

ASPECTS OF THE CAREER OF SIR JOHN FASTOLF
(1380-1459)

by

Anthony Robert Smith,
Pembroke College, Oxford.

Trinity Term 1982 ^{MT}



ACKNOWLEDGEMENTS

I am greatly indebted to Dr. G. L. Harriss of Magdalen College, Oxford for all the invaluable guidance he has given me. He has kindly allowed me access to certain of K. B. McFarlane's unpublished papers. I am also very grateful for the year's fellowship I was awarded by the Institute of Historical Research.

CONTENTS

List of Maps and Tables	. . . . .	iv
Abbreviations	. . . . .	v
Introduction	. . . . .	vii
I. Fastolf's Investment in Land	. . . . .	1
II. Administration	. . . . .	44
III. The Associates of Sir John Fastolf	. . . . .	102
IV. Disputes with the Duke of Suffolk	. . . . .	126
V. Litigation	. . . . .	169
Conclusion	. . . . .	219
Bibliography	. . . . .	222

LIST OF MAPS AND TABLES

MAPS

I	Distribution of East Anglian Property	14
II	Distribution of Property in Lothingland	19

TABLES

I	Fastolf's Acquisitions	7
IA	Distribution of Acquisitions According to Years' Purchase	25
II	Sales	33
III	Levels of Arrears on East Anglian Estates	88
IV	Analysis of Arrears on Selected Properties	93

ABBREVIATIONS

Further details of the following sources may be found in the bibliography.

Add. Ch.	Additional Charter
Add. MS.	Additional Manuscript
<u>Am.H.R.</u>	<u>American Historical Review</u>
A.D.	Ancient Deeds
B.	Beighton
<u>B.I.H.R.</u>	<u>Bulletin of the Institute of Historical Research</u>
<u>B.J.R.L.</u>	<u>Bulletin of the John Rylands Library</u>
<u>Bod. Lib.</u>	<u>Bodleian Library</u>
C.	Caldecott
Cal.	Calendar
C.C.R.	<u>Calendar of Close Rolls</u>
C.F.R.	<u>Calendar of Fine Rolls</u>
<u>C.I.P.M.</u>	<u>Calendar of Inquisitions Post Mortem</u>
C.P.R.	<u>Calendar of Patent Rolls</u>
C.P.	<u>Complete Peerage</u> (G. E. Cokayn)
Davis	<u>Paston Letters and Papers</u> (ed. N. Davis)
<u>Ec.H.R.</u>	<u>Economic History Review</u>
E.C.Ps	Early Chancery Proceedings
<u>E.H.R.</u>	<u>English Historical Review</u>
E.P.	Estate Paper
F.A.	<u>Feudal Aids</u>
F.P.	Fastolf Paper
G.	Guton
H.	Hickling
HH.	Hobland Hall
<u>History of Castle Combe</u>	<u>History of the Manor and Ancient Barony of Castle Combe</u> (G. P. Scrope)

<u>Letterbook</u>	<u>Calendar of the Letter Books of the City of London</u>
<u>Lothian MSS.</u>	<u>Report on the Manuscripts of the Marquess of Lothian</u>
<u>Norfolk Arch.</u>	<u>Norfolk Archaeology</u>
P.L.	<u>The Paston Letters</u> (ed. J. Gairdner)
<u>P & M</u>	<u>Calendar of the Plea and Memoranda Rolls of the City of London</u>
P.R.O.	Public Record Office
<u>Reg. Chichele</u>	<u>The Register of Henry Chichele, Archbishop of Canterbury</u> (ed. E. F. Jacob)
R.P.	<u>Rotuli Parliamentorum</u>
Swk.	Southwark
<u>Statutes</u>	<u>Statutes of the Realm</u>
T.V.	<u>Testamenta Vetusta</u> (ed. H. Nicolas)
T.	Titchwell
<u>T.R.H.S.</u>	<u>Transactions of the Royal Historical Society</u>
<u>V.C.H.</u>	<u>Victoria History of the Counties of England</u>

Introduction.

Sir John Fastolf (1380-1459)¹ was born into the East Anglian squirearchy. Most of his life was spent in war and administration in Ireland and France. He retired from the service of the Lancastrian Kings in 1440. For the first half of his career he was associated with Thomas of Lancaster, Duke of Clarence. He served briefly as a squire of the body to Henry V before entering the service of John, Duke of Bedford. Fastolf learnt his trade with Clarence but made his fortune with Bedford. He was the Duke's trusted adjutant and councillor, and had been appointed as the Grand Master of his household by 1424. Under Bedford he held several important captaincies: he commanded Caen for several years, Honfleur between 1424 and 1434 and Alençon for fifteen consecutive years, as well as Fresnay, Verneuil and other towns. In 1425 Bedford made him Governor of Anjou and Maine. Bedford regarded Fastolf highly enough to name him as an executor of his will. Fastolf was undeniably one of the most important and able of the captains who fought in the Hundred Years' War.

The subject of this thesis is Fastolf's career in England. The seminal work of K. B. McFarlane,² and the valuable article written by P. S. Lewis,³ have made historians familiar with the outlines of this subject. My indebtedness to these scholars is evident throughout this thesis. I have used the archives of Magdalen College, Oxford as a basis for the study of several important

¹ William Worcestre, Itineraries, ed. J. H. Harvey, p. 183. Fastolf's mother granted his patrimony, worth £46 p.a., to him in 1404 (Add. Ch. 14597).

² His most important work on Fastolf was 'The Investment of Sir John Fastolf's Profits of War', T.R.H.S., vii (1957), pp. 91-116. There is much information about Fastolf and his associates in 'A Business-partnership in War and Administration, 1421-1445', E.H.R., lxxvii (1963), pp. 290-310; 'William of Worcester, a Preliminary Survey', in Studies Presented to Sir Hilary Jenkinson, ed. J. C. Davies, pp. 196-221; 'William Worcester and a Present of Lampreys', Medium Aevum, xxx (1961), pp. 176-180; and The Nobility of Later Medieval England, passim.

³ 'Sir John Fastolf's Lawsuit over Titchwell 1448-1455', Historical Journal, i (1958), pp. 1-20.

aspects of Fastolf's career. These are his investment in land, his administration of what he acquired, and his defence of it through litigation. Fastolf's friendships, enmities and political attitudes affected all aspects of his life. For this reason considerable attention has been paid to Fastolf's associates and to his political career, particularly in the light of his relations with William de la Pole, Duke of Suffolk.

From this study Fastolf emerges as a man of exceptional energy and ability, especially as an administrator. Harsh words have been said about his character and behaviour.⁴ These mainly refer to Fastolf in his extreme old age, when his health was failing. By then he had been disheartened by the loss of Normandy and Gascony and he was struggling, in unfavourable economic conditions, to maintain the level of his income and pay for expensive, frustrating lawsuits. Perhaps these years were not typical. This is suggested by the long and devoted service Fastolf received from his best officials. That he commanded respect, and even affection, is evident from a letter written by William Worcester to Margaret Paston:⁵

'Wold Jesu, maistras, that my gode maister that was som tyme your husbond yn my seyde maister Fastolf lyfe-dayes as he shewed to me their coude hafe founded yn hys hert to hafe trusted and lovyd me as my maister Fastolf dyd...'

Unfortunately the surviving evidence does not permit us to make a satisfactory assessment of Fastolf's personality. What it does allow is a detailed knowledge of the activities which engaged Fastolf's attention in England.

⁴ See K. B. McFarlane, The Nobility of Later Medieval England, p. 50.

⁵ Davis II, no. 727.

CHAPTER I

Fastolf's Investment in Land.

During the fifteenth century the purchase of land was the best long-term investment a rich man could make. A large landed estate conferred revenue, power and social status on its owner. Yet little is known about the policies adopted by men who bought land and the markets in which they purchased. These are subjects which can be illuminated by an examination of Fastolf's investment in land in England.

It is possible to establish the date of purchase of, and the price paid for, many of the properties Fastolf acquired in England.¹ Analysis of the chronology of purchase confirms McFarlane's suggestion that Fastolf rose to prominence as a landowner on the profits of the French War.² Not all of Fastolf's French earnings were transferred to England. Nevertheless, an indication of the level and fluctuations of his overseas earnings can be derived from an investigation of his investment in England.³

Between about 1415 and 1445 Fastolf spent over £13,500, or £450 a year, buying property in Norfolk, Suffolk, Essex and London.⁴ The first property of any consequence that Fastolf acquired was the manor of Beighton, located midway between Caister and Norwich; he bought it in 1415.⁵ Including Beighton five manors were purchased in Norfolk and Suffolk between 1415 and 1420, at a total cost of

¹ See Table 1, p. 7.

² K. B. McFarlane, 'The Investment of Sir John Fastolf's Profits of War', T.R.H.S., vii (1957), pp. 91-116, esp. pp. 92, 93.

³ It is clear from F.P. 69 that Fastolf bought land extensively in France, particularly in Normandy; it is possible that he spent as much as 4000 marks (F.P. 69). Only a small portion of these properties were sold. The rest were lost without compensation through French military recovery. Many of Fastolf's properties were damaged by war and insurrection. Thus it is unlikely that Fastolf received a fair return for his investment. Ransoms and wages which were never paid may also be regarded as profits which never reached England (see page 4).

⁴ F.P. 69: K. B. McFarlane, 'Profits of War', p. 103.

⁵ B. 10.

£1016-13-4. There is no indication that these purchases were the result of great profits in France, even though by 1420 Fastolf had served there for seven years, if his time in Gascony is included. On the other hand these years were presumably more profitable than his service in Ireland. Fastolf's only major gain there was the opportunity to marry the Deputy-Lieutenant's widow, who brought him English lands worth £240 per annum. Fastolf's first real step up the social ladder came through marriage rather than his military exploits.⁶

By 1420 Fastolf had been a knight for four years, had held important commands in France and received grants of Norman land.⁷ The lands were probably not very profitable at this stage owing to the impact of war; but during the next decade, with the imposition of peace and stability on Normandy, they were made to pay. We are quite unable to tell what proportion of the income from these lands (worth at their maximum nearly £600 per annum) was transferred to England.⁸

The success by the time of his death of Henry V's settlement policy, several brilliant victories, such as at Cravant and Verneuil, an English takeover in Anjou and Maine (during 1424-6) which made the border of Normandy much safer, and the able leadership of the Duke of Bedford all contributed to making the 1420s the most prosperous and stable period of English rule in France. The decade was crucial in Fastolf's rise to great wealth. By 1426 his career had accelerated. On the death of Henry V he had moved into Bedford's service as Grand Master of

⁶ Itineraries, pp. 349-351; History of Castle Combe, pp. 144, 145. Milicent Scrope was a daughter of Robert, third Lord Tiptoft, who died in 1372 (History of Castle Combe, p. 78). The marriage took place in January 1409, about a year after the death of Sir Stephen Scrope. Milicent's lands were in Yorkshire (Bentley and Wighton), Wiltshire (Castle Combe and Bathampton) and Gloucestershire (Oxenton): F.P. 69.

⁷ He was knighted in January 1416 and on the same day was granted the lordship of Frilense, by Harfleur, for life (Register of the Most Noble Order of the Garter, ii, p. 137; Cal. French Rolls, HV, p. 577; T. Rymer, Foedera, ix, p. 329). In 1419 he was granted in tail male the four lordships of Auvricher, Bec Crispin, Criquetot and Gauseville in the bailliage of Caux (Cal. Norman Rolls, i, pp. 723, 745). Before 1420 he was Deputy-Lieutenant of Harfleur and Captain of Fécamp; in January 1421 he received the Captaincy of the Bastille (J. G. Nichols, 'An Original Appointment of Sir John Fastolfe to be Keeper of the Bastille of St. Anthony, at Paris, in 1421', Archaeologia, xliv (1873), pp. 113-123; F.P. 69). In 1412 he was temporarily Deputy-Constable of Bordeaux (F.P. 69; K. B. McFarlane, 'Profits of War', p. 94, note 1).

⁸ F.P. 69. This is the annual value of all Fastolf's French lands, including those in Anjou and Maine.

his household and become one of his most valued and trusted councillors and aides. The relationship lasted until Bedford's death nearly fifteen years later. As McFarlane observed, it was this move which gave Fastolf the opportunity to accumulate wealth.⁹ It is hardly surprising that the men associated with Bedford's household, such as Fastolf, Andrew Ogard and William Oldhall, who on Bedford's death transferred their loyalties en bloc to the young Duke of York, formed a pressure group committed to the successful maintenance of English rule in France. It was there that their fame and fortunes were made. Fastolf was one of the most outspoken of them: both in his advice to the French Council in 1435 and on various other occasions in the 1440s he made clear his desire for a firm, active prosecution of the war against the French rebels - those who failed to acknowledge the rights of the King of England (as set out in the Treaty of Troyes) to rule the whole kingdom of France.¹⁰ When the Lancastrian government in England began to collapse, however, Fastolf was too cautious (unlike his colleague and Norfolk neighbour Sir William Oldhall)¹¹ to be drawn into factional politics and civil war, in spite of his close association with the opponents of the Duke of Suffolk in 1450.

By 1426 Fastolf had been created a knight banneret, a Knight of the Garter and a baron of France, with lands in the county of Maine to maintain his status. He

⁹ K. B. McFarlane, 'Profits of War', p. 104. Fastolf played a prominent part in Bedford's annexation of Anjou and Maine between 1424 and 1426 (R. Planchenaut, 'La Conquête du Maine par les Anglais', Revue Historique et Archéologique du Maine, lxxxix (1925), pp. 3-31; lxxxix (1933), pp. 125-152; xvii (1937), pp. 24-34, 160-172).

¹⁰ Letters and Papers Illustrative of the Wars of the English in France during the Reign of Henry VI, ed. J. Stevenson, II, ii, pp. 575-585 (1435), 585-591 (1440), 591-594 (1448), 595-597 (1450). The 1435 report, which is as much a diplomatic as a military document, was written against a background of French intransigence and Burgundian desertion at the Congress of Arras. Fastolf advocated the use of the most severe tactics of 'mortal war' against all rebels but his proposals were not adopted (M. G. A. Vale, 'Sir John Fastolf's "Report" of 1435: a New Interpretation Reconsidered', Nottingham Med. Studies, xvii (1973), pp. 78-84, esp. p. 81).

¹¹ Oldhall was York's chamberlain; his fortunes were closely tied to his lord's. Fastolf's role in 1450 is discussed in Chapter IV.

had taken part in the spectacular English victory at Verneuil in 1424.¹² This battle illustrates the level of the rewards Fastolf's military service might produce and also the difficulty of estimating how much he really earned. On the day of the battle he is supposed to have won 20,000 marks. 5000 marks was promised him for the ransom of the captive Duke of Alençon. Four-fifths of this sum had not been paid to him by the end of his life. It is likely that the ransom was included in his estimate of 20,000 marks.¹³ The actual profit was much less than the sum he ought to have received. This was also true of payment for military service. The frequency of arrears and non-payment of wages owed by the Crown explains the sense of ill-usage at the hands of the Lancastrian government felt by Fastolf and others like him. Yet claims for payment such as those put in by Fastolf to the Crown as late as the mid 1450s also reveal the huge size of the rewards the fortunate could expect to earn. One estimate of the amount still owed him, made in 1455, came to more than 21,000 marks.¹⁴

In the 1420s, then, Fastolf's career blossomed. In 1426 there is the first real evidence of money made in France flowing into England. K. B. McFarlane drew our attention to this. On 26 January 1426 Fastolf entrusted 2000 marks sterling (or £1333-6-8) to Sir William Breton (the baillie of Caen) to be forwarded by him to John Wells (a merchant of London) and John Kirtling (Fastolf's receiver) on Fastolf's behalf. Breton may have acted as an agent for one or two other small sums before this: he acted in this way again in 1433-4.¹⁵

¹² F.P. 9: Register of the Most Noble Order of the Garter, ii, pp. 131 ff. Bedford created him banneret at Verneuil in 1424, Governor of Anjou and Maine in 1425 and, in 1426, had him elected to the Garter and granted the barony of Sillé (Maine), worth one thousand marks per annum (F.P. 69: P.L. III, p. 57).

¹³ P.L. III, pp. 58, 59; he was still seeking payment in 1455 and 1456 (Add. MS. 39848, no. 228; abstract in P.L. III, p. 50; Davis II, no. 541). His prisoner Guillaume Remon, captured in 1423, did not bring full value either (P.L. III, pp. 58, 64; C. A. J. Armstrong, 'John Fastolf and the Law of Arms', in War, Literature and Politics in the Later Middle Ages, ed. C. T. Allmand, pp. 47-56).

¹⁴ P.L. III, p. 59.

¹⁵ K. B. McFarlane, 'Profits of War', pp. 95, 96.

There is an almost perfect equation between the sum shipped to England in 1426 and the amount spent on two properties at about that date. The cost of Davington in Kent and Akethorpe in Lowestoft together was just over £1400. The purchase of Akethorpe (acquired in March 1426 for £136-13-4) was a piece of opportunism on the part of Kirtling and Fastolf's associates and councillors in East Anglia,¹⁶ but Davington must have been purchased mainly on Fastolf's own initiative.¹⁷ His association with London merchants like Wells and Thomas Fauconer was important in this respect. John Wells was his agent in the purchase of Davington, which was sold to him by Fauconer. The sum shipped to Wells was probably expected to cover the cost of the purchase of Davington as negotiated by Fastolf. When Davington had been paid for there was a little left over which went towards the purchase in Lowestoft.

This episode formed the origin of the arrangement analysed by McFarlane, which was in full swing in the 1430s. By this Fastolf relied mainly on merchants to transfer his wealth from France to London. There, in the hands of John Wells and other merchants it earned interest at five per cent per annum while they 'merchandised' with it.¹⁸ One would expect this transfer arrangement to be concerned with the short term; the need to find a profitable use for the money before it was spent on land. As such it was not very satisfactory because sums stayed in the hands of Wells and others for long periods, and arrears of both the loans and the interest mounted up. This was because the merchants themselves often contracted bad debts or experienced delays in receiving repayment. In fact some of Fastolf's money never came back to him at all. Wells died owing him 'grete good'. While

¹⁶ Benyers 19.

¹⁷ Exactly when Davington was acquired is not known, but 1426 is likely. E. Hasted, A History and Topographical Survey of the County of Kent, VI, pp. 377, 378 states that Sir Hugh Halsham disposed of it in 1422-3. Thomas Fauconer (a mercer), who married Halsham's sister Philippa (Reg. Chichele, ed. E. F. Jacob, II, pp. 608-611) presumably sold to Fastolf shortly after acquiring it from Halsham (Add. MS. 39848, no. 226; abstract in P.L. II, pp. 188, 189). Fauconer was Fastolf's farmer at Davington and received at least £400 from him with which to trade (F.P. 9 - Respites).

¹⁸ K. B. McFarlane, 'Profits of War', pp. 96-98.

it is true that Fastolf never doubted Well's honesty, his lack of urgency in seeking redress may have been owing to a sense of the difficulty of obtaining it.¹⁹

In the 1430s there was a clash of interest between Wells and other Londoners and Fastolf's council in East Anglia, which shows that the arrangement did not succeed as a means of achieving a short term profit on money otherwise inactive. With the money in the Londoners' hands Fastolf's servants in the 1430s could have paid on the nail for at least two manors instead of entering into a drawn out series of payments by instalment. Confusion over one of these almost led to serious trouble when an agent of the vendor (who was the Duke of Suffolk) asserted that Fastolf had not paid what he owed when in fact he had.²⁰ On other occasions the council in East Anglia was hindered. At least twice Fastolf's servants had to travel down to London to secure money from Wells in order to proceed with investment in East Anglia.²¹ At times there were cash flow problems. In 1434-5 the council had to raise loans in Norwich to meet a small purchase price, in spite of Fastolf's immense real wealth by then.²² When payments for land purchases were made in London (as sometimes happened) it was useful to have ready money there. Most often, though, the cash was taken from Norwich or Caister to the vendor.²³ It was important for the councillors to have ready cash if they were to invest successfully, for payment was made either by cash on the nail or by instalment (except on two occasions when an exchange was made). If the Londoners had not been involved it is possible that Fastolf would have bought even more land than he did.

¹⁹ F.P. 9 (Arrears): F.P. 14 (Arrears). K. B. McFarlane, 'Profits of War', pp. 98, 99.

²⁰ The dispute concerned the manor of Cotton (F.P. 22).

²¹ F.P. 9 (Receiver's Expenses): F.P. 12 (Receiver's Expenses).

²² These were for Stapleford Tawney which cost £100: F.P. 12 (Council's Expenses; Foreign Receipts). Fastolf's wealth in land and other possessions was great but cash was probably in short supply at this moment.

²³ The purchase price for Davington was presumably paid in London but in most cases, as in that of Stapleford in 1435 (F.P. 12 - Council's Expenses) money was probably taken from Caister to the vendor.

TABLE I

FASTOLF'S ACQUISITIONS.

<u>PROPERTY</u>	<u>YEARS'</u> <u>PURCHASE</u>	<u>DATE</u> <u>ACQUIRED</u>	(1) <u>PRICE</u> ££	(2) <u>RETURN</u> (1434)	(3) <u>RETURN</u> (1436)	(1) <u>VALUE</u> (1445)	(4) <u>VALUE</u> (1447)
Yarmouth	30	Pre 1420	200--0--0	N	N	6-13--4	--
Pentlow	29	1427-33	527--5-11	6--7--5	N	18--0--0	--
Cotton	27.5	1434	933--6--8	NA	N	35--2--3	35--8--7
Tolthorpe	26	1432	250--0--0	N	N	9--9-11	8-15--4
Blickling	24	1431	1674--0--0	65-10--2	17--6--3	63-16-10	65--2--0
Guton	24	1436	733--6--8	NA	N	36--0--2	35--5--8
Lowestoft	22	1426	136-13--4	6-13--4	6-13--4	9--0--0	9--0--0
Saxthorpe	22	1428	466-13--4	12-14--0	10-10--8	23-11--2	24--0--0
Long Stratton	21.5	1436-45	100--0--0	NA	NA	4-13--4	5--0--0
Hickling	20	1428	333--6--8	16-13--4	16-13--4	16-13--4	--
Holmhale	20	1436	80--0--0	NA	N	4--0--0	NO
Mundham	20	1428-30	133--6--8	5-15--7	N	6-15--1	6-13--4
Runham	20	1437	266-13--4	NA	NA	11-15--1	--
Titchwell	20	1431	440--0--0	19--7-11	N	22--0--0	22--0--0
Tunstal	20	1420-33	40--0--0	N	1--0--0	2--0--0	--
Levington	19.5	1420	270--0--0	10--7--8	5--6--8	13-16--8	13--6--8
Davington	19	1426	1280-10--0	NO	NO	66-13--4	NO
Gorleston	19	1434	202-13--4	N	N	15--6--4	14--5--0
Yoxford	18	1428-30	233--6--8	8--0--0	2-13-10	13--6--8	NO
Winterton	17	1420-33	333--8--0	8-17--1	15--6--8	22-17--3	--
Dedham Overhall)	16	1428	1000--0--0	29-10-10	N	61-17-4	--
Dedham Netherhall)			160--0--0			10--0--0	
Herringby Fennes	15.4	1436-45	139-13--4	NA	NA	11-17--2	12-15--5
Stokesby	15	Pre 1420	60--0--0	N	N	4--0--0	--
Tittleshall	15	Pre 1420	200--0--0	NO	NO	13--6--8	NO
Hainford	14.5	1434	333--6--8	N	N	22-17--9	23--1-10
Beighton	14	1415	200--0--0	11--6--8	1-16--0	13-18--8	14-16-10
Bradwell	13.3	1417-19	266-13--4	4-17-11	N	10--1--8	19--0--0
Herringby Spencers	12.5	1426-7	268--0--2	3-10--0	N	23-11--9	17-12--7
Fritton	12	1434	286-13--4	4-15--0	N	26--1--4	25--0--0
Southwark	12	1439-46	1227-13--4	NA	NA	102--0--0	--

SYMBOLS

N: Nothing Received
 --: Nothing Entered
 NA: Not Acquired
 NO: Not Owned

NOTES

- (1) F.P. 69
- (2) F.P. 9
- (3) F.P. 14
- (4) F.P. 28

Compared with what followed, the years 1420-1426 saw relatively little investment in England, in spite of the progress of Fastolf's career. This was probably partly because profits had not yet become very high and partly owing to the absence of a fully-committed policy of investment in England. During 1426 there was a noticeable change; and after 1426 there followed four years of heavier investment in Norfolk (two manors and an annual rent purchased for £1068) and Essex, where Dedham was bought in 1428 for £1160.

In addition to the major purchases made between 1426 and 1430 some investment was made in minor properties, to fill in the gaps between the manors with smaller pieces of non-manorial property.²⁴ Fastolf probably did not have much direct involvement in this type of investment made by his council. He also benefited, as might be expected, from direct royal patronage. In 1428 he was granted the manor of Tofts Monachorum in Norfolk for a period of ten years.²⁵ The property belonged to one of the many alien monastic houses in England whose confiscated property had been used by the government as a source of patronage. Although it may have been intended, like certain grants of lands in France, to offset losses of ransoms and wages in his military service, we know that by 1434 Fastolf was paying about £40 per annum to the Exchequer for the manor.²⁶ When this grant expired in 1438 he was given temporary custody of the manor of Burley in Herefordshire.²⁷

Undoubtedly the most startling period of investment in land occurred during the first half of the 1430s, although the English were by then on the defensive in France. The military revival of the French, which severely stretched the Norman administration, really began with the raising of the siege of Orléans in 1429 and the English defeat at Patay in the same year by a French army apparently inspired by the presence of Joan of Arc. These setbacks culminated by the middle of the decade in the loss of a strategically vital alliance with Burgundy, the fall of

²⁴ On consolidatory investment see below, pp. 17-21.

