



<http://kentarchaeology.org.uk/research/archaeologia-cantiana/>

Kent Archaeological Society is a registered charity number 223382

© 2017 Kent Archaeological Society

## DOVER CASTLE: KEY TO RICHARD II'S KINGDOM?\*

JAMES L. GILLESPIE, F.R.Hist.S.

The tercentenary of the Glorious Revolution reminds us all once again of the danger to England's freedom, religion and laws that was posed by James II's appointment of Sir Edward Hales as constable of Dover Castle. It was feared by the Whigs (politicians and historians) that Hales' appointment would open the kingdom to the French absolutism with which the Stuarts were known to sympathize.<sup>1</sup> What is less obvious is that as we mark the sexcentenary of the Lords Appellant, this same scenario has great explanatory power; we simply cast Sir Simon de Burley in the role of Sir Edward Hales. Richard II, of course, survived in 1388 unlike James II in 1688 only to meet a harsher fate in 1399.<sup>2</sup> The controversy over the custody of Dover Castle, like Richard II himself, was thus to have a longer and more complex history in the late fourteenth century than it had in the seventeenth century. This history may unlock some new perspectives on Richard II's kingdom.

By the fourteenth century, most royal castles had ceased to be of serious military importance and had been allowed to fall into

\* I wish to thank Mr Christopher Wood of the Cleveland Public Library and Professor John Bell Henneman, Jr., of the Firestone Library, Princeton University, for help with the research on this paper. Professor Charles T. Wood and Dr Anthony Goodman offered useful suggestions on the text. Mrs Susan Vodila provided valuable technical assistance. I contributed my fallibility.

<sup>1</sup> Thomas Babington Maculay, *The History of England from the Accession of James II*, 5 vols. (New York, 1887), 2:282. The phrase 'freedom, religion and laws' is borrowed from the Irish Protestant song 'The Ould Orange Flute.'

<sup>2</sup> On the possibility of an aborted deposition of Richard II by the Lords Appellant, see Maude Violet Clarke (with Vivian H. Galbraith), *Fourteenth Century Studies* (Oxford, 1937), 91-5.

disrepair, but there were a series of key strongholds whose strategic importance was magnified by their paucity. Dover Castle with support from Queenborough Castle served as the bastion for the Kentish littoral; both ingress and egress from the realm could be expedited or impeded from the constable's gate at Dover Castle. The constable's power in Kent was also enhanced by his position as warden of the Cinque Ports. This office was combined with the constablenesship; the royal constable undertook an oath to uphold the privileges of the Cinque Ports.<sup>3</sup> The office of constable was of sufficient strategic as well as economic importance that the nobility had begun to aspire to it as a plum of royal patronage. Its importance was not lost upon the Commons either. In Richard II's first year, they had petitioned the new king that the chief guardian of Dover should be a sufficient person. In 1380, the Commons of the northern counties saw fit to include Dover in their petition that the keepers of the marcher castles should remain at their posts; in the king's assent to this petition, Dover is in fact the only castle mentioned by name. Dover Castle and its constable were clearly objects of attention.<sup>4</sup>

At Richard's accession, Dover Castle was in the hands of the young king's uncle Edmund, Earl of Cambridge, who had been appointed to the post on 12 June, 1376, as William Latimer's successor in the wake of the Good Parliament.<sup>5</sup> The new regime quickly confirmed Edmund's power. On 30 June, 1377, the constable was issued a writ of aid, and he was appointed to take order for the safety and defence of Kent against the French. Edmund, however, was too important to devote his full attentions to this military post that the potential confusion occasioned by the new king's minority had made even more crucial. The earl was a member of the Council, and he was never noted for his political energy. Edmund's tenure as constable 'was made conspicuous by his continuous absence.'<sup>6</sup> The earl, therefore, allowed himself to be bought out on 1 February, 1381. The patent by which Cambridge's successor, Robert de Ashton, received

<sup>3</sup> Frank W. Jessup, *The History of Kent* (Maidstone, 1966), 83-9; Chris Given-Wilson, *The Royal Household and the King's Affinity* (New Haven, 1986), 169; See also Katharine M.E. Murray, *Constitutional History of the Cinque Ports* (Manchester, 1935).

<sup>4</sup> R[otuli] P[arliamentorum], 6 vols. (London, 1767-83), 3:16, 81. On this entire question, see M.J. Roeder, 'The Role of Royal Castles in Southern England, 1377-1509' (unpublished Wales [Swansea] Ph.D. thesis, 1985).

<sup>5</sup> George A. Holmes, *The Good Parliament* (Oxford 1975), 157.

<sup>6</sup> C[alendar] [of] P[atent] R[olls], 1377-1381, 4, 7; Samuel P.H. Statham, *The History of the Castle, Town, and Port of Dover* (London, 1899), 377.

his office not only outlines the bargain; it also demonstrates the economic desirability of the post:

'Grant, for life, to Robert de Ashton on the condition that he execute the office in person, of the constableness of Dover Castle and the wardenship of the Cinque Ports, receiving yearly for the sustenance of himself, chaplains, servants and guards, and one carpenter, 300 l., viz. 146 l. from castle-guard services (de wardis ad predictum castrum pertinentibus), 100 marks from the customs in the port of Sandwich, and the residue, 87 l. 6s. 8d., at the Exchequer, for the surrender (1) of the manor and hundred of Berton Bristoll, granted to him, for life, by letters patent dated 5 October, 50 Edward III, and (2) of the custody of the castle and town of Porcestre and the forest and warren there, now granted to Edmund, earl of Cambridge, and Isabella, his wife, and for the payment of 200 marks to the said Edmund, late constable of Dover Castle and warden of the Cinque Ports, in accordance with the agreement between him and the Great Council.'

