sup> He is mentioned as a chief justice of the palatinate court in 1351 and 1352.<sup>149</sup> Seton, from Seaton Carew in Durham,<sup>150</sup> had no discernible connection to the earl of Lancaster and was more probably chosen purely for his legal expertise and experience. He also had previous experience with the county: he was a justice of assize there in June 1347 and a commissioner of *oyer* and *terminer* later the same year.<sup>151</sup> He served as chief justice in Lancaster in 1355,<sup>152</sup> but was also a justice of the King's Bench from 1354-5 and again in 1357, after which he became chief justice of this court.<sup>153</sup> The remaining chief justices were John Cockayne in 1356 and 1357<sup>154</sup> and William de Finchdean in 1359 and 1360.<sup>155</sup> Cockayne and his connection with Lancashire and the earl have already been covered above, while Finchdean had no connection with the county apart from his tenure as justice.<sup>156</sup> He was from Finsdale in the West Riding of Yorkshire and seems to have had little previous association with Grosmont, but later developed close ties with John of Gaunt.<sup>157</sup> In 1371 he became chief justice of the court of Common Pleas.<sup>158</sup> The only palatine justice who was probably a local man was Henry de Haydock. Haydock was central to Henry of Lancaster's administration of the county, since he was apparently chancellor of the county throughout the period.<sup>159</sup> He was a younger son of Gilbert de Haydock of Haydock in West Derby and represented

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<sup>145</sup> *CPR 1350-1354*, p. 26; Somerville, *History of the Duchy of Lancaster*, p. 467.

<sup>146</sup> Fowler, *King's Lieutenant*, pp. 177-8, 186.

<sup>147</sup> JUST 1/431.

<sup>148</sup> *CPR 1348-1350*, p. 67. The commission concerned, among other things, evasion of the first so-called "tunnage". For more on this, see: Harriss, *King, Parliament, and Public Finance*, pp. 457-9; Brown, *Governance of Late Medieval England*, pp. 68-9.

<sup>149</sup> DL 35/1/1, 23d.

<sup>150</sup> *The Victoria History of the County of Durham*, ed. W. Page, vol. III (1928), pp. 365-76.

<sup>151</sup> *CCR 1346-1349*, p. 277; *CPR 1345-1348*, pp. 382-3.

<sup>152</sup> DL 35/4/1d.

<sup>153</sup> Foss, *Biographia Juridica*, pp. 502-3.

<sup>154</sup> DL 35/5/1, 6/1.

<sup>155</sup> DL 35/7/1, 8/1.

<sup>156</sup> See above, p. 83.

<sup>157</sup> Walker, *Lancastrian Affinity*, pp. 31, 120, 121, 289; Goodman, *John of Gaunt*, p. 376.

<sup>158</sup> Foss, *Biographia Juridica*, p. 432.

<sup>159</sup> Somerville, *History of the Duchy of Lancaster*, pp. 467, 475.

the county in parliament seven times between 1329 and 1337.<sup>160</sup> Haydock seems not to have been one of Grosmont's men but had probably served as custodian of royal lands in Lancashire previously.<sup>161</sup>

The escheators of the county were even more peripheral characters; neither Henry de Yoxhale, Alan de Raynford nor Geoffrey de Wrightington had much discernible connection to the county prior to their term in office.<sup>162</sup> The most conspicuous exception to the main county offices being held by non-locals is with the office of sheriff. Because the sheriffs no longer accounted directly to the exchequer, it is difficult to compile a complete and reliable list of this period, but it appears that the office was held by William de Radcliffe for most of the period from 1351 to 1361. William Scargill was in office at least until Michaelmas 1352 and, though it is uncertain exactly when Radcliffe took over, he was certainly in office by April 1354.<sup>163</sup> Though John Cockayne then appears in the position once in November 1354,<sup>164</sup> Radcliffe can be found referred to as sheriff repeatedly in the records up until 1361.<sup>165</sup> This unusually long tenure of the office by one man, who came from the county, represents a reversal of the trend of non-local sheriffs we saw in the previous chapter. At the same time, it could be taken as evidence that the Radcliffe family had strengthened their position in the county through their connection with the duke of Lancaster.

The palatinate did not, however, lead to increased personal involvement in the county by the duke. Henry rarely visited the provinces in general and, when in England, he stayed mostly in London or at his favourite castle of Leicester.<sup>166</sup> A great part of his last ten years, however, was spent abroad. There was no need for Lancaster to attend the proceedings of the palatinate court, or to sign letters issued from the

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<sup>160</sup> *RMP*, pp. 87, 89, 94, 104, 109, 111, 114; *Biog. Sketches*, pp. 50-1. For more on this Henry, see above, p. 71.

<sup>161</sup> *CCR 1346-1349*, p. 344.

<sup>162</sup> Raynford appears as mainperneur on a couple of occasions in 1347 and 1348 but is otherwise hard to track down: *CPR 1345-1348*, p. 427; *CCR 1346-1349*, pp. 490, 495. The names of the defendants suggest a cross-border attachment to Cheshire. For more on these men, see above, p. 97.

<sup>163</sup> Somerville, *History of the Duchy of Lancaster*, p. 461.

<sup>164</sup> DL 37/1/7; *CFR 1347-1356*, p. 403; *Annual Report*, vol. 32, p. 333; Somerville, *History of the Duchy of Lancaster*, p. 461.

<sup>165</sup> JUST 1/439/9; 449/1; 451/1, 10.

<sup>166</sup> Fowler, *King's Lieutenant*, pp. 214-15; Ormrod, 'Henry of Lancaster', *ODNB*.

chancery, even though these letters were tested by him.<sup>167</sup> In the duke's absence, his chancery conferred the kind of benefits and concessions which otherwise went through the royal chancery: for example exemption from office or pardon of debt.<sup>168</sup> Henry's greatest impact on the county, and what set him apart from his predecessors, was probably the same thing that kept him away from the county: his military expeditions. Though we have no exact numbers, we have seen several indications that a significant number of men, and men of great standing, served overseas in these years.<sup>169</sup>

As mentioned above, the grant of palatinate rights in the county may have been an attempt at peacekeeping by the crown, encouraged by the duke, through devolution of the instruments of administration and justice.<sup>170</sup> Whether or not this worked is a difficult question to answer, not least because the legal system of the palatinate was so different in nature from the royal system. The King's Bench records can be frustratingly arid ground for evidence of gentry conflict. Assizes and various commission held in the county could bring more business; for instance, an assize from 1324 and a general *oyer* and *terminer* commission from 1343 contain a number of cases of interest for the study of the gentry.<sup>171</sup> These are exceptionally rich examples, however, and generally speaking these records do not survive in large numbers. For the entire period under study here, seventeen such rolls survive.<sup>172</sup> This is a good number compared to other counties in the same period but most of them contain much less information than the examples mentioned above.

It is therefore of great value when the palatine court produces annual rolls dealing exclusively with Lancashire. These rolls present us not only with a large number of cases, but also with occasional inter-gentry disputes – a rarity in the records of the King's Bench. The first of these rolls, from 1351, reveals disputes between the neighbouring Radcliffe and Pilkington families and between the families

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<sup>167</sup> Somerville, *History of the Duchy of Lancaster*, pp. 44-5; Fowler, *King's Lieutenant*, p. 174.

