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## THE COMMUNITY OF KENT IN THE REIGN OF RICHARD II<sup>1</sup>

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Our picture of medieval politics has often been dominated by kings and barons. These men, the great landholders, were important, but even medieval political structures were complex, and the power of the great depended ultimately on the support they could gain from lesser men. That support had to be won; it did not come automatically as the reward of greatness. Hence the attention now being given to the lesser landholders of medieval England. Full length studies have appeared of Gloucestershire in the fourteenth century; and of Lancashire and Cheshire; and there are also a number of articles and theses.<sup>2</sup> The present paper is an outline study of those who were politically active in Kent during the reign of Richard II; aiming to identify who they were and to set them against the background of the general body of landholders in the county, not all of whom seem to have taken any significant part in county affairs. It will be convenient first to survey the pattern of landholding in Kent; and then to identify and discuss those who actually formed the politically active group.

<sup>1</sup> An earlier draft of this paper was read to the medieval and early modern history seminar at the University of Kent. The discussion was very helpful, and I would like to thank all those present, and particularly Mr. Andrew Butcher, for their comments then and at other times, even if I have not always taken the advice offered. They have, of course, no responsibility for the final text.

<sup>2</sup> Nigel Saul, *Knights and Esquires: the Gloucestershire Gentry in the fourteenth Century* (Oxford, 1981); Michael J. Bennett, *Community, Class and Careerism. Cheshire and Lancashire Society in the Age of Sir Gawain and the Green Knight* (Cambridge, 1983); R. Virgoe, 'The Crown and local Government: East Anglia under Richard II', in (Eds.) F.R.H. Du Boulay and C.M. Barron, *The Reign of Richard II* (London, 1971), 218-41; for other local studies of fifteenth-century politics, see (Ed.) R.A. Griffiths, *Patronage, the Crown and the Provinces in later medieval England* (Gloucester, 1981), and (Eds.) R.L. Highfield and Robin Jeffs, *The Crown and local Communities in England and France in the fifteenth Century* (Gloucester, 1981).

The best place to begin a survey of the landholders of Kent in the reign of Richard II is paradoxically thirteen years after the king's deposition, in the assessment for the tax of 1412. It was to be specially assessed, and to fall on everyone holding land to the annual value of £20 or more: 6s. 8d. for the first and every additional £20 of land, except for certain exempt categories. There had, therefore, to be a general assessment of all landholders. The Kentish returns<sup>3</sup> were made by William Kyriel, Valentine Baret, and John Darell, commissioned by virtue of letters patent of 2 January, 1412;<sup>4</sup> though in the return the commissioners were joined by the sheriff William Notebeme, and the escheator, Reginald Pympe. There is a list of 178 named landholders with an assessment of the value of their holdings (plus five more who are named but for whom the assessment is missing). Four of the 178, however, are assessed at sums below the minimum of £20, in one case, the Earl of Westmoreland, at as little as 18s. Assuming these four to be included in error, the 174 who remain should be the major landholders of Kent, apart from the exempt categories of land already mentioned. They are not exactly those who held land in Richard's reign: some people have died and are represented by widows or heirs. One of the leading figures, Sir John Cobham, had died in 1408, having endowed a college whose master appears holding land worth £42, and an heir by marriage, Sir John Oldcastle, whose assessment is annoyingly missing.<sup>5</sup> Some will have left no representatives to be assessed at all, and others may well have contrived to be overlooked.

Nevertheless, the returns provide a picture of the structure of landholding in Kent which is not likely to have changed dramatically in the years since 1399.

Of the 174 named landholders with assessments of £20 or over, twenty were ecclesiastics or ecclesiastical corporations, holding in all nearly 14 per cent of the assessed land.<sup>6</sup> The lands of the church are clearly under-represented. By the grant of the tax,<sup>7</sup> all lands purchased into mortmain before 1291 and all lands purchased in free alms by spiritual lords and religious after that date were exempt (apparently because they contributed to the clerical tenths). It is difficult to get

<sup>3</sup> The returns are printed in *Feudal Aids 1284-1431* [hereafter *Feudal Aids*], vi (London, H.M.S.O., 1920), 465-77.

