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ENGLISH POLITICS AND THE SHERIFF OF KENT, 1378

By FELIX HULL, B.A., Ph.D., and ROSEMARY A. KEEN, B.A.

THE years 1376-8 were full of intense political activity and intrigue. By 1376 the old King, Edward III, was under the influence of his fourth son John, Duke of Lancaster, best known as John of Gaunt, and also of his mistress Alice Perrers. The heir apparent, Edward the Black Prince, lay dying, unable to exert any great influence on public affairs, while his son, Richard, was but a minor.

In this situation there was a remarkable drawing together of all those in opposition to Lancaster, an opposition most fully illustrated in the work of the "Good Parliament" held in April, 1376, when lords and commons united to bring down those who had the ear of the King. The spokesman of this popular party was Peter de la Mare, and he sponsored forceful measures against the minions of Lancaster and even against Alice Perrers herself. In this activity the knights of the shire among the Commons appear to have been virtually unanimous.¹

The months immediately following this assembly saw the failure of its hopes; the death of the Black Prince and the reassertion of Gaunt as the power behind the throne. By the autumn the nobles who had assisted in the work of the "Good Parliament" had been bribed or otherwise tamed and Lancastrian power rebuilt to such a degree that the acts of that parliament were expunged from the Statute Book and the assembly itself declared no parliament.

By the end of the year a new parliament was called of which it was written: "the Duke had obtained knights of the counties of his own choosing." So much was this the case that a mere handful remained of the earlier opposition and de la Mare languished in prison. The "Packed Parliament" of January, 1377, marked a new high limit for the Duke's power, but it was based largely on the support of an old and ailing man, and when Edward III died on 21st June, John of Gaunt's influence was temporarily at an end. For the next year at least Richard II ruled largely without his uncle's close advice and the power of Lancaster, although still considerable, was relatively in eclipse.

Apart from the power resulting from political intrigue, it must be recalled that Lancastrian strength arose from the ownership of vast estates in every county within the kingdom. Even in Kent there were a number of manors within the liberty of the Duchy, though it must be

¹ See Trevelyan, *England in the Age of Wycliffe*, for an account of this affair.

admitted that these were largely in West Kent and except for West Wickham were by no means of outstanding importance or wealth.

This is the general background to an important and interesting document which recently came into the Kent Archives Office. Early in 1957 the County Council acquired nearly 400 medieval deeds relating to the family of de Cobham, a number of which are worthy of detailed treatment.¹ One of these is the release in 1378 by Thomas de Cobham at the close of his year as high sheriff to his successor, John de Freningham, of all the effects of his office. Itself an unusual and valuable document, its interest is enhanced by the political implications of the period.

In 1376 the sheriff of Kent was Nicholas atte Crouch, and into his hands fell the task of acting as returning officer for the election of knights in April of that year. The Kent members were Thomas Fogge and Thomas de Cobham, releasor of the document in question. So far as we know, therefore, he was one of the knights in that assembly who attacked and temporarily overthrew the power of John of Gaunt. Nor is this unexpected, for the temper of Kent was hardly likely to be in line with the house of Lancaster. Kentish associations tended to lie with the fortunes of the Black Prince and with his wife, Joan Plantagenet, the Fair Maid of Kent.

On the other hand the existence of Duchy manors in Kent and more especially the fact that the Earl of Stafford, a close henchman of the Duke's, owned Tonbridge Castle, would presuppose a Lancastrian faction which might be aroused when need served.

It is the more regrettable, therefore, that so far it has not been possible to sift the evidence which might establish the political affinities of Henry de Apuldefeld who became sheriff in the autumn of 1376, when Gaunt's star was once more in the ascendant, and who was returning officer at the time of the "Packed Parliament," when Robert Paskelle and Arnold St. Leger sat for Kent. Apuldefeld was not fated to retain his shrieval office for a full term, for ancient usage decreed that the sheriff's official "death" coincided with that of the monarch. In June, therefore, the death of Edward resulted in a change of sheriffs and the name of Thomas de Cobham was pricked for Kent. Can it be entirely coincidence that on two occasions within eighteen months when the Lancastrian fortunes were at a low ebb, de Cobham was chosen to represent his county, first as knight and then as sheriff? In the autumn of 1377 he in turn made a return of knights for a new parliament, naming James de Peckham and John de Freningham. The latter was to be de Cobham's successor as sheriff in 1378 and the recipient of the deed referred to above.