Edmund never got Porchester, but the king's uncle was compensated elsewhere for his financial loss.<sup>7</sup>

Sir Robert Ashton was an experienced royal servant from a prominent Lancashire family.<sup>8</sup> He had served Edward III as treasurer of the Exchequer and as a justice in Ireland. His Irish service brought him a prominent wife in the person of Elizabeth, the late wife of the Earl of Ormond; his service at court seems to have won him the friendship of Alice Perres with whom he joined in a scheme to defraud one of Alice's creditors.<sup>9</sup> Ashton had also served Edward III as keeper of Sangatte Castle near Calais, and Richard II had already employed him as keeper of Guisnes Castle in 1379. Ashton was an experienced hand in guarding royal strongholds against the French who would provide the sort of careful attention specified in his patent and in the petitions of the Commons. Ashton did, in fact, employ a deputy, Sir Richard Malmains, and a commission of 23 May, 1382, was directed to Sir Robert de Ashton, constable of Dover Castle or such person as supplies his place.<sup>10</sup> Ashton, none the less, took his appointment seriously. He was the ideal professional and conventional appointee that might have been hoped for from the minority council. Ashton did his part in the suppression of the peasants in 1381 when he served on the commission appointed for Kent for resisting the rebels. Ashton died at Dover Castle in January 1384, and he was buried in the church of St. Mary-in-the-Castle.<sup>11</sup>

<sup>7</sup> C.P.R. 1377-1381, 589-90, 591, 598; C[alendar] [of] C[lose] R[olls], 1377-1381, 441-42; John Lyon, *The History of the Town and Port of Dover, and of Dover Castle*, 2 vols. (Dover, 1813-14), 2:234 n.

<sup>8</sup> Michael J. Bennett, *Community, Class and Careerism* (Cambridge, 1983), 82.

<sup>9</sup> C.C.R., 1377-1381, 167, C.C.R., 1381-1385, 354, 376, 459.

<sup>10</sup> C.P.R. 1381-1385, 144; See, 354-55 and C.C.R., 1381-1385, 77, 191.

<sup>11</sup> Statham, 378.

On 5 January, 1384, Simon de Burley, Richard II's old tutor and the chamberlain of the king's household, was appointed constable of Dover Castle in place of the late Robert Ashton in a patent warranted by a signet letter. *The Westminster Chronicle* states that Simon solicited the appointment. Burley received a second patent of appointment, once again warranted by the signet, on 24 January that emphasized the importance of this appointment to Richard as well as the influence that Simon enjoyed with the king. The new patent stated:

(1) that the king being now in the castle has handed over the keys to the said Simon, and (2) that if the customs of Sandwich fail to yield that 100 marks a year as granted, the deficiency is to be made good from the subsidy of wools, hides and wool-fells at that port, and failing that, at the Exchequer.<sup>12</sup>

The 1383-84 Michaelmas term had seen 'more fictitious loans than had been customary hitherto during this reign,' an indication of some financial difficulties for the Crown.<sup>13</sup> Since local officials such as the keepers of castles were often the first victims of a fluctuation in cash flow, Burley with his master's support had taken care to insure his financial position at Dover. Early in the following year, Richard II fortified Burley's political and strategic position through an extraordinary grant of the custody of Queenborough Castle to the great royal favourite, Burley's friend, Robert de Vere. Under the terms of this grant, Vere was to hold Queenborough for the term of the lives of himself and the king. If Richard died before Vere, Vere was to hold the castle in tail male. The unpopularity of this royal largesse may be deduced from Richard's concluding curse: 'The curse of God and St. Edward and the king on any who do or attempt aught against this grant!' Clearly the installation of Ricardian stalwarts in Kent was becoming a source for concern.<sup>14</sup>

<sup>12</sup> Leonard C. Hector and Barbara F. Harvey, eds. trans., *The Westminster Chronicle, 1381-1394* (Oxford, 1982), 56; J. Armitage Robinson, 'An unrecognized Westminster Chronicler, 1381-1394,' *Proceedings of the British Academy*, 3 (1907): 61-77; C.P.R., 1381-1385, 366-67, 370-71; On Richard II's abuse of the signet, see Thomas F. Tout, *Chapters in the Administrative History of Medieval England*, 6 vols. (Manchester, 1920-33), 5:208-9.

<sup>13</sup> Anthony B. Steel, *The Receipt of the Exchequer, 1377-1485* (Cambridge, 1954), 48.

<sup>14</sup> C.P.R., 1381-1385, 242; J. Anthony Tuck, 'Anglo-Irish Relations, 1382-1393,' *Proceedings of the Royal Irish Academy*, 69 (1970):24 n.67; J. Anthony Tuck, *Richard II and the English Nobility* (London, 1973), 79; C. Eveleigh Woodruff, 'Notes on the Municipal Records of Queenborough,' *Arch. Cant.*, xxii (1897), 179. On the close relationship between Burley and Vere, see (Ed.) Kervyn de Lettenhove, *Oeuvres de Jean Froissart*, 25 vols. (Brussels, 1867-77), 12:248-51.

Dover Castle was intended to be the lynchpin in a series of royal grants designed to enrich Burley and to ensure a strong Ricardian presence in Kent. Simon had managed to secure the custody of several properties in Kent, including the manors of Paddock and Preston, which Edward III had entrusted to a group of feoffees headed by John of Gaunt for the endowment of three religious houses and the benefit of the late king's soul. With Richard's connivance, Burley converted his custody of these estates into permanent possession. Burley's success in procuring Preston earned him the special enmity of the monks of St. Augustine's, Canterbury, who also coveted the manor albeit Edward III seems to have intended it for the Dominicans of King's Langley.<sup>15</sup>

Simon had also been endowed with the Leybourne inheritance which formed the nucleus of the earldom of Huntingdon. The earldom itself had fallen into abeyance in 1380 with the death of Guichard d'Angle who had shared the post of royal tutor of Richard II with Burley. The Leicester chronicler Henry Knighton claims that Richard II created Burley Earl of Huntingdon on 6 August, 1385, as part of the royal distribution of honours associated with the Scottish campaign. Simon was never recognized as Earl of Huntingdon, and Knighton's testimony is unsupported. J.N.N. Palmer, none the less, gives some credence to Knighton. Palmer argues that it was the growing suspicion of the king and his friends which was beginning to surface in the parliament of 1385 that thwarted Richard's intentions: 'Burley sought and obtained royal licence to alienate the Huntingdon inheritance, which suggests that parliament had already tried to relieve him of the lands as well as the title he had been granted.'<sup>16</sup> The effort to ensconce Burley in Kent had begun to generate both suspicion and animosity.