<sup>4</sup> *Calendar of Patent Rolls* [hereafter *CPR*] 1408-1413 (London, H.M.S.O., 1909), 379.

<sup>5</sup> *Feudal Aids*, vi, 467.

<sup>6</sup> Any landholder holding less than £20 annual value of land is ignored, so these holdings did not equal 14 per cent of all land in Kent.

<sup>7</sup> *Rotuli Parliamentorum* (n.d.), iii, 648-9.

any idea of what proportion of clerical lands came within these categories, but they correspond to the normal terms, since 1 Richard II, of the grant of a fifteenth and tenth, which says that the tax shall fall on the profits of all ecclesiastical holdings acquired, or sometimes acquired in mortmain, since 20 Edward I.<sup>8</sup> Earlier acquisitions, presumably by far the larger part of church lands, were apparently exempt. The tax of 1412 can therefore hardly be used as a guide to the landed wealth of the church. Indeed, it certainly exaggerates the relative wealth of recent foundations, such as the priory of Dartford, founded in 1346, which is assessed at £157 13s. 2d., the largest assessment of any Kentish landholder. By contrast, Christ Church, Canterbury, is only assessed at £43 13s. 4d., and St. Augustine's at £55; while the archbishop only figures at all as holding certain lands in wardship.<sup>9</sup>

The nobility held even less than the lands attributed to the church: 11 per cent of the assessed land in 1412; not surprisingly nobles were more prominent among the wealthier landholders, holding 20 per cent of the assessed land held by those possessing at least £60-worth of land, annual value. Nevertheless, the seventeenth-century pattern of Kent as a county without great resident nobles was clearly true of the later Middle Ages as well. Stafford, Fitzalan, Grey of Codnor, Holland, Mortimer, Poynings, Roos, de Vere, la Zouche, all held land in Kent, but none seems regularly resident. Significantly, the wealthiest in Kentish land was Poynings, a Sussex family which advanced relatively recently.

The great bulk of the land – 75 per cent of that assessed – was in the hands of lesser men; in all 141 are named, 88 holding lands assessed between £20 and £39; but seven were among the wealthiest, including a number of names familiar in Kentish history: Haute, Culpepper, Digges, Kyriel, Bettenham. Further down the list there were many of consequence: Savage, Pympe, Norbury, Septvans, Cheyne, Cobham, Fiennes, Fogge, Crowmer, Cosington, Scott. Already Kent is a county of lesser landholders, mostly independent of the control of the great. There seems little evidence to suggest that retainership was politically important in this county, though such bonds may be difficult to trace. John of Gaunt held some lands in Kent, Farnborough among them,<sup>10</sup> but no Kentishman is listed among his known retainers. It is also likely that the Stafford family had some followers; indeed, it is obvious that one of the 1381 rebels who was accused of

<sup>8</sup> See for instance, *ibid.*, 75, 134.

<sup>9</sup> *Feudal Aids*, vi, 465–7, 470.

<sup>10</sup> E. Hasted, *The History and topographical Survey of the County of Kent* (12 vols., Canterbury, 1797–1801, reprinted 1972) [hereafter Hasted] ii, 48.

attacking a number of prominent Kentish gentry, had the support of the Earl of Stafford, for he received a pardon at his instance.<sup>11</sup>

It is obvious that the 1412 assessment does not give a complete picture of the situation under Richard II; but, though it can be filled out from the pages of Hasted's *History of Kent*, there is nothing to suggest that the pattern earlier was noticeably different.

In 1412, the nobility cut a particularly small figure. This was partly because the only great honour in Kent, the honour of Tonbridge, was in wardship in that year. During much of Richard II's reign, it was held by the Earls of Stafford – later to become Dukes of Buckingham. They held much of the area around Tonbridge, and many of the landholders were their tenants. But the earls themselves, after Ralph's death in 1372 (he actually died at Tonbridge) were mostly minors or short-lived; and Tonbridge, though the centre for their south-eastern estates, never seems to have been much used by the earls or later dukes personally.