¹ K.A.O., U601. Although originally part of the Cobham Hall MSS., these deeds were sold many years ago and formed part of the Clapper Brooke collection.

What, then, are the contents of this document ?

It begins with references to the fiscal duties of the sheriff, the annual rental of the tourn, a matter of £44 0s. 5½d., and writs relating to payments to five pensioners of whom Nicholas Episwyche, Nicholas Barber, Peter Reade and John Musket are not identifiable with any degree of certainty.¹ The fifth person listed has a very special Kent interest, for it is Joan Princess of Wales, the Fair Maid herself, towards whose pension the sheriff finds £30 a year.

Then follows the handing over of Canterbury Castle and the 23 prisoners therein. With a few exceptions the form of entry gives the name of the prisoner, the person before whom and occasionally where he was indicted, and the person or persons with whom the indictment rests ["*cuius indicamentum remanet penes A.B.*"]. This type of entry accounts for all but four prisoners. The four exceptional cases are those of John Knyght taken armed and William Crouch taken with a horse, for whom no further information is given presumably because they were caught red-handed ; and William White and John Thedam of Elham who were involved in financial cases based on statutes staple, the former man being heard before "*maiore Stapule de Quesneburgh.*"²

It is unfortunate that the charge against the prisoners is not necessarily given. The coroner as the officer responsible in cases of sudden death prefers the charge against the prisoners in nine cases. In two instances felony is given without further detail, but regarding the five men indicted before Thomas Garwentone, William Makenade and William Horne, justices of peace, there is no indication of their crime. Since the parishes in which the prisoners resided are not named, little can be added to their story. Agnes Jekyn was indicted to answer regarding the death of William Jekyn, her husband ; Thomas Thedam senior of Elham, as mentioned above, was involved in a debtor's suit with John Pyel, citizen of London ; and John Cokkesford was indicted regarding the death of John Ricard of Hoo St. Werburgh. John Knyght who was taken armed had in his hand a sword, "*zone,*" "*unius loculi vocato Pouche*" and a dagger to the value of five shillings. The "*zone*" would appear to be an early use of the word "*gun,*" though whether in 1378 it can be said to relate to a form of firearm must remain doubtful.³ The juxtaposition of a gun and a pouch is at least suggestive.

¹ The Patent Rolls refer to a Peter Rede of Dover who was a commissioner regarding piracy in 1370, and also to a Nicholas Barber who was "serjeant of the livery of the household" and was granted a pension of 10 marks a year in January, 1371.

² Queenborough received its grant of a staple in 1369, and this must be one of the few early references to the wool trade there.

³ *N.E.D.* also gives Chaucerian use of word for a missile hurled by an engine of war.

After the list of prisoners the equipment associated with incarceration is listed. Some of these words are obscure, but it is evident that the sheriff had a due supply of shackles, manacles, branding irons, locks and keys, together with "unum hamer."

Finally there are listed six indictments remaining in the sheriff's hands, all of which were taken before previous sheriffs or their bailiffs and with one exception were heard at a tourn. The exception is that heard before the bailiff of Shewingham at a view of frankpledge held at Longbridge. We are given no details of the charges, but the prisoners include William Berker of Eastling, John Bocher of Chepstowe, William Haket, chaplain, charged with certain felonies, and also Thomas "persona de ecclesie de Lullyngston."

While a single document of this kind cannot be the basis for detailed study leading to definite conclusions, a number of its features are of some special interest. First there is the vitality of the sheriff's jurisdiction which was based on the lathe and not the hundred. Including the six recorded indictments there are seven direct references to cases heard before the sheriff at the tourn. Secondly there are the coroners who also were apparently appointed on a lathe basis at this time. This is fresh information regarding the function of that unit of administration during the later Middle Ages. Thirdly the references to justices, by being unrelated to territorial divisions, emphasize the more modern origin of that office.