²⁵ C.F.R., xv, p. 242.

²⁶ F.P. 9 (Rented Lands).

²⁷ C.F.R., xvi, p. 325; to hold for the minority of William Burley, heir of John Burley.

Paris and the death of the Duke of Bedford. By 1435-6 Fastolf was no longer very active on the battlefield. The raising of the siege of Caen in 1434 was probably his last military exploit.²⁸ He had turned to administration and service on the Council in France. The period also saw a definite decline in his own fortunes. A rebellion (assisted by the Dauphin's soldiers) in Normandy drastically reduced the value of Fastolf's property in the Pays de Caux region from around £200 per annum to £8.²⁹ Yet his money continued to pour into England.

Although the French advances were halted, the breakdown of English supremacy, which enabled French guerrilla groups to operate within the borders of English administration, undoubtedly contributed to a reduction of the value of property in France.³⁰ By the time he retired from the war in 1439, the value of Fastolf's lands there had been reduced by more than one-third to around £400 per annum and he had begun to sell out well before this. It is indicative of the position that several properties he sold in France brought him only ten times their annual value - half the price he might expect to get in England under normal conditions. His barony in Maine was producing barely one-fifth of its estimated peacetime value per annum during the 1430s.³¹

The reversals of these years probably persuaded Fastolf to begin to sell off his French property. That his greatest investment in England should occur at this

²⁸ Itineraries, p. 353: Worcester presumably refers to the Norman peasants' assault on Vauxcelles. Fastolf was Lieutenant of Caen.

²⁹ R. Jouet, La Résistance à l'Occupation Anglaise en Basse-Normandie (1418-1450), pp. 62, 63; K. B. McFarlane, 'Profits of War', p. 106: F.P. 69. It was Fastolf's misfortune to hold some of his most valuable lordships in Caux, the most severely troubled region.

³⁰ C. T. Allmand, 'The Lancastrian Land Settlement in Normandy, 1417-50', Ec.H.R., xxi (1968), p. 474.

³¹ F.P. 69 records sales of French land which brought in £847 at ten years' purchase, but it is not an exhaustive list. Fastolf sold Dusseye, a sale not mentioned in F.P. 69, for twelve years' purchase in 1436 (Allmand, op. cit., p. 475). He considered selling Piron, near Coutances, soon after the rebellions, to John Appleton, Captain of Pontdonné (Boke of Noblesse, ed. J. G. Nichols, p. lvi) but his earliest known sale, of the barony of Auvricher in Caux, was arranged late in 1433, before the rebellions (Actes de la Chancellerie d'Henri VI concernant la Normandie sous la domination Anglaise (1422-1435), ed. P. le Cacheux, ii, no. DCC).

time suggests an act of policy. In France the prevailing mood, even after Joan of Arc's death, was one of anxiety. Polydore Vergil, though he wrote later, captured it well:³²

'the affaires of England grewe by this meane, from day to day, through Fraunce, woorse and woorse, which diversly did affect the nobilitie: for some, very pensife in mind, deemed the distresse of the present time light, in comparison of that which they forsawe to be imminent: others thought that woorse could not chaunce than had alreadie chaunced, for they saw the forces of th'enemy augmented and their owne diminished: wherefor everyman, much musing with ardent affection, considered with himselfe particularly whether it were possible to remedie the state of thinges almost utterly decayed'.

It is likely that Fastolf, whose outlook was always cautious and prudent, decided that it would be unwise to hold his wealth in the increasingly precarious military and political climate of France. He may have felt that the English could not expect to rule throughout France and would be hard pressed to continue to defend what they had.³³ Consequently his money, plate and jewellery were shipped to England, and some of his assets stored in land were realised. That he was in his fifties and perhaps considering retirement was less important, for he stayed on in France until 1439.

In England the six years 1430-1436 saw the purchase of ten important properties in Norfolk and Suffolk for around £5750: in the financial year 1433-4 £1222 was spent; in 1435-6 £889.³⁴ All of the purchases can be dated exactly. One took place in 1431, another in 1432 and the others in 1434 and 1435.³⁵ Some of them required an exceedingly large outlay: Blickling cost £1647, Cotton and Wickham Skeith £1000. At the other end of the scale the least expensive cost only £82 and £133-6-8. In addition there was a substantial amount spent on investment in minor properties so as to consolidate Fastolf's position, especially in Lothingland in

³² Polydore Vergil's English History, ed. Sir Henry Ellis, Camden Society, xxix (1844), p. 39, referred to by M. McKisák (Medieval History in the Tudor Age, pp. 100, 101) who says that Vergil's judgements 'often hit the nail on the head'.

³³ Allmand (op. cit., p. 476) thinks so: 'Those who, like Fastolf, had seen the way that the war was going had acted upon their foresight when the market was still in their favour'.

³⁴ F.P. 9 (Purchases): F.P. 14 (Purchases).

³⁵ Four were acquired in 1434, two of them on 1 March.

Suffolk. In every way the first half of the decade was a remarkable period. It was at this stage that major building work was begun at Caister and Hellesdon. Repairs and improvements were made on newly-acquired property and a valuable new mill was planned and built at Dedham in Essex.³⁶

After 1435 the impetus of investment in land showed signs of slowing down quite considerably. The spending did not stop altogether: and though there is no evidence of massive profits being brought to England from the continent after 1436, Fastolf's remaining lands in France may have produced a few hundred pounds annually. This was owing to the return of military stability there, though the English remained on the defensive. Any hope of receiving significant landed income from France finally ceased for Fastolf when the government decided to hand over Maine to the French in the mid 1440s in an attempt to buy peace and a political settlement by which Normandy could be retained.³⁷

It is not, then, surprising that the level of Fastolf's spending on land decreased after 1436. This did not mean that his financial resources were stretched. Even when called upon to make loans to the government and various magnates³⁸ and to find the costs of several expensive lawsuits, Fastolf showed no sign of permanent financial embarrassment. His building works continued throughout the 1430s and the 1440s, demanding a high level of expenditure: over £6000 in all at Caister, well over £1000 at Southwark, and an unknown, but not insignificant, amount at Hellesdon by Norwich.³⁹ The printed inventories of his plate, furniture

³⁶ See below, pp. 39, 40.

³⁷ Charles VII secured this in 1447 by exploiting Henry VI's desire to make a lasting peace from the Truce of Tours of 1444 (B. P. Wolffe, Henry VI, pp. 172, 193). At the Le Mans conference Fastolf, through his proctor John Berney, unsuccessfully sought compensation for his Maine lands. His financial position was worsened when the Bishop of Séz seized his Norman revenues to compensate for plate, belonging to the church, which Fastolf had captured on Bedford's behalf (Letters and Papers Illustrative of the Wars of the English in France during the Reign of Henry VI, ed. J. Stevenson, II, ii, p. 687; I, p. 493).

³⁸ Fastolf's recorded loans to government totalled £2500: £1666 in 1436-7, £100 in 1445 for the Queen's coronation, £233 for Kyriel's 1450 expedition, £100 for Daniel's 1449 expedition and £400 for Talbot's 1452 expedition (P.L. III, pp. 60, 63, 64). For loans to magnates see below, Chapter III, p. 125.

³⁹ F.P. 69.

and tapestries in the mansion at Caister give an indication of the amount of real wealth he possessed.⁴⁰ Nevertheless by 1445 all but the slightest amount of expenditure on land purchase had ceased. A considerable number of Fastolf's letters to his servants and legal advisers survive for the decade after 1449. References in them to the possibility of purchasing land are very few, while in the same period he sold about ten of his properties. Although the majority of these sales were of properties of small value there was, by the mid 1440s, a change of emphasis away from investment in land. The period of great expenditure and acquisition had ended because Fastolf had insufficient surplus wealth to make a continuation of the earlier policy possible. Reserves had to be kept back for contingencies such as the defence of his properties at law. Litigation regarding three manors (Titchwell, Bradwell and Beighton) cost Fastolf £1085 in ten years, and these were not the only properties that he was called upon to defend.⁴¹

Just three properties, all in Norfolk, can be dated as purchases made between 1436 and 1445. One of these was Runham (acquired in 1437), which cost £266-13-4. The other two cost £202 together. From 1439 to 1445 one very important project was undertaken - the attempt to build up a concentration of property in London at Southwark. £1225 was spent on this project. Almost the same amount again was spent on the improvement of the purchase by the laying down of roadways and the rebuilding of tenements.⁴² That a period in which around £1500 was spent on new

⁴⁰ P.L. III, pp. 166-189. A long list begins with £2642-10-0 in coin 'kept to the use of the said Sir John duryng his lif, and aftir his decesse to be disposed in satisfieng of the duetees and dettes to God and Holy Chirche, and to all othir, and in fulfillieng and execucion of his legate last wille and testament'.

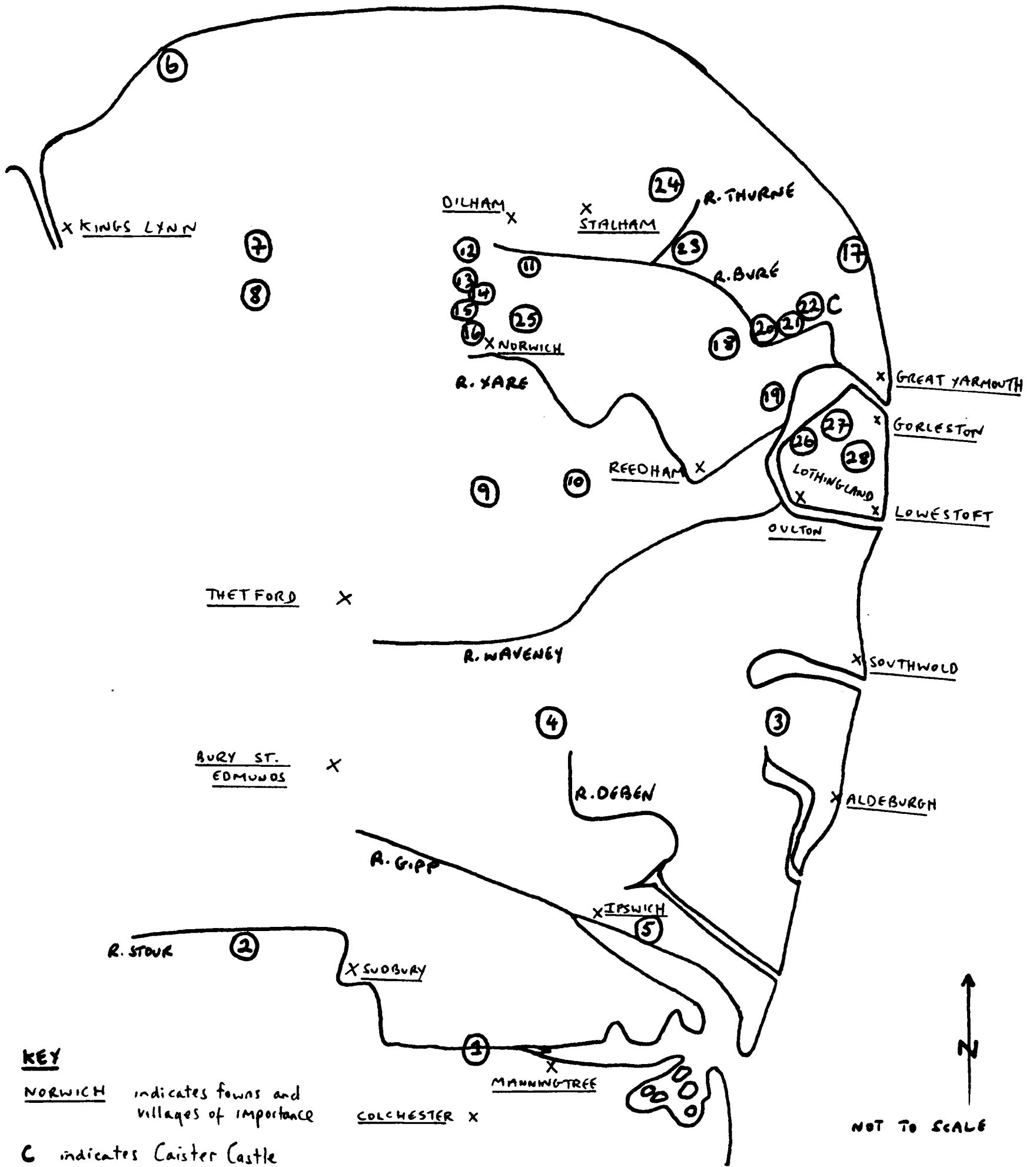
⁴¹ F.P. 42.

⁴² F.P. 69. By 1459 Fastolf had fifty-one messuages, seven gardens and two water mills, with some land, wharves and meadow in Southwark (Swk. 50A). Five separate acquisitions can be dated, four to the year of his retirement from France (1439-40): the Boar's Head from John Stradlyng esq. in November 1439 (Swk. 174); Yevele's and Walleworth's properties from Katherine Burgh in December 1439 (Swk. 2, 20); the Hart's Head from John Hanham esq. in April 1440 (Swk. 6); and William Suthcote esq.'s property in October 1446 (Swk. 1C). None of the vendors was a London citizen. In the case of the Boar's Head the vendor was 'a sowdeour yn kyng Henry the VI ys days' whose heir 'duelled with Sir John Fastolf for a seson' (K. B. McFarlane, 'A Business-partnership in War and Administration, 1421-45', E.H.R., lxxvii (1963), p. 303): no personal connection is known in the other cases.

property can be described as one in which investment slowed down (in comparison with the heady days of the early 1430s) emphasises the immense scale of the investment in land which Fastolf undertook. Even this lesser sum was about £500 more than Fastolf spent on the conduct of the three major lawsuits in the last decade of his life. To pay for this investment all but a small proportion of Fastolf's wealth earned and stored in France had been transferred to England.

What policies guided Fastolf once he began to invest his money in the acquisition of land in England? In the absence of letters or memoranda recording his aims, inferences must be made from the locations and prices of his possessions. There is every sign that geographical considerations influenced the policy of investment Fastolf adopted. Although by marriage he had acquired substantial property in Yorkshire and the West Country, no attempt was made to buy in these areas. This property would eventually descend to the sons, by a previous marriage, of Fastolf's wife Milicent. Fastolf had merely a life interest. If he had produced an heir the heir would not have inherited this property. Thus what may be termed a 'dynastic' consideration dissuaded Fastolf from investing there. Furthermore, these possessions were distant from the centres of estate management in Norfolk. They were harder to manage efficiently than lands closer to Caister and Norwich. Fastolf was, moreover, better equipped to find opportunities for investment in East Anglia because most of his servants were from that region. He was probably influenced also by the thought that a concentration of property near Caister would make his neighbours appreciate his new status, as well as increase his power over them. It is also possible that Fastolf was aware that such a concentration would be beneficial commercially, since the bulk of his property would have access to river and sea routes. These cannot be more than tentative explanations for the distribution of Fastolf's possessions. They are at least plausible since they tie in with what we know about Fastolf's administrative objectives, particularly his concern for efficient management and his efforts to exploit his estates commercially.

DISTRIBUTION OF EAST ANGLIAN PROPERTY



In East Anglia Fastolf built up a compact estate. The distribution of his properties suggests that an effort was made to concentrate his holdings in three areas of East Anglia. The centres of these concentrations were in the Norfolk and Suffolk hinterlands of Caister Castle (in the hundreds of Flegg and Lothingland) and in the vicinity of Norwich. In the hundreds of East and West Flegg Fastolf had his inherited lands and his mansion (at Caister Castle), which was built one mile from the sea. At Caister Fastolf possessed three manors, two inherited (Vaux and Redham)⁴³ and one, Bosun's manor, acquired in 1428.⁴⁴ Eight miles to the north-west he owned Reppes with Bastwick,⁴⁵ and eight miles directly to the north the manor of Winterton.⁴⁶ Fastolf had lands at Herringby and Stokesby before 1420. Here he afterwards added two manors.⁴⁷ To the west of Caister he also acquired Runham.⁴⁸ Farther west, midway between Yarmouth and Norwich, Fastolf's possessions included Beighton,⁴⁹ possibly the first manor he

⁴³ See Add. Ch. 14597: Blomefield, XI, pp. 204-6.

⁴⁴ Fastolf exchanged his property in Tittleshall for Richard Bosun's manor in Caister. This arrangement was made by John Kirtling in 1425 and carried out in 1428 (Bod. Lib. Ch. 730; abstract in P.L. II, p. 21: HH. 52). Since the Bosun family lived in Whissonsett, near Tittleshall, the exchange suited both parties (Bod. Lib. Ch. 58).

⁴⁵ This was one of Fastolf's inherited properties (Add. Ch. 14597).

⁴⁶ This was purchased between 1420 and 1433 (F.P. 3, 9).

⁴⁷ Herringby Fennes was purchased between 1436 and 1445 (F.P. 14, 69: Norfolk and Suffolk 1). Herringby Spencers, so called because it had belonged to John Spencer, was bought in 1426-7 from John Tirrel esq. (Norfolk Fines, p. 409: Blomefield, XI, p. 222). Tirrel, who was sheriff of Norfolk and Suffolk in this year, had acquired it through his wife, the widow of John Spencer (J. S. Roskell, The Commons in the Parliament of 1422, pp. 226-8). Tirrel's main interests were in Essex, so he was probably happy to sell to Fastolf.

⁴⁸ Fastolf bought Runham from John Marchant, a London fishmonger, and his wife Isabella in June 1437 (H. 22). They released to him in December 1437 (H. 17) after he had bought out the rights of Robert Brynkley, Isabella's brother, and William Walton (H. 38: H. 21, 11: H. 16). Walton, a goldsmith, was brother, heir and executor to the goldsmith Robert Walton who died in 1431, shortly after he had married Isabella Brynkley (T. Reddaway and L. Walker, The Early History of the Goldsmith's Company 1327-1509, pp. 313, 314). During 1431 Robert Brynkley, Runham's owner, had arranged that the property should descend on his death to Isabella, her husband Robert Walton and their issue (H. 18, 28 and 29: H. 12 and 57, 26 and 24, 13 and 37).

⁴⁹ B. 10, 8.

bought, and a messuage in Tunstal, near Acle.⁵⁰ His property in Yarmouth, also an early acquisition,⁵¹ linked the Flegg concentration to that in Lothingland, an 'island' bordered by the Waveney and the North Sea, where Fastolf's main possessions were in Gorleston,⁵² Bradwell,⁵³ Fritton,⁵⁴ Lowestoft⁵⁵ and Hobland.⁵⁶ The third concentration of Fastolf's possessions, which was in the environs of Norwich, developed later than the others. The manor of Saxthorpe near Aylsham, fifteen miles to the north-west of Norwich, was the first purchase in this area.⁵⁷ During the next eight years valuable additions were made. These included the

⁵⁰ This was bought between 1420 and 1433 (F.P. 3, 9).

⁵¹ This was bought at thirty years' purchase, the highest rate Fastolf paid. He acquired it before 1420 (F.P. 3).

⁵² Fastolf bought this in 1434 from William Spitling, a London fishmonger (F.P. 9: Spitlings 4, 21: Suffolk Fines, p. 295). Spitling's father, Henry Spitling of Great Yarmouth, was dead by this date, though his mother still lived. He surrendered his reversion of her moiety of the property to Fastolf (Spitlings 21). Henry Spitling and his brother William, of Gorleston, had built up the property by piecemeal acquisitions early in the century (Spitlings 43, 68, 39, 18) and had rented Bradwell from Fastolf (HH. 77). Since the indenture of William Spitling junior's sale was made in London and witnessed by John Wells, it is probable that he was selling out his Suffolk interests.

⁵³ The sale was agreed by Sir Hugh Fastolf, but Bradwell did not enter Fastolf's hands until after Hugh's death in 1417 (Add. MS. 39848, Antiquarian Collections, no. 184: F.P. 48). Fastolf had it by 1420 (F.P. 3).

⁵⁴ Fastolf acquired this in March 1434 (F.P. 9: C. 25, 26: C. 10, 11: Bod. Lib. Ch. 873) from John Pekker, vintner of London (C. 65) who was granted it by William Lawney esq. in 1430 (C. 32, 8, 56: Suffolk Fines, p. 292). Fastolf's associate John Wells was one of Pekker's feoffees. William Lawney had served in France, and his uncle John Lawney esq. had served with Fastolf. John was the son of William Lawney's grandfather by his wife Margaret, daughter of Hugh Fastolf. Hugh was Sir John Fastolf's uncle (F.P. 72: C. 68).

⁵⁵ Fastolf's property in Lowestoft was bought in March 1426 from Robert Bolton and William Mendham (Benyers 19). They were associates of Sir Thomas Erpingham (Benyers 14, 1) and Sir William Philip, Lord Bardolf (Benyers 17, 2) - men well known to Fastolf. They were also associates of the de la Pole family, which owned extensive property in Lowestoft (Copinger, Suffolk, V, pp. 54, 55).

⁵⁶ Hobland was acquired between 1420 and 1433 (F.P. 3, 9).

⁵⁷ The manor of Loundhall in Saxthorpe was sold to Fastolf by Sir William Oldhall in 1428 (Lothian MSS., p. 45). Oldhall had it from John Drewe in 1426 (Norfolk Record Office, N.R.S. 19722 42 E6). The manor had belonged to John Gurney esq. of West Barsham. His widow Alice sold it to Drewe in about 1412 to offset debts her husband had owed him (Blomefield, VI, p. 497 ff.: Lothian MSS., p. 53: Misc. Chs. 26, 182).

manors of Hellesdon and Drayton by Norwich,⁵⁸ land at Nether Earlham on the outskirts of Norwich and urban property in Norwich itself. The purchase of Guton,⁵⁹ six miles north-west of Drayton, Hainford⁶⁰ and Blickling⁶¹ rounded off Fastolf's heavy investment in this area.

Within these zones of concentration Fastolf made a determined effort to consolidate his possessions by filling in the gaps between his major, usually manorial, holdings. Property used for consolidation was sometimes rented and sometimes bought outright, was often in small pieces and was generally described as being lands, marsh, a messuage or a tenement rather than a manor. Consolidatory purchasing was at its heaviest during the same period that investment in manorial property was most intense. While it is impossible to identify all these purchases it is possible to give examples of this kind of investment.

In Norfolk various lands and tenements were added to the manor at Winterton for £53-6-8,⁶² while in Saxthorpe a messuage called Barker's, with lands and

⁵⁸ Fastolf acquired these from Richard Selling in 1432 by exchanging Davington and paying an additional £1100 (£500 near Easter 1432, £300 near Michaelmas 1432 and £300 near Michaelmas 1433). He paid in full (F.P. 88). Selling was a career soldier (C.P.R., HVI, ii, pp. 359, 476: *ibid.*, iii, p. 27) whose connections with Norfolk ceased (he was a Kent man) in 1432. Having collected a tax in Norfolk in 1431 he had no further public employment there (C.P.R., HVI, ii, p. 137). Tenements in Norwich came with Hellesdon and Drayton (F.P. 69).

⁵⁹ Guton was bought in April 1436 (G. 17A, 4A, 33A) from Margery Geney, eldest daughter of Sir Thomas Geney, on whom Thomas's executors had settled it, with remainder to her three sisters and their heirs (G. 73). Fastolf's council, worried by the remainders, refused to pay until Fastolf had been seised for several months. The money was lodged with the Mayor of Norwich and paid soon after Trinity (G. 104). Margery played an important part in persuading the remaindermen to surrender their rights and, by a special arrangement with the council, she was secretly paid £66-13-4 for her assistance (G. 176: F.P. 14). This is a striking example of an inducement being offered to a prospective vendor.

⁶⁰ Fastolf bought this in September 1434 from Lady Ela Shardelowe, possibly in accordance with the will of her late husband Robert, who had died in 1431 leaving a minor heir John (F.P. 9: Copinger, Suffolk, II, pp. 62-4: Blomefield, X, pp. 422, 423). Robert was the son of Sir John Shardelowe, who was well known as Sheriff of Norfolk and Suffolk and as a soldier (C.F.R., xv, p. 53: xvi, pp. 16, 78, 102, 112). He was a member of the household, and an associate, of Thomas, Duke of Exeter (Itineraries, pp. 355, 359: C.F.R., xv, p. 85: xvi, p. 33).

⁶¹ This was bought from Sir Thomas Erpingham in 1431 (Blomefield, VI, pp. 384 ff.).

⁶² F.P. 69.

pastures, was added at a cost of £49;⁶³ a tenement called Ode's was also bought, shortly after the manor had been acquired.⁶⁴ At Herringby lands called Bille's, lands and tenements called Catte's, and additional marshland consolidated the property belonging to the two manors Fastolf purchased there.⁶⁵ Consolidation also occurred at Hellesdon and Drayton, though the details of it are difficult to unravel.⁶⁶ Fastolf added an enclosure in Swannington, rented from the Hastings family, to his property at Guton.⁶⁷ Even outside the areas of concentrated holdings consolidation took place, most notably at Titchwell where, five years after the acquisition of the manor, lands costing £45 were added.⁶⁸ This also happened on a small scale in Suffolk and Essex. In 1435-6 buildings 'near the Parkgate' at Cotton were bought for £6-13-4 from a man named Simon Vale.⁶⁹ Fastolf seems also to have bought meadow in Cavendish, adjacent to his manor of Pentlow.⁷⁰ The acquisition of property for consolidation was unusual outside areas of concentrated holdings but within them, especially at Caister and in Lothingland, it was a consistently pursued policy.