The bulk of the land of Kent, as suggested in 1412, was indeed held by well-known Kentish families. Hasted adds quite a few to the list already given: Brockhull, Farningham, Frogenhall, Garwinton, atte Lees, Paveley, Peche, Potyn, St. Leger. Some of these had relatively recently reached the status of landholders. Of the 25 families listed so far, only Brockhull, Cobham, Culpepper, Cosington, Farningham, Garwinton, Haute, Kyriel, Pympe, and Septvans had figured in the list of landholders assessed for the aid of 1346 for the knighting of the Black Prince;<sup>12</sup> the late fourteenth century was a time of considerable social mobility. There are also some interesting newcomers from outside the county: a John de Woodville of Grafton in Northamptonshire appears holding the Mote at Maidstone,<sup>13</sup> which was to be an important base of the family even after their rapid rise in the middle of the fifteenth century. Less notable but interesting was Richard Hextall who came from Staffordshire and acquired further lands in Kent by marriage.<sup>14</sup> His main seat was in East Peckham among the lands of the barony of Stafford. He clearly came in the service of the earls, and one of his descendants, William Hextall, was receiver of the Duke of Buckingham in the 1450s.<sup>15</sup>

But the bulk of the significant newcomers to Kent were courtiers

<sup>11</sup> *CPR 1381-85* (London, H.M.S.O., 1897), 409. Retaining seems to have been much more important in Gloucestershire society, see N. Saul, *op. cit.*, chapter 3.

<sup>12</sup> *Feudal Aids*, iii (London, H.M.S.O., 1904), 20-52.

<sup>13</sup> Hasted, iv, 290.

<sup>14</sup> *Ibid.*, v, 101, 318.

<sup>15</sup> See K.B. McFarlane, 'The Wars of the Roses', *Proceedings of the British Academy*, 1 (1964), 92, n., 1.

for whom the attractions of Kentish land proved irresistible, and whose sometimes great gains clearly aroused resentment. It is very conspicuous that the commons, and it seems the Kentishmen in particular, were very hostile to the king's favourites at the time of the 'Merciless' parliament of 1388, and particularly to Simon Burley.<sup>16</sup> It is interesting to discover that the 'king's friends' had been piling up extensive Kentish estates. Most conspicuous were Robert Beaknap, Nicholas Brembre, and above all Simon Burley. Brembre held or had an interest in four Kentish manors all acquired early in the reign. Two of them were granted, after Brembre's attainder in 1388, to another Londoner, Adam Bamme, goldsmith and twice mayor.<sup>17</sup> Robert Beaknap seems to have gained much more: 14 manors are mentioned in Hasted as held by him before his attainder in 1388.<sup>18</sup> His heir Hamo recovered part of at least one of his manors later; and, in 1412, Robert's widow was still assessed at £26 13s. 4d.<sup>19</sup> But much the greatest gains were Simon Burley's; and they were not straightforward purchases. The story has been worked out by N.B. Lewis, who explained that Burley managed to divert to himself, during the 1380s, a group of lands which had escheated to the Crown and which had been intended by Edward III to endow three religious houses, the Abbey of St. Mary Graces by the Tower, the College of St. Stephen's Chapel at Westminster, and the Convent of the Friars Preachers at King's Langley.<sup>20</sup> With these lands Simon Burley made himself a dominant figure in Kent in the 1380s, Constable of Dover, Warden of the Cinque Ports, at the head of every commission of the peace of those years.

Within this larger body of landholders, a much smaller group held the main county offices, those of justice of the peace and sheriff. A total of 70 people served on the commissions of the peace for Kent during the reign;<sup>21</sup> but a number of these were professional judges, who were always appointed to strengthen the county commissions; and others served as constables of Dover castle, of which there were six during the reign, none of whom apart from Burley had any landed

<sup>16</sup> Simon Burley's fate, and the importance of Kentish feeling, are discussed in A. Tuck, *Richard II and the English Nobility* (London, 1973), 125-6.

<sup>17</sup> Hasted, ii, 309-10, 485; v, 74.

<sup>18</sup> *Ibid.*, i, 389; ii, 42, 51, 102, 115; iv, 242; vii, 177, 352, 391, 549, 585; viii, 356, 442; x, 31.

<sup>19</sup> *Feudal Aids*, vi, 476.

<sup>20</sup> N.B. Lewis, 'Simon Burley and Baldwin of Raddington', *English Historical Review*, liii (1937), 662-9.