<sup>168</sup> JUST 1/435/5d; *Annual Report*, vol. 32, p. 333.

<sup>169</sup> See above, p. 94.

<sup>170</sup> See above, p. 260.

<sup>171</sup> JUST 1/426, 430. The 1343 *oyer* and *terminer* commission was appointed to inquire into the conduct of royal officials, which helps explain the high level of gentry involvement.

<sup>172</sup> JUST 1/417-30, and JUST 1/443-4, 452, dealing with the Statute of Labourers.

of Shireburne and Butler.<sup>173</sup> The increase in legal business is not necessarily the result of an increase in levels of dispute, since it corresponds with the arrival of easier access. It does, however, tell us two things: first of all, that access to a local court of justice was popular, even if it was a palatinate and not a royal court. Secondly, we can assume that there was a desire for legal remedies that was not fully met by the royal courts, which the palatine court then came in and filled. All in all, this seems to indicate that the creation of the palatinate was a successful idea.

The palatine court was not universally appreciated, however, and could be the subject of abuse of power. At a peace commission and gaol delivery in 1352, Gilbert de Haydock and his sons John and Richard were acquitted for the death of William del More of Newton in Makerfield in 1348, on the same commission where Gilbert de Haydock was one of the justices.<sup>174</sup> Another problem was with the dual role the duke of Lancaster himself occasionally held, as a party in cases before his own court. Plucknett, in his *Legislation of Edward I*, writes about a similar case involving the abbot of Westminster, and the fact that nothing could actually be done in cases where one of the parties had a franchise with return of writs.<sup>175</sup> The corresponding disadvantage to Henry's subjects should be obvious, and it is understandable that some would try to evade the palatine court and seek royal justice instead, in cases where the duke was a party to the case himself.

To take an example, in 1357 Henry duke of Lancaster, by his attorney Robert de Singleton, brought a case before the palatine court claiming the manor of Rishton in Blackburnshire, against John de Radcliffe, his wife Johanna and their son Richard, apparently a minor. John and his wife insisted that their son held no land in the county of Lancashire; that all his land was in fact in Yorkshire. To corroborate this, they brought in Edmund son of Thomas Talbot of York as warrant. For this reason, they claimed, the case should not be brought before the duke's court but should be heard in the King's Bench. Singleton – no doubt employing his knowledge of local conditions as a member of a prominent Lancashire gentry family – brought his counter-argument, not only claiming that Richard de Radcliffe did indeed hold land in

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<sup>173</sup> JUST 1/431/1d.

<sup>174</sup> JUST 1/434/1.

<sup>175</sup> Plucknett, *Legislation of Edward I*, p. 34.

Lancashire but pinpointing exactly where the land was located. Therefore, he argued, the case could indeed be brought before the present court.<sup>176</sup>

Apart from a ducal conflict of interest, there could also be other reasons why defendants would prefer to have their cases tried before the King's Bench. In a case from 1353, transcribed by Sayles in his *Select Cases*, Thomas le Molineux objected to the palatinate court's jurisdiction over a murder for which he had already received a royal pardon.<sup>177</sup> Thomas brought charges against Hugh de Berwick, the duke's chief justice, before the King's Bench.<sup>178</sup> The charges were histrionic, culminating in a demand for trial by battle, but the crux of it was that the justice had ignored the king's pardon. The pardon was issued on 14 January 1351, before the palatinate was created but, when confronted with this, Berwick replied that the pardon had indeed been respected and that Thomas had been fined for other trespasses.<sup>179</sup> When asked if these had been committed before or after the creation of the palatinate, Berwick replied that this was insignificant, since the 'cognisance of [the trespasses] ought to pertain to the duke and to no one else'.<sup>180</sup> This presents a true dilemma of the palatinate: whether Henry's court would have retroactive authority over the county. In the end, neither king nor duke could have had much interest in pursuing this case, which must have been somewhat exceptional. Instead, Berwick was imprisoned but later received a pardon.<sup>181</sup>

This clearly shows that, for all his extensive liberties, Henry's powers within his palatinate were not unlimited. As mentioned above, the king reserved for himself the right to pardon convicted felons within the county and to correct errors by the duke's justices. The King's Bench thereby functioned as a court of appeal for the palatinate court. Edward did indeed from time to time interfere in the palatine court.

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<sup>176</sup> DL 35/6/13d. It is unclear whether Singleton was successful.

<sup>177</sup> Sayles (ed.), *Select Cases*, vol. VI, pp. 87-91. Original is: E 175/2/27. The pardon can be found in: *CPR 1350-1354*, p. 21. Here it is also made clear that this Thomas was from the Molineux family of Sefton, not that of Croston. He was the son of another Thomas, who was a younger son of Richard le Molineux, lord of Sefton: *VCH*, III, pp. 66-74.

<sup>178</sup> For Berwick, see above, p. 261.

<sup>179</sup> These involved theft from Thurstan de Holland, and shooting an arrow after the sheriff John Cockayne, when the latter tried to arrest him for the abovementioned murder: Sayles (ed.), *Select Cases*, vol. VI, pp. 89-90.

<sup>180</sup> '...cognicio tamen earundem prefato duci pertinere debet et non alteri...', Sayles (ed.), *Select Cases*, vol. VI, p. 90

<sup>181</sup> Sayles (ed.), *Select Cases*, vol. VI, p. 91.

In 1356 he wrote a letter to the duke concerning a case wherein Sir John le Molineux had apparently been allowed to bring a case against Alex de Comyn, and been awarded damages, without having the proper writ. Edward asked that the case be reviewed and that justice be properly served.<sup>182</sup> In 1359, Edward ordered Henry to cease any actions against John de Coupland, who had received the manor of Morholm and a moiety of Wiresdale from the king, land escheated to the king after the death of William of Coucy.<sup>183</sup> The palatinate court was a largely autonomous body, but there was never any doubt about its subordination to the king. The statute of Westminster I is in fact quite clear on this: even in places ‘...where the king’s writ runs not...the king shall do right therein unto all such as will complain’.<sup>184</sup>

The royal restrictions on the palatine court do not seem to have caused any major problems between the duke and the king, whose relationship was almost invariably marked by co-operation. Neither does the court seem to have met with any major resistance from the local population of Lancashire; in fact, it appears to have been quite popular. We have seen previously how important proximity was for the volume of business brought before the court, and the advantage is quite obvious of this ‘justice on the doorstep’. Yet the question remains of how efficient this system was at peacekeeping on a local level. The answer to this question is hard to quantify, since an entirely new system of justice affected the amount and nature of cases before the court and a comparison between the period before and after 1351 becomes impossible. Nevertheless, as far as the sources inform us, it seems clear that from 1351 to 1361 we have a decade without serious local disturbances in the form of rebellions, assassinations or feuds. This is the longest such period at least as far back as 1315, when the local feuds were first ignited. What is less clear is the reason for this apparent pacification; whether it had to do with the war in France, and the worst troublemakers being out of the country, whether it was a result of the demographic impact of the Black Death, or whether the palatinate actually had a pacifying effect on the county.

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<sup>182</sup> JUST 1/436/6.