⁶³ F.P. 69.

⁶⁴ Lothian MSS., p. 54. This was bought from Edmund Wynter esquire, who acquired it from Thomas Barker, son and heir of John Barker of Saxthorpe, at the close of Henry V's reign.

⁶⁵ F.P. 69.

⁶⁶ Two properties, 'Alderford's' in Norwich and 'Fairchild's Lands' at Hellesdon, were probably acquired with the manors. Two acquisitions can be dated: 100 acres of land in Upper and Lower Earlham were acquired in 1428 (Blomefield, IV, pp. 511, 512) and a messuage and enclosure in Hellesdon were bought from an Earlham man for £18 in 1433-4 (F.P. 9). Five acres of land were bought for £5; various lands, tenements and pasture for £140-13-4 (F.P. 69). Both properties were in Hellesdon. Fastolf had property at Bowethorpe, west of Norwich, worth 5 marks p.a. by his death (F.P. 59, 68) and also a piece of meadow at Hellesdon, of unknown value (A.D. VI, C6969).

⁶⁷ E.P. 154/8, fo. 7: the rent was 7/11 p.a. In January 1436 Fastolf also bought an enclosure in Heveringland near Guton from Alice, widow of John Alderford (G. 33, 43). As William Paston, Fastolf's councillor, had been John's feoffee he probably influenced the transaction (G. 18, 26).

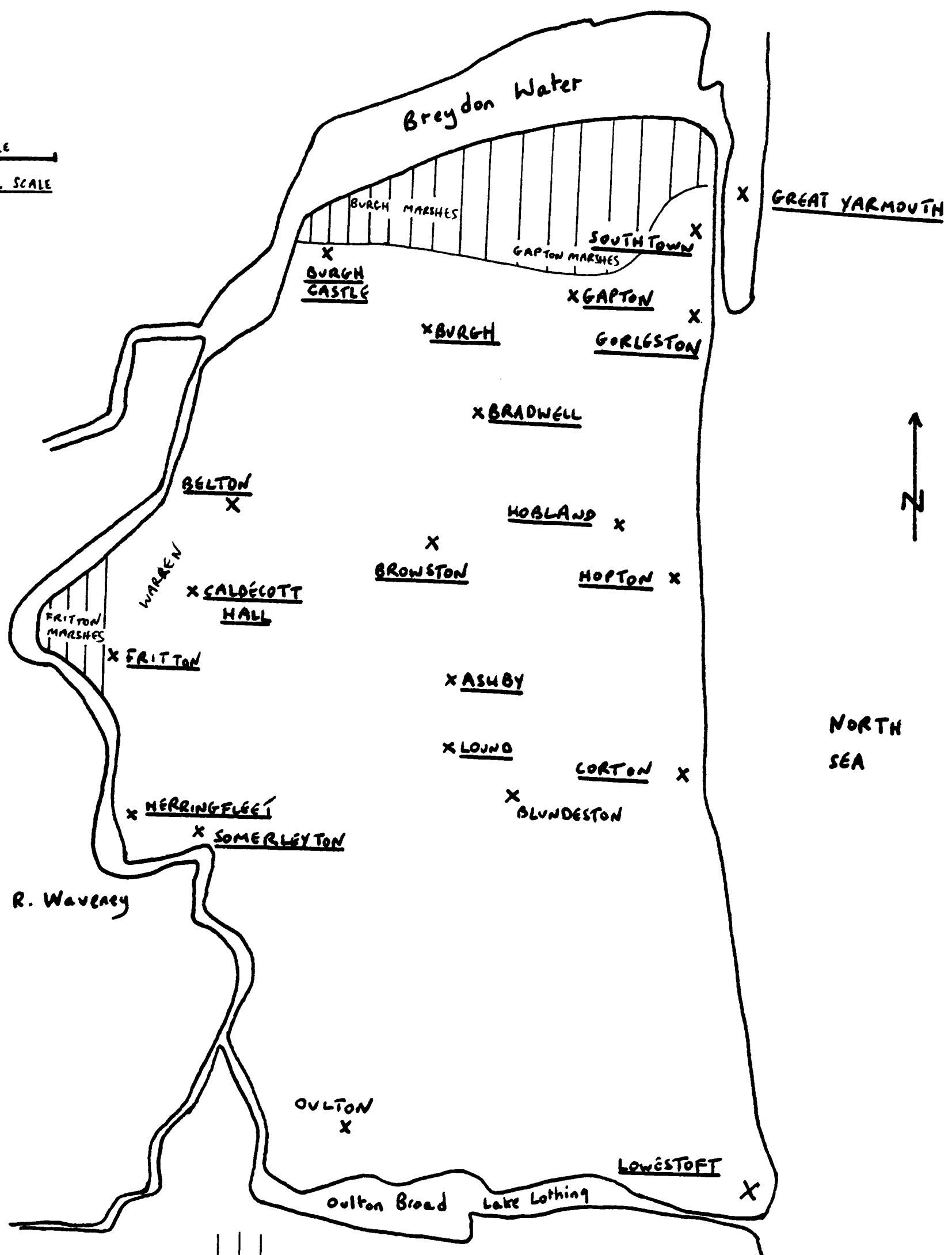
⁶⁸ T. 70.

⁶⁹ F.P. 69: F.P. 14.

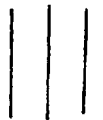
⁷⁰ Norfolk and Suffolk 35.

DISTRIBUTION OF PROPERTY IN LOTHINGLAND

2 MILE
APPROX. SCALE



KEY



indicates areas of extensive marsh in which Fastolf owned property.

BURGH

indicates villages and hamlets where Fastolf owned property.

This is particularly evident in Lothingland. Fastolf's earliest possession here was Bradwell; this was supplemented with a messuage and pasture costing £50 and other lands and pasture bought from a man named Bishop for £16.⁷¹ Marshland, costing £25, was bought at Fritton in 1428,⁷² six years before the manor was acquired. At Browston nearby, a messuage with marshland was bought for £73-6-8 and more land and pasture for £14-6-8.⁷³ Some consolidatory property in Lothingland was more valuable than manors elsewhere. The 'principal messuage' at Hobland, which cost Fastolf £170,⁷⁴ was more expensive than Mundham and Herringby Fennes (£133-6-8 and £139-13-4 respectively) in Norfolk. Land at Gapton Hall was rented from Leighs Priory in Essex for £19-13-4.⁷⁵ Thus substantial consolidation was achieved in Lothingland through the purchase of large and small

⁷¹ F.P. 69. Surviving deeds enable us to locate and date the following Lothingland acquisitions.

1428: (1) Alexander Manning's lands and messuages in Bradwell, Belton, Gorleston, Hopton, Lound and Ashby (Suffolk Fines, p. 292: Briggs and Boyton 26, 27: Spitlings 94: Norfolk and Suffolk 54).

(2) Marsh and pasture in Fritton purchased from Robert Spencer and Hugh Martlesham (C. 7).

(3) John Beyton's lands in Browston, Bradwell, Hopton and Lound (Briggs and Boyton 25, 2).

1429: (1) Thomas Fenn's messuage with lands and tenements in Gorleston, Bradwell and Little Yarmouth (Spitlings 154).

1433-4: (1) John Hasting's lands in Belton, Browston, Hopton and Lound (C. 5: HH. 6: Spitlings 9).

(2) John Pekker's lands in Fritton (F.P. 9).

1436: (1) Richard Brigg's lands in Bradwell, Belton and Ashby (Briggs and Boyton 52).

This well illustrates the intensity, in time and space, of Fastolf's investment in Lothingland.

⁷² F.P. 9, 69.

⁷³ F.P. 69.

⁷⁴ F.P. 69.

⁷⁵ F.P. 9, 14: Copinger, Suffolk, V, pp. 8 ff.: V.C.H. Essex, ii, pp. 155-7. By 1430 (Spitlings 172) Fastolf was renting lands in Gorleston and Hopton for £19 p.a. from Joan, the widow of Sir Bartholomew Bacon, acquired by her in 1405 (Spitlings 101). Fastolf's councillor John Berney, one of Joan's feoffees (Spitlings 125), probably helped to arrange this. The arrangement continued during the 1430s and 1440s (F.P. 9: Spitlings 84, 89).

properties and through renting. Spending in Lothingland (about £350) was on the same level as expenditure on consolidation at Caister, which was at least £300, and probably rather more. At least twelve consolidatory purchases were made in Caister.⁷⁶ Messuages, tenements, marshes and arable lands were usually bought, and several properties were rented, including Hickling Hall (from Hickling Priory)⁷⁷ and certain properties belonging to the Clere family of Ormesby.⁷⁸ A considered policy of investment made Fastolf the most important landowner in the hundreds of East Flegg and Lothingland.

Some properties Fastolf bought in East Anglia were distant from the centres of administration and scattered in comparison with the concentrations built up elsewhere. Their isolation was only relative, for they lay within, or very close to, the boundaries of Norfolk and Suffolk. These isolated properties were well served by roads, and from the point of view of the auditors and other estate officials they formed accessible circuits. Fastolf's estates were far more favourably distributed than those of the Stonors, whose ten major properties were scattered throughout almost as many English counties.⁷⁹ Nevertheless several of Fastolf's isolated properties, especially those of smaller value, were sold once the expansive period of the 1430s had ended.⁸⁰ They were probably sold not to raise cash but to help create a more efficiently run, compact estate. Fastolf surrendered the opportunity to build up a concentration of property in the far West of Norfolk. One of his properties there, Tittleshall, was exchanged in 1428

⁷⁶ F.P. 69: Add. MS. 39848, fo. 61. One property (marsh bought from J. Bray esq., Norfolk Fines, p. 415) was acquired in 1435, another certainly before 1445 (Davis II, no. 586). They were usually cheap, costing about £10, though the marsh cost £40, as did one other acquisition. By using annual values given in Add. MS. 39848, fo. 61 it can be shown that several of the low value properties were bought very cheaply (for eight or ten years' purchase).

⁷⁷ H. 101. It was rented on a twenty year lease in 1442.

⁷⁸ A.D. IV, A6669, A6670, A6671.

⁷⁹ The Stonor Letters and Papers, 1290-1483, ed. C. L. Kingsford, Camden Society, xxix (1919), pp. 48, 49.

⁸⁰ Of the six properties Fastolf had sold by 1452 only one, Blickling, was neither isolated nor of very low value: see Table II, p. 33.

for a more desirable manor in Caister.⁸¹ In 1432 he exchanged the manor of Davington in Kent for the manors of Hellesdon and Drayton by Norwich.⁸² Fastolf's exchange policy shows that he was concerned to give his estates a geographical unity. Not every isolated property was discarded. Manors like Levington, Dedham, Cotton and Titchwell, though isolated, stayed in his hands. It is possible to give reasons for this. Levington was easily accessible from the sea. This offset its distance from Caister. Furthermore, Fastolf had acquired it from Sir Hugh Fastolf and probably wished to keep it because of its association with the Fastolf family. Although Dedham had cost him a lot of money its price was below average, and it was in addition the centre of a flourishing textile industry, which had an important role in the economic organisation of his estates. Titchwell was usually leased out. Once litigation about it started it was difficult to sell it profitably. Cotton was an expensive manor, the tenants of which displayed notable loyalty to Fastolf in the course of his disputes with the Duke of Suffolk and Sir Philip Wentworth. He may not have wanted to part with it. Of the manors sold by Fastolf only Blickling lay within one of his carefully created areas of concentration. This was an expensive and economically valuable property. How can its sale be explained? Fastolf may have been influenced by the damage the Duke of Suffolk's officers did there, and the favourable terms he was able to exact from Sir Geoffrey Boleyn, the purchaser.⁸³ It is clear from this discussion that geographical centralisation was the main policy pursued by Fastolf. The suggestion made by McFarlane that Fastolf was interested in property coming onto the market outside East Anglia because so little property was available must be discounted. McFarlane's evidence was Fastolf's interest in Canford (Dorset)

⁸¹ See note 44, above. Fastolf presumably bought Tittleshall from John Kirtling, who had acquired it in 1416 from the feoffees of Sir Robert Tye (Stowe Ch. 212).

⁸² F.P. 88. As late as 1451 Fastolf hoped to exchange his isolated manor of Long Stratton for Sir William Chamberlain's lands in Lothingland (Add. MS. 39848, no. 236; abstract in P.L. II, pp. 212, 213).

⁸³ See below, Chapter IV, pp. 164, 165. Fastolf received twenty-one years' purchase from Boleyn, rather less than he paid for it, but reasonable if the manor was in disrepair. He more than covered his costs by requiring Boleyn to pay him an annuity for life (see note 116 below).

which William Worcester informed him might be for sale. Fastolf was interested in Canford because it had belonged to the Duke of Bedford. He was Bedford's executor and took his duties seriously.⁸⁴ This example does not prove that Fastolf wished to buy land outside East Anglia for his own use.

There is, then, ample evidence that Fastolf was influenced by geographical considerations when he invested in land. Were considerations about the price to be paid also influential? Fastolf expected five per cent per annum from his advances to merchants but he did not, in the long run, receive this much.⁸⁵ Five per cent may also have been expected from investment in land. If so, Fastolf would have expected in twenty years to recover from the revenue of a property his original outlay on it. The acquisition of property at twenty years' purchase would have been his objective. Two questions should therefore be asked of the evidence regarding Fastolf's investment. First, is there any sign that twenty years' purchase was the price Fastolf usually paid and that he was loath to exceed it? Second, what is the evidence from Fastolf's investment that twenty years' purchase was a standard rate? The following survey of Fastolf's investment seeks to give answers to these questions.

There is superficial evidence that twenty years' purchase was Fastolf's objective and that if this was a standard rate then his investment was profitable. My own calculations differ very little from those made by McFarlane.⁸⁶ By 1445 Fastolf's expenditure had amounted to about £13,855 on purchased property. His expected income from this property was roughly £780 p.a. This means that he had

⁸⁴ F.P. 40. K. B. McFarlane, Nobility of Later Medieval England, p. 56. Bedford was granted the property in July 1433 (C.P.R., HVI, ii, pp. 297, 298). Fastolf's concern as his executor is evident in Davis II, nos. 535, 537, 538, 539, 541, 542, letters of 1455 and 1456.

⁸⁵ K. B. McFarlane, 'Profits of War', p. 100.

⁸⁶ *Ibid.*, pp. 101-103. These calculations are based on F.P. 69, a manuscript drawn up by William Worcester in 1459-60 on the basis of deeds and receivers' accounts and a valor of 1445. It is discussed by McFarlane (*ibid.*, p. 101, note 5).

invested his money for a return of five to six per cent p.a., having, on average, bought land at 17.76 years' purchase. As McFarlane pointed out, this calculation of profitability does not take account of the costs of central administration, losses through fraud and deception by servants, or expenditure on litigation.⁸⁷ The first two categories are difficult to evaluate. Central administration cost money, but I have found no satisfactory way to discover how much. The main aim of administration was reduction of arrears, which caused the most serious erosion of income in the long run. There is little evidence that fraud and deception caused Fastolf much loss, and considerable evidence that his servants tackled the arrears problem effectively, since their level fell during the 1440s and 1450s. Although this relative improvement can be demonstrated, it is unfortunately very difficult to establish what proportion of landed income arrears of rent and farms formed. Only legal expenses are adequately documented. If estimated legal expenditure is added to the costs of investment in land a new figure of 4.8 per cent per annum, or 20.7 years' purchase, is derived.⁸⁸ Fastolf certainly received less than five per cent per annum. His misfortunes at law did not, however, reduce the profitability of his investment as much as might be expected. His legal costs were very small compared with his initial expenditure.

Fastolf's success in achieving a reasonable return for his investment was not the outcome of a policy of only buying at the standard rate or a little below it. This is evident from a study of the individual purchases. Forty per cent of Fastolf's acquisitions were at, or very near, the standard rate; sixty per cent were considerably more, or less, expensive. The forty per cent of acquisitions near the standard rate were evenly distributed above and below twenty years' purchase.

⁸⁷ K. B. McFarlane, 'Profits of War', pp. 110-114.

⁸⁸ I have estimated a minimum figure of £1653 for legal expenses. For the Fritton and Southwark disputes an arbitrary total of £150 has been included; for the dispute over Dedham the total is based on P.L. III, p. 56. For Bradwell, Beighton and Hickling the costs recorded in F.P. 42 have been added to the loss of annual revenue incurred whilst these properties were out of Fastolf's possession.

TABLE IA

DISTRIBUTION OF ACQUISITIONS ACCORDING TO YEARS' PURCHASE.

<u>Years' Purchase (inclusive)</u>	<u>Number of Properties</u>	<u>% of Acquisitions Recorded</u>
10 - 14	5	16
15 - 18	7	23
19 - 22	12	40
23 - 26	3	10
27 - 30	3	10
18 - 20	10	--
20 - 22	8	--

Such wide price variations hardly suggest that a consistent policy regarding price was followed during Fastolf's twenty-five years of buying.

How can these variations be explained? The three most expensive properties were Yarmouth, Cotton and Pentlow, in Norfolk, Suffolk and Essex respectively. Yarmouth was one of Fastolf's earliest purchases. He probably regarded it as a highly desirable investment. Yarmouth was a busy port which came to have a vital role in the commercial organisation of Fastolf's estates, not least because it was located so close to Caister Castle.⁸⁹ Cotton was acquired from the Earl of Suffolk in 1434. The manor had been owned by his family since the fourteenth century. Its high price is explained by Suffolk's eminence and his financial needs. He was borrowing money from Fastolf at the time of the sale. His financial difficulties were presumably connected with his military service.⁹⁰ There is no obvious explanation for the high price of Pentlow, which was acquired from the Cavendish family.⁹¹

⁸⁹ F.P. 69, 3: see also Chapter II, pp. 77, 78.

⁹⁰ For Suffolk's borrowing, F.P. 14 (Respites). Cotton was bought in 1434 (F.P. 9). Several of the council negotiated with Suffolk's representatives, who included Simon Blyant, a man who had long been associated with the manor (F.P. 9 - Foreign Expenses: Harleian Ch. 46 E 40, 47 B 15). Suffolk's representatives were wined and dined in Norwich; his secretary received 40/- for his assistance (F.P. 9 - Foreign Expenses). Several of Fastolf's council were bound in Statute Staple to pay Suffolk 500 marks in annual instalments, which they did (F.P. 9 - Foreign Expenses: F.P. 10, 11, 13, 16, 20): 800 marks was paid immediately. Suffolk also sold French land to raise money to pay his ransom (C. T. Allmand, 'The Lancastrian Land Settlement in Normandy, 1417-50', Ec.H.R., xxi (1968), p. 477).

⁹¹ F.A., vi, p. 436. William Cavendish received it from his mother in 1416. His brother Robert was one of his feoffees (Essex Fines, III, p. 265).

Similarly no obvious explanation can be found for the cheapness of Herringby Spencers,⁹² one of the five properties which cost Fastolf very little. The others were Fritton, Beighton, Bradwell and the possessions in Southwark. Some explanation for the prices of these can be found. Fritton was obviously a gamble. Two well known disputes were underway when Fastolf bought it; the vendor was happy to be rid of it. At first sight legal problems might explain the cheapness of Beighton and Bradwell too. Difficulties were expected when Beighton was acquired in 1415. These were easily overcome.⁹³ The disputes which erupted thirty years later over Bradwell and Beighton, however, cannot have been predicted. Another explanation for the cheapness of these manors is that Fastolf bought them from his relative Sir Hugh Fastolf. Some arrangement between the two men explains the low price. This is confirmed by Fastolf's purchase of Levington from Hugh's inheritance after Hugh's death. Even though he was Hugh's executor Fastolf paid twenty years' purchase for it, presumably because no private agreement about the sale had been made by the two men.⁹⁴ Finally, the low price of Southwark has several explanations. Most important, perhaps, was the state of disrepair of this predominantly urban property. Also significant was Fastolf's personal influence over the executors of John Wynter and the financial difficulties of William Suthcote, who may have been willing to sell cheaply.⁹⁵ Almost always, therefore, there is a compelling explanation for an eccentric price.

⁹² See note 47 above.

⁹³ In February 1415 Hugh Fastolf bound himself in £200 that Fastolf should be peaceably seised of the manor (B. 30), but in July Fastolf's feoffees released to him (B. 8, 32) and he enfeoffed Humphrey, Duke of Gloucester, Thomas, Earl of Dorset, Sir Michael de la Pole and others (B. 31). B. 101 states that Fastolf came to Beighton with squires and householdmen from the household of his lord the Duke of Clarence and occupied the manor, in order to defeat a challenge to his title from the Mayor of Norwich.

⁹⁴ In February 1420 Hugh Fastolf's feoffees demised Levington to Fastolf (C.P. 3/32: Suffolk Section; Levington Deeds).

⁹⁵ For Fastolf's exercise of influence in the purchase of the Boar's Head see K. B. McFarlane, 'A Business-partnership in War and Administration', E.H.R., lxxviii (1963), pp. 305, 307, 308. Financial pressures explain why, in the same year that he sold to Fastolf, Suthcote also sold other Southwark properties (Surrey Fines, p. 188). F.P. 82 explicitly states that Suthcote badly needed money to defend other possessions at law.

How did Fastolf get the opportunity to buy? His purchases suggest that the market for manorial property was a limited and artificial one rather than a free one extending throughout Southern England. The personal involvement of Fastolf's councillors was often vitally important in presenting opportunities. The acquisition of Tittleshall was possible through John Kirtling's close connection with the property.⁹⁶ The manor of Holmhale was bought through the mediation of Fastolf's surveyor Geoffrey Walle.⁹⁷ Two manors, Mundham and Yoxford, came from a retained lawyer, William Norwich. The manors had belonged to his relative John Norwich (died April 1428), whose will directed that they be sold. Fastolf bought them between 1428 and 1433.⁹⁸ Another retained lawyer, Robert Cavendish, provided the link when Pentlow was bought. This belonged to his brother William, the London merchant. An added connection was that William was one of the merchants to whom Fastolf advanced money. Since Pentlow was expensive the sale was not part of a settlement of debts owed by Cavendish.⁹⁹ The councillor John Roys was also important, most notably in the purchase of Titchwell. In this the

⁹⁶ Stowe Ch. 212.

⁹⁷ Holmhale was acquired in January 1436 (F.P. 14). The vendor, Giles St. Lo esq., was not an associate of Fastolf though he had East Anglian interests (C.P.R., HVI, iv, p. 299; C.F.R., xvi, p. 94) and acted as controller of Calais (C.P.R., HVI, iii, p. 381). Walle's influence (F.P. 12 - Holmhale) was therefore very important.

⁹⁸ William Norwich was a relative of John Norwich, who died without issue in April 1428 (C. Richmond, John Hopton, pp. 26, 27). John's will, made in March and proved in September, instructed that his manors should be sold. He had held Yoxford since Richard II's reign (Copinger, Suffolk, II, pp. 218 ff.) and had acquired Mundham early in the fifteenth century (Norfolk Fines, p. 389; Blomefield, X, pp. 168-171). A further connection was that Fastolf's councillor John Lynford had served John Norwich as his feoffee for Mundham (Add. Ch. 14776).

⁹⁹ Robert Cavendish was retained between 1433 and 1436 (F.P. 9, 12, 14 - Fees). He was active on several commissions, including that of the Peace, in East Anglia during this period (C.P.R., HVI, ii, pp. 41, 277, 524, 621, 625). For his brother William see K. B. McFarlane, 'Profits of War', p. 100, note 2.

hand of the councillor John Fastolf of Oulton can be detected too.¹⁰⁰ Roys received a substantial fee for his assistance in the acquisition of Spitlings in Gorleston, though here Fastolf's long-standing connection with this neighbouring merchant family also helped.¹⁰¹ Roys' association with the Shardelowe family was closer than Fastolf's and probably lay behind the purchase of Hainford, which was owned by the Shardelowes.¹⁰² Finally, the manor of Guton was bought on the advice of William Paston, Fastolf's legal adviser. It is possible that the influence of Fastolf's colleague Sir Henry Inglose worked too. He was related by marriage to the family of the vendor, Margery Geney, and in fact inherited a considerable amount of property which had once belonged to the Geney family.¹⁰³ Thus Fastolf's councillors' role in their master's acquisition of land was invaluable.

Opportunities for investment were sometimes the result of Fastolf's connections with men who were not his councillors. These associates were often military colleagues. Inglose, just mentioned, is one example. Sir William Oldhall, who sold Saxthorpe to Fastolf, is another.¹⁰⁴ The Duke of Bedford

¹⁰⁰ See P. S. Lewis, 'Sir John Fastolf's Lawsuit over Titchwell, 1448-55', Historical Journal, i (1958), pp. 1-20, esp. pp. 2-7. Roys acquired the manor by marriage with Margery, sister of William, the last of the Lovells of Titchwell, and sold it to Fastolf in 1431 (T. 34). Another councillor, John Fastolf of Oulton, was closely interested in it through his marriage with Margaret, William Lovell's widow (T. 78, 127, 146). Lewis regards Roys, who was obviously useful to Fastolf, as a shady land dealer because of the defects of Fastolf's title (p. 5), but this is not convincing. William Paston's dispute with Roys (see Lewis, p. 5) involved Roys as purchaser not seller (P.L. II, pp. 41-3). Fastolf was, in any case, unfortunate to be troubled for Titchwell (Lewis, pp. 2, 3).