<sup>21</sup> The commissions were enrolled on the patent rolls, and the names are printed in the relevant volumes of the *Calendar of Patent Rolls*; see indexes under 'Kent, commissioners (or justices) of the peace in'.

position in Kent; the Duke of Surrey, one of the king's close associates, was added in the critical year 1397. About 40 to 45 of the justices were ordinary Kentish landholders. Eighteen of them served also as sheriffs during the reign.

Both J.P.s and sheriffs were Crown appointments, so these might be simply the group who enjoyed the favour of the court. However, twelve out of the eighteen who served both as sheriffs and J.P.s, a further six who served as J.P.s, and one, Robert Corby, who served only as a sheriff, were also elected to represent the county in parliament as knights of the shire, Thomas Fogge seven times, Thomas Brockhull five times, James Peckham four times, John Farningham, John Cobham (probably of Hever), Thomas Cobham, Arnald Savage and Nicholas Potyn three times each. Only four people, Nicholas Adam, William Betenham, Nicholas Haute, and William Peche served as knights of the shire without also serving in one of the county offices during the reign. Unfortunately, we know little at this date about the procedure for elections; but it is quite clear that the commons elected were by no means the complaisant agents of the crown. Indeed, they laid repeated stress on the importance of the independence of the counties, bringing forward in 1377 the plea that sheriffs should not only be landholders of the shire, but, to prevent undue royal influence, should also not be reappointed for at least three years,<sup>22</sup> a provision which was scrupulously observed in Kent throughout the reign. These M.P.s belong to exactly the same group as those who held office as J.P.s and sheriffs. In all, 25 people served in two of these ways, and twelve in all three.<sup>23</sup> There were as we have seen 141 lay non-noble persons holding at least £20-worth of land in 1412; these 25 represent the active office-holding élite. They must have met each other regularly; and, in the course of their official business, may well have become a kind of 'in group' whose opinions and attitudes may well have been important within the county.

Practically all those who served at all regularly were, as one would expect, people of substance. The Culpeppers, for instance, John and Thomas, held between them a long list of lands, mainly in the Maidstone and Tonbridge areas; a John Culpepper was among the most highly assessed in 1412, at £132;<sup>24</sup> while a Thomas Culpepper

<sup>22</sup> The statute, 1 Ric II c.11, is printed in (Eds.) E.C. Lodge and G.A. Thornton, *English constitutional Documents, 1307-1485* (Cambridge, 1935), 347.

<sup>23</sup> For the sheriffs of Kent in this period, see *PRO Lists and Indexes no. ix. List of sheriffs for England and Wales* (London, H.M.S.O., 1898), 68; and for the M.P.s, see *Return of Members of Parliament, part i: Parliaments of England 1213-1702* (1878), 198-255.

<sup>24</sup> *Feudal Aids*, vi, 476.

rated £34 12s.<sup>25</sup> and a William £20.<sup>26</sup> Culpeppers served on sixteen of the 21 commissions of the peace in the reign; on six of them 2 served;<sup>27</sup> John was knight of the shire in 1382; Thomas sheriff in 1394 and knight of the shire in 1382 and 1383. The Brockhulls, John and Thomas, held lands in the Charing, Saltwood and Folkestone areas. Between them they served on five commissions of the peace,<sup>28</sup> were sheriffs, John in 1382 and Thomas in 1383; John M.P. in 1378 and Thomas no less than four times, in 1382, 1385, 1395 and 1397. On the other hand, others who were equally prominent seem to have been less wealthy. James Peckham is one of the most regular members of the commission of the peace in the first half of the reign; he served on eleven commissions out of thirteen between 1378 and 1387;<sup>29</sup> was sheriff in 1379 and 1388; and M.P. four times, in 1377, 1383, and both parliaments of 1388. He seems to have held only two estates in the Tonbridge area. But he may have begun an advance in wealth for his family. In 1412, John Ovedale was assessed at £66 13s. 4d. during the minority of the heirs of one Reginald Peckham.<sup>30</sup> If Reginald was James's heir, he certainly had built up a sizeable holding. The family of Fogge (holders of a name that was to be important in the fifteenth century) held only four estates; a Johanna Fogge was assessed in 1412 at £47 13s. 4d.<sup>31</sup> (though her lands were apparently different). Whatever his landed position, Thomas Fogge served on fourteen out of sixteen commissions of the peace between 1381 and 1397<sup>32</sup> and sat in parliament seven times between 1378 and 1388. These examples could be multiplied. On the other hand, there were conspicuously wealthy families which seem to have taken very little part in county politics: Sir Nicholas Haute was assessed at £122 6s. 8d. in 1412.<sup>33</sup>

<sup>25</sup> *Ibid.*

<sup>26</sup> *Ibid.*, 469.