<sup>15</sup> Norman B. Lewis, 'Sir Simon Burley and Baldwin of Raddington,' *English Historical Review*, 52 (1937), 662-9; C.P.R., 1385-1389, 213, 539; (Ed.) Roger Twysden, 'William Thorne's De rebus abbatum Cant', *Historiae Anglicanae Scriptores X* (London, 1652), col. 2183; Alfred H. Davis, ed. and trans., *William Thorne's Chronicle* (Oxford, 1934), 653. Since Lewis was concerned only with establishing the relationship between Burley and Raddington, he did not provide a complete survey of the properties in question. He does not discuss Preston. For a survey of Burley's forfeited goods at Preston which were given to the Dominicans of King's Langley, see C.C.R., 1385-1389, 523, 531. The survey does not bespeak of great wealth or pomp. I wish to thank the College of Wooster for providing access to Davis' translation of Thorne.

<sup>16</sup> (Ed.) Joseph R. Lumby, *Henrici Knighton Leycestrensis Chronicon*, 2 vols., (London, 1889-95), 2:205; John J.N. Palmer, 'The Parliament of 1385 and the Constitutional Crisis of 1386,' *Speculum*, 46 (1971), 477, 479, 490; C.P.R., 1385-1389, 96. On p. 490, Palmer cites p. 204 of Knighton rather than the correct p. 205.

It is not surprising that the old dispute over the jurisdiction of the constable of Dover Castle became particularly acute during Burley's tenure. The *Articuli super Cartas* had attempted to deal with this problem at the beginning of the century. The *Articuli* limited the constable's jurisdiction to pleas directly touching the custody of the castle. Aggressive constables, however, had always attempted to extend their jurisdiction into the 'foreign' pleas of the county. The Commons of the Good Parliament had accused the royal favourite William Latimer of such encroachments in 1376, and the abbot of St. Augustine's had undertaken a suit to limit the usurpations of Latimer's successor, the Earl of Cambridge. John of Gaunt, however, managed to 'convince' the abbot not to proceed with the case.<sup>17</sup>

While the 'Wonderful' Parliament was in session, Burley managed to secure a patent, again authorized by the signet, on 16 October, 1386, to confirm the extended jurisdiction of the constable:

'Grant, in consideration of the ruinous condition of Dover castle and in aid of its repair, that it have this liberty that all pleas of trespass and all actions real and personal in the king's court there may be terminated before Simon de Burley, constable of the castle, or his deputy, without making any return thereof, and for the same reason the king further grants that the said constable and his deputies may use the writ of attain in the said court.'

The compliance of the chancellor, Michael de la Pole, another member of the court's inner circle, in passing this patent served as the basis for the sixth of the seven articles of impeachment lodged against Pole by the 'Wonderful' Parliament:

'Item, that in the time of the said late chancellor were granted and made divers charters and patents of murders, treasons, felonies, erasures of the rolls, sale of the laws, and in particular, since the beginning of this parliament, was made and sealed a charter of certain franchises granted to the castle of Dover, in dishersion of the crown and the subversion of all the offices and courts of the king and of his laws.'

Pole in his defence admitted that the patent for Dover had 'passa le Seal legerement sanz grande avys.' He argued that the matter could be remedied by the cancellation of the offending letter. Pole was impeached on the charge, but his advice was followed. Miss Clarke was no doubt correct in her assertion that 'the fact that the king's favourite, Simon Burley, was then Constable of Dover probably supplies the true reason for the charge.'<sup>18</sup>

<sup>17</sup> R.P., 2:346; Thorne, cols. 2153-55; Davis, 609-11.

<sup>18</sup> C.P.R., 1385-1389, 225; George Burton Adams and H. Morse Stephens, eds. trans., *Select Documents of English Constitutional History* (London, 1923), 149; R.P., 3:216; Knighton 2:223; John S. Roskell, *The Impeachment of Michael de la Pole, Earl of Suffolk, in 1386* (Manchester, 1984), 87-97; Clarke, 49; J. Anthony Tuck, *Crown and Nobility, 1272-1461* (Worcester, 1985), 180-81.

This did not, however, end the matter. In the Trinity term, 1388, the case of *Loterych v. atte Doune* was brought before the King's Bench. In what, given the date, appears to be a collusive, or at the very least, a convenient suit, William Loterych was held in mercy for several defaults:

'The same William was attached to answer both the lord king and John atte Doune, clerk, of a plea wherefore he sued in the court at the gate of the king's castle of Dover a plea with respect to covenants and trespasses made outside the bailiwick and power of the court aforesaid, against the form of the provision made thereof and against the lord king's prohibition, etc.'