¹⁰¹ Roys received 20/- for his advice. His clerk received 6/8 for writing the indenture and other evidences. Roys was personally involved in negotiations, receiving payments for his outlay on meals and sealing wax (F.P. 9 - Foreign Expenses).

¹⁰² Sir John Shardelowe and John Roys were both feoffees of William, Earl of Suffolk (A.D. V, 10892). Equally important was the connection, as feoffee, Fastolf's legal adviser Robert Cavendish had with Lady Ela Shardelowe and her son (Copinger, Suffolk, II, pp. 62, 63; Cambridgeshire Fines, p. 151).

¹⁰³ G. 196 (Inglose): G. 209 (William Paston's advice).

¹⁰⁴ Lothian MSS., p. 45. Sir William Oldhall's career is described by J. S. Roskell, 'Sir William Oldhall, Speaker in the Parliament of 1450-1', Nottingham Med. Studies, v (1961), pp. 87-112 and C. E. Johnstone, 'Sir William Oldhall', E.H.R., xxv (1910), pp. 715-722.

himself was probably helpful in providing Fastolf with an opportunity to buy Dedham, though it was actually bought from a consortium of London merchants. Dedham was worth over £1000.¹⁰⁵ Cotton, worth nearly £1000, was bought from the Earl of Suffolk, with whom Fastolf served in France. Another valuable manor, Blickling (costing £1647), was sold to Fastolf by a military associate almost as high in social status as Bedford and Suffolk. This was Sir Thomas Erpingham, who sold Blickling in 1431.¹⁰⁶ Such men had valuable properties, which attracted Fastolf as an investor. The arrangement by which Fastolf exchanged Davington (Kent) for Hellesdon and Drayton was made with Richard Selling, a professional soldier. Selling, from Kent, soon sold Davington to James Dryland, another Kent man, who served as Fastolf's Lieutenant at Caen.¹⁰⁷ Dryland presumably had a prior arrangement with Selling. The military connection is very evident in this case. It may have been important in the purchase of Fritton, too. Although a London vintner sold to Fastolf, William Lawney esquire, who served in France, was probably the man behind the sale.¹⁰⁸ The manors of Bradwell, Beighton and Levington Fastolf acquired from his relative Sir Hugh Fastolf. The two men served together in France, and, as Hugh lay dying there, he named Fastolf and Inglose as his executors. Thus Fastolf's own associates were often the vendors of manors or, at least, closely involved in the transactions. The associates of greatest standing usually had the most valuable manors to offer.

¹⁰⁵ The men from whom Fastolf purchased took seisin in May 1426 (C.C.R., HVI, i, p. 297). In May 1428 they obtained a pardon, signed by Bedford, for entering Dedham without licence: two months later Fastolf purchased it (Apton Hall 37: C.P.R., HVI, i, p. 483). The chief members of the London consortium were John Gedney (draper), Thomas Chalton (mercator), and John Shadworth (mercator) (S. Thrupp, The Merchant Class of Medieval London, pp. 345, 330, 366). At this time Fastolf had other business connections with Bedford. In about 1430 he sold the Essex manor of West Thurrock, which he had bought shortly before for 300 marks, to Bedford (Davis I, no. 77).

¹⁰⁶ Blomefield, VI, pp. 384 ff.

¹⁰⁷ F.P. 88: Add. Ch. 47305: Itineraries, p. 353. Dryland belonged to a Kent family with interests at Faversham by Davington (E. Hasted, Kent, VI, pp. 287, 335, 336, 388, 405).

¹⁰⁸ See note 54 above.

Another source of property purchased by Fastolf was the London merchant community. Merchants invested in land in the provinces, usually in the counties with which they had a family connection. Fastolf was associated with London merchants mainly because he advanced money to them. Three purchases involving two manors (Davington and Runham) and one annual rent were made from merchants. In each case the vendor's connection with East Anglia was slight.¹⁰⁹ Fastolf probably gained access to these properties in London, where there may have been a market for them.

Some form of personal connection nevertheless lay behind the great majority of Fastolf's acquisitions. Such connections did not guarantee Fastolf an advantageous price when he bought property - they merely gave him a chance to buy. There is a marked absence from Fastolf's investment of men who might have been 'estate agents', as opposed to county lawyers who found regular employment as feoffees. The only man who bore any resemblance to an estate agent was John Dorward, the son of the famous Speaker, through whose mediation Fastolf's council tried to buy the Essex manor of Stapleford in 1435. The negotiations were unsuccessful.¹¹⁰ Confidence in Dorward's professional abilities is not increased by the evidence that he was confused about the identity, and willingness to sell,

¹⁰⁹ Thomas Fauconer, the mercer and alderman of London who sold Davington, had some connections with Norfolk through business (C.P.R., HVI, ii, pp. 343, 438: iii, pp. 12, 214) and a temporary interest in Gresham manor before the Pastons acquired it (P.L. II, pp. 30, 31). No East Anglian interests on the part of the men associated with Runham in the 1430s can be traced. The purchase of the rent charged on Hickling is puzzling. The vendor in 1428 was Henry Barton, a London citizen (H. 90: S. Thrupp, The Merchant Class of Medieval London, p. 323). John Newenden, one of his feoffees, is called Fastolf's chaplain in the conveyance (H. 58), which would give a close personal connection in this transaction, but no other reference to this man's relations with Fastolf has been found.

¹¹⁰ J. S. Roskell (Commons and Speakers, p. 242) describes Edmund Oldhall, Sir William Oldhall's father, as an estate agent. His background was similar to John Dorward's. The Stapleford negotiations involved Fastolf's servants and councillors in several journeys to Essex and London. £100 was deposited with Dorward in August 1435 and recovered from him in October, by which time negotiations had broken down (F.P. 12 - Receiver's and Council's Expenses).

of the manor's owner.¹¹¹ As Dorward was the brother-in-law of Fastolf's stepson he may be regarded as an associate of Fastolf.¹¹² The evidence of Fastolf's investment suggests, then, that personal connections rather than professional middlemen brought buyer and seller together, though such connections did not ensure that a transaction would be completed. It is not possible on this evidence to argue that specialist estate agents were at work in the early fifteenth century. This emphasises how limited and artificial the market in manorial property was.

For this reason market forces are unlikely to have produced a standard retail price. Fastolf's experience raises doubts about the existence in practice of a standard. Although a substantial number of his properties cost about twenty years' purchase many cost less. A case for sixteen or eighteen years' purchase could be defended. McFarlane's evidence for the standard early in the century was slight. A deed of 1517 and doggerel in which no consistent figure appears is less persuasive evidence than Fastolf's shrewd practice.¹¹³ On one occasion, in 1434, his council agreed to pay sixteen years' purchase but were forced at the last moment to pay nineteen.¹¹⁴ It is possible that prices were tending to drift

¹¹¹ Roger Spice had lands worth £136 p.a. in 1436 (H. L. Gray, 'Incomes from Land in England in 1436', E.H.R., xlix (1934), p. 633). He was associated with Dorward in 1434 and 1435 (C.P.R., HVI, ii, p. 337; Essex Fines, IV, p. 22). Dorward and his father had both been feoffees for Stapleford (Essex Fines, III, p. 252). Evidence of confusion is found in F.P. 12, where John Spicer not Roger Spice is referred to. John Spicer was a London tailor who held a little land in Essex (Essex Fines, IV, pp. 14, 29). Dorward may have been confused about Spice's property and willingness to sell, but it is possible that Fastolf's servants were uncertain about what was on offer.

¹¹² Scrope married Dorward in about 1433, when the manor of Wighton was settled on them by Fastolf (C.P.R., HVI, ii, pp. 253, 257, 283).

¹¹³ McFarlane thought that twenty years' purchase was generally assumed to be the proper price, though manors could change hands for more or less than this: 'Profits of War', pp. 110 (note 2), 111, 112; Nobility of Later Medieval England, p. 57. According to B. Harvey (Westminster Abbey and its Estates in the Middle Ages, p. 198) the monks paid fifteen to twenty-five years' purchase in the later middle ages, twenty years' becoming usual in the fifteenth century. Fastolf's investment shows that, in practice, manors frequently changed hands for considerably more or less than this 'standard rate'.

¹¹⁴ Spitlings 21; F.P. 9. Sixteen years' purchase was also stated as the price for another manor in Gorleston, which Fastolf considered buying in 1438 (Spitlings 189).

upwards towards a standard twenty years' purchase rate. Until we have more evidence, however, it should not be assumed that this was a prevalent standard before about 1450.

When Fastolf sold property in mid century, though, twenty years' purchase was the price below which he would not go for land in reasonable condition, unencumbered with difficulties of title. In 1450 he sold Mundham to Hugh Acton, Master of the church of St. Giles in Norwich, to the use of the church. This was an isolated property of small value, located in an area where the church was consolidating its holdings. Fastolf parted with Mundham at exactly twenty years' purchase and refused to sell another manor to Acton 'less than after the value of XX yeere as it makyth cleerly in value now', saying that 'it ys better worth to hym by a grete money than to onye othyr'.¹¹⁵ This suggests that twenty years' was now a standard rate, but in both cases the proposed price was only what Fastolf himself had paid for the manor. More revealing is the sale of Blickling to Geoffrey Boleyn in 1452. Fastolf had paid about twenty-five years' purchase for this, though he sold for twenty-one. A condition of sale was that Boleyn should pay him an annuity of ninety marks for life, which he did. Fastolf, who needed the annuity paid five times to cover his costs, more than broke even.¹¹⁶ He probably did not expect this in 1452, however; in that year he was ill and preparing for death. Boleyn gambled on Fastolf's early death and lost, as he complained to John Paston:¹¹⁷

'my Maister Fastolf, hoose sowle God asoyle, whan I bowth of hym the maner of Blyclyng, consideryng the gret $\text{\textcircled{e}}$ payment that I payed therfor, and the yerly annuyte duryng his lyfe after his entent, was to me gret charge'.

This transaction at least suggests that twenty years' purchase, or thereabouts, was regarded as reasonable, and twenty-five or more excessive, by 1450.

¹¹⁵ Add. Ch. 17238: Add. MS. 39848, no. 236; abstract in P.L. II, pp. 212, 213.

¹¹⁶ For the annuity see C1/18/67: and for evidence of payment, though not in full, F.P. 51.

¹¹⁷ Davis II, no. 619.

TABLE II

SALES.

<u>PROPERTY</u>	<u>DATE</u>	<u>VALUE (£)</u>	<u>COMMENTS</u>
BLICKLING	1452 ¹	65	In concentration but damaged.
BRADWELL	1458-9 ²	19	Disputed; probably disposed of with Thomas Fastolf's wardship.
DAVINGTON	1432 ³	66	Isolated; exchanged.
MUNDHAM	1451 ⁴	6	Isolated.
HOLMHALE	1436-44	4	Isolated.
PENTLOW	1445-9	18	Isolated.
TITTLESHALL	1428 ⁵	13	Isolated; exchanged.
TUNSTAL	1436-44	2	Near Caister but low value.
YOXFORD	1440 ⁶	13	Isolated.
HERRINGBY FENNES	1458-9 ⁷	12	Near Caister.

NOTES

¹ Davis I, nos. 25, 144 refer to this sale.

² Davis II, no. 579: still in Bocking's and Worcester's hands in 1457 (F.P. 58).

³ F.P. 88.

⁴ Add. MS. 39848, no. 236.

⁵ HH. 52.

⁶ C. Richmond, John Hopton, p. 27.

⁷ Fastolf still had this in May 1457 (F.P. 59). It is mentioned in Norfolk and Suffolk 47 (1467), which suggests that if it was sold it was subsequently recovered by John Paston. The circumstances of this sale are obscure.

Answers can now be offered to the questions we have asked of the evidence. A twenty years' purchase price was paid for only about half of Fastolf's properties and he was not loath to exceed this rate if necessary. It may be unwise to assume that twenty years' purchase was a standard rate when Fastolf was buying, though it was probably becoming one. Explanations for extreme variations in price can usually be found. The superior social status of the vendor or the favourable location of the property might force Fastolf to pay a high price. A low price was usually the result of a property being dilapidated: sometimes it was because an imperfect title was known to exist. It cannot be concluded that Fastolf was able to command a favourable price for major properties because of his own high social status. Nor did a favourable price occur just because Fastolf knew the vendor personally. As a rule such personal contact merely provided the opening for an investment.

Another form of investment consumed much of Fastolf's income during the 1430s. This was the improvement of property, especially through repair and rebuilding, and the creation of new buildings. Central administrative officers paid close attention to the work. In 1435-6 the surveyor received on various occasions sums amounting to £8-6-8 for works he directed at Cotton and Dedham.¹¹⁸ Owing to its scale, investment was usually outside the control of bailiffs and other local officials. Expenditure in the 1430s was so high that it was often impossible to deduct costs from the revenues of properties. Large sums were spent as part of a centrally directed policy, and even non-administrative councillors were involved in the supervision of the work, though it was usually local officials who took responsibility for its performance.

At Cotton in Suffolk £78-16-4 was spent between January and September 1434 on stocking up the manor. The Earl of Suffolk's officials had apparently removed what they could before vacating the property. Henry Holm, the new bailiff at Cotton, purchased corn, cattle, stotts and vats (presumably for brewing).¹¹⁹ Cotton was a centre of further economic development in 1435-6 when a new park was

¹¹⁸ F.P. 14 (Deliveries of Money). The surveyor was Geoffrey Walle.

¹¹⁹ F.P. 9 (Deliveries of Money).

created there. £19 was paid for timber purchased in order to put a fence around the new park.¹²⁰ The conduct of the work on these occasions appears to have been the responsibility of the bailiff.

Another major purchase of the 1430s, the manors of Hellesdon and Drayton, received significant attention. Although both were large properties they were at first under the supervision of only one bailiff, John Blickling. This may be a reason why members of the council were involved with supervision of work here. Investment at Hellesdon and Drayton was discussed at the council meeting in the autumn of 1434 at which a policy of enclosure and improvement seems to have been decided on. In 1433-4 £9-5-0 was paid to Henry Sturmer, a councillor, to cover expenses on repairs at Drayton. In the same year 27/4 was paid to John Blickling for hedging and fencing directed by him at Drayton.¹²¹ In 1433-4 work was also taking place at Hellesdon. Hellesdon was singled out for particular attention, especially on building, as it was intended to be Fastolf's major residence at Norwich. Building work began during the year it was purchased. During 1433-4 John Blickling received the massive sum of £145-12-4½ to cover his expenditure on the planting of a spinney and ditching work at Hellesdon.¹²² In 1434-5 William Graverre, the master of all of Fastolf's building works, was allowed £40-10-9 for new buildings erected there, and in 1435-6 a further 106/8 was delivered to him to cover wages and other costs.¹²³ The building accounts for Caister Castle show that in the financial year 1434-5 expenditure on building at Hellesdon totalled £54-5-6½.¹²⁴ In addition, during 1435-6 John Birch, the new bailiff at Hellesdon,

¹²⁰ F.P. 14 (Foreign Expenses).

¹²¹ The meeting is mentioned in F.P. 9 (Receiver's Expenses); the works in F.P. 9 (Deliveries of Money). Fastolf was responsible for building a lodge at Drayton (H. D. Barnes, 'Drayton Lodge', Norfolk Arch., xxix (1951), pp. 228-237).

¹²² F.P. 9 (Deliveries of Money).

¹²³ F.P. 12 (Deliveries of Money): F.P. 14 (Deliveries of Money).

¹²⁴ H. D. Barnes and W. D. Simpson, 'The Building Accounts of Caister Castle (A.D. 1432-1435)', Norfolk Arch., xxx (1952), p. 185. For wood purchases see F.P. 14 (Deliveries of Money).

received £10 for various minor works performed by himself, and was further allowed £16 for wood (half a gross small oaks) purchased from Edmund Appleyard at Stanfold in Wymondham for repairs, including those done to the mill.

Much wood was required by Fastolf's officials during the period of investment. Although Fastolf owned woods (notably at Drayton, where his tenants were sometimes amerced for trespass in them) timber was needed on a larger scale than his own woods could provide. Furthermore, in view of the tree planting which took place there in 1433-4, it is likely that Drayton woods had been depleted. The need to conserve growth demanded that supplies were found elsewhere. One source was the woods at Wymondham but a major local source was Wroxham Wood (eight miles north-west of Norwich on the banks of the Bure). At least £40 was spent during the 1430s on two hundred small oaks and other trees from Wroxham. The sum was paid to Alice Waryn, Prioress of the Benedictine House at Carrow, to which the manor of Wroxham belonged.¹²⁵ Fastolf's estates were occasionally useful - timber was carted from Cotton to Caister in 1433-4.¹²⁶ Living trees were transported from Wroxham to Drayton and replanted to build up the woods there. During 1434-5 it was also from a Wroxham man that faggots and shafts of wood were acquired to fuel the kilns at Caister. Turfs were also purchased for the same purpose. Stephen Batherne (the bailiff of Caister) was reimbursed £21-2-8 that he had spent on these fuels.¹²⁷ The extent of the Broads east of Wroxham (which were caused by peat excavation) gives some indication of the degree of peat production which took place here in the later middle ages.

The installation of brick kilns at Caister was a direct result of the major building operations there. These began in 1432 and continued until 1448, supervised, as the Hellesdon work was, by William Graverre. The seneschal of the household (John Elys) also supervised aspects of the work at Caister, although it is uncertain exactly what role he played. Workmen given board in the household

¹²⁵ F.P. 14 (Foreign Expenses).

¹²⁶ Barnes and Simpson, *op. cit.*, p. 183.

¹²⁷ F.P. 12 (Deliveries of Money).

were certainly Elys's responsibility. In 1434-5 Elys recorded payments made to them in the 'Hostel Book' (presumably the working accounts from which the seneschal's annual account roll was constructed) and received payments from the receiver to cover them. A sum of £245-1-8 $\frac{1}{4}$ allocated to him in 1435-6 included money for the wages of workmen as well as the expenses of the household.¹²⁸

The master of building works was William Graverre, who produced accounts of his receipts and expenditure at Caister and Hellesdon. The information in these was reproduced in summary form in his annual accounts, some of which have survived (three for Caister and one for Hellesdon). The Caister accounts cover three consecutive years from 1433-4 to 1435-6, each year running from 6 January. They show that Graverre was accountable to the receiver general for a variety of payments - wages, the cost of tools, raw materials, carriage and jobs done to facilitate work, such as the removal of buildings and the repairing of causeways. Graverre was a servant of Fastolf and received a wage of £3-6-8 per annum, plus riding expenses. In these three years he received £1503-14-10 $\frac{1}{2}$ and spent £1480-5-9 $\frac{1}{4}$, evidently for both Caister and Hellesdon together.¹²⁹ In 1433-4 he he was allocated £460-0-11 for the two places.¹³⁰ The outlay of one and a half thousand pounds during the first half of the 1430s gives an indication of the size of investment and the level of resources available in this period.

Graverre purchased some of his materials from Fastolf's own bailiffs. The bailiff of Hellesdon sold lime to him. Graverre also sold excess raw materials to the bailiffs, for example to Richard Brown, bailiff of Herringby, where improvements were being made at this time. Fastolf himself sent freestone and plaster of Paris from France at his own expense. Canals were built linking the Castle with river traffic, and clay pits in the river marshes. Obviously boats and ships were required. In 1434-5 a boat was purchased and repaired for

¹²⁸ Barnes and Simpson, p. 186: F.P. 14 (Deliveries of Money).

¹²⁹ Barnes and Simpson, passim.

¹³⁰ F.P. 9 (Deliveries of Money).

£15-8-6, and let at farm to Robert Savage at £8 p.a.¹³¹ Skilled men were employed, such as the tilers John Lok and John Ede, who received 67/3½ and 58/5 respectively for their work on Caister tower in 1434-5. Master masons were also employed.¹³² The kilns at Caister supplied the neighbourhood. Caister bricks were used at Hellesdon, Caister tiles at Blickling and St. Benet's Hulme.¹³³

Other properties received investment during the 1430s. One was Gorleston, acquired in 1434. In 1435 a cauldron with a capacity of nine quarters of grain was purchased for the messuage, possibly for brewing. Deeds of conveyance for the property refer to the possessions of a beer brewer in the vicinity, so it is possible that brewing was a local industry in which Fastolf wished to participate. The cauldron cost 53/4 and was acquired in the town of Bungay. William Graverre and one other man were paid 2/- for their efforts in purchasing the cauldron and arranging for its transport.¹³⁴

The rural property of Herringby Spencers in Norfolk was acquired a little earlier than Spitlings, in 1426-7. During 1433-4 Robert Brown the bailiff received 86/8 for his outlay on repairs. At the end of the financial year this property, together with the adjacent one of Billes in Stokesby, produced a cash livery of 70/-. All of this apparently came from Billes, which had been acquired several years earlier than Herringby and presumably had already been repaired.¹³⁵ In the next year both properties were farmed out (Herringby Spencers to Robert Brown who had been the bailiff in the preceding year). At the end of the year 69/7 was received from the farmer of Billes but nothing at all from the farmer of Herringby. The receiver's account, however, shows that this was owing to an

¹³¹ Barnes and Simpson, pp. 181, 184, 185: see also the article on 'Caister Castle' by the same authors in Antiquaries' Journal, xxxii (1952), pp. 38, 43, 51.

¹³² F.P. 14 (Foreign Expenses). One mason was named Geoffrey Bocking (F.P. 14 - Deliveries of Money); another was Henry Wode (Barnes and Simpson, p. 186).

¹³³ F.P. 62 (Caister Section).

¹³⁴ F.P. 12 (Miscellaneous Costs): Spitlings 21.

¹³⁵ F.P. 9 (Herringby: Deliveries of Money).

agreement the receiver had with the bailiff during the previous year.¹³⁶ The farmer was probably expected to direct any issues straight into repairs for a certain period. At Pentlow in Essex (also purchased in about 1427) Thomas Grey, the bailiff, was granted £6-9-7½ in 1433-4 for repairs done by him to the mill and some houses.¹³⁷ In the next year Pentlow was demised at farm to a man named John Jakes, at the instance of Fastolf's surveyor.¹³⁸ That investment occurred on these properties some years after they were acquired may reflect the freedom to spend that an increasing influx of wealth gave the council.

Our information about these properties substantiates Professor Hilton's observation that in the fifteenth century landlords often carried out expensive maintenance on property not in demesne. Provision of such assistance was a normal condition of leasehold at this time. On the Duchy of Lancaster estates in Staffordshire, for example, fencing, drainage and the upkeep of mills, sometimes at high cost (greater than the cash liveries from the manors), was paid for by the lord.¹³⁹ The economic rationale behind this, as Herringby and Pentlow show, was that a higher rent could be asked of an incoming farmer once a property's real value had been raised by investment.

Another Essex property acquired at about the same time as Pentlow was Dedham. Here attention was focused on the mill. Fastolf took expert advice before it was constructed. A carpenter from Gloucestershire, possibly a craftsman well known to Fastolf, was paid 6/8 for his riding and 'diligent labour' when inspecting the site of the new mill. He may have supervised the laying of the foundations as well.¹⁴⁰ Tenders were probably invited for the contract to build the mill. 7/2 was paid to John Lok, also a carpenter, for the same reasons as to

¹³⁶ F.P. 12 (Herringby).

¹³⁷ F.P. 9 (Deliveries of Money).

¹³⁸ F.P. 12 (Pentlow).

¹³⁹ R. H. Hilton, 'Rent and Capital Formation in Feudal Society', in The English Peasantry in the Later Middle Ages, p. 192.

¹⁴⁰ F.P. 9 (Foreign Expenses). This man presumably had experience of building fulling mills in the Castle Combe and Stroudwater areas where there were many.

the Gloucestershire man.¹⁴¹ Lok, an East Anglian man, and his father William were entrusted with the job, which was evidently finished by 1435-6 when they received 66/8 for the work.¹⁴² Their costs amounted to £6 but the council wrote off the remaining 53/4 against William Lok's arrears for the time he was bailiff of Fastolf's manor at Levington.¹⁴³

In 1450 Dedham mill was destroyed in an attack similar to that at Lenchwick (Worcs.) in 1418, which Hilton has discussed.¹⁴⁴ While the Lenchwick attack was a protest directed against a seigneurial monopoly, that at Dedham was political in origin, being launched by the Duke of Suffolk's supporters soon after Fastolf had recovered the manor from Suffolk. Fastolf alleged that the mill's destruction cost him £20 p.a. and that a further £20 damage was done through the draining of his ponds. On his estimate the mill was contributing twenty-five per cent of the property's annual value. Hellesdon mill was also a valuable asset, which was leased to professional millers.¹⁴⁵ At Southwark two mills were leased to professionals, one of whom contracted to pay £28 p.a. on a two year lease.¹⁴⁶ Leasing to professionals for short terms allowed Fastolf to take advantage of any increase in his property's value. His policy towards entry fines in the economically expanding village of Castle Combe was similar. The Southwark mills contributed about ten per cent of the annual value of Fastolf's possessions in London, and probably repaid the original investment Fastolf put into them.¹⁴⁷

¹⁴¹ F.P. 9 (Foreign Expenses).

¹⁴² F.P. 14 (Foreign Expenses).

¹⁴³ F.P. 14 (Foreign Expenses).