<sup>27</sup> On those of 1 April, 1378 (Thomas), 26 May, 1380, and 20 February, 1381 (John), 2 September, 1381, 14 December, 1381, 8 March, 1382, 20 December, 1382, 21 December, 1382, 18 October, 1383 (both), 29 February, 1384, 28 February, 1385, 24 May, 1386, 28 June, 1387 (Thomas), 22 July, 1397, 12 November, 1397, 12 June, 1399 (John).

<sup>28</sup> On those of 2 September, 1381 (John), 29 February, 1384, 28 February, 1385, 24 May, 1386, 28 June, 1387 (Thomas).

<sup>29</sup> On those of 1 April, 1378, 2 September, 1381, 14 December, 1381, 8 March, 1382, 20 December, 1382, 21 December, 1382, 18 October, 1383, 29 February, 1384, 28 February, 1385, 24 May, 1386, 28 June, 1387.

<sup>30</sup> *Feudal Aids*, vi, 477.

<sup>31</sup> *Ibid.*, 473.

<sup>32</sup> On those of 2 September, 1381, 14 December, 1381, 8 March, 1382, 21 December, 1382, 29 February, 1384, 28 February, 1385, 24 May, 1386, 28 June, 1387, 15 July, 1389, 28 June, 1390, 18 June, 1394, 1 May, 1396, 22 July, 1397, 12 November, 1397.

<sup>33</sup> *Feudal Aids*, vi, 471.



Several members of the family held a long list of lands in Richard II's reign. But the only Haute to appear in any of our offices was Nicholas himself, who was knight of the shire in 1395. The family of Digges appear as landholders in Richard's reign. John Digges was assessed at £118 19s. 8d. in 1412;<sup>34</sup> his only appearance in office in Richard's reign was as sheriff in 1398, never having been of the commission. Reginald Pympe was assessed at £66 13s. 4d. in 1412<sup>35</sup>; he or an ancestor was a landholder through Richard's reign, but took no part in the key offices.

A few members of this group were also active at court. The two men most closely involved were Sir John Cobham of Cooling – or John, Lord Cobham – and Sir Arnald Savage of Bobbing. Cobham's connections with the court went back to the middle years of Edward III;<sup>36</sup> he first received a summons to parliament in 1355; served in the campaign of 1359 and frequently on embassies thereafter. He was on the council which was in charge during the early years of the reign of Richard II. However, during the 1380s, he seems to have been distanced a little from the court. He was one of the members of the reforming commission of 1386 which was intended to control and oversee the royal household: the suggestion has been made, without any evidence, that he was annoyed by the rise of Sir Simon Burley to prominence in Kent. Yet, if we may believe the Westminster chronicle which is our best authority for the more sensational aspects of the 1388 parliament, Cobham was one of those who tried hard to defend Burley in that parliament against the attacks of the Appellants and the commons.<sup>37</sup> He was, nevertheless, one of the victims of Richard's 'counter-attack' in 1397; impeached, condemned for treason for his part in the commission of 1386, but respited and sentenced instead to imprisonment in Jersey; whence he was restored in 1399 by Henry IV. Throughout his life he also held the county offices: he was on every commission of the reign except for those of 1397 (July and November) and 1399.<sup>38</sup> He never, however, held office as sheriff.

<sup>34</sup> *Ibid.*, 466.

<sup>35</sup> *Ibid.*, 475.

<sup>36</sup> For his career, see *Dictionary of National Biography* (22 vol. edition) [hereafter *DNB*] iv, 611–12. See also Teresa May, 'The Cobham family in the Administration of England, 1200–1400', *Arch. Cant.* lxxxii (1967), 1–31.