<sup>183</sup> *CCR 1354-1360*, p. 648; B. Lambert and W.M. Ormrod, ‘A matter of trust: the royal regulation of England’s French residents during wartime, 1294–1377’, *Historical Research*, 89 (2016), p. 221 n.

<sup>184</sup> Plucknett, *Legislation of Edward I*, p. 30.

There are, however, indications that the reason is to be found in none of these factors but in purely local conditions. For one thing, many of the men who had been central to the feuds of the previous decades were now out of the picture. After Robert de Holland's death, the main branch of that family abandoned Lancashire for Leicestershire, where most of its landed property was located.<sup>185</sup> The lands of William de Bradshaw had been divided between two nephews and it would be long before the Bradshaw family was again a major force in the county.<sup>186</sup>

As we have seen both in the aftermath of Bradshaw's murder, and most clearly in the Liverpool massacre, the defining county feud at this point was that between the Radcliffe and the Trafford families.<sup>187</sup> In the 1350s, there were certainly still signs of conflict between these families, such as an assize of *novel disseisin* brought by Thomas, son of Henry de Trafford, against John de Radcliffe over land in Flixton, running from 1352 to 1359.<sup>188</sup> These are, however, small-scale disputes, not on the scale of what had gone before. More conspicuous are signs of co-operation, such as Henry de Trafford in 1357 appearing as co-defendant with Richard de Radcliffe and John de Radcliffe, parson of Bury, in a case of abduction of a ward.<sup>189</sup> This case implies that the rift between the two families had been healed, an impression reinforced by the fact that Henry, as early as 1350, had witnessed the dowry given Robert, son of William de Radcliffe's daughter to John de Barton's son William.<sup>190</sup> As we saw in the previous chapter, the two families were connected by marriage, which could have been a contributing factor in the reconciliation.

There is also more concrete evidence that the men of the county themselves tried to restore order and maintain peace in this period. In the above-mentioned case of the murder committed by Thomas le Molineux and his subsequent pardon, Berwick, Lancaster's chief justice in the palatinate, claimed that 'the abbots, priors, knights and other trustworthy men and the whole community of the county' had approached him and his justices with a suggestion for a system of communal self-

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<sup>185</sup> See above, p. 199.

<sup>186</sup> *VCH*, IV, pp. 115-18.

<sup>187</sup> See above, p. 228.

<sup>188</sup> DL 35/2/22; 6/13; 7/30.1; JUST 1/438/3.

<sup>189</sup> *CPR 1354-1358*, p. 563. Henry was also co-defendant with the other John de Radcliffe in a different case the next year: JUST 1/438/18.

<sup>190</sup> GMCRO, E 7/10/2/12. John de Barton was a knight from Barton in Amounderness; William was not his heir: *VCH*, VII, pp. 127-28.

policing. By statute merchant, every gentleman (*gentiles homo*) would be bound to the duke by a £200 fine – £40 for those of lesser status – if they refused to be brought to justice for transgressions.<sup>191</sup> Even if it was made just before the palatinate came into being, there are signs that the arrangement was being applied already at an early phase of the palatinate period. In 1351, before the palatinate court, Nicholas Butler, Otto de Halsale and Richard de Kighley were all recorded as owing the duke £40.<sup>192</sup> The sum corresponds to those noted above, except that some leniency must have been applied, since Butler and Kighley were both knights and Halsale would certainly have been considered a gentleman.<sup>193</sup> Whether these guarantees worked or not, the effort tells us something about the prevailing mindset of the county at the time. According to Berwick, the gentry and clergy had suggested this system because ‘in no other way could peace there be maintained’.<sup>194</sup> If this is true, it shows a realisation within the county that the peacekeeping situation was out of control, and called for exceptional measures.

Even more importantly, this effort at communal peacekeeping was done with the duke as guarantor. The palatinate court created a situation where the duke could be referred to as a higher authority in the settlement of conflict, a role in which the King’s Bench had so far proved inadequate. Such an arrangement had up until then been impossible, since the previous earls had respectively been too powerless on the national scene to exert any real influence locally, or used his position of power to distribute undue favouritism rather than promoting internal cohesion. Efforts by local men to take matters into their own hands, through rebellion or vendettas, had been counter-productive, and escalated the conflict level. It was the enhanced authority of the duke of Lancaster, backed by royal sanction, that eventually provided a forum for local conflict resolution.

In 1315, conflicts in Lancashire that originated within the retinue of Thomas of Lancaster erupted into open hostilities. Unfortunately for the county, it fell victim to

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<sup>191</sup> Sayles (ed.), *Select Cases*, vol. VI, pp. 89-90. The arrangement is mentioned in: Walker, *Lancastrian Affinity*, pp. 154-5. See also: Powell, ‘Arbitration and the law’, p. 53.

<sup>192</sup> JUST 1/431/1d

<sup>193</sup> For Butler and Kighley, see the list of knights (**Appendix 1, p. 276**). Halsale was the lord of Halsale in West Derby: *VCH*, III, pp. 191-7.

<sup>194</sup> ‘...pax ibidem nullo alio modo manuteneri potuit.’, Sayles (ed.), *Select Cases*, vol. VI, p. 90.

political infighting on a national level. What could have been an opportunity to resolve local hostilities was wasted. The response to the rebellion was purely retaliatory, first through Thomas of Lancaster's suppression of the rebellion, and later – once royal authority was temporarily re-established – through Edward II's inquisition into this and later events. Consequently, the problems continued, with factional strife and the assassination of central gentry members, leading up to the 1345 Liverpool massacre.

At this point, the national political climate was a very different one, which was reflected in the response to local disturbances. Edward III and Henry of Grosmont in partnership made an effort to resolve the issues in a manner that could also be beneficial to themselves, first through pardons in return for military service and later through the creation of a county palatine for Grosmont. Though it is hard to say with any certainty, it seems the years from 1351 to 1361 were in fact more peaceful than the fifty years that had gone before. If so, there were three factors that primarily contributed to this: the outlet offered by military service abroad, access to justice on a local level, and – not least – a collaborative effort by local gentry, duke and crown to settle differences and find methods for conflict resolution.

Whatever the outcome, it very much seems as if the creation of the palatinate was owed in large measure to the need to provide workable local methods for keeping the peace, in a county that was distant from Westminster, the second line of defence against the Scots and dominated by a national figure who was close to the king and therefore to be trusted in this capacity but for the same reason often absent on his own or the king's business. It seems also to have been very much in keeping with the steps towards local peace-keeping that Edward was taking at this time.<sup>195</sup>

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<sup>195</sup> Carpenter, 'Bastard feudalism in the fourteenth century', pp. 81-6

## Conclusion

A quick look at a topographic map of England tells us that for medieval Lancashire, more than for most English counties, geography was destiny. Bounded by the Pennines, the Cumbrian Mountains, the Irish Sea and the Mersey, the county was largely isolated from the surrounding country, an isolation that was much less surmountable then than it is today. This isolation, however, did not confer a social unity on the landed elite; for that the county was too large. Instead, a division existed in the south between the western and eastern parts of the county, while the northern parts largely fell under the influence of the powerful border lords of Westmorland and Cumberland.