¹⁴⁴ R. H. Hilton, 'Conflict and Collaboration', in The English Peasantry in the Later Middle Ages, p. 70. For the Dedham incident see below, Chapter IV, pp. 128, 129.

¹⁴⁵ F.P. 62 (Hellesdon Section).

¹⁴⁶ This was John White, a miller of Watford who bound himself to accept the terms of the lease (Swk. 43A).

¹⁴⁷ E. Carus-Wilson, 'Evidences of Industrial Growth on some Fifteenth Century Manors', Ec.H.R., xii (1959), p. 204. F.P. 82 suggests that Fastolf built at least one mill anew in Southwark.

William Worcester's list of Fastolf's English property contains notes on investment of this kind.¹⁴⁸ These show that expenditure was not confined to the short period for which we have information in the extant receivers' accounts. Worcester's totals, which he may have taken from receivers' accounts or recorded when he was surveyor, are probably accurate. At Dedham, where Worcester noted that £200 was spent, only a fraction of total investment occurred between 1433-4 and 1435-6. At Cotton twenty-three per cent of a total expenditure of £418 was spent during the same period, and at Hellesdon and Drayton about forty per cent of a total of £670 (including on building). No spending is recorded at Norwich and Yarmouth in this period, though £245 and £280, respectively, was spent at these places. Although it is not known when this undated investment happened, the Cotton, Hellesdon and Drayton figures prove that the 1430s was a time of intense activity, during which much of Fastolf's investment occurred.

Worcester also gives valuable indications of the type of work undertaken. At Southwark, where most expenditure probably took place during the 1440s, £1100 was spent on the erection of tenements and the making of a cobblestone roadway. This figure presumably includes what was spent building Fastolf's residence there. The £200 spent at Dedham went towards building the new mill, with pools and ditches, and towards repairs to the manor. The note for Hellesdon confirms the impression given by the receivers' accounts: the costs of enclosure, ditching, tree planting, building, repairs and expenditure on the mill amounted to £670. At Drayton repairs were made to tenements (the building of Fastolf's lodge is not mentioned) and in Norwich new tenements were built and others repaired.

¹⁴⁸ F.P. 69. Sums spent on investment are noted against the relevant properties after the statement of annual value and purchase price.

On Fastolf's estates there was an impressive amount of investment in property during the same period that land was being most intensively bought. The scale of investment was great.¹⁴⁹ In the period 1433-4 to 1435-6 a minimum of about £340 was spent on investment other than building (on stock, ditching, enclosure and repair). In each year he spent about twenty per cent of his assessed income from land on this sort of investment. Such investment formed a smaller proportion of his total income during the same period. If a mean annual receipt is calculated for 1434-5 (for which year no figure survives) then over the three financial years investment constituted 4.5% of total receipts of roughly £8000. Over the slightly longer period 1432-3 to 1435-6 £1480 was spent on building at Caister and Hellesdon. This means that building charges were fifty-nine per cent of assessed income over the period and about fifteen per cent of receipts. Within this short period a greater outlay was made in 1433-4 than 1435-6. This may be because, as other evidence suggests, 1433-4 was a year of exceptionally high income. A lack of detailed information makes it difficult to put these figures into perspective. The recorded expense during Fastolf's lifetime on all works, as opposed to current estate repairs on the various properties, amounts to £9495. The total on land purchase and works together was £23,355.¹⁵⁰ Approximately £6000 of the £9495 was spent on the construction of Caister Castle (mainly between 1432 and 1448) and another £1100 on Southwark at the end of the 1430s and during the 1440s. Of the remainder, about two-thirds was spent during the first half of the 1430s on the other investment projects.

¹⁴⁹ Two cases in which a farmer was allowed to deduct money spent on investment from the farm he owed Fastolf should be noted. In 1433-4 John Lucas, who farmed a messuage at Tunstal, spent 26/8 (30% of his farm) on the repair of houses (F.P. 9 - Tunstal). In 1435-6 Stephen Baldeswelle (skinner), who farmed Millicent Fastolf's property in Lyme Street, London, spent 8/4 (25% of his farm) enclosing a garden (F.P. 14 - London).

¹⁵⁰ See also K. B. McFarlane, 'Profits of War', p. 105.

Fastolf's war profits enabled him to build on and improve the properties he had concentrated through purchase in East Anglia, as well as those he had inherited. This investment was as much a social policy as an economic one. Fastolf acquired, improved and built in order to display his wealth and power and to enjoy the fruits of his labours. It is incorrect to see him as the victim of a collector's mania.¹⁵¹ There was a fixed and rational purpose in his concentration and consolidation of property. The extent to which expensive litigation was the result of unwise buying has been greatly exaggerated.¹⁵² He was prepared to sell manors if this led to greater financial and administrative efficiency; and the administrative and commercial policies followed on his estates show that he intended to run them as profitably and carefully as possible. Fastolf's estate administration is the subject of the next chapter.

¹⁵¹ C. Platt, Medieval England, pp. 177, 178.

¹⁵² See below, Chapter V.

CHAPTER II

Administration.

The efficient conduct of routine business was a major concern for a landowner. This chapter examines the management of Fastolf's estates. It focuses on the years between 1429 and 1459, since it is with this period that most of the surviving evidence is concerned. As we have seen, Fastolf deliberately concentrated his estates in the relatively prosperous region of East Anglia. Having property concentrated like this was an advantage, but it did not guarantee that administration would be efficient.¹ This very much depended on the skill with which the landowner organised his properties, supervised his servants and conducted his commercial policies. It is with this aspect of Fastolf's activities that this chapter is concerned. Fastolf was greatly interested in administrative work. He frequently offered his servants practical advice and urged them to be more efficient. His personal attention to routine business greatly contributed to the overall financial improvement of his estates which is evident after 1440.

A medieval nobleman usually employed a council to represent him in the running of his estates.² Owing to his prolonged absences overseas between 1417 and 1440, Fastolf probably found this essential. There is evidence that a council was active during the 1430s. Similar evidence does not exist for the years after 1440 when Fastolf was permanently resident in England. It is possible that he dispensed with a formal administrative council. During the 1430s, however, the absent lord was represented by his council. The receivers' accounts for the period from Michaelmas 1433 to Michaelmas 1436 give information about the membership and work of the

¹ Carus-Wilson suggested that Fastolf's management contributed greatly to industrial growth at Castle Combe, while the Duke of York's neglect means that a West Country property of his, despite having similar potential, did not experience growth (E. Carus-Wilson, 'Evidences of Industrial Growth on some Fifteenth Century Manors', Ec.H.R., xii (1959), pp. 196, 197).

² This subject has recently been discussed by C. Rawcliffe, 'Baronial Councils in the Later Middle Ages', in Patronage, Pedigree and Power in Later Medieval England, ed. C. Ross, pp. 87-108.

council.³ This was an institution with a corporate identity. Its members were Fastolf's senior servants, certain lawyers and some friendly local landowners. The lawyers were retained with fees and the servants usually received fees or wages. The financial position of friends like John Fastolf of Oulton (Suffolk), John Lynford of Stalham (Norfolk) of Edmund Wichingham, who were all esquires, is more difficult to determine. They received expenses for attendance at meetings and for their part in the conduct of business.⁴ In addition they probably received gifts and the advantages of association with a rich and powerful knight.⁵ Their membership helped to provide the social authority that Fastolf's estates administration needed in order to work effectively in his absence.

The council met formally at Norwich every year near Michaelmas. When John Kirtling compiled a list of his expenses as receiver in 1433-4 he noted that he had spent eighteen days at Norwich in August or September of 1434.⁶ During this period he dealt with payments and receipts of cash, and the holding of courts: both types of business concerned him in his capacity as receiver. He also had consultations with the council in Norwich during the same period; the subjects discussed included the policy of land purchase, the proposed ditching to be undertaken at the recently acquired manor of Hellesdon, and other of Fastolf's business. It is quite likely that this was a formal session of the council. A similar meeting took place during 1435 in the week before Michaelmas.⁷ Here, amongst other things, the projected purchase of the manor of Stapleford Tawney was discussed. These yearly meetings were supplemented from time to time by gatherings prompted by the pressure of business.

³ F.P. 9, 12, 14.

⁴ Each receiver's account contains examples of these types of payment.

⁵ One example is Fastolf's gift of rabbits to Edmund Wichingham in 1444 (F.P. 24, 38).

⁶ F.P. 9 (Receiver's Expenses).

⁷ F.P. 12 (Council's Expenses).

The flourishing county town of Norwich was a good place in which to draw together legal advisers, friends and administrators, and to conduct a variety of business; it had many advantages over Fastolf's residence at Caister, certainly before the Castle was built, and even afterwards. It was the centre of royal administration in the region, and provided a variety of services, ranging from legal advice from professional lawyers to board for local estate administrators whose business brought them to see Fastolf's administrative team, and for the representatives of business associates. It was the usual meeting place of a number of courts, possessed a prison, and was a centre of economic life. In addition it was the usual, or frequent, place of residence of a number of councillors and advisers, like Henry Sturmer (who was usually described as a citizen of Norwich), William Norwich and John fitz Rauf. The manor house at Hellesdon provided a suitable residence close by Norwich. During the 1440s (and most likely at other times) there were archives kept at Hellesdon, and chests of money were kept in Norwich itself.⁸ Norwich was the focal point of most administration both before and after Fastolf's retirement. By the 1440s there was a similar situation in London. Fastolf's acquisition of houses in Southwark is in part accounted for by the desire to have a residence near the capital, where central business could be carried out more efficiently than in Norfolk. A London house was, of course, a sign of status, but it had a very practical aspect. Southwark became the centre for Fastolf's lawyers and servants working in London, where the requirements of lawsuits and other business demanded a regular attendance. Norwich was the equivalent centre for East Anglian business.

The council's existence as an institution with authority is shown by the use of such phrases as 'by the precept of the council' when certain payments were

⁸ There were documents at Hellesdon in November 1450 (Add. MS. 39848, no. 226; abstract in P.L. II, pp. 188, 189). Archives were usually kept at Caister or Norwich (P.L. II, pp. 191, 192) and, owing to litigation, at Southwark. Some servants had documents in their own possession when Fastolf died (e.g. John Bocking and Thomas Howes; F.P. 95, 90). Nicholas Bocking kept a coffer containing Fastolf's money at the Crown Inn, Norwich, and was responsible for £16-13-4 stolen from it. He also kept coffers for Fastolf's money and evidences in Caister and London (F.P. 98).

made. John Taylor, for example, received his 40/- fee in 1434-5 'by the precept of the lord's council'.⁹ The council did not have sole authority to pay legal fees. On another occasion a counsellor was paid on the authority of Fastolf's general attorney, John fitz Rauf, an ex officio senior member of the council.¹⁰ There are nevertheless many examples of decisions made by, and expenditure authorised by, the council. When Thomas Hoddissone rode to London to make a payment for the manor of Stapleford Tawney he went by order of the council.¹¹ He probably attended the meeting which made the order. Such decisions reveal the unity and importance of the council in Fastolf's absence. They contrast with the orders made by Fastolf (by the lord's precept) when he was in England, as he was for several months during 1433-4. Kirtling's account contains a section which describes a series of cash payments made to Fastolf, amounting to £372-4-0.¹² Amongst these payments were some which were laid out directly in Fastolf's name by his order. £6-13-4 went into the hands of one Geoffrey Apprise for the expenses of Sir James Ormond, son and heir of James, third Lord Ormond.¹³ Another sum was paid to Henry Sturmer, the councillor, by the order of Fastolf. During his stay in England Fastolf also authorised a number of miscellaneous payments, including oblations and alms in Norwich and Blickling, a small sum to a member of the Augustinian order at Hellesdon, and other charitable donations. These appear to have been made (or promised) by Fastolf on the spot as he travelled. Others were made for services rendered to him (20/- to a goldsmith for work on his dishes), but few really touched upon the routine work of the council.¹⁴ One exception is

⁹ F.P. 12 (Fees).

¹⁰ F.P. 14 (Fees), a payment of 40/- to John Roys.

¹¹ F.P. 12 (Council's Expenses).

¹² F.P. 9 (Deliveries of Money).

¹³ Ormond (later Earl of Wiltshire), who was aged about fourteen in 1433-4, resided at court in Henry VI's minority (Wolffe, Henry VI, p. 37). It is unlikely that Fastolf was his guardian. Whatever the reason for this payment it is noticeable that in later life Wiltshire, though not a Yorkist, was friendly towards Fastolf.

¹⁴ F.P. 9 (Receiver's Expenses).

a payment made to a carpenter who travelled from Gloucestershire to Dedham in Essex to inspect the site for the building of Fastolf's new mill. Fastolf also gave some orders regarding routine business. It was by his order, for example, that Kirtling travelled to London on one occasion during the year to deal with the forwarding of money arriving from France, and to supervise loans, in the presence of the London merchant and associate of Fastolf, John Wells.¹⁵

Fastolf's council could exercise authority like baronial councils. One way in which they exercised authority as a unit was as a court of appeal. They received petitions from tenants who had a complaint, perhaps about the conduct of a local official or the level of rent, or some other aspect of a tenant's relationship with his landlord. The council could act to settle a grievance. An example of this type of activity on the part of Fastolf's council in 1433-4 may not be exceptional. John Kirtling as receiver paid to a woman named Alice Chapman 4/- for damage done to her corn by rabbits from Fastolf's warren. The sum was paid with the assent of the council. The payment of these damages may well have followed a petition from Alice directed to the council. As the warren in question was most likely that at Hellesdon by Norwich, an appeal to the council meeting in Norwich could well have been the most straightforward means of obtaining redress.¹⁶

The council behaved less beneficently in 1435-6 when it sought to recover the debts owed by John Kirtling's clerk, Richard Baxter. The council took action in Fastolf's name.¹⁷ Several members of the council claimed expenses totalling 3/8 for their services when arresting and imprisoning Richard Baxter in Norwich. Edmund Wichingham, John Fastolf of Oulton and William Norwich were the main members who were present. Also named were Walter Eton, William Wrokelar and a household

¹⁵ F.P. 9 (Receiver's Expenses) contains both entries.

¹⁶ F.P. 9 (Foreign Expenses). The control of the warrens was probably a major administrative problem. In 1433-4 Thomas Warner received 53/4 in payment for two years' service as warrener and an additional sum for 'keeping rabbits from the corn'. In the same year John Baron received a fee of 66/8 as warrener at Hellesdon - an excellent wage revealing an important position (F.P. 9 - Wages).

¹⁷ F.P. 12 (Council's Expenses).

servant of Fastolf's named Baldeshaw. Eton was paid a sum of 3/4 for laying information against Richard Baxter in court at the Guildhall in Norwich; Thomas Hoddissone and Walter Shipdam received 3/8 for residing in Norwich for three days in November 1435 to expedite this matter in the shire court. In January 1436 John Rafman and Shipdam went to Norwich for the day to 'speak' with the panel of jurors appointed in the matter and to consult with Henry Sturmer about it. Later Shipdam, this time accompanied by Thomas Hoddissone, spoke with the jurors again. The exact outcome of the action is unknown but it was probably an amicable one since Baxter re-entered Fastolf's service and stayed on friendly terms with Kirtling.¹⁸ Possibly this outcome was the result of the council's willingness to act determinedly on Fastolf's behalf.

Although the council had a great deal of responsibility and, during Fastolf's absence in France, considerable independence, the relationship between the council in England and Fastolf in France was close. The organisation was geared to the demands of an absent lord. During his military career Fastolf took an impressive amount of interest in his affairs in England. A letter of 1429 to Kirtling and John Fastolf of Oulton is indicative of this interest:¹⁹

'Item ze sende me be Raufman an answare of the letters that y sende yow, that I may have veray knolage how that hit standys with me ther in al maner of thynges and that I have an answare of every article that y wrote to yow'.

Fastolf wished to be kept fully acquainted with the progress of his affairs in England. He was accustomed to sending letters containing information and instructions to England and expected to receive replies to them, as well as a variety of other documents.

¹⁸ Baxter apparently returned to Fastolf's service during 1436: F.P. 14 (Assize Expenses) mentions a paper schedule written in his hand. In July 1436 Kirtling conveyed property in Long Stratton to Baxter and William Norwich, a councillor of Fastolf's (C.C.R., HVI, v, p. 177).

¹⁹ Add. MS. 28212, fo. 21; printed in P.L. II, pp. 113-116. Gairdner rightly expressed doubts about dating this to 1449. It was written at Rouen while Scrope, who brought it to England, was serving in France (as he was during 1428: Add. MS. 28212, fo. 10). It must have been written shortly after Katherine Cobham, the woman he was planning to marry, was widowed. Her husband, Sir Reginald Cobham of Hoo, cousin of Sir Reginald Cobham of Rundale and Allington, died late in 1428 (C.F.R., xv, p. 235). 1429 therefore seems a likely date. Since Scrope actually married Margaret Dorward in 1433 it is unlikely that the letter was written much after 1429.

In his 1429 letter Fastolf instructed his councillors about three important topics. These were the terms of Stephen Scrope's marriage to Katherine Cobham, the proposed sale to Lord Hungerford of Fastolf's ward (the son of a Wiltshire landowner named Robert Mounpisson) and arrangements for settling debts owed Fastolf by Lord Scales. Important though these topics were this letter is very similar to those written by Fastolf when he lived in England in the 1450s. Many such letters clearly passed from France to England for examination by the council. An important item on the agenda of the council meeting in September 1435 was the study of 'articles' sent from France by Fastolf.²⁰ Thomas Hoddissone and Walter Shipdam were at this meeting. Later in the year, when they were in Norwich, they again consulted the 'articles'. Present with them was John fitz Rauf, Fastolf's general attorney at that time, who had the 'articles' in his keeping.²¹

Another form of contact was the effort made by the council to keep Fastolf acquainted not only with the council's current business but also with the financial performance of the estates. Parchment was bought for writing up copies of accounts for 1435-6 which were to be sent to France.²² Responsibility for the collation and dispatch of this information was the council's rather than the receiver-general's. Although the administration sometimes fell behind, the intention was to send these reports annually.²³ The purchase of Hellesdon and Drayton manors in 1432 also illustrates the tight rein Fastolf kept on his English administration. John Kirtling negotiated the terms of this transaction, one of which was that the agreement would only have effect if Fastolf approved of it by a certain date.²⁴

²⁰ F.P. 12 (Council's Expenses).

²¹ F.P. 14 (Fees) proves that fitz Rauf was general attorney.

²² F.P. 12 (Miscellaneous Costs). In 1433-4 (F.P. 9 - Receiver's Expenses) it was similarly intended to send financial information to France. A roll containing the values of Fastolf's manors, along with a statement of the debts owed by his bailiffs and of the receiver general's accounts, is mentioned.

²³ This may be concluded from the fact that in 1433-4 Kirtling intended to send information covering two financial years (see note 22).

²⁴ F.P. 88.

The need for communication between France and England was clearly no obstacle to Fastolf's close attention to business.

That such application was characteristic of the man is evident from his letters in 1450 and 1451, a period when politics greatly occupied his time. He was interested in the appointment and performance of bailiffs and farmers, sometimes declaring himself happy with a man's performance and pleased that he should remain in office.²⁵ He believed that his servants' efficiency was reduced if they had too many responsibilities. He told Thomas Howes that the supervision of Caister and Winterton should be in the hands of two men not one, and that this should also be the case at Hellesdon and Drayton, where William Wormegay had too many offices and duties to 'approve well my londz'. In addition he recommended that oversight of the warrens and woods at Hellesdon and Drayton should not be the bailiffs' responsibility but that of a quite separate official.²⁶ Fastolf also urged that men who worked for him, like Jankyn Porter, should have regard for his tenants' welfare. Porter should 'owen myne tenants good wille as he ought to do'.²⁷

Fastolf did not think that administration was likely to succeed by being oppressive.

Fastolf was aware that close supervision of local officials might increase his income and reduce the level of arrears. He often complained about the high level of allowances made to accounting officials, which resulted in them delivering meagre amounts of cash to the receiver. The auditors were to be stricter,²⁸

'for and myn auditors had such officers undre hem they wold be ryght wroth... I sey allwey a comyn sawe shew me the meete but shew me not the man'.

Their aim should be to take as much money as possible from the officials' hands.

²⁵ Add. MS. 39848, no. 226; abstract in P.L. II, p. 188, 189.

²⁶ Add. MS. 39848, no. 225; abstract in P.L. II, p. 134. Wormegay's difficulties are mentioned in K. B. McFarlane's transcript of Folger Library MS. Xd. 274, a letter of 24 June 1450.

²⁷ Add. MS. 43488, fo. 15; partly printed in P.L. II, p. 152.

²⁸ Add. MS. 39848, no. 235; abstract in P.L. II, pp. 192, 193. This was written on 4 December 1450. On 11 November Fastolf ordered that William Cole be specially summoned to oversee the examining and making of the accounts and give his advice during the 'grete busines of myne audyt' (Add. MS. 39848, no. 226; abstract in P.L. II, pp. 188, 189).

Unless this happened officials would continue to spend money on unnecessary works which they would try to justify at the end of the financial year. Fastolf also objected to the officials' tendency to speculate on their own account with revenue in their hands, regardless of the risk of loss. As a possible remedy to these problems he ordered that his central officials should visit his estates regularly, collecting revenues themselves as and when the money became available. This would provide more ready money and lessen the chances of local officials getting into arrears.

Fastolf clearly felt that it was only through close supervision of his servants that he could hope to maintain his own financial security. When he was unable to be present for an annual audit he addressed letters to his auditors exhorting them to be diligent.²⁹ Before granting any allowances they were to ensure that the work involved had been necessary and performed satisfactorily. When the audit was finished an audit book was to be compiled for him. This was supposed to contain details of receipts and expenditure on each property as well as a statement of the overall financial position of the estates.³⁰ Fastolf obviously intended to study this book and use it as a basis for criticising the work of individual officials. He remarked: 'it esyth my spryts to sey my conceyt wyth hem & to be corrected & amended for the better'.³¹ He was alarmed when reports that his East Anglian possessions were being badly administered reached London.³² At least once he reminded his auditors and other servants that care in financial matters was in their interests as well as his own: 'at the reverence of God tendyr ye thys mater for it ys the substaunce of my welfare and of you all'.³³ As well as the administration

²⁹ Add. MS. 39848, no. 236; abstract in P.L. II, pp. 212, 213. This letter, dated 28 January 1451, shows that the audit book was almost written up but that William Cole had not yet examined the accounts as Fastolf had ordered.

³⁰ Add. MS. 39848, no. 236; abstract in P.L. II, pp. 212, 213. 'I desyre to have my boke valued in the ende of the rolle as the old maner ys', Fastolf wrote. Clearly in recent years his servants had not supplied all the information he required. This he wished to reform.

³¹ Loc. cit.

³² Add. MS. 43488, fo. 15; partly printed in P.L. II, p. 152, a letter of 27 May 1450.

³³ Add. MS. 39848, no. 236; abstract in P.L. II, pp. 212, 213.

of the estates, the regulation of his household at Caister was of concern to him. No systematic accounts were being kept there. He ordered Howes to see that a book was kept recording all deliveries and receipts of cloth, garments and other goods to or from the wardrobe. All relevant indentures were to be engrossed in the book. To do this, Fastolf told Howes, was 'an thyng of grete charge & I doubt me lest it ys but litell attended as it ought be'.³⁴ It is undoubtedly the case that Fastolf's close and-persistent attention to matters such as these made his estate administration more effective than it would otherwise have been. Consequently, when Fastolf's powers faded towards the end of the 1450s, inefficiency gave cause for growing concern.

Letters written by William Worcester in 1457 give voice to this concern. He felt that Fastolf's entire financial position needed review:³⁵

'my maister shuld be lerned whate hys housold standyth uppon yerlye..., and that don, then to see by the reuenues of hys yeerly lyfelode whate may be leyd and assigned owte...to meynteyn hys seyde housold, and over that whate may be assigned to beere owte hys plees and also to pay for hys foreyn charges and dedes of almes to a conuenyent somme'.

Before this could be done, however, Fastolf's household accounts had to be brought up to date and correctly set out 'aswell for the prouisyons that ys had of hys oune growyng as in money payd'.³⁶ Until this was done officials who provisioned the household could not properly settle their accounts. There is also evidence that all was not well on the estates. According to Worcester the accounts of Hellesdon were three years overdue.³⁷ Misgovernment by officials at Bentley (Yorkshire) had greatly troubled the tenants. It required a visit by Paston and Howes in May 1458 to put an end to this. Arrears at Bentley, some of which went back to 1451, had grown to a total of £100.³⁸ Nearer home, at Saxthorpe, the

³⁴ Add. MS. 39848, no. 223; abstract in P.L. II, p. 149. Fastolf told Howes that the book should be 'ordinate' (orderly).

³⁵ Davis II, no. 571, letter of 20 April.

³⁶ Davis II, no. 572, letter of 1 May.

³⁷ Loc. cit.

³⁸ Davis I, no. 53, letter of 24 May 1458.

farmer was seriously in debt by the end of the decade.³⁹ Worcester also observed that an intelligent commercial policy was no longer being followed - sure sign of Fastolf's weakening grip. Worcester hoped that the auditors, whom he held partly to blame for the worsening situation, would:⁴⁰

'playnlye enforme my maistre of the trowth of the yeerly grete damage he beryth in debursyng hys money aboute shyppes and botes, keypyng an house vp at Jermuth to hys grete harme and resseyvyth but chaffre and waare for hys cornys and wollys... He shall neuere by monyed, ne be aunsuered clerly of hys reuenues yeerly, but those thynges abofeseyd be amended be-tyme. Yn Lowys days xii yeere to-ghedre my maister was wont to ley vpp money yeerly at London and Castre, and now the contrarye, de malo in pejus'.