More directly, the offensive patent that had extended the constable's jurisdiction in 1386 'quelle feust subversion de toute la Ley du Rolalme, en grant desheriteson de la corone du Rolalme' had again been raised by the 'Merciless' Parliament in the process of impeachment against Simon himself which led to his execution. The Commons once again took advantage of the occasion in 1388 as they had in 1376 to petition against the encroachments of the constable's jurisdiction. The issue outlived Burley. The Commons petitioned again in 1389 and 1391 and the petitions continued under Henry IV, but the issue was now an annoyance rather than a *cause célèbre*.<sup>19</sup>

That it became a *cause célèbre* in the years between 1386 and 1388 is an indication of the larger perceived importance of Dover Castle to Richard II's inner circle and to those who opposed that circle of courtiers and feared their machinations. Simon de Burley attempted to introduce members of the courtier circle into the administration of Dover Castle. Quite apart from Vere's appointment to Queenborough, Burley's nephew, Baldwin de Raddington, the controller of the household, was frequently associated with Sir Simon in commissions issued to the constable. It was Raddington's involvement with Burley's Kentish properties that enabled N.B. Lewis firmly to establish the familial tie between the royal servants. Roger Wigmore, who served as deputy constable, was also a household servant who was destined to be retained for life by Richard II for a fee of £20 per annum on 20 December, 1390. Wigmore later provided the king with loyal service as constable of Carmarthen Castle and as a justice and chamberlain for South Wales. On 5 February, 1390, Wigmore had been granted the right to sue for all of Simon de Burley's concealed goods in an effort to recover £168 8s. that Burley had owed him at the

<sup>19</sup> (Ed.) Isobel D. Thornley, *Year Books of Richard II, II Richard II* (London, 1937) 215-6; R.P., 3:242, 265; *The Westminster Chronicle*, 272.



time of his death.<sup>20</sup> These were the men charged with Burley with the defence of Dover Castle from the French as the Valois attempted to take advantage of the domestic ferment in England to assemble an invasion force at Sluys.

A major source, or at least justification, for much of that ferment was the concern of the foes of Richard II's courtier circle over the attempts of the king to improve relations with England's foreign rivals. Not only was the pride of the more bellicose members of the nobility such as the Duke of Gloucester and the Earl of Arundel offended; they feared that Richard and his friends might actually attempt to purchase French support through the surrender of all English territory outside of Gascony as a means to insure the court's domestic position. Henry Knighton reported that the king's favourites had advised Richard:

*'ut cum rege Franciae amicitias provocaret, faceret pacem in tanta necessitate, et pro bono pacis redderet regi Franciae Calesiam, Gynes, et Picardiam, et omnia quae habebat rex Angliae in regno Franciae praeter Aquitaniam, ut sic rex Franciae cum manu forti veniret in Angliam ad castigandum et subiciendum inimicos regis indomitos dominos.'*<sup>21</sup>

Knighton and Walsingham both record the capture of messengers sent between the English and French courts with proposals to implement the scheme; Walsingham even adds that the French proposal called for Richard to become a vassal of the Valois for Gascony. Burley was believed to have had full knowledge of these negotiations and to have abetted the treasonable plot. This was the last and presumably most damning charge levied against Sir Simon by the 'Merciless' Parliament.<sup>22</sup> If this rumoured treason were to succeed, Burley's complicity would have been essential. The French force would have required *entrée* to England; Dover was the key to the kingdom. The monk of Evesham reported of Burley: '*Eratque custos castelli de Doueria, quod ad nutum regis consenserat Gallicis uendidisse,*' and the charge was even echoed by the obscure northern chronicler, Thomas Otterbourne.<sup>23</sup> Sir Miles de Windsor had been

<sup>20</sup> C.P.R., 1385-1389, 63, 176, 248, 251, 318, 389, 392, 394, 426, 455; C.P.R., 1388-1392, 187, 326, 336, 358, 362, 405, 484; C.C.R., 1389-1392, 212, 306, 312; C.P.R., 1391-1396, 476, 500, 574; C.C.R., 1391-1396, 404; C.P.R., 1396-1399, 581.

<sup>21</sup> Knighton, 2:243; Anthony Goodman, *The Loyal Conspiracy* (Coral Gables, 1971), 30.

<sup>22</sup> (Ed.) E. Maunde Thompson, *Chronicon Angliae* (London, 1874), 386; *The Westminster Chronicle*, 278; R.P. 3:243; Paul de Rapin de Thoyras, *Acta Regia*, trans. Stephen Whatley, (London, 1733), 189-90.

<sup>23</sup> (Ed.) George B. Stow, Jr., *Historia Vitae et Regni Ricardi Secundi* (Philadelphia, 1977), 118; (Ed.) Henry T. Riley, *Historia Anglicana*, 2 vols. (London, 1863-64),

delivered to the constable of the Tower of London as early as 22 June, 1385, for conspiring that Dover Castle should be taken by the king's enemies.<sup>24</sup> The fear of treason was in the sea breezes over Dover.

Simon Burley's appointment as constable of Dover had generated local jealousy and wider based suspicion. It was under these circumstances that the constable attempted to organize the defences against the French invasion that the Valois activity centred on Sluys seemed to promise. The evidence of the public records demonstrates that Burley fulfilled his responsibilities for the defence of Kent conscientiously. The accounts of Ranulph de Hatton, the clerk of the privy wardrobe, show that Sir Simon and his nephew Baldwin de Raddington had taken care to supply and garrison Dover Castle. Simon had also secured a patent of 11 April, 1385, empowering him to organize the region's defence and to evacuate inhabitants to the castle and towns in the face of the French threat; a patent of 22 June, 1385, authorized the constable to receive for the king's use the armour and artillery of Dover Castle held by his predecessor's executors.<sup>25</sup> As matters degenerated at home and abroad, however, mistrust of Burley grew.