The county was peculiar in its tenurial patterns as well as in its geography. Much of the land was held by non-resident landowners, and – from 1311 – the earl of Lancaster was not only by far the greatest landowner in the county, but the only one who could truly be considered a magnate, with power and influence on a national scale. The earl of Lancaster, however, showed little interest in the county, and only rarely visited. Thomas of Lancaster left the charge of the county almost entirely in the hands of his local favourite, Robert de Holland, Henry of Lancaster was either struggling to regain his patrimony or medically incapacitated, while Henry of Grosmont used Lancashire primarily to reward members of an affinity of outsiders, through land or offices.

As a result, the local gentry became marginalized. They were deprived of most avenues of connection and influence to the national centre of power – already prohibitively far away – as well as the local influence that came with holding the major local offices. Neither did they have the value to the crown of their neighbours to the north and north-east, who were charged with the defence of the realm against the Scots. To their comparative political impotence was added relative poverty, because the land was of exceptionally low value, dominated in large parts by mountains, forests and marshland. Only very few were able to expand their possessions with holdings outside Lancashire. Already one of the poorest counties in

England, Lancashire's situation was exacerbated by the effects of Scottish raids and the Great Famine, which accompanying murrains hit the county particularly hard.

Under these circumstances, there was already a likelihood that the county would descend into widespread violence and lawlessness. When this did happen, there can be no doubt that the mismanagement of the county by Thomas of Lancaster was a major, possibly decisive, contributing factor. Yet the factors mentioned above were equally important: a society existing at subsistence level, with a landed class fighting over whatever meagre resources were available. That these poor opportunities for social and economic advancement were behind the county feuds can be seen by the prominence of younger and bastard sons among the aggressors. With little land and few opportunities for noble or royal service, even the wealthiest landowners had difficulties providing for a large number of children.<sup>1</sup>

One outlet for these men could be war. It is interesting to note that the worst period of county violence was the years between 1315 and 1345. Bookended as it was by the battles of Bannockburn and Crécy, this period was the nadir of the county gentry's military involvement under the three Edwards. The advent of the first large-scale military operations of the Hundred Years' War was followed, in 1351, by the introduction of the palatinate of Lancaster, which offered the county a formal means of conflict resolution on its home turf. Most importantly, these measures were put in effect through the co-operation of the local gentry, the earl (eventually duke) of Lancaster and the king, all in stark contrast to the situation a generation earlier. It is conspicuous how accurately circumstances in Lancashire mirror those on the national scene: the uproar over Edward II's relationship with Gaveston is reflected in the reaction to Thomas of Lancaster's favouritism towards Robert de Holland. Later, the harmony between Edward III and Grosmont resonates in the Lancashire gentry's trust in their county's chief magnate.

Some of the problems troubling the county, relating to natural factors, were difficult to address, while other, more political issues, had potential solutions. To explore other possible paths for Lancashire, we can take a longer perspective on the history of the county after the death of Henry of Grosmont. John of Gaunt succeeded his father-in-law as duke of Lancaster in November 1362 but had to wait until

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<sup>1</sup> Carpenter, *Locality and Polity*, pp. 211-12.

February 1377 for the palatinate rights of the county to be revived.<sup>2</sup> This second palatinate period does not seem to have been as relatively peaceful as the first one.<sup>3</sup> At the Gloucester parliament of October 1378, a petition once more complained about gang violence in the county of Lancashire.<sup>4</sup> In January 1379, Thomas de Halghton received a pardon for the death of Nicholas Heryng, a former justice of the peace.<sup>5</sup> In May 1382, there were ‘unusually frequent complaints’ that certain men of Lancashire had ‘by covin and confederacy’ been stealing victuals.<sup>6</sup> In 1393, the men of Cheshire, Lancashire and Yorkshire rose up in rebellion against the earls of Lancaster and Gloucester.<sup>7</sup> The palatinate court, it seems, was not in itself enough to solve the problems of lawlessness that affected the county. One could blame the lull in military activity between the treaty of Brétigny and the campaigns of Henry V but, for the followers of John of Gaunt, this inactivity should have had less impact than for the rest of the nation. In fact, as Simon Walker has shown, during the 1370s, Gaunt’s main recruiting-ground for retainers shifted from Yorkshire to Lancashire, and from this period onward Lancashire became increasingly more important to the duke.<sup>8</sup>

Military opportunity and a local court of justice were only partial remedies for the county; at the core of its difficulties rested the fact that it was completely dominated – both in a tenurial and in a bastard feudal sense – by a non-resident magnate. Even if John of Gaunt retained more men in the county than his predecessors had, the vast majority of the county gentry was still left without a personal line of contact with the crown.<sup>9</sup> Henry Bolingbroke relied greatly on his Lancashire retinue – inherited from his father – both for his assumption of power and for consolidating that power after he was established as king.<sup>10</sup> Once the duchy

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<sup>2</sup> Somerville, *History of the Duchy of Lancaster*, pp. 50, 56; Goodman, *John of Gaunt*, p. 328.

<sup>3</sup> *VCH*, II, p. 209; S.K. Walker, ‘Lordship and lawlessness in the palatinate of Lancaster, 1370-1400’, *Journal of British Studies*, 28 (1989), pp. 325-348.

<sup>4</sup> *Rot. Parl.*, i, iii, pp. 42-3.

<sup>5</sup> *CPR 1385-1389*, p. 73.

<sup>6</sup> *CCR 1381-1385*, p. 67.

<sup>7</sup> *VCH*, ii, pp. 210; Tout, *Chapters*, vol. III, p. 483; Bennett, *Community Class and Careerism*, p. 169; Given-Wilson, *Henry IV*, p. 89. For the situation at an ever later date, in 1410, see: King, ‘Anglo-Scottish marches’, p. 42.

<sup>8</sup> Walker, *Lancastrian Affinity*, pp. 32-5.

<sup>9</sup> For Walker on this, see above, p. 135.

<sup>10</sup> Somerville, *History of the Duchy of Lancaster*, p. 138; J.L. Kirby, *Henry IV of England* (London, 1970), p. 55; Bennett, *Community Class and Careerism*, pp. 38-9, 212; A.L. Brown, ‘The reign of Henry IV: the establishment of the Lancastrian regime’, in S.B. Chrimes, C.D. Ross and R.A. Griffiths

merged with the crown, Lancashire fell into the realm of royal administration and thereby also developed closer ties with the royal earldom of Chester.<sup>11</sup> For this reason, Bennett's Mersey-straddling gentry community has little relevance to the early fourteenth century.