<sup>37</sup> See (Eds.) L.C. Hector and B.F. Harvey, *The Westminster Chronicle 1381–1394* (Oxford, 1982), 330–1.

<sup>38</sup> The John Cobham who served in the first parliament of 1391, in that of 1394, and in the second parliament of 1397 may have been John Cobham of Hever, but I have not been able to establish where he fits into the Cobham pedigree; or whether any of the John de Cobhams who served as J.P.s were in fact John Cobham of Hever, and not John Cobham of Cooling.

Sir Arnald Savage was more directly involved in the household, though there is no doubt of his status in Kent.<sup>39</sup> Though he died in 1410, his son was assessed at £70 in 1412 and his widow at £60;<sup>40</sup> putting these together he must have been among the wealthiest of the Kentish landholders. His father, another Arnald, seems to have been attached to the Black Prince, with whom he was frequently in Gascony; the elder Arnald's wife Eleanor was nurse to the young Richard. In view of this, it is not surprising that Arnald himself appears as a member of the household; by 1383/84 he received an allowance as a king's esquire (the lowest rank of the personal retainers); by 1392/93 he had advanced to the innermost circle, the Chamber Knights, a small group at that time of eight knights in the closest contact with the king. He seems to have had no difficulty in weathering the change from Richard II to Henry IV; indeed, he went on to have a distinguished career in parliament, twice speaker, and to become for a time a member of the council. Yet, despite his position and favour at court, he remained active in Kentish politics. Frequently, though not constantly, on the commission (he was on eight commissions of the fourteen between 1381 and 1396,<sup>41</sup> though not on any of the last three of Richard's reign), he was also sheriff in 1381 and 1385 and M.P. three times, twice in 1390 and again in 1391. His career straddles the household and the county, as one might expect. It was clearly important to the king to have influential county men in the inner circle of his household.

In addition to Cobham and Savage, John Farningham also had some place at court: he appears in 1392/3 and in 1395/6 among those in receipt of fees as an esquire, as well as being one of the most regular of Kentish J.P.s, serving on all but four of the commissions of Richard's reign, as well as on numerous commissions of array and other special commissions.<sup>42</sup> The crown also made considerable use of members of this group to carry out specific tasks. The defence of

<sup>39</sup> For details, see J.S. Roskell, 'Sir Arnald Savage of Bobbing', *Arch. Cant.*, lxx (1956), 68-83.

<sup>40</sup> *Feudal Aids*, vi, 474.

<sup>41</sup> On those of 2 September, 1381, 14 December, 1381, 8 March, 1382, 21 December, 1382, 29 February, 1384, 28 February, 1385, 24 May, 1386, 1 May, 1396.

<sup>42</sup> He appears among those receiving a fee of 40s. for robes in the wardrobe account book of 16-17 Richard II, PRO, E101/403/22, m.12d, and again in that of 19 Richard II, PRO, E101/403/10, m.43d; he served on the commissions of 1 April, 1378, 2 September, 1381, 14 December, 1381, 8 March, 1382, 21 December, 1382, 18 October, 1383, 29 February, 1384, 28 February, 1385, 24 May, 1386, 28 June, 1387, 15 July, 1389, 28 June, 1390, 18 June, 1394, 1 May, 1396, 22 July, 1397, 12 November, 1397, 12 July, 1399. He was also sheriff in 1378 and 1393 and knight of the shire in 1377, 1381 and again in 1399, in the first parliament of Henry IV.