The constable and Baldwin de Raddington received a new patent of 31 [*sic*] April, 1386, to force the inhabitants of the area to dwell in the castle or one of the major ports, but on 14 May a writ of *supersedeas omnino* was issued for this patent 'as for particular causes laid before the king and council the king has hereby revoked that commission and all that is done in pursuance thereof.' On the same day a commission of array was issued for Kent that was headed by the abbot of St. Augustine's rather than the constable. Sir Simon survived this initial challenge to his power; he headed a new commission of array issued for the county on 24 May, a commission from which the abbot had been dropped. The local ecclesiastics, however, refused to send the shrine of St. Thomas to Dover for safe keeping; they feared Burley's greed more than they feared the French.<sup>26</sup>

---

2:174; (Ed.) Henry T. Riley, *Ypodigma Neustriae* (London, 1876), p. 356; (Ed.) Thomas Hearne, 'Chronica Regum Angliae Thomae Otterbourne, *Duo Rerum Anglicarum Scriptores Veteres* (Oxford, 1732), 175. I hope to provide a new edition and translation of Otterbourne.

<sup>24</sup> C.C.R., 1385-1389, 97; C.P.R., 1385-1389, 85.

<sup>25</sup> Public Record Office, E.101/400/22 mm. 4-5; E.101/400/27 mm. 15-20; Given-Wilson, 64-65; C.P.R. 1381-1385, 553; C.P.R., 1385-1389, 1, 175; C.C.R., 1385-1389, 77.

<sup>26</sup> C.P.R., 1385-1389, 176 bis.; Tout, 3:411; (Ed.) Frank S. Haydon, *Eulogium Historiarum sive Temporis*, 3 vols. (London, 1858-63), 3:358.

The French invasion, of course, never materialized; the only result of all the preparation was a small raid upon the Isle of Thanet during which the vill of Stonar was burnt. Yet, this minor incident was taken as proof of Burley's treachery. The chronicle of William Thorne, a monk of St. Augustine's Abbey, demonstrates the combination of local jealousy and general suspicion that Burley's tenure at Dover engendered:

'In the following year the people of France, with their king, having collected a large number of ships at Sluys, hoping by reason of discord which had arisen in the realm on account of a certain powerful man called Simon Burley, who was king's chamberlain, as well as constable of Dover Castle, and warden of the five ports and of the county, to invade his land with their navy, lay it waste, and root out all the people thereof and blot out our language. Wherefore the afore-mentioned Simon, who was regent of the realm, falsely favouring the French king, constraining our king to go westwards to put down the Scots, thus granting to our enemy king freedom to enter these parts and to do there what seemed good to him. But the good God, through the merits of the saints who defend the men of Kent, looking at the innocency of our king and the attempts of their betrayer, forbad the royal fleet issuing from the said port, the wind remaining in the opposite quarter (in Canterbury), and in the meantime many thousands of the enemy perished of hunger. But Simon, the cunning turncoat, pretending that he dreaded their power, and making a show of wishing to keep all safe, consulting his own rapacity, and thirsting not for relics but for lucre, not for treasure in heaven but for the incalculable gold of the martyr, endeavoured actually to despoil St. Thomas, by all ways and means he could, of his precious tunic, on various occasions; and to carry it away with other of our valuables to his treasury at Dover; with the excuse that all these things carried there would be safer than in an unvalled city. But as the saints were against him, and the monks added to their prayers a vigorous resistance, he by the will of God was frustrated of his attempt and retired empty-handed.

In the meanwhile Simon, dismayed by the wind, summoned 18 ships from the aforesaid navy; and these encircling our country struck great terror therein: for circling round the island, when they had first laid waste the town of Stoner, they destroyed it with fire; though the abbot would have saved it had he been able to find free passage from Northbourne by Sandwich. The abbot, being thus foiled by them, wishing with God's help to keep safe his own property and that of his tenants, making a detour by Fordwich and Sturrey, succeeded with great toil in reaching the island. Learning of his approach, the enemy left the island untouched. But Simon, with no thought of slumber but ever awake for evil, conceived a new trick, whereby the aforesaid galleys might be given easier opportunity of landing against the islanders.

\* \* \*

He sent also and, as out of the king's lips, told the abbot to withdraw with all his force from the island aforesaid, to the end that the land should be soon destroyed when he was unable to act against the attack of the enemy who were coming upon them, but with all speed he was to leave the island with his whole army and help him guard the town of Sandwich. The whole object of this was that the island after being thus captured by the French should be handed over by royal authority to the aforesaid Simon and this church be despoiled of the same for ever. But the lofty soul of the abbot was neither dismayed by terror of the foe nor seduced by the traitor's blandishments. Nay, unperturbed, he remained with his tenants to protect their

## DOVER CASTLE

property, preferring to die in their midst rather than see evil come upon his people. The Gauls, however, reduced during these events by hunger and other woes, abandoned their naval positions and departed to their homes.

\* \* \*

But to the greater confusion of his miseries he betrayed – nay, sold – by a bargain entered into between them, to the king of the French, for a definite sum of money, all the lands across the sea, with the town of Caleys, the castle of Dover with all the towns and castles up to Rochester Bridge, all which things he fraudulently caused to be enforced by letters from the king and certain others.<sup>27</sup>

Although Sir Simon's strategy of sacrificing Thanet to concentrate upon the defence of Sandwich was eminently sensible, Kent's leading historian could still speak four centuries later of the fate of Stonar as the result of 'the treachery of Sir Simon de Burley.'<sup>27</sup> How much more must this accusation of treachery have appealed to Burley's contemporaries.