But, as argued above, both royal and noble patronage were of limited scope; access and influence through personal channels were of greater importance.<sup>12</sup> This is where the Stanley family comes into the picture. The story of the meteoric rise of the Stanleys, from the younger gentry son John Stanley to Thomas Stanley, earl of Derby, three generations later, has been told in detail elsewhere.<sup>13</sup> Originally from Storeton in Cheshire, just south of Liverpool, Sir John Stanley owed his good fortune to service in war and at court. Obtaining the manors of Lathom and Knowsley in West Derby through marriage, he became the leading landowner in that hundred.<sup>14</sup> Further acquisitions, and a marriage with a daughter of the Harrington lineage, made his son by the same name the dominant landowner in all of Cheshire and South Lancashire.<sup>15</sup> The family built an extensive network in the area, including a number of local retainers.<sup>16</sup> Their influence at court could then be used to promote the interests of their neighbours, friends and retainers, which in turn enhanced their prestige further at home.<sup>17</sup> Bennett writes of the region in the late fourteenth and early fifteenth century:

Unfortunately there were no resident noblemen to act as brokers between crown and community, to offer uncontested leadership in local life, and to ensure that the flow of royal patronage underpinned, rather than undermined the social order. It was this fragile

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(eds.), *Fifteenth Century England 1399-1509: Studies in Politics and Society* (Stroud, 1995), pp. 14-15; Castor, *King, Crown, and Duchy of Lancaster*, pp. 22-31; Spencer, *Nobility and Kingship*, p. 126. Lancashire was one of only three counties where Henry was dominant: Given-Wilson, *Henry IV*, p. 21.

<sup>11</sup> Bennett, *Community Class and Careerism*, pp. 212-15.

<sup>12</sup> See above, p. 122.

<sup>13</sup> Bennett, *Community, Class and Careerism*, pp. 215-23; B. Coward, *The Stanleys, Lord Stanley, and Earls of Derby, 1385-1672: The Origins, Wealth, and Power of a Landowning Family* (Manchester, 1983), pp. 2-6; Morgan, *War and Society*, pp. 88-91, 171-4; D.J. Clayton, *The Administration of the County Palatine of Chester, 1442-1485* (Manchester, 1990), pp. 69, 145-55; Thornton, *Cheshire and the Tudor State*, pp. 17-18.

<sup>14</sup> *VCH*, III, pp. 157-68, 247-58.

<sup>15</sup> Bennett, *Community, Class and Careerism*, pp. 215-23.

<sup>16</sup> Coward, *The Stanleys*, pp. 111-26, especially 117-18.

<sup>17</sup> Coward, *The Stanleys*, pp. 142-61.

link in the chain of 'good lordship' that the Stanleys of Lathom came to exploit so effectively.<sup>18</sup>

The question of whether this development helped pacify the county lies outside the scope of the present dissertation. It would be meaningless to contend that the emergence of a resident magnate family was a panacea; for that the underlying problems were too entrenched. The fifteenth century, especially the second half, was extremely turbulent on a national level. Certainly, the county was not immune to the troubles of the disastrous reign of Henry VI, and many of its inhabitants suffered from their conflicting loyalties under the Yorkist regime.<sup>19</sup> Furthermore, as we saw in Chapter 1, Lancashire seems to have had a poorer economic development in the years from 1334 to 1515 than any other English county.<sup>20</sup> And yet, the conflict level of the early fourteenth century was not seen again.

Undoubtedly, there were late medieval societies – such as Wright's Derbyshire – that could coexist and thrive with little or no magnate involvement. But in those societies, the upper gentry took on the role that magnates would otherwise have filled.<sup>21</sup> A more fatal flaw, however, was an absence of any useful local leadership, resulting in a complete disconnect from the centre of power. The creation of the Palatinate and then the close relationship to the crown had been a partial solution but the county had still been subject to the vicissitudes of the quality of leadership from the duke and then from the crown. Further work on the county in the fifteenth century would be needed to assess whether the rise of the Stanleys as a locally based and intermediary noble power did resolve this long-running conundrum.

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<sup>18</sup> Bennett, *Community, Class and Careerism*, p. 215.

<sup>19</sup> Somerville, *History of the Duchy of Lancaster*, pp. 222-5.

<sup>20</sup> See above, p. 30.

<sup>21</sup> Wright, *Derbyshire Gentry*, p. 82; Carpenter, *Locality and Polity*, p. 288; Watts, *Henry VI*, pp. 93-4; Mercer, *Medieval gentry*, p. 23.

## Appendix 1: List of Lancashire knights, 1298 – 1361

Name:	Sources:
Atherton, William de	DL 35/1/5d (1352); JUST 1/437/11, 14d (1356-8), 441/1 (1350s), 446/1 (1352); LA, DDX 895/10 (1357); LA, DDM 17/36 (1368).
Banaster of Bretherton, Thomas I	LA, DDCL 1240 (1298); LA, DDIN 56/10 (1298); Rylands Ch. 719 (1299); LA, DDF 527 (1300s).
Banaster of Bretherton, Adam I	<i>CAD</i> , 6, pp. 470-83 (1309); <i>CIPM</i> , V, 279 (1311); Tupling, <i>South Lancashire</i> , pp. 38, 42-6 (1315).
Banaster of Bretherton, William	LA, DDST 34/1 (1304); LA, DDL 38 (1305); <i>RMP</i> , p. 19 (1304); <i>CIPM</i> , V, 279 (1311).
Banaster of Bretherton, Thomas II	Tupling, <i>South Lancashire</i> , pp. 67-8 (1323); LA, DDHE 23/2 (1327).
Banaster of Bretherton, Adam II	JUST 1/430/30d (1340).
Banaster of Bretherton, Thomas III	DL 35/6/14d (1357); JUST 1/438/17 (1358); RSLC, v. 93, p. 101 (1368); Rylands Ch. 740 (1376).
Barton, John de	JUST 1/429 (1338); <i>CPR 1343-1345</i> , pp. 509-10 (1345).
Bickerstaff, Ralph de	LA, DDBL 42/48 (1315); Tupling, <i>South Lancashire</i> , pp. 42-6 (1315).
Bradshaw, William de	<i>RMP</i> , p. 49 (1314); Tupling, <i>South Lancashire</i> , pp. 15, 42-7, 67-8 (1315, 1323); KB 27/235/42Rd, 175 (1319), 254/16 (1323), 261/138d (1323), 260/143 (1325), 265/55d (1326), 297/12R (1333); <i>CCR 1323-1327</i> , p. 509 (1325).
Bury, Henry de I	<i>CIPM</i> , V, 279 (1311); Tupling, <i>South Lancashire</i> , pp. 42-6 (1315).
Bury, Henry de II	KB 27/344/2R (1346); 350/16R (1347).
Butler of Rawcliffe, Nicholas le	KB 27/352/25d (1348); JUST 1/431/1d (1351), 453/3 (1352), 435/20 (1353), 436/8, 8d, 9 (1355-6), 449/5 (1357), 437/11 (1356-8), 14d (1356-8), 438/9 (1358), 18 (1358); DL 35/1/14d (1351), 2d, 4d, 25d, 29d (1352), 2/19d (1352), 4/5d, 9d, 28 (1355); <i>CPR 1343-1345</i> , pp. 509-10 (1345); <i>CFR 1347-1356</i> , p. 268 (1350).