What Worcester described was the result of Fastolf's failure to supervise his affairs closely. Despite Worcester's concern there was no noticeable improvement between 1457 and 1459. This suggests that in the fifteenth century, as in the sixteenth, the most successful great landowners were those who gave personal direction to the business of estate management.⁴¹

To manage his estates in accordance with his wishes Fastolf employed two types of administrative servant - central officials and local officials. Local officials had charge of one or two individual properties; central officials dealt with the administration of the estates as a whole and were responsible for making Fastolf's general policies work. It is with the central officials that an examination of administrative organisation should start.

One result of Fastolf's accumulation of land during the 1420s and 1430s was that his central administration became more highly organised and employed more men. Before this most administrative work had apparently been concentrated in the hands of Fastolf's loyal servant John Kirtling. Kirtling was receiver-general at the beginning of the 1430s. At this stage he was acting as surveyor (or chief steward)

³⁹ Davis II, no. 589. The letter seems to be of 1456 or 1457. The debt is mentioned in F.P. 62, a list of debts compiled in 1457.

⁴⁰ Davis II, no. 572.

⁴¹ L. Stone, The Crisis of the Aristocracy, 1558-1641, p. 332. K. B. McFarlane (Nobility of Later Medieval England, p. 48) also remarked on Fastolf's weakening grip late in life. Fastolf's attention to detail is well illustrated by the memorandum written on a fifteenth century copy of a charter of 1366 for Drayton, which states: 'Ego Johannes F miles originale istius carte inspexi vidi et intellexi. Et ideo sigillum meum appensum' (Norfolk and Suffolk 42). He signed, having presumably read, the financial document Norfolk and Suffolk 1.

as well. According to his expenses for 1433-4 he undertook duties which were afterwards divided between receiver and surveyor, as when he held courts in the West Country in the summer of 1434.⁴² The receiver in the 1450s, Thomas Howes, would almost certainly not have done this. By 1435 a surveyor, Geoffrey Walle, had been appointed. He is found arranging leases and giving advice about minor land purchases.⁴³ During the 1440s Fastolf's best-known surveyor, William Worcester, was very busy. As late as the 1430s Kirtling also worked as Fastolf's general attorney, which apparently involved representing his employer in a variety of business matters. By 1435-6 this responsibility had been taken over by John fitz Rauf.⁴⁴ Although the paucity of evidence for the years before 1430 makes it impossible to be certain, it seems safe to conclude that Kirtling bore the brunt of Fastolf's administrative work. By the mid 1430s his work was being distributed between several men. This change became absolutely necessary when Kirtling fell ill and retired from active service in 1435.⁴⁵ Walter Shipdam took over as receiver, Walle as surveyor and fitz Rauf as general attorney.

Kirtling's accounts for 1433-4 provide an impression of the work he did during the year.⁴⁶ It was by no means that of a sedentary office worker. In November 1433 he travelled to London and attended Fastolf for fifty-three days.⁴⁷ His accounts for the previous year were inspected and a variety of business conducted. In February 1434 he was in London again, in Fastolf's company, conducting his employer's business. He was in London for another three weeks during April and

⁴² F.P. 9 (Receiver's Expenses).

⁴³ In F.P. 12 it is noted that Walle was responsible for leasing Pentlow and advising that Holmhale ought to be bought. Examples of leases arranged by him are F.P. 15, 38: Add. MS. 39848, no. 1.

⁴⁴ F.P. 14 (Fees).

⁴⁵ The heading of F.P. 12 shows that Kirtling retired before the end of the financial year. During 1435 money was spent on paper on which to write a view of Kirtling's account whilst he 'languished in illness' at Norwich (F.P. 12 - Miscellaneous Costs).

⁴⁶ F.P. 9 (Receiver's Expenses).

⁴⁷ Two and a half days was the usual time allowed for the journey between London and East Anglia.

for a month during June and July, when he was engaged in negotiations with Fastolf's creditors, including the London citizen John Wells. Kirtling was very busy during July, August and September 1434. He spent eighteen days riding round East Anglia inspecting Fastolf's properties. With William Cole he journeyed to Bentley and Wighton in Yorkshire, where he audited manorial accounts for two weeks. The two men also travelled to Castle Combe and Oxenton in the West Country, where they apparently stayed for twelve days holding courts and collecting money from the bailiffs. Kirtling returned home via London, where he was engaged on Fastolf's business for a few days. During this same late summer period he also spent eighteen days at Norwich during which he attended a council meeting, held courts, collected revenues and made some necessary payments. At the same time as he was doing all this he was also trying, as receiver-general, to maintain some control over Fastolf's enormous income and expenditure.

The receiver-general was the chief financial official responsible for monitoring all Fastolf's income and expenditure in England. For accounting purposes the English estates were unified under his supervision.⁴⁸ An independent administration supervised Fastolf's French lands and earnings, but once this wealth had reached England in any form the English receiver had to account for it. One of the most difficult aspects of this work in the 1430s was connected with the money Fastolf loaned to merchants. The receiver not only had to know how much money each merchant had, and on what terms, he had also to recover the money when it was due. Sometimes this proved difficult.⁴⁹

The receiver also oversaw and accounted for all expenditure in England. His accounts did not record the minute details of every expense, although this information was available to him and the auditors. Thus when the receiver delivered a

⁴⁸ The administration drew no distinction between Fastolf's East Anglian properties and his wife's in Yorkshire and the West Country.

⁴⁹ In 1433-4 and 1435-6 arrears consisted mainly of money in the hands of the merchant John Wells, some of which was still outstanding in the next decade. Using the receiver's accounts K. B. McFarlane has given a thorough description of the role of Wells and other merchants ('Profits of War', pp. 96-100). There is some evidence that constraints were placed on the policy of land purchase by having so much money in merchants' hands (Chapter I, pp. 5, 6).

large sum of money to William Gravere, the master of the building works, he expected Gravere to produce detailed accounts of how the money was spent.⁵⁰ Nor did the receiver supervise the day-to-day expenditure of the household at Caister, as this was the household steward's responsibility. The receiver did, however, make an annual allowance (£87 in 1433-4) to cover its expenditure. There is no sign that particular properties had their revenues set aside for the upkeep of the household, or that money was paid from the estates directly into the household. The receiver, furthermore, was expected to record the financial value of all goods delivered from the estates to the household.⁵¹ Thus he had total control over its income. In addition he was responsible for uncommon household expenses. In 1433-4 he paid the household chaplain's wages, bought cloth for the clothing of household members, and acquired horses for the household servants and central administrative officials, all of whom usually resided in the household at Caister.⁵² The household was therefore as much under the receiver's financial control as Fastolf's other financial concerns in England were.

The receiver's financial responsibilities and the large amount of money over which he had control are evident from the receiver's accounts for 1433-4 and 1435-6.⁵³ Both accounts are arranged in the same way. They deal with income first.

⁵⁰ Some of Gravere's building accounts have survived (Add. Ch. 17229-17231: accounts for Caister, 1432-5, and Hellesdon, 1434-5): see also H. D. Barnes and W. D. Simpson, 'The Building Accounts of Caister Castle (A.D. 1432-1435)', Norfolk Arch., xxx (1952), pp. 178-188.

⁵¹ In 1433-4 Kirtling noted the value of 15 quarters 5 bushels of barley delivered by the bailiff of Winterton to the bailiff of Caister, and of 30 quarters of barley similarly delivered by the bailiff of Herringby; he calculated on the basis of $\frac{4}{8}$ per quarter of barley.

⁵² F.P. 9. Each type of expenditure has a section in the accounts except for the chaplain's wage which is found in the Wages section. Presumably the cloth went to provide livery for Fastolf's servants. Only one account for the household at Caister, that of 1431-2 when Rafman was steward, has survived (F.P. 8). This shows that Kirtling, then surveyor, resided there. In an inventory of the contents of the wardrobe at Caister Rafman's chamber, a chamber once Nicholas Bocking's, the auditors' chamber and the chamber for William Worcester and Lewis Pole, amongst others, are mentioned (P.L. III, pp. 181, 182, 185).

⁵³ F.P. 9, 12, 14. In what follows only rough totals are used.

The main types of income were revenues from land,⁵⁴ profits from sales, arrears (with which the accounts begin) and 'foreign' receipts. Much of the income described as foreign receipts consisted of repayments by his associates of debts owed to Fastolf. Another important type of foreign receipt was the overseas earnings paid to the receiver by Fastolf himself. In 1433-4 this type totalled about £500 in cash and £500 in plate. Money repaid by merchants to whom it had been loaned was another important source of foreign receipts. After income the accounts deal with expenses, of which there was a great variety. Money was spent on the purchase of cloth, horses, cattle and grain, on the purchase of land, payments for properties rented by Fastolf, fees and wages, legal expenses, receiver's expenses, 'foreign' expenses and liveries of money. Foreign expenses included the sums spent on negotiations for the purchase of land, doing research on Fastolf's properties amongst the royal records and money paid for the assistance of royal clerks, either in enrolling new documents or making copies of ancient ones. The category described as liveries of money included the annual grant to the household, cash paid to the master of the building works at Caister and Hellesdon and money spent on repairs and improvements made on the estates in East Anglia. Altogether these were the main types of income and expenditure dealt with by the receiver.

The best indication of the volume of money the receiver was responsible for is found in the overall totals recorded in these accounts. In 1433-4 arrears from the previous year were £1600. Arrears for the current year were £2000 and the total of all receipts including arrears £6779.⁵⁵ To this total £330 was contributed by land revenues, £100 by sales of produce and £3188 by foreign receipts. The total of expenses and payments in the same year was £3750 so that there was nominally a

⁵⁴ All Fastolf's properties are listed, beginning with those in Yorkshire and the West Country. Those in East Anglia follow. Their arrangement does not display any geographical grouping within East Anglia.

⁵⁵ The receiver included arrears for the current year but excluded those from earlier years in this total because his account was only concerned with the current year. His statement of what he owed included arrears for the current year even though the money had not entered his hands. Ignoring arrears there should still have been a large net inflow of cash in each year (£1025 in 1433-4 and £501 in 1435-6).

surplus income of £2991. In 1435-6 the equivalent overall totals were £4860 (total receipts with arrears) and £1635 (total outgoings), leaving a surplus of £3256. On the receipts side in this year, arrears were £2724, income from properties £190 and foreign receipts £1950. The major expenses were those on land purchase (£888), foreign expenses (£105), the purchase of horses and cattle for stock (£100) and liveries of money (£473). These figures give a striking impression of the level of Fastolf's income and expenditure during the 1430s and the scope that existed for the accumulation of cash reserves. The receiver managed, and took personal responsibility for, these enormous sums of money.

At times the receiver could have substantial amounts of money in his hands. It was tempting, and probably often profitable, to use this for short term speculation, but there were risks - as can be seen from Nicholas Bocking's experiences.⁵⁶

Although the extent of his speculation in the grain market during 1437-8 and 1438-9 is unknown, some evidence about his ventures survives.⁵⁷ Through speculation he claimed to have made £300 clear profit for Fastolf in two years. In the two transactions of which we have knowledge he spent over £350 buying grain which he hoped to sell at prices raised by the scarcity which followed harvest failures.⁵⁸ Bocking had great resources with which he could take advantage of times of hardship.

One thing Bocking did was involve himself in the affairs of Robert Sargeaunt, a Norfolk wool chapman. In 1437-8 Sargeaunt had bought 260 quarters of barley for £77-5-0 or nearly 6/- a quarter.⁵⁹ Sargeaunt, who also rented Hockering manor from

⁵⁶ Bocking served as receiver during 1437-8, 1438-9, 1439-40, 1442-3 and 1443-4.

⁵⁷ Bocking had trouble with Fastolf's auditors when two of his ventures made losses. He compiled a list of grievances in which these ventures are mentioned. This was included in a petition presented to Bishop Wayneflete in about 1470 by John Bocking, a copy of which survives (F.P. 98). During 1469 John Bocking and Sir William Yelverton urged Wayneflete to undertake the administration of Fastolf's goods (F.P. 94).

⁵⁸ Heavy rain nationwide in the summer of 1438 caused harvest failure and famine (R. B. Dobson, Durham Priory, pp. 266, 267). These conditions in 1438-9, described by Hatcher as the only major famine of the century, contributed to many deaths through plague (J. Hatcher, Plague, Population and the English Economy 1348-1530, p. 58).

⁵⁹ At what time of year Sargeaunt purchased is unknown. He paid well over the 4/8 per quarter found in Norfolk in 1433-4. The normal price at Durham was 4/- but this rose to 6/- or 7/- during the famine (R. B. Dobson, Durham Priory, pp. 266, 267).

Lady Morley,⁶⁰ was in financial difficulties and unable to pay more than £12 of the price of the barley. When he heard about this Bocking, 'understandyng that yn the seid bargayn lay grete wynnyng', agreed to buy Sargeaunt out. Bocking afterwards claimed that his dealings with Sargeaunt brought £60 clear profit. This was presumably because he successfully predicted the movement of grain prices.⁶¹

During the same year as the Sargeaunt transaction Bocking undertook another profit-seeking venture. This time he purchased corn worth £280 or more from some poor men in Norfolk and had it sold by his agents at Colchester, Maningtree and elsewhere in Essex, in order to 'enrich' his employer. He admitted to having made a loss of £5 in this transaction. The loss, which he agreed was his own fault, he blamed on 'hys conscience yn the mesuring of the seid cornes sold' and his failure to supervise the actions of his agents, who had cheated him. It is also possible that prices were starting to fall when the grain was sold, and that this robbed him of profit. The loss was in any case small compared with the initial outlay.⁶²

It is likely that the receiver engaged in speculation of this sort whenever the money was available. In Bocking's words, however, this was 'no parcel of hys office but of true harte'. There was a point to Bocking's attempt to define the receiver's duties. The profits he had made were Fastolf's, the losses his own. He was personally liable for all Fastolf's money when he accounted; there was no concept of corporate responsibility for these assets. If the receiver had no obligation to speculate, it probably made good sense not to do so. The risk of failure added to the burden of managing huge sums of money. The pressures of office probably increased after 1440 when income from overseas fell dramatically and spending on

⁶⁰ Isabel, Lady Morley was the widow of Thomas, Lord Morley who died in 1435. Morley possessions in Norfolk included the manor and advowson of Swanton Morley, the manors of Aldby, Folsham and Hockering and the hundred of Eynesford (C.C.R., HVI, iii, p. 19).

⁶¹ Where Bocking sold the grain is unknown. We know about this transaction only because Sargeaunt, who died intestate, owed Bocking money at his death. Bocking was unable to recover this because Lady Morley seized Sargeaunt's goods to cover arrears he owed her.

⁶² Bocking felt that the auditors should ignore this debt in consideration of his long and loyal service to Fastolf (F.P. 98).

litigation in England began to rise. The receiver then had to ensure that income was collected efficiently and that economy was observed in expenditure. The employment of a deputy, accountable to the receiver, was probably a response to this new pressure.⁶³ These conditions also contributed to the poor relations that existed between Nicholas Bocking and Fastolf's auditors by the end of the 1430s. Bocking's difficulties with the auditors mounted on Fastolf's return to England.

The auditors' task was not only to make clear what the liabilities of Fastolf's officials and servants were but also to eliminate any expenditure they considered to be unjustified. This in itself may have produced tension between the auditors and the receiver. The receiver had to conduct affairs and deal with large sums of money day by day under constant pressure. The auditors had greater leisure to evaluate the performance of the receiver and were not subject to the same pressures. The pressures they were subject to were imposed by Fastolf's desire to keep necessary expenditure as low as possible. Fastolf sided with his auditors and supported their charges against Bocking with his authority.

Some evidence about the disagreements between the receiver and the auditors occurs in Bocking's account of the misfortunes he experienced in Fastolf's service.⁶⁴ This is full of allegations that the auditors bore malice towards him. One complaint concerned the financial position of one of Fastolf's estate officials, John Sekbrook, bailiff of Cotton in Suffolk. According to Bocking Sekbrook had paid all the money he owed for the year 1439-40, except for a sum of 30/- arising from ameracements. The bailiff had travelled to London and secured from Fastolf an acquittance 'in plena soluta arreragii compoti sui'. But the auditors had 'of eville wille' surcharged Bocking with this sum of 30/-. A list of debts and arrears owed to Fastolf, drawn up at the end of the year 1445-6, shows that Sekbrook was no

⁶³ Geoffrey Spirling was Howes' deputy in 1448-9, 1449-50 and 1450-1 (Norfolk and Suffolk 2). His accounts contain a variety of expenses similar to the receiver's in the 1430s but make no mention of receipts. Richard, Earl of Warwick's receiver-general had two assistants in 1420-1 (C. D. Ross, Estates and Finances of Richard Beauchamp, Earl of Warwick, p. 9) who, unlike Spirling, were much involved with rent collection. Christopher Hanson, Howes' deputy in 1453-4, was more like these assistants than was Spirling. He was specially concerned with collecting rents, farms and profits from mills, though his accounts contain a few expenses (F.P. 51).

⁶⁴ F.P. 98.

longer acting in an official capacity at Cotton but still owed 42/9 arrears.⁶⁵ 13/4 of this sum was stated to be revenue from the manor which Sekbrook claimed had been spent on work in Fastolf's enclosure at Cotton. This 13/4 remained unpaid several years later. The other 29/5 that was unpaid in 1445-6 is the bulk of the 30/- of ameracements that Bocking's complaint referred to. A note about this money on the list of debts states that the arrears had arisen during Bocking's time as receiver and that he had been charged with them. The debt was not recorded later than 1445-6 because Bocking had been forced to pay it by then. He felt that he should never have had to pay it at all.

Another of Bocking's complaints referred to the year 1439-40. In this year the auditors had, 'of pure malice', surcharged him with a 'postea onerata' of 40/-. He was supposed to have gathered this sum from the sale of grain rendered by the farmer of the manor of Titchwell in Norfolk. His own version was that he had received only 28/- from the sale. One other example concerns a French prisoner of Fastolf's, a certain Sir Guy de Champchever who, according to Bocking, 'nowte hadde in his purs'. Bocking had lent him 13/4 to enable him to go up to London when sent for by Fastolf, yet the auditors had not allowed Bocking to recover this outlay. Finally, but not surprisingly, some of Bocking's grievances concerned pay. The value of his usual expense payments had been reduced by the high prices of the famine years which meant that he had lost £6, the auditors having taken 'no consideracion of the straitness & dearth of that tyme of cornes'. He claimed that he had been paid 52/- less than his proper fee as receiver in 1442-3 and 1443-4. The auditors had taken no notice of Fastolf's letters of appointment and the 'Bokes of the Howsehold' which showed that he should have been paid in full. Moreover a £6 reward for his advice concerning litigation had never materialised. It was Bocking's view that the auditors had treated him harshly. The tension between them was probably a result of the difficult period of adjustment to changed financial conditions which the administration was undergoing, rather than of a clash of personalities.

⁶⁵ Norfolk and Suffolk 1.

Despite their importance in financial administration little is known about Fastolf's auditors. They were either selected from the central administration or were outsiders. Whatever their origin they were ex officio members of the council during the 1430s. Some experience as a receiver was a useful qualification. Walter Shipdam was Fastolf's receiver before he began a long career as his auditor. Nicholas Bocking was employed as an auditor after his work as receiver stopped. Geoffrey Spirling, an auditor in the 1450s, had experience as Thomas Howes' deputy when Howes was receiver. At least one of the auditors drawn from outside was a man of distinction. This was John Roys, auditor in 1435-6, who had represented Norfolk in Parliament.⁶⁶ Trustworthy auditors were valued by Fastolf. He employed William Cole from at least the early 1430s to 1450. In the latter year Fastolf specially ordered that Cole was to oversee the work of the auditors at the annual audit. Fastolf intended to have an experienced expert see that the job had been properly done.⁶⁷ Apparently only two specialist auditors were retained by Fastolf at any one time. If he required more for particular investigations of local officials an auditor could be hired or a central official sent to act as an auditor.⁶⁸ The auditors' main duties were connected with the annual audit but they did have duties at other times. Finding ways of having arrears paid was one of the most difficult and time-consuming of them.⁶⁹ It seems probable that a half-yearly view of

⁶⁶ John Roys, gentleman or esquire of Norfolk, was escheator of Norfolk and Suffolk in 1432-3, M.P. in 1433-4, and Recorder of Norwich by 1436 (C.F.R., xvi, pp. 33, 60, 116, 182, 187, 192).

⁶⁷ Add. MS. 39848, no. 226; abstract in P.L. II, pp. 188, 189.

⁶⁸ Thus in about 1444 Nicholas Bocking, recently retired as receiver, worked as an auditor in the West Country with William Dorset, who was probably employed solely for the investigation of John Tudworth (Add. MS. 28212, fo. 24). Three auditors were present at Great Yarmouth to investigate John Rafman's affairs (F.P. 26).

⁶⁹ A letter of 1450 illustrates the auditors' difficulties in securing repayment. On the word of the Parson of Cotton they had accepted certain Cotton tenants as pledges for the bailiff and released the bailiff from prison. The pledges proved insufficient and the bailiff died in debt. This letter shows that the auditors had authority to imprison and release men (Add. MS. 39848, no. 247; abstract in P.L. II, p. 195).

accounts was held, requiring the attendance of an auditor.⁷⁰ Fastolf's investigations into the affairs of offending officials made demands on the auditors' time. Thus, together with the receiver and the surveyor, the auditors had an important role in estate administration, and provided Fastolf with the information on which he based his policies.

The other main central administrative officials was the surveyor. From the 1430s there seems to have been just one surveyor for the whole of Fastolf's estates.⁷¹ As we have seen, in the 1430s Geoffrey Walle made leases, advised on land purchases and was an ex officio member of the council. He also supervised building and repair work carried out on the estates.⁷² The tasks Worcester was expected to perform during the 1440s can be seen from the instructions Fastolf gave him for his work in the West Country.⁷³ At Oxenton Worcester was to examine the causes of respites of rent and the decay of the demesne lands and judge what level of respites was reasonable. Fastolf ordered him to ensure that the tenants no longer abused their rights of pasture to his detriment. Worcester was also to summon Roger Winter to account, and collect from him any arrears he was able to pay.⁷⁴ Finally he was to hold a court and inquire into 'all maner of defaults'. The work

⁷⁰ Views of the receiver's accounts, which took place in summer, are mentioned in F.P. 12 (Miscellaneous Costs) and Add. MS. 28211, fo. 5; these are dated 1435 and 1457 respectively. Views of local officials' accounts have survived in Add. MS. 28211, fo. 2 (for the reeve of Castle Combe in 1439-40 and 1443-4). Both itinerant and general audits (at Norwich) were conducted, usually by the receiver with one auditor. If there was concern about a property's performance, as at Blickling in 1449, the auditor and the receiver (or his deputy) would visit it several times during the year (Norfolk and Suffolk 2). The conduct of the audits is described by N. Denholm-Young, Seignorial Administration, pp. 135-141.

⁷¹ Fastolf employed stewards to hold courts at Castle Combe. William Westbury, a Wiltshire J.P., Justice of King's Bench and, until 1434, Fastolf's feoffee for Castle Combe, was a distinguished one (History of Castle Combe, pp. 236, 255; C.P.R., HVI, ii, p. 368; Add. Ch. 18226) and, in the 1450s, Thomas Young, the Duke of York's associate, was another (History of Castle Combe, p. 251). But William Worcester's authority extended to the West Country during the 1440s, as is evident below, and the 1450s (History of Castle Combe, p. 251) as it also did to Yorkshire (Davis II, no. 558).

⁷² F.P. 14 (Deliveries of Money).

⁷³ Add. MS. 28212, fo. 27.

⁷⁴ Roger Winter was employed by Fastolf to collect farms in Gloucestershire and Wiltshire in 1437-8 (Add. Ch. 18555) and he also acted as an auditor in this area (Add. MS. 28208, fo. 31).

intended for Worcester at Castle Combe was similar. After inspecting the accounts of Fastolf's officials there he was to invite tenders for tenements newly fallen, or about to fall, into Fastolf's hands, and also for the deer park and the warrens. Fastolf ordered him to discover what 'feudal incidents' had been lost through administrative negligence over the previous thirty-six years and to draw up a list of those that were now due.⁷⁵ In addition Worcester was to investigate reports that certain Castle Combe men had sold Fastolf's wood for their own profit and ensure that all woodsale revenues reached Fastolf. In short, Worcester's duties as surveyor were to hold courts, supervise officials, resolve disputes, prevent Fastolf's resources from depreciating and maximise Fastolf's return from these resources. He had a vital role in turning Fastolf's policies into action.

Fastolf's central administrative officials usually served him for long periods. Nicholas Bocking, William Worcester, William Barker, William Cole, and probably Thomas Howes, all worked for him for more than twenty years. During the late 1420s Nicholas Bocking introduced his young son John to Fastolf's household and negotiated his terms of service for him. John Bocking served Fastolf until 1459. John Kirtling was also with him for thirty years.⁷⁶ Henry and Christopher Hanson joined Fastolf's English administration after giving him long service in France. Family connections developed amongst members of Fastolf's administration. William Barker married Thomas Howes' sister Annis, and William Worcester married one of Howes' nieces. John Paston's brother William gave devoted service.⁷⁷ John Bocking

⁷⁵ Wardships, homages and reliefs were referred to by Fastolf, who was determined to enforce his rights. Notes made for him about fees in Quidhampton (Wilts.) have survived (Add. MS. 28211, fo. 1). Fees were held of Castle Combe in Somerford, Smethcote, Compton Basset, Sherston, Bathampton, Deepford, 'Whelpele', 'Grundwell', Blunsdon, Shaw and Salthrop (all Wilts.) as well as Quidhampton (F.A., v, pp. 236, 237, 247, 253, 256, 260, 265, 279). In 1412 the King unsuccessfully claimed that Smethcote was held in chief (C.C.R., HIV, iv, p. 280). This issue was probably raised again in 1428 when Fastolf was forced to sue Sir John Stradlyng for relief and homage there (History of Castle Combe, p. 256).