One final problem is as yet unresolved. In this document are named in all seven coroners, or past coroners, one of whom has died. Three of the remainder have relinquished or been relieved of their office. Yet normally the coroner, unlike the sheriff, served for life and could only be removed on account of his unsuitability, in which case a writ of *de coronatore exonerando* was prepared. It is tempting to wonder whether, as certainly happened with sheriffs and the knights of the shire they returned, there was any tampering with the coroners by the intriguing politicians and nobles of the day.¹

What follows is an extended transcript of the deed with the minimum of modernization of usage; and then a table setting out the twenty-three prisoners and all the relevant information regarding them.

Hec indentura facta apud Cantuariam die lune proximo ante festum sancti Thome Apostoli anno regni Regis Ricardi secundi post conquestum secundo testatur quod Thomas de Cobeham nuper vicecomes Kancie liberavit Johanni de Frenyngham nunc vicecomito eiusdem

¹ The general thesis of this note is supported by the evidence of the *Coram Rege* roll for Michaelmas Term, 1381, given in full with a useful introduction in *Arch. Cant.*, IV (1861), 67-86. In this there is evidence for later intrigue by John of Gaunt's supporters which included the intended killing of both de Cobham and Frenyngham, surely a significant sequel to the events noted above.

comitatus successori predicti Johannis virtute brevis domini Regis eidem Thome directi predictum comitatum cum rotulis brevibus memorandis et omnibus aliis ad officium vicecomitem spectantibus videlicet unum Rentale de redditu turni vicecomitis continens per annum xliiij li vd ob. unam cedul' de munitis redditibus unum breve patens pro Nicholao Episwych heremita de tribus denariis diurnis unum breve patens pro Nicholao Barber de vjd diurnis unum breve patens pro Petro Reade de x marcis annuis unum breve patens pro Johanne Musket de iijd. per diem unum breve patens pro Johanna principissa Wall' de xxx li annuis Et predictus Thomas liberavit prefato Johanni Castrum Cantuariense cum prisonibus et omnibus aliis et singulis in predicto castro existentibus videlicet corpus Willelmi Foxtegh indicati coram Willelmo Apuldfeld nuper vicecomito comitatus predicti ad Tournum Suum tentum apud Shewynghopeshashe cuius indicamentum remanet penes Robertum Bealknapp' et Rogerum Digge nuper justiciarios ad goalam castri Cantuariense deliberandum assignatos corpus Radulphi Godefray indicati coram Ricardo Pope nuper coronatoro domini Regis in lasto de Eillesford de morte Johannis Rielf cuius indicamentum remanet penes eundem nuper Coronatorem Corpus Agnetis Jekyn indicato coram Johanne de Evesyngge nuper Coronatoro domini Regis in lasto de Shewynghope iam defuncto de morte Willelmi Jekyn quondam viri suo cuius indicamentum remanet penes Eustachium de Evesyng' filium et heredem predicti Johannis nuper Coronatoris Corpus Roberti Lethirstede indicati coram Johanne Colbrond ballivo lasti de Shewynghope de diversis felonis similiter cum indicamento eiusdem Roberti Corpus Johannis Knyght capti cum manuopere unius gladii unius zone unius oculi vocati Pouche unius cultelli vocati Daggere precii vs. una cum manuopere predicto Corpus John Burgh approbatoris cuius appellum remanet penes Johannem Belsham coronatorem civitatis Cantuariense Corpus Thome Blere indicati coram Roberto de Haghe nuper coronatoro domini Regis in lasto Sancti Augustini de morte Thome atte Hoo cuius indicamentum remanet penes eundem nuper coronatorem Corpus Willelmi Pollard approbatoris cuius appellum remanet penes Rogerum Delham coronatorem domini Regis in lasto de Eillesforde Corpus Willelmi Crouche capti cum manuopere unius equi similiter cum equo predicto Corpus Simonis Bone indicati coram Johanne Toucestre coronatorem domini Regis in lasto sancti Augustini de morte Johanni Foghel cuius indicamentum remanet penes eundem coronatorem Corpora Johannis Pippewell Johannis Watson¹ Johannis Orpyntone Willelmi Shachleffeld¹ et Thome¹ Cokman indicata coram Thoma Garwentone Willelmo Makenade et Willelmo Horne justiciarios domini Regis ad pacem