Kent had to be handled by such people; commissions of array read very much like commissions of the peace: one of 20 March, 1380,<sup>43</sup> was issued to Edmund, Earl of Cambridge and Constable of Dover, John Cobham, Robert Bealknap, Stephen Valence, Thomas Fogge, Thomas Cobham, James Peckham, John Farningham, William Horn and the sheriff (who was actually James Peckham, already mentioned). The commission of the peace of 1 April, 1378,<sup>44</sup> still in force at that point, included of these Edmund, Earl of Cambridge, John Cobham, Robert Bealknap, Stephen Valence, James Peckham, John Farningham and William Horn. At just about the same time (16 February, 1380) a commission to inspect the defences of Thanet was issued to Robert Bealknap, Stephen Valence, Thomas Fogge, William Septvans, Nicholas atte Crouch, William Makenade, Thomas Garwinton, Thomas Chich and William Tydecombe,<sup>45</sup> most of those names also appearing on commissions of the peace at some time in the reign. Members of the same circle were used to carry out more specific tasks: on 10 February, 1389, John Culpepper was appointed to arrest two men and bring them before the council.<sup>46</sup> Two days later, he and William Makenade were charged to enquire into the escape of certain felons from Maidstone gaol.<sup>47</sup> In May 1392, John Farningham was appointed with William Makenade, Stephen Benham and James Billingford to certify concerning the state of some lands due to revert to the Crown under the forfeiture of Robert de Vere in 1388<sup>48</sup> (Richard may have been furious at the condemnation of his friends, but he was ready to insist on his rights in their lands following the forfeitures). One could prolong the list. The court turned always to the same circle whenever there were specific local tasks to be discharged. They served on the commissions of the peace, they acted as sheriffs, they got all the jobs that had to be done; and, in turn, they elected members of their circle as knights of the shire.

The reign of Richard II was a period of intense political activity, even violence. At least twice it came to civil war; two parliaments, in 1388 and 1397, were the scene of purges and what can only be described as political executions, when leading nobles forced the condemnation of members of the king's household and advisers in 1388; and Richard, perhaps in a fit of panic, stage-managed his revenge in 1397. Given the localised nature of power in medieval

<sup>43</sup> *CPR 1377-81* (London, H.M.S.O., 1895), 471.

<sup>44</sup> *Ibid.*, 49.

<sup>45</sup> *Ibid.*, 467.

<sup>46</sup> *CPR 1388-92* (London, H.M.S.O., 1902), 52.

<sup>47</sup> *Ibid.*, 53.

<sup>48</sup> *CPR 1391-96*, 87.

England, it is natural to look for signs of these conflicts in the localities. Richard has often been accused of pressurising sheriffs to get favourable returns to parliament; and there is fairly substantial confirmation that, in 1397, he retained sheriffs in office contrary to the statute of 1377, which banned re-appointment for three years, a requirement which had normally been observed. Roger Virgoe found in East Anglia some evidence of efforts by the Crown to influence local government in its favour.<sup>49</sup> In Kent, however, no sheriff was retained in office contrary to the statute, and there is no sign of any royalist or appellant party. Indeed, the most obvious feature of the community of Kent in this period is the stability of its personnel. The best indication is perhaps the commissions of the peace.

These are normally headed by the Constable of Dover, who also acts as Warden of the Cinque Ports. In any time of crisis, this was a key position. Naturally, it reflects national politics. It was held first by Edmund, Earl of Cambridge,<sup>50</sup> one of the young king's uncles; then, by Sir Robert Ashton,<sup>51</sup> concluding a distinguished career in war and office; he was succeeded, however, by Simon Burley, already discussed; after his death, Richard was able to transfer the post to a less offensive member of his household, Sir John Devereux.<sup>52</sup> He was succeeded by John de Beaumont.<sup>53</sup> In 1397, the position was held by one of Richard's confidants, Edward, Earl of Rutland, rapidly to be created Duke of Aumale.<sup>54</sup> In 1399, Henry IV appointed one of his closest household knights, Sir Thomas Erpingham,<sup>55</sup> who heads the first commission of the peace for the new reign. This is clearly a political office and subject to the spoils system. Similarly, since the judges who served on the commissions were also from their office likely to be drawn into politics, there is a further trace of 'political' influence here. Some of the judges were, so far as we can tell, pure professionals: Henry Asty who served on the first four commissions, William Hankford who regularly served towards the end of the reign.<sup>56</sup> But Robert Bealknap is different. He was certainly a professional judge; he was also, as we have seen, a courtier who was very firmly on the make. He was appointed to every commission of the

<sup>49</sup> See R. Virgoe, article cited in n. 2, 222, 230-2, 238.

<sup>50</sup> See *DNB*, xi, 550-52, and *The complete Peerage*, by G.E.C., New edition (Ed.) V. Gibbs and others (London 1910-1959) [hereafter *Complete Peerage*], xii (2), 895-9.