Simon de Burley's contemporaries also complained of his greed. Miss Clarke examined the inventories of the goods forfeited by Burley as a result of his sentence by the 'Merciless' Parliament, and on that basis, she has attempted to refute this allegation.<sup>28</sup> The forfeited goods indeed do not bespeak of vast ill-gotten gains. Yet, it is well to keep in mind that a much more sophisticated investigation into the financial machinations of a modern day Burley, Lt.-Col. Oliver North, has failed to produce definitive results. Ricardian partisans in the historical community have been quick to point to Jean Froissart's vindication of Burley as a '*courtois chevallier*.' With the exception of Michael Senior, we have been slower to give any credence to the rumour that Vere and Simon had conspired to smuggle money out of the realm:

'He [the duke of Ireland] and sir Symon Burle were two of the princypall counsaylours that the kynge had, for they hadde a longe season governed the kynge and the realme: and they were had in suspecte that they hadden gadered riches without nombre; and the renoume ranne in dyvers places that the duke of Irelande and sir Symon Burle had a long season gathered toguyder money and sente it into Almayne; for it was come to the knowledge of the kynges uncles, and to the counsaylours of the good cyties and townes of Englande that helde of their partie, howe they had sente out of the castell of Dover by see in the night tyme into Almayne certayne coffers and chests full of money. They sayd it was falsely and felonously done, to assemble the rychessee of the realme, and to sende it into other

<sup>27</sup> Thorne, cols. 2181–83; Davis, 650–54; Edward Hasted, *The History and Topographical Survey of the County of Kent*, 2nd edn., 12 vols., (Canterbury, 1797–1801), 12:411–12.

<sup>28</sup> (Eds.) Maude Violet Clarke and Noël N. Denholm-Young, 'Kirkstall Chronicle, 1355–1400,' *Bulletin of the John Rylands Library*, 15 (1931), 131; Clarke, *Fourteenth Century Studies*, 119–23.

straunge countreys, whereby the realme was greatly impoverysshed; and the people were soroufull, and sayde that golde and sylver was so dere to gette, that all marchandise were as deed and loste, and they coulde nat ymagin how it was but by this meanes.<sup>29</sup>

Such an explanation for a shortage of money may say more about a lack of economic sophistication on the part of those who circulated the tale than it does about speculation by the constable of Dover, but the very credence given to this rumour says a great deal about how that constable was perceived by those who did not have to struggle with the very real difficulties of royal finance.

When the showdown between the Lords Appellant and Richard II approached, Burley was at least prepared to use his post at Dover to provide domestic support to the king and court. Simon urged the king to resist the appellants. He brought the mayor of Dover to meet with Richard at Sheen while the appellant lords pursued their appeal, and he promised the king that the mayor could raise a thousand men from the Cinque Ports.<sup>30</sup> If Simon could court domestic support from his post at Dover, would he balk at seeking foreign help for the besieged Richard II and his friends?

Richard II obviously chose to ignore the accusations against Burley when he confronted Richard, Earl of Arundel in 1397:

'Didst thou not say to me, at the time of thy parliament, in the bath behind the White Hall, that sir Simon Burley, my knight, was, for many reasons, worthy of death? And I answered thee that I knew no cause of death in him. And then thou and thy fellows did traitorously slay him.'<sup>31</sup>

Perhaps Burley had been blameless as the king's household knight, but his conduct as Constable of Dover Castle had raised serious concerns. It is worthy of note that the only modern historian who took Burley's activities at Dover seriously as an explanation for Simon's execution was a Frenchman, Henri Wallon. Yet, Walsingham, Evesham and Otterbourne all repeated the accusation that Sir Simon intended to admit the French to Dover as a justification for the action of the 'Merciless' Parliament.<sup>32</sup> In this context, the objective

<sup>29</sup> Sir John Bouchier, Lord Berners, trans., *The Chronicle of Froissart*, 6 vols. (London, 1901-1903), 5:18-19; for the French text see Lettenhove, 12:255-57; Michael Senior, *The Life and Times of Richard II* (London, 1981), p. 127 does report the rumour.

<sup>30</sup> *The Westminster Chronicle*, 274-76; John J.N. Palmer, *England, France and Christendom, 1377-1399* (London, 1972), p. 110 says Burley promised Richard five thousand archers from Dover.

<sup>31</sup> (Ed.) E. Maunde Thompson, *Chronicon Adae de Usk*, 2nd. edn., (London, 1904), 14, 158; Monk of Evesham, 143.

<sup>32</sup> Henri Wallon, *Richard II*, 2 vols. (Paris, 1864), 1:275-76, 362-67; *Historia Anglicana*, 2:174., Monk of Evesham, 118; Otterbourne, 175.

truth of the accusation is secondary to the acceptance of its validity – or at least probability – by the Lords Appellant and their supporters. Since neither the Duke of Gloucester nor the Earl of Arundel have enjoyed a great reputation for mental acumen, it would seem far more likely that they sought Burley's death more for unproven but suspected treason than for some presumed role as the intellectual architect of a theory of Ricardian absolutism. Gloucester directly accused Burley and his friends of being '*falsos proditores*.' That the Earls of Derby and Nottingham opposed Burley's execution may speak well for their greater sophistication in such matters, but all the appellants were concerned with the fate of Dover Castle.<sup>33</sup>

*The Westminster Chronicle* stated that Burley was removed from court on 2 January, 1388. On 3 January, 1388 a patent warranted by the king and the council appointed Sir John Devereux as Constable of Dover Castle, and Devereux had taken up his duties by the following day. This patent was later superseded by a grant that referenced Robert de Ashton rather than Simon de Burley as Devereux's legitimate predecessor.<sup>34</sup> The degree of credibility given to reports of illicit communication between Richard II's court and the Continent channelled through Dover with Burley's connivance was revealed in a letter of 14 January, 1388, directed by the council to the new constable:

'Strict order, for urgent causes laid before the council, to cease every excuse and cause all writs, writings, orders and commands addressed from 20 November 10 Richard II until this date to all places within the constable's bailiwick on behalf of the king or others whatsoever for passage of all who have passed from the realm over sea for whatsoever cause to come with all possible speed before the council at Westminster.'

The *terminus a quo* of this letter clearly reveals the political concern that motivated the appellant-dominated council to issue it; 20 November, 1386, was the effective date for the commission established by the 'Wonderful' Parliament to supervise the king's administration of the realm to begin its task.<sup>35</sup> Sir John was asked to ferret out Sir Simon's treachery.