Butler of Warrington, William le	JUST 1/429 (1338), 437/14d (1356-8), 438/13d (1358); DL 35/1/23d (1352), 3/14d (1354), 3/7 (1355), 4/5d, 12, 27 (1355), 5/3, 22 (1356), 6/25, 29d (1357); <i>CCR 1354-1360</i> , pp. 513-14 (1358).
Butler of Warrington, John le	DL 35/6/14d (1357), <i>CCR 1354-1360</i> , p. 513 (1358); LA, DDM 17/36 (1368).
Byron, John de I	LA, DDTR 25/26/282 (1291).
Byron, John de II	LA, DDR 26/7/252; 253 (1309); LA, DDHU 12/34 (1311).
Byron, Richard de	LA, DDTR 26/7/252, 253 (1309); LA, DDHU 12/34 (1311); LA, DDTR 25/26/127 (c. 1316); LA, DDTR 25/26/136 (1317); LA, DDHU 37/11 (1320); KB 27/297/27R (1334); JUST 1/426/1d (1324-5).
Byron, James de	DL 35/3/5 (bef. 1355).
Clifton, William de I	<i>RMP</i> , p. 19 (1305); Tupling, <i>South Lancashire</i> , p. 89 (1323).
Clifton, William de II	LA, DDBL 25/1 (1329); LA, DDST 75 (1351, 1362); JUST 1/429 (1338), 430/2 (1343), 453/3 (1352), 436/8, 8d, 9 (1355-6), 437/1d, 10, 11 (1356-8); DL 35/5/7 (1356), 6/6d (1357), 7/30.1 (1359).
Clitheroe, Adam de	KB 27/286/126, 292/17, 299/13R, 300/26R (1333), 297/20R (1334), 302/26Rd (1335); <i>CCR 1333-1337</i> , p. 179 (1333); LA, DDIN 12/3 (1349).
Dalton, Robert de	Tupling, <i>South Lancashire</i> , pp. 39 (1315), 75-6 (1316-7), 80-2 (1322), 67-8 (1323); <i>CCR 1323-1327</i> , p. 12 (1323); KB 27/255/6R (1324), 297/21Rd (1328), 26Rd (1334); LA, DDSC 4118 (1330); LA, DDSC 63/13 (1331); LA, DDL 437 (1332); <i>CCR 1343-1346</i> , p. 122 (1343); <i>CPR 1345-1348</i> , p. 379 (1346); LA, DDHE 26110 (1344).
Dalton, John de	Fowler, 'Henry of Grosmont', vol. II, pp. 244-63 (1344); <i>CFR 1347-1356</i> , p. 31 (1347), p. 403 (1354); <i>CAD</i> , 3, pp. 549-61 (1349); LA, DDHE 26/14 (1353).
Hesketh, John de	KB 27/272/70 (1328); LA, DDTR 29/3/327 (1329); LA, DDHE 36/6 (1331); LA, DDSC 63/13 (1331); LA, DDL 515 (1332); LA, DDN 1/25 (1340); DL 35/1/1d (1351), 5/24 (1356); DL 35/1/4d, 5d, 7, 27d, 2/11d, 30, 31 (1352).
Hesketh, William de	LA, DDN 1/25 (1340); JUST 1/430/29d (1340), 444/5 (1350), 449/3 (1356), 437/2-5, 11 (1356-8); LA, DDHE 11/9 (1341); KB 27/344/2R (1346), 346/40R+d (1346), 350/16R, 155d (1347), 356/20Rd (1349); LA, DDF 438 (1349); DL 35/1/1d (1351), 4d, 5, 27d (1352), 2/11d, 30 (1352), 3/2, 6d

	(1355), 4/7 (1355), 5/18, 19.1d (1356), 7 (1356), 6/6d (1357); <i>RMP</i> , p. 164 (1360); LA, DDHE 11/12, 26/14 (1353), 18/13 (1360), 11/15 (1361).
Hoghton, Richard de	KB 27/258/19R (1324); LA, DDCL 3 (1328); JUST 1/427/3d (1329); LA, DDBL 25/1 (1329); LA, DDF 851 (1330); RSLC, v. 46, p. 93 (1334); <i>RMP</i> , p. 117 (1337); LA, DDST 3 (1338); <i>CCR 1339-1341</i> , p. 228 (1339); LA, DDF 2395 (1339).
Hoghton, Adam de	JUST 1/430/30d (1340), 16d, 29 (1343), 435/28d (1353), 436/8, 8d, 9 (1355-6), 437/11 (1356-8), 438/9 (1358), 440/3d (1361); <i>CFR 1337-1347</i> , p. 492 (1346); DL 35/5/8, 24 (1356), 6/7d, 14d (1357), 7/30.1 (1359); RSLC, v. 46, p. 93; <i>CCR 1354-1360</i> , p. 624 (1359); LA, DP 397/24/3 (1361); LA, DDST 75 (1362); Rylands Ch. 740 (1376).
Holland, Robert de I	LA, DDIN 6/17 (1292); LA, DDBL 42/42 (1296); LA, DDBL 46/3 (1300); LA, DDIN 3/1 (1301); LA, DDM 49/8 (1302).
Holland, Robert de II	RSLC, v. 93, p. 2 (c. 1320); Tupling, <i>South Lancashire</i> , p. 40 (1315); <i>CPR 1317-1321</i> , p. 227 (1318); LA, DDIN 22/5 (1321); <i>Parl. Writs</i> , vol. II, ii, p. 201 (1322).
Holland, William de	LA, DDBL 42/48 (1315); LA, DDIN 53/21 (1315); LA, DDIN 53/25 (1315); Tupling, <i>South Lancashire</i> , pp. 40, 42-6 (1315).
Holland, Richard de	KB 27/235/14Rd (1319), 255/16Rd (1324); <i>CCR 1318-1323</i> , p. 488 (1321); Tupling, <i>South Lancashire</i> , pp. 69-71 (1316-7), pp. 46-7, 75-6, 80-2, 96-7 (1322-3); <i>Parl. Writs</i> , vol. II, ii, pp. 201, 211 (1322).
Holland, Robert de III	KB 27/297/93, 96 (1334); <i>CCR 1341-1343</i> , p. 261 (1341); RSLC, v. 46, pp. 118-19 (1343); JUST 1/435/13d (1353), 438/3d (1358), 440/2 (1361); DL 35/4/5, 25d, 5/31 (1355), 7, 20, 22d, 24 (1356), 6/19 (1357).
Kighley, Richard de	Add MS 26,593 ff 1-3d (1332); <i>CCR 1343-1346</i> , p. 122 (1343); JUST 1/430/2 (1343), 431/1d (1351), 453/3 (1352), 436/8, 8d, 9 (1355-6).
Kirkby, John de II	<i>CFR 1347-1356</i> , p. 268 (1350); JUST 1/434/4, 446, 447/1-2 (1352), 436/8, 8d, 9, 437/10, 11 (1355-6), 440/3 (1361); DL 35/7/2; 5 (1359).
Lathom, Robert de	LA, DDIN 6/17 (1292); LA, DDBL 46/3 (c. 1300); LA, DDM 49/8 (1302); LA, DDIN 23/37 (1308); <i>Parl. Writs</i> , vol. II, ii, 2, p. 392 (1309); LA, DDM 17/7 (1315); LA, DDIN 22/5 (1321); LA, DDF 617 (1322).