¹ These three names have been amended by the scribe and his earlier entries deleted.

ipsius Domini Regis de diversis feloniiis Corpus Ricardi Derby indicati coram Johanne de Dene nuper Coronatorem domini Regis in lasto de Eillesford de morte Johannis Detlynge cuius indicamentum remanet penes eundem nuper Coronatorem Corpus Willelmi White capti per quoddam breve Dominis Regis de Statute Stapule occasione cuiusdam recognitionis per predictum Willelmum cuiusdam Johanni de Kelsham coram maiore Stapule de Quesneburgh primo die Januarie anno domini E[dwardi] tercii nuper Regis Anglie xlvij^o facte [de xl li *written above in different ink*] quas ei solvisse debuit in festo sancti Petri quod dicitur advincula tunc proximo sequento ¹Corpus Johannis Thedam senior' de Elham captum per quoddam breve domini Regis de Statuti Stapule occasione cuiusdam recognitionis facte per predictum Johannem cuidam Johanni Pyel civi London' de ducentis libris quas ei Solvisse debuit in festo Pasch' anno regni domini E[dwardi] tercii nuper Regis Anglie xlvij^o Corpus Johannis Cokkesford indicati coram Ricardo Pope nuper Coronatorem domini Regis in lasto de Eillesford de morte Johannis Ricard de parochia sancte Wereburge in Hoo cuius indicamentum remanet penes eundem nuper coronatorem Corpus Mauricii Northwode indicati coram Johanne Toucestre coronatorem domini Regis in lasto sancti Augustini de morte Johannis Lepere cuius indicamentum remanet penes eundem coronatorem Item corpus Henrici Dod indicati coram Johanne de Evesynge nuper coronatorem domini Regis in lasto de Shewynghope de morte Johannis Poosh cuius indicamentum remanet penes Eustachium filium et heredem predicti nuper coronatorem Corpus Johannis Stede indicati coram Johanne Dene nuper Coronatorem domini Regis in lasto de Eillesford de morte Johannis Seathman cuius indicamentum remanet penes eundem nuper coronatorem Corpus Rogeri atte Broke indicati coram Roberto Bealknapp et sociis suis nuper justiciariis domini Regis E[dwardi] tercii nuper Regis Anglie ad pacem nominatis nuper domini in comitatu predicto conservandum assignatis de diversis feloniiis cuius indicamentum remanet penes eosdem nuper Justiciarios item predictus Thomas liberavit prefato Johanni nunc vicecomiti tria pecia comped'² cum quatuor cereris et quatuor clavibus duo pecia fergerum tres graperas tres shakeles ferreis unum annelt unum pouchoum unum hamer Item liberavit prefato nunc vicecomiti quoddam indicamentum captum coram Galfrido Colpeper nuper vicecomiti comitatu predicti ad Tournum suum tentum apud Shewynghope in Septimania Pasche de Willelmo Berker de Eslynge Item unum aliud indicamentum captum coram Willelmo Apuldrefeld nuper vicecomiti comitatu predicti ad Tournum suum

¹ Change of ink. Up to this point the deed appears to have been prepared in advance with considerable care, the remainder and the alterations noted may well have been added some days later and show evidence of being cramped for lack of space.

² *compedito* : to shackle.