<sup>33</sup> Knighton, 2:256; Anthony Steel, *Richard II* (Cambridge, 1941), 160; Harold F. Hutchison, *The Hollow Crown* (New York, 1961), 120; Francis R. H. Du Boulay, 'Henry of Derby's Expeditions to Prussia 1390–91 and 1392,' (Eds.) F.R.H. Du Boulay and Caroline M. Barron, *The Reign of Richard II* (London, 1971), 154. On Burley as the mastermind of Ricardian absolutism, see Richard H. Jones, *The Royal Policy of Richard II* (Oxford, 1968).

<sup>34</sup> *The Westminster Chronicle*, 228; C.P.R., 1385–1389, 381, 415, 432; Tout, 3:428, n.5; Thomas Rymer, *Foedera, Conventiones, Litterae, et Cujuscunque Generis Acta Publica inter Reges Angliae et Alios Quovis Imperatores, Reges, Pontifices, Principes, vel Communitates*, (1101–1654), 20 vols. (London, 1704–35), 7:566.

<sup>35</sup> C.C.R., 1385–1389, 388; R.P., 3:221; Goodman, 172, n. 17.

Although Devereux had been appointed in haste, the appellants had selected the new constable carefully. Sir John had a long record of service with the Black Prince in Spain and Gascony, and under Richard II, he had served as Constable of Leeds Castle and as Captain of Calais. Devereux had ties to Kent; he held the manor of Penshurst in right of his wife.<sup>36</sup> Thus, John Devereux was qualified by position and experience for his post, but it was Devereux's strong opposition to the king and his circle that made him the perfect candidate for Constable of Dover. Devereux had championed the cause of Archbishop Courtenay against the king in 1385. He had been a member of the commission of 1386 that had been anathema to Richard II and the courtiers, and he had served as a messenger/negotiator for the appellants as they forced Richard II to submit to their demands in November 1387.<sup>37</sup> Devereux would serve the appellants as steward of the royal household and as a diplomat in truce negotiations with the French. As T.F. Tout noted: 'It was humiliating to the king that Devereux should be imposed upon him as steward and as the successor to Burley in the constableness of Dover.' The humiliation was heightened by the ironic election of Devereux to fill Simon Burley's stall among the knights of the Garter.<sup>38</sup> On 12 February, 1390, Devereux and his lieutenant at Dover, Nicholas Tye, who would later serve as one of Sir John's executors, shared in a grant of lands forfeited by John de Holt, another victim of the 'Merciless' Parliament.<sup>39</sup> The appellants had made certain that Dover Castle would be in safe hands.

Richard II made certain that Dover would revert to a friendlier constable on Devereux's demise. On 11 December, 1392, the king granted a reversion of the constableness of Dover Castle to John,

<sup>36</sup> Hasted, 3:233; Statham, 180-81.

<sup>37</sup> Tuck, *Nobility*, 107; R.P. 3:223; Tout, 3:416; *Historia Anglicana*, 2:128; Knighton, 2:242-3; (Ed.) May McKisack, 'Historia sive Narracio de Modo et Forma Mirabilis Parlamenti apud Westmonasterium Anno Domini Millesimo CCCLXXXVJ, Regni Vero Regis Ricardi Secundi Post Conquestum Anno Decimo per Thomam Faunt Clericum Indictata,' *Camden Miscellany*, 14 (1926), 2. *The Westminster Chronicle* implied (p. 210, but see 210, n. 3) that Devereux and his fellow messengers were sent by the king to negotiate with the appellants. This is unlikely. In any event, as Tout said (3:225, n. 3), 'whether king or lords gave them their original commission, their whole weight was thrown against the king.'

<sup>38</sup> *The Westminster Chronicle*, 322; Tout, 4:205; Goodman, 49; Faunt, 13, 16; James L. Gillespie, 'Richard II's Knights: Chivalry and Patronage,' *Journal of Medieval History*, 13 (1987), 155.

<sup>39</sup> C.P.R., 1385-1389, 195; C.C.R., 1385-1389, 81, C.C.R., 1389-1392, 525, 540; C.P.R., 1391-1396, 47, 245; C.C.R., 1391-1396, 245; C.P.R., 1396-1399, 559; C.C.R., 1396-1399, 256.

Lord Beaumont. Walsingham reports that John Devereux died suddenly on the Feast of the Chair of St. Peter [January 18], 1393, and on 5 May, Beaumont received his patent of appointment. Beaumont's career was a mirror image of Devereux's. When Richard II had left London to escape the supervision of the hated parliamentary commission, his first sojourn had been with Beaumont at Beaumanoir, Leicester.<sup>40</sup> With the appellant victory, Beaumont was among those expelled from the royal household, but when Richard II declared himself of age in May 1389, the king appointed Beaumont Admiral of the North in place of his kinsman, the Earl of Arundel. The king retained Beaumont for life with a fee of £100 per annum on 7 February, 1393. Beaumont had experience of castle guard as custodian of Sherbourne and keeper of Carlisle Castle.<sup>41</sup> He was the ideal man for Dover from the king's perspective. Richard had placed his loyal follower William le Scrope, the future Earl of Wiltshire, in control of Queenborough in May 1389 when he freed himself from the appellant yoke. Scrope held the castle for the remainder of the reign. In a further bit of byplay, Beaumont replaced Devereux within the ranks of the Garter. Beaumont remained active in Richard's interests. He served in Ireland in 1394, and he received large grants of land in Leinster for his efforts. On 8 July, 1395, Beaumont was appointed to the commission that opened a channel to the Valois through the espousals of Richard II and Isabella, the daughter of Charles VI. The new queen spent her first night in England at Dover Castle.<sup>42</sup> Dover and its constable had provided yet another opportunity for Richard II to court the friendship of the Valois monarchy.