Lathom, Thomas de	LA, DDBL 14/2 (1328); LA, DDCL 3 (1328); LA, DDSC 63/13 (1331), 43A/64 (1336), 28/2 (1340), 43A/70 (1342); LA, DDM 48/4 (1332), 17/23 (1336), 51/22 (1342), 71 (1343), 74, 75 (1346), 35/7, 49/27 (1359); <i>CCR 1337-1339</i> , p. 513 (1338); <i>1343-1346</i> , p. 657 (1345); <i>1346-1349</i> , p. 173 (1346); p. 398 (1347); KB 27/297/93, 94 (1334), 352/25d (1348); <i>CPR 1348-1350</i> , pp. 515-6 (1350); DL 35/1/12d, 14d (1351), 4d, 5d, 23d, 27d, 30, 2/15, 30, 31 (1352), 3/11 (1354), 6d, 7d, 30, 4/2, 2d, 4, 7, 10, 11, 15, 23, 24d, 25, 26d (1355), 6/7d (1357); JUST 1/452/1 (1350), 435/6d, 19, 33 (1353), 436/8, 8d, 9, 437/13d (1355-6), 449/3 (1356), 437/10 (1356-8); RSLC, v. 93, p. 191 (1353), 101 (1368); v. 46, p. 145 (1354); Fowler, 'Henry of Grosmont', vol. II, pp. 313-20 (1361).
Lea of Croston, William de I	KB 27/272/56d (1328), 280/49 (1330); LA, DDTR 30/6/216 (1328), 5, 29/3/327 (1329); LA, DDL 513, 1036 (1329), 437, 514 (1332), 516 (1337); JUST 1/429 (1338), 430/29d (1340); LA, DDN 1/25 (1340); <i>CPR 1343-1345</i> , pp. 509-10 (1340); LA, DDHE 11/10 (c. 1341); LA, DDF 565 (1341), 654, 655 (1346), 567 (1349).
Lea of Croston, William de II	DL 35/8/13d (1360).
Lea of Lea, Henry de	LA, DDBL 46/3 (c. 1300); <i>CIPM</i> , V, 279 (1311); Tupling, <i>South Lancashire</i> , pp. 38, 42-6 (1315).
Mascy, Hamo de	LA, DDBL 17/8 (1347); JUST 1/446 (1352); JUST 1/436/8, 8d, 9 (1355-6).
Molineux of Crosby, John de	LA, DDBL 14/2, 50/24 (1328), 46/6 (1335), 50/30 (1342), 51/19 (1343), 46/8, 55/15 (1349), 50/37, 38 (1350); KB 27/297/107, 125 (1334); LA, DDM 17/21 (1336), 51/22 (1342), 49/27 (1359); JUST 1/429/1 (1338), 430/20 (1341), 15 (1342), 6d, 29 (1343), 436/6, 449/3 (1356), 436/15 (1355-6), 437/2-5, 11 (1356-8), 449/5 (1357), 451/1 (1358); RSLC, v. 93, p. 4 (1334), 5 (1339); <i>CCR 1349-1354</i> , p. 503 (1352); DL 35/1/26 (1352), 4/17 (1355), 6/4, 16 (1357).
Neville of Hornby, John de	<i>CCR 1323-1327</i> , p. 635 (1326); Cotton Nero C VIII (1334).
Neville of Hornby, Robert de	RSLC, v. 46, p. 125 (1346); JUST 1/443/4d (1350), 435/28d (1353); DL 35/5/8 (1356).
Neville of Middleton, Edmund de	<i>CPR 1317-1321</i> , p. 227 (1318); Tupling, <i>South Lancashire</i> , pp. 63-6 (1324); <i>CCR 1333-1337</i> , p. 297 (1334); KB 27/297/103 (1334); DL 25/3472 (1334); <i>RMP</i> , p. 117 (1337); RSLC, v. 46, pp. 118-19 (1343);

	<i>CIPM</i> , VIII, 654 (1346).
Pilkington, Roger de	LA, DDHU 12/5 (1318); LA, DDHU 37/11 (1320); <i>Parl. Writs</i> , vol. II, ii, p. 201 (1322).
Shirbourne, Robert de I	LA, DDTR 30/6/2/6 (1328); LA, DDCL 3 (1328); LA, DDF 851 (1330), 2394 (1332); LA, DDST 3 (1334, 1337, 1338); KB 27/297/103 (1334).
Shirbourne, John de	JUST 1/430/20 (1341); RSLC, v. 93, p. 185 (1343); <i>CCR 1343-1346</i> , p. 122 (1343); <i>1346-1349</i> , p. 250 (1347); LA, DDF 530 (1344); RSLC, v. 31, pp. xii-xiii (1348).
Shirbourne, Robert de I	LA, DDST 3 (1348), 75 (1351); JUST 1/431/1d (1351), 438/18 (1358); DL 35/5/20 (1356), 717 (1359).
Trafford, Henry de I	LA, DDTR 26/7/253 (1309), 26/7/254 (1313), 25/18/134 (1315), 26/135, 127 (1316), 105, 136 (1317), 107 (1318), 14/124 (1334); Tupling, <i>South Lancashire</i> , pp. 92-6 (1322-3); LA, DDX 895/48 (1324); <i>CAD</i> , 3, pp. 340-51 (1333).
Trafford, Henry de II	LA, DDTR 26/1/215 (1339); GMCRO E 7/10/2/12 (1350); <i>CPR 1354-1358</i> , p. 563 (1357); JUST 1/435/32d (1353), 437/11 (1356-8), 438/18 (1358); Add MS 32,103 f 23d (1368).
Walton, Adam de	LA, DDN 1/19 (1310); <i>CIPM</i> , V, 179 (1310); Tupling, <i>South Lancashire</i> , p. 42-6 (1315).

List-specific abbreviations:

- RSLC, v. 31 *The Exchequer Lay Subsidy Roll for Lancashire, 1332*, ed. J.P. Rylands, RSLC, 31 (1896)
- RSLC, v. 46 *Final Concords of the County of Lancaster, part II (Edward II and Edward III), A.D. 1307 to A.D. 1377*, ed. W. Farrer, RSLC, 46 (1910)
- RSLC, v. 93 *A Calendar of the Norris Deeds*, ed. J.R. Lumby, RSLC, 93 (1939)

## Appendix 2: List of Lancashire officers, 1298 – 1361

**Kn - Knight**  
**Sh - Sheriff**  
**KS - Knight of the Shire**  
**CA - Comm. of Array**  
**OT - Oyer & Terminer**  
**CP - Comm. of the Peace**  
**TC - Tax commission**  
**MC - Minor commission**

Name	Active	Kn	Sh	KS	CA	OT	CP	TC	MC
Banaster, T	1288-1323	x	x	x	x				
Banaster, W	1288-1324	x		x					
Barton, J de	1323-1356	x					x		x
Barton, Rb de	1309-1332			x		x	x	x	
Beetham, T de	1290-1313	x		x					x
Bickerstaff, H de	1342-1348			x				x	x
Bickerstaff, Rl de	1309-1315	x	x	x					
Billisthorp, Rb de	1338			x					
Bradshaw, W de	1313-1334	x		x				x	
Bredkirk, Ad de	1346			x					
Burton, Rg de	1295-1300					x			x
Butler, H le	1297	x		x					
Butler, Ni le	1300-1350	x		x			x	x	
Butler, W le	1285-1358	x					x		x
Byron, J de	1303-1314	x				x	x		x
Carles, W	1353-1354			x					
Chisenhale, J de	1313-1316				x			x	
Clifford, Rb de	1297-1341				x	x	x		
Clifton, W de	1298-1360	x		x	x		x	x	
Clitheroe, J de	1322-1346			x					
Clitheroe, Rb de	1297-1339					x		x	
Croft, H de	1323-1331					x	x		
Croft, J de	1318-1350						x		
Culwin, Rb de	1344-1345						x	x	
Dacre, Edm de	1287-1331	x		x	x				
Dacre, Rl de	1313-1345	x			x		x		
Dacre, W de	1286-1361	x			x	x	x	x	x
Dalton, J de	1301-1354	x		x	x				
Dalton, Rb de	1314-1348	x		x			x		x
Denton, Ri de	1315-1351	x			x		x		x
Dewyas, John de	1295-1311	x		x					
Eccleston, Al de	1316-1345						x	x	
Eccleston, W de	1350						x	x	
Farrington, Rg de	1348-1360			x					x
Farrington, W de	1323-1337						x	x	
Fighirby, H de	1313			x					
Foucher, Rb	1332		x		x	x			
Gentil, J	1300-1307				x			x	x
Gentil, W	1307-1333		x	x	x		x	x	x