<sup>51</sup> *DNB*, i, 651.

<sup>52</sup> *Ibid.*, v, 874-75.

<sup>53</sup> *Complete Peerage*, ii, 61.

<sup>54</sup> *Ibid.*, xii (2), 899-905 (under 'York, dukedom of').

<sup>55</sup> *DNB*, xxii, 614-5; and (Eds.) F. Taylor and J.S. Roskell, *Gesta Henrici Quinti* (Oxford, 1975), 171, n. 3.

<sup>56</sup> See E. Foss, *The Judges of England*, iv (London, 1851), 30, 323.

peace till his attainder in 1388. Beyond these cases, however, there is no sign of ins and outs. There are a few who serve on isolated occasions; but most serve continuously and seem not to be subject to arbitrary changes. The most erratic member of the Kentish commissions is actually Arnald Savage, the one of them all most closely involved with the court. A man like James Peckham, William Topclif, or Thomas Fogge, serves consistently on commission after commission, whatever the political upsets that may occur in the meantime.

In this connection attention has been given to the commissions issued in July 1389;<sup>57</sup> there had been a specific request in parliament that the size of commissions should be reduced, and nobles excluded. Richard, restored to authority after the crisis of 1387/88, complied, and there has been some suggestion that he took the chance to reduce the number of local men serving at the expense of courtiers. In Kent, the commission was indeed cut down in size; but those who survived were either lawyers or Kentish landholders, and almost all had already served: William Brenchley was a judge<sup>58</sup> who had sat on all normal commissions since 1380, John Cobham had sat continuously since the start of the reign, John Devereux was Constable of Dover, Thomas Fogge had sat with only two exceptions since 1381, John Farningham was on all but four commissions since the start of the reign, William Hankford, a new appointment, was a judge, but some novelty was almost inevitable since many of the judges had been dismissed in 1388; on the other hand, William Rickhill, another judge, had survived the revolution, having been on the commission since 1382;<sup>59</sup> William Topclif had been appointed without a break since 1378 though this was the last time he was to serve. The only significant novelty was John Wadham who was appointed for the first time, and thereafter continued till 1399, but he, too, was a lawyer and perhaps served in that capacity. Kent seems to have survived the troubles of 1387/88 with scarcely a ripple in the membership of the commission of the peace.

Even the greater upheaval of 1399<sup>60</sup> made surprisingly little difference. Sir Thomas Erpingham appears as Constable of Dover; John Cobham is restored. But the rest of the commission are familiar: John Culpepper, John Farningham, the two judges William Hankford and William Rickhill, Robert Hill, another lawyer, relatively new but

<sup>57</sup> The names for Kent are given in *CPR 1388-92*, 137.

<sup>58</sup> See E. Foss, *op. cit.*, 153-4.

<sup>59</sup> *Ibid.*, 174-6, 323.

<sup>60</sup> The commission of 28 November, 1399 is given in *CPR 1399-1401* (London, H.M.S.O., 1903), 560.

appointed first in the last commission of Richard II, William Make-nade, who had been appointed regularly since 1394, a John Peche who had only served once previously as long ago as 1381, if indeed it is the same man, and Arnald Savage. Perhaps Henry IV was being careful not to disturb the settled regime; but, equally, those who had served Richard II had no difficulty in continuing to serve his supplanter.

It is hard to tell whether this very stable group formed in any sense a 'community' within the generality of landholders. It might be profitable to study their background and origins more fully: at first sight, they range from long-established knightly families such, most conspicuously, as the Cobhams, to relative newcomers, such as Nicholas atte Crouch and Thomas Garwinton, whose *milieu* seems to have been as much the town as the county. Studies of marriage patterns, insofar as they are possible, might help to reveal how distinct as a social group these office-holders were. But, at least, it has been possible to identify this, relatively small, office-holding group. A similar group existed in East Anglia. It would surely be profitable to try to discover more about these 'élites'; for it was in the counties that medieval political issues were ultimately determined. If we are to understand these politics better we need to know much more about those ill-documented figures, the knights and esquires and, before long, the 'gentlemen' who were to form the basis of the commissions of the peace, who served as sheriffs, and represented their shires in parliament.