⁷⁶ Lengths of service can be estimated from estate documents (particularly the receivers' accounts) and the Paston letters. Kirtling's lengthy service is specifically referred to in Fastolf's will (P.L. III, p. 157), William Barker's in P.L. VI, p. 61: John Bocking's entry can be dated to 1426 or 1427 from F.P. 98.

⁷⁷ P.L. VI, p. 61.

was a nephew to Fastolf's close friend Sir William Yelverton.⁷⁸ This unity and continuity amongst servants was probably an administrative advantage. Ill feeling sometimes existed between servants who worked in East Anglia and those in London. Occasionally there was tension between the receiver and the auditors.⁷⁹ The effectiveness of Fastolf's administration was probably not reduced by the existence of personal animosities, even those which occasionally developed between Fastolf and his servants.⁸⁰

Most servants were laymen, since a clerical education was no longer the only route to the literacy required for administration. If Fastolf really preferred to employ clerks whom he could place in livings in his possession this is not evident in his choice of servants.⁸¹ It is noticeable, however, that the two longest-serving receivers were both clerks.

Fastolf's main aim was to keep in office for long periods men whose abilities he trusted. He achieved this by offering the inducement of attractive pay and working conditions. Servants resided at Fastolf's house in London or at Caister. Nicholas Bocking recalled that in 1427 he was offered 40/- p.a., the wage received by household servants.⁸² This figure is confirmed by the receiver's accounts of the 1430s. It was substantially higher than the fees paid to retained lawyers, and was probably usual for the auditors too, although William Cole received £4 in 1433-4 and 1435-6 on Fastolf's direct order. By the 1440s Bocking's services were even more

⁷⁸ F.P. 94. Henry Windsor married William Worcester's sister (P.L. III, p. 131). After Fastolf's death connections between his servants persisted: William Worcester was Thomas Howes' executor (Norfolk and Suffolk 75) and the administrator of Christopher Hanson's goods (P.L. IV, pp. 49, 50).

⁷⁹ Davis II, no. 566 (between London and Caister) and F.P. 98 (receiver and auditors). A letter of 1450 (Add. MS. 39848, no. 226; abstract in P.L. II, pp. 188, 189) hints at ill-feeling between Spirling, the receiver's deputy, and William Cole, an auditor. Spirling was to 'forbere hym & gefe none occasion to displese hym'.

⁸⁰ Howes complained bitterly of Fastolf's treatment of him in 1456 (Davis II, no. 564). Worcester reported that Fastolf was irascible towards his servants and would only listen to his lawyers (II, no. 559).

⁸¹ McFarlane ('William Worcester', p. 198) suggested this on the basis of a letter, written with humorous intent, by Worcester (Davis II, no. 506) but of his main servants only Kirtling and Howes were presented to livings in Fastolf's possession.

⁸² F.P. 98.

highly valued. He expected to get 10 marks p.a. during his second spell as receiver.⁸³ Senior servants also enjoyed free board and lodging and received travelling expenses. Board and lodging was valued at between 14d and 16d a week; travelling expenses were as much as 16d a day. These standard rates seem to have remained constant between 1433-4 and 1459.⁸⁴ Fastolf also made occasional payments to his servants for services that he particularly valued. For instance he offered Nicholas Bocking £6 for his advice on a difficult piece of litigation. His practice of promising future rewards was probably an inducement to long service. He obliged his executors to pay John Bocking a large sum for his work as solicitor during the important oyer and terminer sessions in East Anglia in 1451. Furthermore, Fastolf's servants would usually have his support in times of difficulty - he promised to aid Thomas Howes against John Andrew's attacks.⁸⁵ Peculation could be an added bonus for servants of rich men, but there is no evidence that Fastolf's central administrative officials were guilty of it. Thus although Fastolf hardly ever had much political influence he received long and loyal service from certain members of the minor East Anglian gentry.

Fastolf's administrative servants rarely had public employment. In this way they differed from John Lynford, John Fastolf of Oulton and others of the East Anglian gentry who were Fastolf's councillors and associates. Most of them nevertheless did have gentle status, the others being clerks.⁸⁶ It is for this reason that they may be termed minor gentry. John Rafman was an exception, for his family

⁸³ F.P. 9, 12, 14 (Fees Sections); F.P. 98. An incident from Bocking's receivership confirms this 40/- level. When two of Fastolf's French riding servants came to England Bocking paid them over 40/- p.a. but the auditors disallowed the excess. Their decision was supported by Fastolf.

⁸⁴ This is based on a comparison of F.P. 9 with E.P. 173/5, 173/3 (Southwark account rolls for 1456 and 1457).

⁸⁵ F.P. 98: Chapter V, pp. 212, 213.

⁸⁶ McFarlane said that Worcester was 'on the fringes of the gentry' ('William Worcester', p. 198). Worcester is called 'gentleman' in P.L. VI, p. 61 as he is, together with Henry Windsor and John Bocking, in C.C.R., HVI, vi, p. 475. William Barker is called this in C.F.R., xix, p. 64 and Nicholas Bocking in C.F.R., xvi, p. 304.

were townsmen with interests in Great Yarmouth and Norwich.⁸⁷ Apart from William Worcester Fastolf's servants in East Anglia were East Anglian men.⁸⁸

The two servants with the most elevated social status were probably William Paston (the son of a judge and brother of a squire) and Nicholas Bocking. Bocking, like John Kirtling, can be found acquiring property in his own right.⁸⁹ Bocking, furthermore, had inherited land in Norfolk.⁹⁰ It is possible that he served Fastolf in the hope of repairing the fortunes of his family, which had suffered early in the fifteenth century. If this was his aim, he failed. His misfortunes at Fastolf's hands did not, however, lead to impoverishment; he still bought small properties during the 1440s. His connections with other men, most notably Sir John Clifton,⁹¹ probably aided him. Undertaking work for more than one man may have been typical of men of gentry status who wanted administrative careers. Kirtling, who worked for the Harling and Heveningham families,⁹² also did this, perhaps thinking that service

⁸⁷ In 1429 Rafman was called 'gentleman' while his father, Henry, was described as a merchant (C.P.R., HVI, i, p. 114).

⁸⁸ William Worcester was from Bristol (K.B. McFarlane, 'William Worcester', pp. 196, 197).

⁸⁹ As well as acquiring lands in Suffolk in 1425-6 and in Norfolk in 1444-5 (Suffolk Fines, p. 289; Norfolk Fines, p. 422) Bocking received the manor of Narborough (Norfolk) from the Crown (C.F.R., xv, p. 201). Kirtling was involved in at least three transactions between 1403 and 1410 (Blomefield, V, p. 203; Norfolk Fines, pp. 394, 395).

⁹⁰ Bocking inherited property at Longham and Tittleshall near East Dereham (C.C.R., HVI, vi, p. 202; F.A., iii, p. 595). His father, Thomas, sold the manor of Hackford, also near East Dereham, early in Henry V's reign (Norfolk Fines, p. 401).

⁹¹ Bocking acted as Clifton's feoffee in 1435 (Norfolk Fines, p. 414; C.F.R., xvi, p. 256) and was a feoffee to the use of his will (C.P.R., HVI, v, p. 111). Clifton owned the manor of Bittering, the reversion of which he probably granted to Bocking, who claimed that he was forced to sell it for £40 in order to pay his debts to Fastolf (F.P. 98). Bocking was also associated with Sir John Radcliff. In 1433 they were granted lands in Longham by the Crown (C.F.R., xvi, pp. 154, 181).

⁹² Kirtling was Sir Robert Harling's feoffee during the 1420s and 1430s (Blomefield, I, pp. 325, 326; V, p. 191; Reg. Chichele, ed. E. F. Jacob, III, p. 472) and a feoffee of Sir John Heveningham junior early in Henry VI's reign (Norfolk Fines, p. 407). His connection with the Harling family lasted at least thirty years.

with the soldier-landowner families of East Anglia would be profitable. Fastolf's other administrative servants confined their services to one man, under whom they learnt their trade. This may mean that their social origins were lower than Bocking's and Kirtling's, but as little is known about their backgrounds this is a tentative suggestion.

Judging from the burdens he placed on John Kirtling Fastolf greatly valued experience and ability in his servants. An untried young man, fresh from university, could find employment with him though. William Worcester is the only one of Fastolf's servants known to have attended university.⁹³ Born in 1415 he was at Oxford by 1432. While it cannot be proved that he imbibed the teachings of the 'business school' there, it is possible that he did.⁹⁴ At the age of twenty-one he was doing work at Castle Combe that required knowledge of conveyancing, court-holding and accounting. These subjects he may have studied, since he can have had little experience of work at that age.⁹⁵ Little else is known about the training received by Fastolf's servants before they entered his service. It can be assumed that Nicholas Bocking had some legal knowledge, since Fastolf sought his advice about litigation. Bocking's son John also had a knowledge of the law, which he may have garnered from him. John entered Fastolf's service young and may have learnt from those around him. Geoffrey Spirling, whom Thomas Howes employed as a deputy, was probably trained by his superior. Howes knew little of the law, while William Worcester knew enough of it to avoid meddling with it.⁹⁶ John and Christopher Hanson gained experience in France as soldiers and administrators. Expertise was probably handed on from generation to generation. The senior administrative servants of Fastolf's last years (Shipdam, Howes, Worcester and John Bocking) entered

⁹³ K. B. McFarlane, 'William Worcester', pp. 196, 197.

⁹⁴ H. G. Richardson, 'Business Training in Medieval Oxford', Am.H.R., xlv (1941), pp. 259-280. Students were taught the art of managing an agricultural estate (pp. 269, 270).

⁹⁵ Add. MS. 28208, fo. 10: see also K. B. McFarlane, 'William Worcester', p. 199, note 7.

⁹⁶ For Worcester see Davis II, no. 566. Howes' difficulties are described below in Chapter V, pp. 212, 213.

his service when experienced men like Kirtling and Thomas Hoddissone, who both died in about 1440,⁹⁷ were about to leave it. They cannot have failed to learn from their predecessors once they had the opportunity to work for Fastolf. Except in the cases of John Bocking and William Paston, whose fathers were associated with Fastolf before they were, it is impossible to say how servants first gained this opportunity.

Like many landowners in fifteenth century England, including some in East Anglia,⁹⁸ Fastolf chose to lease much of his property. Leasing had occurred by 1417. On Fastolf's estates leasing policy varied. In some places a manor was demised as a whole; elsewhere resources were leased out piecemeal. Titchwell, an example of a property in the former category, was demised from the moment Fastolf bought it and remained at farm throughout his life.⁹⁹ The history of Levington is obscure before 1435-6; after this it seems to have been always on lease. Yoxford, which Fastolf sold in 1440, was apparently treated in the same way while it was owned by him. Below the level of the manor many types of property, besides the demesne lands,¹⁰⁰ were demised piecemeal: warrens, mills, messuages, marshes, pastures, fisheries and parks being the most commonly found. Fastolf could demise whatever he owned; equally he could reserve his right to some aspect of a property while leasing the rest of it. Thus when the messuage called Reppes Place in Ormesby was demised in 1435, Fastolf reserved to himself all rents owing to the place and the use of all rabbits taken in the ditches and lands pertaining to it.¹⁰¹ At the

⁹⁷ Thomas Hoddissone was still alive in December 1437 (H. 11) but thereafter there is no reference to him. Kirtling was dead by June 1440 (F.P. 20).

⁹⁸ E. Stone, 'Profit-and-Loss Accountancy at Norwich Cathedral Priory', T.R.H.S., xii (1962), pp. 25, 46.

⁹⁹ E.P. 177/4, 177/5, 177/6; 178/1, 178/9. These are farmers' accounts beginning in 1433-4, within three years of Fastolf's purchase, and continuing almost to the outbreak of his dispute with Sir Edward Hull about the manor. Yoxford was at farm in 1433-4 and 1435-6 (F.P. 9, 14). Although Levington was not farmed in 1433-4 it was by 1435-6 (F.P. 9, 14) and so remained during the 1440s (F.P. 28, Norfolk and Suffolk 1) and thereafter (F.P. 62).

¹⁰⁰ Demesne lands in Yorkshire and Wiltshire were at farm before the 1440s (Add. MS. 28211, fos. 2, 4; Add. Ch. 18477 (Wilts.); Add. MS. 28207, fo. 20 (Yorks.)). The patchiness of the evidence makes it difficult to generalise about East Anglia.

¹⁰¹ Add. MS. 39848, fo. 1; abstract in P.L. II, p. 39.

same time Fastolf exempted the farmer from all taxes, tallages and 'foreign' payments and agreed to maintain in repair all existing houses on the site. Indentures of lease always clearly spelled out the terms agreed by the parties.

The leases granted on Fastolf's estates were probably on the short side - five or seven years for a whole manor in the 1420s and 1430s, six or nine years for a warren.¹⁰² Farms were payable twice yearly in equal portions. Fastolf was entitled to distrain when payment was late or in arrears. Distraints were made, as William Reppes (farmer of Fastolf's Lowestoft manor during the 1440s) found. During 1445-6 Thomas Howes and the auditors stayed in Lowestoft to value goods and chattels belonging to Reppes, who was over £24 in arrears on a £9 p.a. farm. As Howes' visit prompted the repayment of £6 Reppes was allowed to remain as farmer. During 1447, however, Howes seized Reppes' goods and chattels to the value of the £18 still outstanding, and the lease was terminated.¹⁰³ Reppes seems to have allied himself with Fastolf's enemy John Heydon.¹⁰⁴ It was not always possible to be so decisive, nor did Fastolf wish to be. Another Lowestoft farmer was granted an opportunity to sell land near Norwich to settle his arrears.¹⁰⁵ Fastolf treated John Bennes, the farmer of Saxthorpe, gently when he was in arrears, possibly because Bennes had given long service.¹⁰⁶ Even short leases did not, on Fastolf's estates at least, necessarily reduce arrears to manageable levels.

Little evidence about Fastolf's leasing policy survives, but what there is suggests that whole manors were demised to the three usual types of farmer - gentry,

¹⁰² Bradwell was demised for five years in 1420 (HH. 77), Fritton for seven in 1437-8 (C. 85). For Fritton warren see C. 85; E.P. 173/8.

¹⁰³ Norfolk and Suffolk 1: F.P. 28.

¹⁰⁴ In April 1451 Fastolf wrote that he did not want Reppes of Herringfleet (near Lowestoft) on a jury because he was John Heydon's man (Add. MS. 39848, no. 243; abstract in P.L. II, pp. 234, 235).

¹⁰⁵ Add. MS. 34888, fo. 102; P.L. II, pp. 326, 327.

¹⁰⁶ Davis II, no. 589. At least Fastolf was gentle at first. Bennes, who owed £45, received 'greet faouere' and was allowed to remain as farmer on condition that he found adequate sureties. Within two years, however, legal proceedings were brought against him (F.P. 62).

merchants and substantial tenants, often of the 'ministerial' class.¹⁰⁷ Thus William Brandon esquire had a lease of Levington, Edmund Clere esquire a lease of Herringby John Fastolf of Oulton (Fastolf's councillor) and Robert Inglose (Sir Henry Inglose's son) were farmers at Lowestoft at different times.¹⁰⁸ The best example of a lease to merchants is the one made in 1420 of Bradwell to the Spitling brothers of Great Yarmouth and Gorleston.¹⁰⁹ A butcher, possibly of Norwich, is known to have farmed this manor on occasions during the 1450s.¹¹⁰ The ministerial class is represented by Nicholas Geggebald, who was first bailiff and then farmer of Fritton, and by John Bennes, who was bailiff of Saxthorpe before he was granted a lease of the manor.¹¹¹ Where resources of demesnes were released piecemeal it is much harder to be certain about the farmers' backgrounds. Tenants from the manor concerned and small working farmers in the locality were likely candidates for leases. Two husbandmen, from nearby villages, took on the demesne at Beighton in 1417, and at Castle Combe a man described as 'the parker' was granted a lease of the park.¹¹² Although these are the sorts of men one would expect to have piecemeal leases it cannot be stated definitely that such men were usually granted them, as there is insufficient evidence.

Not all of Fastolf's properties were leased out. Throughout a period in which it was unusual, direct management of agriculture was practised on Fastolf's estates. In some respects, therefore, Fastolf's local administration was traditional. During

¹⁰⁷ The best discussions of later medieval leasing policy are B. Harvey, 'The Leasing of the Abbot of Westminster's Demesnes in the Later Middle Ages', Ec.H.R., xxii (1969), pp. 17-27 and F. R. H. Du Boulay, 'Who were Farming the English Demesnes at the End of the Middle Ages?', Ec.H.R., xvii (1965), pp. 443-455.

¹⁰⁸ F.P. 9, 14, 62. Unfortunately the terms of the leases have not survived.

¹⁰⁹ HH. 77, a lease of 1420. The Spitlings were fishmongers.

¹¹⁰ F.P. 51. William Stalon, butcher, had the lease by July 1454. Again the terms are unknown.

¹¹¹ Geggebald made the change in the 1430s (E.P. 174/7; 173/8 and C. 85); Bennes, who was bailiff in the 1440s (F.P. 28: Norfolk and Suffolk 1), had a lease by about 1456 or 1457 (Davis II, no. 589).

¹¹² B. 74: Add. MS. 28211, fo. 2.

the 1430s thirteen bailiffs were supplied with cloth for livery.¹¹³ Fastolf's bailiffs were employed over many years. The same men would serve regularly in this office, usually on the same property.¹¹⁴ Bailiffs were the officers who had expert knowledge of local conditions. Also in receipt of cloth in the 1430s were eighteen 'famuli' (full-time paid agricultural workers), who were shepherds and ploughmen, employed to manage Fastolf's flocks and to assist with the provisioning of the household.¹¹⁶ All except one of the ploughmen worked near the household, at Caister and in Lothingland. Hobland and Browston in Lothingland, and Winterton in Norfolk, were, together with Caister, responsible for supplying the household with agricultural produce. Direct management elsewhere, at Blickling for instance,¹¹⁶ was often associated with large-scale flock raising, but the production of agricultural goods for urban markets was probably profitable enough to discourage Fastolf from making leases in some places. In the 1430s Fastolf supplied cattle to Norwich butchers on a large scale.¹¹⁷ Guton and Hellesdon were well located for the Norwich market, the Lothingland properties for Yarmouth. At Gorleston in the 1440s some buildings and enclosures were farmed out, mainly to the bailiff and his counterpart at neighbouring Hobland, but revenue was drawn from the sale of pigs, skins and grain, and from agistment.¹¹⁸ Fastolf was trying to make agriculture pay at this date.

¹¹³ F.P. 9, dorse. Five or six yards was the usual amount granted.

¹¹⁴ Henry Crossone served at least six years at Gorleston (E.P. 174/8), John Bennes ten years at Saxthorpe (note 111) and Thomas Symmes twenty years, though not continuously, at Guton (E.P. 176/13; 177/9, 10; 178/2, 4, 7, 13, 14, 15). John Bert's indenture of service as bailiff at Saxthorpe during the 1430s required him to cultivate seventy acres of various grains at Fastolf's cost and manage the birds and rabbits in the warren. This document is a unique survival (Lothian MSS., pp. 56, 57).

¹¹⁵ F.P. 9, dorse.

¹¹⁶ One of Fastolf's shepherds in 1433-4 (F.P. 9, dorse) was at Blickling. In a letter of 1450 Fastolf complained bitterly that bad management had lost him pasture for 200 sheep and the services of his shepherd (Add. MS, 43488, fo. 15; partly printed in P.L. II, p. 152). When Fastolf sold the manor it was claimed that he had agreed to supply 559 sheep with it (C1/18/67).

¹¹⁷ F.P. 9 (Cattle Sales). John Swan and John Swetman were the main buyers. About £40 was raised in 1433-4.

¹¹⁸ E.P. 174/8 (Bailiff's Accounts 1441-9).

Almost without exception direct management occurred on properties close to Caister. Leasing, as well as being usual on properties distant from Caister, also took place near Caister. It was not Fastolf's policy to lease out only his more isolated properties. It is difficult without more evidence to see whether Fastolf's policy regarding the exploitation of his properties changed over time. The system adopted on any one manor could vary - Bradwell was demised to merchants and directly managed at different times between 1420 and 1450. There are signs that leasing was increasingly favoured by the 1450s, but policy was probably dictated by a search for ways of maximising income - at Fritton in 1443, near the end of Nicholas Geggebald's lease, a renewed rental was made which, rather than acknowledging a declining value, enabled Fastolf to earn several pounds more from the property than was previously earned.¹¹⁹ By the 1450s the central administration seems to have decided that the advantages of leasing (a safe income, rendered flexible by the practice of keeping the lease short, coupled with reduced administrative costs) outweighed those of widescale production for the market.

The way in which the problem of debts and arrears on the estates was handled is a guide to the efficiency of estate administration.¹²⁰ During the fifteenth century it was likely that the administration was working effectively if the level of arrears was held steady or reduced. The impetus for improvement had to come from the lord. If he was dissatisfied with the financial performance of his estates it made sense for him to review the work of his central administration before turning his attention to his local officials. This is what Fastolf did. His return to England in 1440 prompted a serious investigation of the financial organisation and administration of his estates, starting with his receiver-general, Nicholas Bocking.

¹¹⁹ E.P. 174/3. Actual income varied by the year but the average increase was about £3 p.a., from about £22 p.a. to £25 p.a. (C. 85; E.P. 175/5; F.P. 28, 69).

¹²⁰ This observation has been made recently by Dr. Hicks. He concluded that by this standard George, Duke of Clarence's administration was efficient (M. A. Hicks, False, Fleeting, Perjur'd Clarence, pp. 174-178). The point has also been made by R. R. Davies, 'Baronial Accounts, Incomes and Arrears in the Later Middle Ages', Ec.H.R., xxi (1968), p. 229.

Bocking served as receiver-general during 1437-8, 1438-9, 1439-40, 1442-3 and 1443-4, having taken over the job from Walter Shipdam, who became an auditor.¹²¹ It is uncertain who, if anyone, served as receiver-general during 1440-1 and 1441-2. The office was probably suspended and Bocking examined. He was, however, soon reinstated. He came under further investigation from Fastolf's auditors in about 1444-5, a time when other similar investigations reached a peak. The means by which Fastolf dealt with Bocking were slow and protracted. In the early 1440s Bocking was called to account for several respites of his first year of office (1437-8) and for other final receipts. As he refused to accept the auditors' findings Fastolf assured him that he would accept the ruling of independent arbitrators. John Wiggenhall, Vicar General of the diocese of Norwich, and Richard Purland were appointed. What they ruled is not known, but after their examination (which took place just before Easter 1445) Fastolf made Bocking responsible for over £32 of arrears. Bocking bound himself to appear to account for this sum at the Exchequer in London. It is characteristic that Bocking later claimed £5 expenses for his travelling and his board in London. When examined before the Exchequer auditors, Roger Appleton and Thomas Coverdale, later on in 1445, Bocking was found to owe Fastolf the slightly smaller sum of £31, which he must eventually have paid. Bocking, however, later calculated that the actual losses imposed on him by Fastolf came to over £72.

There is no sign that the men who made decisions about Bocking's liabilities were biased in Fastolf's favour. Although Wiggenhall was the Vicar General of Thomas Brouns, Bishop of Norwich, this bishop was not a man who was closely associated with Fastolf.¹²² Of the Exchequer auditors, Appleton came from a family established at Dartford in Kent. By 1445 he had enjoyed a long and respectable

¹²¹ This account of Fastolf's investigation of Bocking is based on F.P. 98.

¹²² Wiggenhall, however, had been appointed Vicar General in 1434, two years before Bishop Alnwick's translation to Lincoln and Brouns' to Norwich. Wiggenhall was an associate of Alnwick and later his executor (Lincoln Visitations, ed. A. H. Thompson, I, pp. xxix, xxx; II, p. 405). Since Alnwick was well disposed towards Fastolf it is possible, though unlikely, that he influenced Wiggenhall in his favour. I have not been able to identify Richard Purland.

career in royal administration as an auditor. Thomas Coverdale may have been a Yorkshireman.¹²³ Although Fastolf had important connections with both Kent and Yorkshire there is no suggestion that he knew these men or that his influence caused Bocking to be unfairly examined.

The first procedure Fastolf used against Bocking was a form of arbitration, made necessary by Bocking's refusal to accept the decision of his auditors. Neither man appears to have been especially keen to accept the arbitrators' decision. A move to the Exchequer was open to Fastolf and Bocking through the provisions of statutes like Marlborough (1267) and Westminster II (1285) that concerned the treatment of defaulting officials. If an official felt that his employer's auditors had burdened him with receipts he had not received or had refused to allow him reasonable expenses and payments then (providing the official could find adequate sureties) the case could be settled in the Exchequer.¹²⁴ This is what happened in Bocking's case and a binding settlement was reached. Unfortunately it is not known who stood surety for him.