Name	Active	Kn	Sh	KS	CA	OT	CP	TC	MC
Gosenargh, T de	1343-1350					X			X
Gynes, Baldwin de	1323-1325	X					X		
Gynes, Ingelram de	1285-1323	X							
Halghton, Ad de	1314	X		X					
Halsale, Otto de	1350-1359			X				X	X
Harrington, J de	1281-1352	X		X	X	X	X	X	X
Harrington, M de	1309-1327	X		X	X		X		
Harrington, Rg de	1350					X			
Haydock, G de	1320-1350			X		X	X		
Haydock, H de	1329-1361			X		X			X
Haydock, Mt	1318-1347	X				X			
Haydock, Rb de	1300			X					
Hephale, Rb de	1303				X				
Hesketh, W de	1350-1360	X		X			X		
Hoghton, Ad de	1344-1361	X	X	X		X		X	
Hoghton, Ri de	1298-1344	X	X	X	X	X	X	X	X
Holland, Ri de	1299-1331	X							
Holland, Rb de	1300-1332	X			X	X		X	X
Hornby, J de	1314-1340	X		X	X	X		X	X
Hornby, Rb de	1347-1355			X					
Huddleston, J de	1297-1340	X			X	X	X		
Huddleston, Ri de	1304-1335	X			X	X	X		X
Ipre, J de	1358-1361		X						X
Ireland, Rb de	1322-1337			X					
Kighley, H de	1284-1312	X		X	X	X			X
Kighley, Ri de	1318-1343	X			X		X		
Kirkby, J de	1300-1360	X			X		X	X	
Lancaster, J de	1306-1358			X	X	X	X		X
Langton, J de	1299-1361	X			X				X
Lathom, Rb de	1282-1325	X			X	X	X	X	X
Lathom, T de	1318-1354	X		X	X	X	X	X	X
Lawrence, W	1327-1354			X		X		X	X
Lea, H de	1285-1315	X	X						
Leyburn, Ni de	1307-1316	X			X				
Leyburn, Rb de	1310-1328	X	X	X	X		X		
Malton, H de	1309-1324		X	X	X	X		X	X
Molyneux, Ri	1281-1354			X			X	X	
Multon, T de	1303-1311	X		X	X	X			
Nevill, Edm de	1314-1346	X	X	X	X	X	X	X	X
Norley, Thurstan de	1315-1324							X	
Norreys, Alan le	1300-1312				X	X			
Norreys, Ni de	1324-1329			X					
Norreys, Rb	1300-1362				X				X
Nowell, Ri	1342-1360			X			X	X	X
Pilkington, J de	1316			X					
Pilkington, Rg de	1290-1350	X		X	X		X		
Plesington, Rb de	1342-1348			X					X
Prescot, Rb de	1339-1359			X		X	X	X	
Radcliff, J de	1318-1357			X		X		X	X
Radcliff, Rb de	1334-1346		X	X	X			X	

<b>Name</b>	<b>Active</b>	<b>Kn</b>	<b>Sh</b>	<b>KS</b>	<b>CA</b>	<b>OT</b>	<b>CP</b>	<b>TC</b>	<b>MC</b>
Radcliff, Ri de	1304-1360				x		x	x	x
Radcliff, W de	1309-1361		x	x			x	x	
Redman, Mt de	1292-1324	x		x	x		x	x	x
Sapirton, W de	1330			x					
Shirbourn, J de	1344-1347	x				x	x		
Shirbourn, Rb de	1305-1336			x	x	x	x	x	x
Shireburn, W de	1350					x			
Singleton, G de	1297-1326	x		x		x			x
Singleton, Rb de	1343-1357			x				x	x
Slene, W de	1306-1324			x					
Southworth, G de	1309-1347	x	x					x	
Stapleton, Ni de	1311-1317	x							
Strickland, Walter de	1306-1324	x			x				
Sutton, H de	1302				x				
Talbot, Edm	1303-1325	x							
Tatham, W de	1323-1340					x		x	x
Thornton, T de	1313-1328	x		x					
Trafford, H de	1291-1357			x		x	x	x	
Travers, J	1280-1361	x		x	x	x		x	x
Travers, Lawrence	1309-1345						x		x
Travers, T	1297-1346	x	x	x		x	x	x	x
Ungoun, J	1343			x					
Walton, W de	1295-1345			x	x				
Warburton, G de	1327-1358	x	x				x		
Worthington, W de	1328-1334					x			

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C 66	Patent Rolls
DL 25	Deeds, Series L
DL 28	Various Accounts
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DL 34	Letters and Diplomatic Documents
DL 35	Common Bench: Plea Rolls
DL 37	Chanceries: Enrolments
DL 40	Returns of Knights' Fees
DL 41	Miscellanea
DL 42	Miscellaneous Books
E 101	King's Remembrancer: Accounts Various
JUST 1	Assize Rolls
JUST 3	Gaol Delivery Rolls
KB 27	Coram Rege Rolls
SC 1	Ancient Correspondence
SC 8	Ancient Petitions

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DDBI	Blundell of Little Crosby Deeds
DDCI	Clifton of Lytham Deeds
DDCr	Stanley of Cross Hall Deeds
DDF	Farrington of Worden Deeds
DDFo	Formby of Formby Deeds
DDHe	Hesketh of Rufford Deeds
DDHk	Hawkshead-Talbot of Chorley Deeds
DDHo	De Hoghton of Hoghton Deeds
DDHp	Hopwood Manuscripts
DDHu	Hulton of Hulton Deeds
DDIn	Blundell of Ince Blundell Deeds
DDL	Finch, Johnson & Lynn, Solicitors, Preston
DDLi	Lilford of Bank Hall Deeds

DDM	Molyneux of Sefton Deeds
DDN	National Trust Deeds
DDR	Rawstorne Muniments
DDSc	Scarisbrick of Scarisbrick Deeds
DDSt	Shireburne of Stonyhurst Deeds
DDTo	Towneley of Towneley Deeds
DDTr	De Trafford of Trafford Deeds
DDX	Miscellaneous
DP	Purchased Documents
RCHY	Hornby Catholic Mission Papers

University of Manchester Library:

Clowes Deeds  
 Crutchley Muniments  
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Greater Manchester County Record Office

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