No. in doc.	Name of prisoner	Charged before	Where charged	Crime, if stated	Indictment rests with
1	William Foxtegh	William Apuldfrefeld, sheriff	Tourn at Shewinghopehashe	—	Robert Bealknapp & Roger Digge justices of gaol delivery
2	Ralph Godefray	Richard Pope coroner of	Aylesford	death of John Rielf	Richard Pope
3	Agnes Jekyn	John de Evesynge, decd., former coroner of	Shewinghope	death of her husband William Jekyn	Ernest de Evesynge son of John
4	Robert Lethirstede	John Colbrond, bailiff	Shewinghope	felony	John Colbrond
6	John Burgh	John Belsham coroner of	Canterbury	appeal case	—
7	Thomas Blere	Robert de Haghe former coroner of	St. Augustine	death of Thomas atte Hoo	Robert de Haghe
8	William Pollard	Roger Delham coroner of	Aylesford	appeal case	—
10	Simon Bone	John Toucestre coroner of	St. Augustine	death of John Foghel	John Toucestre
11	John Pippewelle	Thomas Garwentone } Justices of peace William Makenade } William Horne }	—	—	—
12	John Watson				
13	John Orpyntone				
14	William Shackelfeld				
15	Thomas Cokman	John de Dene former coroner of	Aylesford	death of John Detlynge debt; statute staple	John de Dene John de Kelsam
16	Richard Derby				
17	William White				
18	John Thedam senior of Elham	—	—	debt; statute staple	John Pyel citizen of London
19	John Cokkesford	Richard Pope [as in 2]	Aylesford	death of John Ricard of Hoo St. Werborough	Richard Pope
20	Maurice Northwode	John Toucestre [as in 10]	St. Augustine	death of John Lepere	John Toucestre
21	Henry Dod	John de Evesynge [as in 3]	Shewinghope	death of John Poosh	Ernest de Evesynge [as in 3]
22	John Stede	John Dene [as in 16]	Aylesford	death of John Seathman felony	John Dene
23	Roger atte Broke	Robert Bealknapp "et sociis," justices of peace			
5	John Knyght "capti" with sword, zone, pouche, dagger worth 5s. in his hand				
9	William Crouche "capti" with a horse				
<i>Indictments</i>					
1	William Berker of Eastling	Geoffrey Colpeper, sheriff	Tourn at Shewinghope		
2	John Bocher of Chepstowe	William Apuldfrefeld, sheriff	Sutton at Hone		
3	John Chesman	John Colbrand, bailiff	"ad visum francplegii apud Longbredge"		
4	William Haket, chaplain	Nicholas atte Crouch, sheriff	Tourn at St. Augustine		
5	Richard de Renham	Robert de Notyngnam, sheriff	" at Shipway		
6	Thomas parson of Lullingstone	Henry Apuldfrefeld, sheriff	" at Sutton at Hone		

tentum apud Sutton atte Hone de Johanne Bocher de Chepstowe et aliis in eodem indicamenta contento item quoddam indicamentum de Johanne Chesman capto coram Johanne Colbrand ballivo domini Regis in lasto de Shewynghope ad visum francplegii tentum apud Longebregge de diversis felonis item unum aliud indicamentum de Willelmo Haket capellano capto coram Nicholao atte Crouch nuper vicecomiti comitatus predicti ad Turnum suum tentum apud Sanctum Augustinum de quibusdam feloniis item unum indicamentum factum coram Roberto de Notyngham nuper vicecomiti comitatus predicti ad Turnum suum tentum apud Shipweye de Ricardo de Renham de quibusdam feloniis Item unum indicamentum de Thoma persona de ecclesie de Lullyngeston factum coram Henrico Apuldrefeld nuper vicecomiti comitatus predicti ad Turnum suum tentum apud Sutton atte Hone die Sabbati in Septimania Pasche In cuius rei testimonium partes predicti Hiis indenturis sigilla sua alternatim apposuerunt. Datum die et anno supradictis. [Armorial seal of Thos. de Cobeham. Device : a cross. Legend : S. Thome . de . Cobeham. See *Arch. Cant.*, XXVIII (1909), 237-8, explaining the connection of Cobham of Rundale with the Pencestre family. This seems undoubtedly a use by this branch of the Cobham house of the Pencestre arms, *gules, a cross argent*, such as was borne by Stephen de Cobham, grandfather of Thomas.]