John, Lord Beaumont was dead by 11 September, 1396, when Edward, Earl of Rutland was appointed to succeed him. Rutland was Richard II's cousin, and he was growing in favour with the king at this time. Richard had, as yet, not come to rely heavily on Rutland, however, and the earl would have been in a position to be of service

<sup>40</sup> C.P.R., 1391-1396, 199, 242; C.C.R., 1391-1396, 58., *Historia Anglicana*, 2:213; (Ed.) Henry T. Riley, *Johannis de Trokelowe et Henrici de Blaneforde Chronica et Annales* (London, 1866), 156; Tout, 3:418.

<sup>41</sup> C.P.R., 1385-1389, 454, 475; Goodman, 53-54; Statham, 381., Hasted, 6:236; George Frederick Beltz, *Memorials of the Order of the Garter* (London, 1841), 346; Gillespie, 'Knights', 156; John Lowell Leland, 'Richard II and the Counter-Appellants: Royal Patronage and Royalist Politics,' (unpublished Ph.D. dissertation, Yale University, 1979), 109, 156.

<sup>42</sup> Tout, 3:418, 4:2; Edmund Curtis, 'Unpublished Letters from Richard II in Ireland in 1394-5,' *Proceedings of the Royal Irish Academy*, 37, C, (1927), 281, 284, 297; Edmund Curtis, *Richard II in Ireland* (Oxford, 1927), 75; *Foedera*, 7:802-03; Statham, 381.



to the king as constable of Dover. In the aftermath of the Ricardian coup of 1397, Richard II came to rely more heavily upon Rutland whom he began to call his brother and on whom he began to bestow more responsibilities, including the constableness of England.<sup>43</sup> Richard needed to find another stalwart for Dover.

In February 1398, in a patent dated at Shrewsbury in the afterglow of the final parliamentary confirmation there of Richard II's victory over his old enemies, John, Marquis of Dorset, was appointed Constable of Dover Castle and Warden of the Cinque Ports. This grant of office to John Beaufort might well placate John of Gaunt at a time when Gaunt's legitimate heir and Beaufort's half-brother, Henry of Lancaster, was facing a very uncertain future. Beaufort himself had been a retainer of the king since 1392, and he had performed valuable service as one of the eight lords selected in 1397 to turn the tables on the chief appellant lords by appealing them of treason. The marquis owed not only his title, but his very legitimation to Richard II. He seemed a loyal and safe choice for Dover.<sup>44</sup>

Henry of Lancaster did not test his half-brother's loyalties. When he returned from exile to claim his duchy and ultimately Richard's kingdom, he landed in the north. Beaufort promptly defected to Henry's side, but his new found allegiance was not enough to entrust him with continued possession of Dover. The captive Richard II in a patent *teste rege* appointed his last constable of Dover Castle on 21 August, 1399. Historians have been technically inaccurate in crediting Thomas Erpingham's appointment to Henry IV, but they have recognized the truer meaning of that posting.<sup>45</sup> Erpingham had served Henry's father in Spain; he had shared Henry's exile. He was one of the sixty loyal followers who accompanied Henry to Ravenspur, and he was to serve Henry's son at Agincourt. Thomas

<sup>43</sup> C.P.R., 1396-1399, 24; Leland, 104-105, 144.

<sup>44</sup> C.P.R., 1396-1399, 289; C.C.R., 1396-1399, 348; *Annales*, 207; Steel, *Richard II*, 232.

<sup>45</sup> C.P.R., 1390-1399, 592. The earliest list of constables of Dover Castle that I have discovered was compiled in 1627 by John Philipot, Somerset Herald. This list is discussed by H. Stamford London, 'John Philipot, M.P., Somerset Herald, 1624-1645,' *Arch. Cant.*, lx (1947), 47. Other such lists have been produced by Hasted; by Lyon 2:234-39; by William H. Ireland, *A New and Complete History of the County of Kent*, 4 vols. (London, 1828-30), 1:710; Statham, 376-84; and Given-Wilson, 170 (index reads p. 169). In none of these lists does Erpingham appear as an appointee of Richard II. There may be other listings that I have missed. Tuck, *Crown and Nobility*, 224 also credits Henry IV with the appointment. William Henry Ireland has a special interest as a great literary forger. On this see Joseph L. French, *The Book of the Rogue* (New York, 1926).

Erpingham was a member of the committee sent to the Tower of London to receive Richard II's resignation of his crown. Erpingham was then entrusted with the apprehension of Richard's close supporter Thomas Despenser, Earl of Gloucester. Another loyal Henrician veteran, William Waterton was ensconced at Queenborough. Clearly, Henry IV also regarded Dover as a key to the kingdom.<sup>46</sup>

When Erpingham resigned the constablership in 1409 to the prince of Wales, it marked the end of an era in which Dover Castle was a central piece on a chessboard of political intrigue. The storm clouds that had gathered over Dover under Richard II, that had generated such *Sturm und Drang* during Burley's tenure there, had dissipated by 1409; they would gather again when Sir Edward Hales took up the post and in a very different way in our own century. In the fourteenth century, the storm clouds had diminished the vision of Richard's foes. The anti-Ricardians appear to have misunderstood the nature of practical finances as well as the basic problems of kingship. Any king was necessarily always at the cutting edge and had to make his decisions on the basis of complexities of a situation as he understood them. Those on the outside, not faced with those complexities and not having a clear understanding of their implications, have always tended to assume the worst, often to the ruler's detriment. That surely seems to have been the case in the concerns centred on Dover Castle as the key to Richard II's kingdom.

<sup>46</sup> Statham, 385; Monk of Evesham, 153; Hasted, 6:236; Given-Wilson, 232; (Ed.) Benjamin Williams, *Chronique de la Traison et Mort de Richard II* (London, 1846), 46; James L. Gillespie, 'Ladies of the Fraternity of Saint George and of the Society of the Garter,' *Albion*, 17 (1985), 270.