Although Fastolf took this action against him Bocking was not a criminal. Fastolf had trusted him sufficiently to allow him a second period as receiver-general, and as late as 1450 he employed him in errands concerning his lawsuits.¹²⁵ Bocking's arrears were mainly the outcome of misguided commercial ventures carried out by him on Fastolf's behalf and a number of serious disagreements between the auditors and himself regarding some of the payments he had made. Fastolf's staunch support for his auditors is evidence of his determination to impress upon his

¹²³ Appleton was an Exchequer auditor and worked on the Welsh circuit (C.P.R., HVI, i, pp. 52, 54, 264; C.P.R., HVI, v, p. 129). Richard and William Appleton, who were retained as attorneys in the 1430s by Fastolf (F.P. 9, 12, 14) were apparently not members of Roger's family (for which see C.C.R., HVI, i, pp. 451, 452, 458, 471, 472). R. A. Griffiths has recently drawn attention to the Appleton family's longstanding connection with the Exchequer (R. A. Griffiths, 'Public and Private Bureaucracies in England and Wales in the Fifteenth Century', T.R.H.S., xxx (1980), p. 126). Unfortunately little is known of Coverdale.

¹²⁴ N. Denholm-Young, Seignorial Administration, pp. 155, 156.

¹²⁵ Nicholas Bocking assisted Fastolf in the Titchwell dispute in November 1450 (Add. MS. 39848, no. 226; abstract in P.L. II, pp. 188, 189) and was his attorney in the conveyance to the use of his will in 1449 (Norfolk and Suffolk 71).

servants the need for financial economy and administrative efficiency, by making examples of individuals if necessary.

As receiver-general Bocking fared better than many of Fastolf's local estate officials who found themselves in arrears. They usually faced a spell in Norwich prison and, so long as their sureties met with Fastolf's approval, a strict arrangement requiring the payment of their debts once they were released. There is no evidence that Nicholas Bocking ever went to prison. This was not simply because he was a household rather than an estate official, as the imprisonment suffered by John Rafman reveals. Bocking was an exceptional debtor in so far as neither distress nor imprisonment was enforced on him. That he was of a higher social class and had more influential friends (like Sir John Clifton) than most of Fastolf's officials probably made life easier for him.

Other than Nicholas Bocking the most important official to be investigated after Fastolf's return to England was John Rafman. Early in the 1440s he was working as both bailiff of Great Yarmouth and seneschal of the household at Caister Castle. Since Caister is adjacent to Yarmouth it was natural for an experienced administrator to do both jobs at the same time. Rafman had served Fastolf in France and England since the 1420s. In spite of his administrative experience it is likely that the combination of two responsible and difficult jobs proved to be too demanding for him.

Great Yarmouth had an important place in the organisation of Fastolf's estates. During the fifteenth century it was still a lively mercantile and seafaring town, even though it had entered a period of relative economic decline.¹²⁶ To acquire property there Fastolf had paid a higher rate of purchase (equivalent to thirty years' revenue from the property) than for any other purchase he made throughout his life. He had connections with the merchant community of the town, forwarding to some of them money with which they 'merchandised'.¹²⁷ Yarmouth had a vital role in the organisation of Fastolf's marine interests. It was the obvious port for bringing in building materials and supplies for Caister. Several ships were operating from

¹²⁶ A. Saul, 'Great Yarmouth and the Hundred Years' War in the Fourteenth Century', B.I.H.R., lii (1979), pp. 104-115.

¹²⁷ F.P. 9 (Arrears); F.P. 14 (Arrears).

the port in Fastolf's name well before he obtained a licence to own six ships in 1443.¹²⁸ His vessels plied a regular coastal trade, often going up the Thames to London.¹²⁹ Yarmouth merchants placed goods on them.¹³⁰ The supervision of all this activity and the care of stocks of marine equipment stored at Yarmouth was the responsibility of his bailiff.¹³¹ This burden was too heavy for a man of even Rafman's experience when combined with household duties.

Like Nicholas Bocking's, Rafman's financial affairs were investigated during the financial year 1444-5. His period of office ended prematurely on 6 March 1445; his accounts were determined by the auditors William Cole, Walter Shipdam and William Barker on 8 March at Great Yarmouth with Rafman and several 'notable men' of the town present.¹³² The presence of the townsmen had certain advantages. It meant that the proceedings were well publicised. Those present might have had important information. They had often been closely connected with the commercial aspect of Rafman's affairs. When the hearing was over the auditors decided that Rafman owed Fastolf £45-15-8, roughly seven times the annual value of the property at Yarmouth.

The auditors' job had not been an easy one because Rafman's finances were in a tangled state. He had not kept the distinction between receipts and outlay at Great Yarmouth and in the household at Caister sufficiently clear. In his surviving accounts arrears and expenses for both places are noted together. Although he made reference to detailed expenses written in the household book, Rafman may not have kept formal accounts for the household separately from those for Yarmouth. In his accounts expenses obviously connected with Yarmouth, such as ship repairs and

¹²⁸ T. Rymer, Foedera, xi, p. 44: C.P.R., HVI, iv, p. 206.

¹²⁹ A letter of September 1450 refers to two shipmen employed to bring wheat and malt to London. Another of January 1451 notes the arrival of a small ship called 'blithe', and orders provisions for Lent to be sent by the next ship to sail (Add. MS. 39848, nos. 233, 246; abstracts in P.L. II, pp. 252, 253; 209).

¹³⁰ F.P. 26; E.P. 171/13 - this shipping account of 1448-9 mentions Fastolf's ships (Blithe and Playte) which were loaded with grain and fish for London.

¹³¹ F.P. 26 (Rafman's accounts, upon which the following paragraphs are based): F.P. 28 contains a list of stocks at Yarmouth.

¹³² F.P. 26. This records Yarmouth and household arrears (at Michaelmas 1442), building expenses for Caister, Yarmouth and Gorleston and certain household and legal expenses, as well as such expenses as ship repairs and sailors' wages.

sailors' wages, are found next to legal expenses which are not so connected. The accounts, nominally for 1444-5, are also chronologically confused. The legal expenses relate to proceedings during December 1442. Mention is made of Fastolf's voyage to Jersey and Guernsey of 1439-40. There is evidence of both financial confusion and difficulty in remaining solvent.

Rafman dealt with large sums of money. Arrears at Great Yarmouth totalled £408. Building works and household expenses came to £131-16-3½; in 1442-3 household expenses were £96-4-6½. Rafman had spent over £181 on the maintenance and repair of ships. There were large debts owed to him. These were not always likely to be repaid quickly. A schedule of debts, amounting to more than £50, has survived.¹³³ Those owed by Robert Elys, a Yarmouth merchant, were probably bad ones for, while in office, Rafman had paid the expenses of John Lynford esquire (a member of Fastolf's council), Walter Shipdam and the auditors when they visited Yarmouth to investigate Robert Elys's 'mater'. Possibly Rafman was at the end of a chain of debts, because he worked in a far more commercial environment than many estate officials did. This environment was not solely to blame for Rafman's misfortunes, however, since another Yarmouth official, who was also examined in 1445, had managed to avoid all but the smallest arrears.¹³⁴

By the time Rafman wrote to Fastolf seeking a settlement in 1448 he was in prison.¹³⁵ He told Fastolf that he had little chance of paying his arrears while he languished in prison. If he were free he could make money and settle his debts. Fastolf ignored this argument. Had he served properly, Fastolf told Rafman, he would not be in prison. He should pay what the auditors had assessed. Freedom was his if he, or anyone for him, paid his debts. It is possible that Fastolf's attitude towards Rafman was extreme because he had serious grievances against him. Rafman's negligence once caused him considerable loss and embarrassment. Fastolf wanted

¹³³ F.P. 26 (Schedule 1).

¹³⁴ Henry Crossone (farmer, servant and collector of money at Yarmouth in 1438-9) was examined on 11 January 1445 by Cole and Shipdam in the presence of the Yarmouth bailiffs, several townsmen, William Jenney, Henry Sturmer and Rafman (F.P. 27). This investigation was probably prompted by that of Nicholas Bocking.

¹³⁵ F.P. 26(a), a letter from Fastolf to Howes, Cole and Shipdam dated 12 May 1447, refers to Rafman's letter.

publicly known the damage Farman caused 'whan he kept an obligacion of iiic mark...
R f
wheche was owyng me by the duchesse of Bedford wheche obligacion I delyvered hym to
a recyveed'. He felt that Rafman had no special claim to his favour.¹³⁶

Fastolf did wish to see the arrears paid. An action of distress was considered in 1447 but probably not carried out.¹³⁷ In 1448 Fastolf ordered Howes, Cole and Shipdam to calculate again what Rafman owed and make arrangements for payment. With the advice of Thomas Hille and Roger Gegges of Yarmouth they were to find sufficient sureties that he would pay on an appointed day. There is some evidence that Rafman's arrears were recovered,¹³⁸ but none that Rafman, once released, returned to Fastolf's service.

Nicholas Bocking and John Rafman both encountered difficulties as central officials. Rafman's case is less clear than Bocking's because he was also bailiff at Great Yarmouth. Indeed the unification of two offices was probably the principal cause of his problems. One estate official who was investigated during the 1440s was John Tudworth of Berkeley (Gloucestershire). He was courtholder at Castle Combe and also 'gufernor' at Bathampton, being charged with the collection of revenues there between 1437 and 1442. His performance at Bathampton was examined by Nicholas Bocking who, together with William Dorset, audited his accounts during 1444. Their investigation, which was apparently a fair one, was not completed until 1447.

Some details about this are known from a brief report written by the auditors, most probably during 1447, and from other associated documents.¹³⁹ Tudworth first

¹³⁶ F.P. 26(a). Fastolf emphasised his generosity. He had paid 100 marks to free Rafman from captivity in France, something that he was under no obligation to do by the law of arms (see also K. B. McFarlane, 'Profits of War', p. 111, note 4).

¹³⁷ Rafman's possessions were valued during April 1447 by four Yarmouth men, perhaps a prelude to a distraint (F.P. 26 - Schedule 5).

¹³⁸ F.P. 26 (Schedule 4) indicates that by June 1447 Rafman had recovered something from men who owed him money. There is no mention of his debts in lists from 1447 (F.P. 28) and 1457 (F.P. 62).

¹³⁹ Add. MS. 28212, fo. 24: a certificate and letters declaring Tudworth's indebtedness are in Add. Ch. 18556 together with a list of possible sureties for him. Tudworth was no stranger to Fastolf's service. In 1427-8 he was his attorney when Sir John Stradlyng was sued (History of Castle Combe, p. 256).

appeared before the auditors at Whitefriars in Fleet Street, London.¹⁴⁰ He was examined 'of his surveaunce of the ressyt' of Bathampton and found to have made no payments of revenue from the place. Tudworth's petition for an allowance was refused by the auditors, who, not thinking him 'profitable', discharged him 'both of the resseyt of the seid place and of hys courtholdyng at Castellcombe'.¹⁴¹ Fastolf then sent the auditors to Wiltshire 'to take audit there' and to 'see the governaunce' of the properties. While at Castle Combe the auditors wrote to Tudworth at Berkeley to summon him to Bathampton to be re-examined in the tenants' presence.¹⁴²

'They prayed & desyred the seid Tudworth to mete wyth hem bethyn iii dayes after wyth all hys boks of ressyts & expenses that was by hym resseyved at the seid Bathampton to be examined among the tenaunts by virtue of whych letter the seid Tudworth came to Bathampton & brought ii rollett of papier that made mencion of hys charge & discharge & because he seid he myght not tarre ther for a court he must hold the next day prayed hys servaunt Adam Warrock to record the parcell in hys absence to the auditors'.

Having gone through the accounts and gathered information from the tenants, the auditors returned to London where, in May 1447, they asked for Fastolf's opinion regarding their decision to make Tudworth certain allowances. Following Fastolf's reply that 'he wold that the auditors shuld allow Tudworth all that reson was' the accounts were engrossed, showing that Tudworth owed £13 arrears at Bathampton. Fastolf now offered to make an arrangement with Tudworth to keep him from prison and to ensure that the money was paid. Tudworth was to pay £6-13-4 immediately and to find sureties for the remaining £6-6-8. He was to prove to Fastolf that this sum, as yet uncollected by him,¹⁴³ remained in the hands of the Bathampton tenants.

¹⁴⁰ Add. MS. 28212, fo. 24: the investigation probably did not begin until 1444.

¹⁴¹ Loc. cit. The auditors reported that Tudworth 'wold a had the auditors shuld allowed Thomas Piers late Reff of Castellcomb xs for a gonnecloth that the seid reff had bought & delyured to the seid Tudworth & the seid auditors wold not allow the xs for the seid Tudworth gonne neythyr for the Reff ys.liverree because they preffitet not to the seid Fastolfe in her offices'.

¹⁴² Loc. cit.

¹⁴³ Loc. cit. The report concludes 'And thys ye may see the mater was syre begonne in London and ended in London'.

Tudworth's excuse to the auditors for his absence from Bathampton suggests that he was a professional courtholder and revenue gatherer for other employers besides Fastolf. He was assisted by local deputies, like Adam Warrock, a tenant of Fastolf's at Bathampton. Tudworth was not wholly culpable, for the auditors revealed underlying financial problems, mainly a high level of arrears, at Bathampton. There was a 'debet' of £52-8-7, less 20 marks 'alloued to the seid Tudworth for reperacions and costys of the mille'. As considerable work had been undertaken Fastolf approved these allowances. Tudworth's accounts show that most arrears had accumulated before 1437. John Gawter, who farmed Bathampton from 1433 to 1437, alone owed £37-6-8.¹⁴⁴ Administrative attention was overdue there.

By Michaelmas 1448, when John Aleyn's three years of account ended, something had been achieved - Tudworth had repaid 13/8 and Gawter £4-6-0.¹⁴⁵ Yet, despite administrative attention, Aleyn had incurred £10-17-10 arrears. During 1447 Fastolf wrote to the Parson of Steeple Langford about this position, commanding him to put pressure on his tenants.¹⁴⁶ The Parson reported some success. Four of Fastolf's tenants (including Adam Warrock) 'truly payd to Thomas Shurlock the rentes of ii zere and ther to they wollen swere oppon a boke'. The £9-13-4¹⁴⁷ collected was counted by the Parson one Sunday 'yn ye chyrch of Langford forsayd by twixte matens & masse'. The connection between this letter and the auditors' investigations is proved by the Parson's statement that 'the billys that William Dorset wrote shall be sende in the letter as ze commandyd'. There are other signs of concern for financial improvement here. A renewed rental was drawn up with the tenants' advice in June 1443. A resident tenant rather than an outsider was appointed as Fastolf's representative. Most importantly William Worcester was sent on an investigatory tour of the West Country estates during the mid 1440s. His

¹⁴⁴ Add. Ch. 18555.

¹⁴⁵ Add. MS. 28211, fo. 3. When Aleyn took office £48-0-11 was outstanding of which Tudworth and Gawter owed all but £2-13-11. Apparently hope of recovering the rest had been abandoned.

¹⁴⁶ Add. Ch. 18239; the year is not stated but 1447 is, on internal evidence, the only possibility.

¹⁴⁷ Two years' assize rents would have produced roughly this in the 1430s. Walter Comyng, bailiff in 1430-1, collected £4-16-5 (Add. MS. 28212, fo. 17).

instructions from Fastolf regarding the matters he was to attend to have survived.¹⁴⁸ He was to 'take a reckonyng' of Bathampton with John Godyng, surveyor and receiver of the place. With him and the steward of Castle Combe he was to devise means whereby John Gawter would pay his arrears 'makyng non excuse ne none allowance of petition bethout sufficiaunt wrytyng or record'. Gawter had distrained goods belonging to Bathampton tenants in a dispute about common pasture rights. Worcester was to inquire what these rights were and remedy the matter if necessary. Thus although Fastolf aimed to increase his income he had no wish to treat his tenants unjustly.¹⁴⁹

Worcester's tour apparently proved that Bathampton was an undesirable possession, being too distant from Castle Combe to benefit from economic expansion there and having a small value that was unlikely to rise however the property was managed. Worcester suggested leasing it for £8 p.a., observing that piecemeal leasing of the property's resources would earn 8 marks at most.¹⁵⁰ Despite experiments no satisfactory means of management had been found.¹⁵¹ In view of this Fastolf instructed Worcester to discuss with John Godyng a proposal by a 'thryfty' Salisbury man who had offered to accept Bathampton in exchange for property of equal value in London. Since Bathampton was now a liability and investment in London a major policy the exchange was financially desirable. Unfortunately for Fastolf it never took place.¹⁵²

¹⁴⁸ Tudworth's accounts (Add. Ch. 18556) mention a renewed rental. John Aleyn, a tenant, was rent collector by 1445. John Godyng, parson of Beckington, preceded him. His appearance in Worcester's instructions (Add. MS. 28212, fo. 27) suggests the tour occurred between 1442 and 1445.

¹⁴⁹ Add. MS. 28212, fo. 27.

¹⁵⁰ Loc. cit. Bathampton's annual value in 1445 is recorded as £8 (F.P. 69).

¹⁵¹ In 1430-1 Walter Comyng collected assize rents. Demesne lands (£7), mill (66/8) and dovecote (5/-) were leased out piecemeal. £18 gross income was expected from the property. Two years later John Gawter had the whole property at farm (Add. Ch. 18555).

¹⁵² Add. MS. 28212, fo. 27.

It is possible that earlier attention had not been given to the problems of Bathampton because a windfall in 1429 had made it temporarily a place of high income. Fastolf had claimed the wardship of the heir of his tenant Robert Mounpisson through his lordship of Castle Combe. This was valuable enough to make Fastolf think again about his decision to sell the wardship to Lord Hungerford. The arrangement fell through when Fastolf learned that the ward's lands were worth more annually than 'xls aboufe the rentis', the value Hungerford had spoken of in a letter to him.¹⁵³ The accounts of John Gawter, who agreed in 1433 to farm Fastolf's property for £8 p.a. and the ward's lands for £12,¹⁵⁴ show that legal difficulties were encountered over the wardship, in connection with which Fastolf's council authorised Gawter to spend £19-6-8.¹⁵⁵ These difficulties, however, do not sufficiently explain how Gawter accumulated £37-6-8 arrears in four years. Similarly only half of Tudworth's arrears were the result of problems posed by Bathampton watermill. On entering office he held this himself paying a mere 6/8 for it over thirteen months. During his last year of office it was unoccupied through his negligence.¹⁵⁶ His remaining arrears were probably uncollected rents. Clearly the real value of Fastolf's property had fallen from the £8 p.a. that Worcester reported 'hath bene paid time oute of mind'.¹⁵⁷ Almost certainly this was caused by a slack demand for land resulting from declining population. Economic growth prevented a

¹⁵³ Add. MS. 28212, fo. 21; P.L. II, p. 116. Robert Monpisson also held property of Fastolf at Deepford (F.A., v, p. 257). Robert Monpisson esq., who acquired a lease of property in Cornhill in 1416, is probably the same man (P & M (1413-1437), p. 47).

¹⁵⁴ Add. Ch. 18555. The farm for the ward's lands was fair. They had produced £14-16-4 and £22-15-0 in two earlier years (Add. Ch. 18268).

¹⁵⁵ Add. Ch. 18555. These difficulties are obscure. In 1437-8, however, £20 was paid by Roger Winter (receiver of farms in Gloucestershire) to William Gardewyne, guardian of the Monpisson heir (loc. cit.).

¹⁵⁶ Add. Ch. 18556. The tenants themselves accused Tudworth of negligence. As he spent £6-13-4 on the mill (one-third on workmen's wages and two-thirds on wood) it is unlikely it was unoccupied owing to dilapidation.

¹⁵⁷ Add. MS. 28212, fo. 27. The renewed rental is possibly an acknowledgement of this problem. Decayed rents, moreover, were £1-14-8 in Tudworth's accounts.

similar occurrence at Castle Combe. This suggests that a combination of economic vitality and administrative efficiency was responsible for the relative financial stability of the East Anglian estates after 1440.

During the 1430s Fastolf's estate administration seemed inefficient and disorganised, particularly in East Anglia.¹⁵⁸ His annual income from land in 1436 was nominally £600. In 1433-4, however, only c. £330 was collected and in 1435-6 only c. £190. To these totals the contribution of a small number of properties in Yorkshire and the West Country was relatively large. In 1433-4 they produced c. £83 and in 1435-6 c. £59, about 15% of total income from Fastolf's estates in each year. In East Anglia a substantial contribution was made by a property of which Fastolf had temporary custody by royal grant. Tofts Monachorum (Norfolk) rendered c. £41 and c. £26 in these two years. Very few of the East Anglian properties produced anything like the income expected during the 1440s. In 1433-4 only Blickling, Titchwell, Beighton, Winterton and Mundham (all Norfolk) came close. Yoxford (Suffolk) produced about two-thirds of its annual value in 1445 and Pentlow (Essex) about one-third: Saxthorpe (Norfolk) rendered about a half. During 1435-6 a considerable amount of the revenue coming from the East Anglian estates consisted of arrears, usually from the previous year but sometimes earlier. On this showing the financial position of Fastolf's East Anglian estates was gloomy in the 1430s.

This is partly explained by the administration's greater concern with commercial ventures and land purchase than revenue collection. Since 1430-1436 was the peak land purchasing period many of the properties accounting in 1433-4 and 1435-6 had been recently acquired and were not yet part of an organised administrative system. It is probably that rapid acquisition of property put a strain on estate officials, which was exacerbated by John Kirtling's retirement through ill-health during 1434-5. Furthermore, revenue from new properties was sometimes allocated to repairs and improvements at source and thus did not reach the receiver-general. It is noticeable that properties which paid well had all been acquired before 1430. Since the 1430s were years characterised by the spending of a large overseas income

¹⁵⁸ The following is based on F.P. 9, 14.

it is possible that estate administration became too relaxed. By the summer of 1434, for instance, the accounts of the Yorkshire estate officials had not been audited for four years.¹⁵⁹ Fastolf's prolonged absences in France may also have removed some urgency from administration in England.

Slack administration probably encouraged the appearance of arrears which became a problem (though not a major one) during the 1430s. Although it is impossible to make generalisations about arrears the position at Bathampton may have been typical of East Anglia as well.¹⁶⁰ On the other hand the administration did succeed in raising the value of a number of properties during the late 1430s and early 1440s. Probably the performance of the East Anglian estates was not a matter for concern while overseas income remained high. When this income declined markedly at the end of the decade the great period of land purchases ended. On his return to England Fastolf knew that he needed to be more careful with his money. In these circumstances inefficient administration and the existence of a high level of arrears could not be tolerated. Fastolf's vigilance was likely to influence his servants and produce a more efficient administration. The investigation of officials like Nicholas Bocking and John Rafman shows that an attempt to improve efficiency and raise income was made during the 1440s. Documents have also survived which reveal the administration confronting the problem of arrears between 1445 and 1459.

Three documents are of particular interest. One is a list of arrears and debts on Fastolf's Norfolk and Suffolk estates, compiled at the end of the financial year 1445-6.¹⁶¹ It lists each property (or group of properties where a number of them accounted together) in Norfolk and Suffolk in turn. For each property outstanding debts are listed to show the amount owed, why each debt was incurred and the debtor's name. The total outstanding on each property is recorded. At the bottom

¹⁵⁹ F.P. 9 (Receiver's Expenses).

¹⁶⁰ On the estates of the Diocese of Worcester arrears became larger in the 1430s and a matter for serious concern in the 1440s. Vigorous estate administration was a response to this, as it was on Fastolf's estates (C. Dyer, Lords and Peasants in a Changing Society, pp. 183, 187; 188, 189).

¹⁶¹ Norfolk and Suffolk 1.

of the manuscript, which was signed by Fastolf and Geoffrey Spirling, the total of debts and arrears on the estate is shown.

Another document, probably compiled shortly after Michaelmas 1447, is arranged in a manner similar to the first.¹⁶² It gives a breakdown of debts in the same way. The total owed on each property is not always given. Unlike the first document this one lists the stock on each property and (usually) states an annual value for each one. However, no overall totals are given. From this document the financial officials could easily compare the level of arrears on a property with its annual value. The properties themselves are listed with great geographical coherence. The order in which they are noted may be based on circuits followed by estate officials.

The third document is a little different. It is a list of debts, drawn up after Michaelmas 1457.¹⁶³ Details of outstanding debts are recorded against twenty different properties in Norfolk and Suffolk. By no means every one of Fastolf's properties is included. There are no overall totals but the size of each debt, the name of the debtor, any action taken and the likelihood of payment being made are all usually mentioned.

Together these three manuscripts illustrate the response of Fastolf's administration to its financial problems. The incidence of, and responsibility for, debts and arrears was clearly and systematically set out for the benefit of inquiring officials. The statistical information in these documents is useful for the historian. The evidence suggests that Fastolf's administration had noticeable, although not overwhelming, success in tackling arrears in Norfolk and Suffolk between about 1445 and the late 1450s. In these counties an administration based at Caister and Norwich could achieve most. Even so, a breakdown of the figures suggests that success was achieved in specific areas and with particular types of debt.

¹⁶² F.P. 28. This can best be described as a valor. This type of document has been called a 'digest' of estate accounts which provides a guide to the sources and character of private estate income (T. B. Pugh and C. Ross, 'Some Materials for the Study of Baronial Incomes in the Fifteenth Century', Ec.H.R., vi (1953), pp. 192, 193: see also R. R. Davies, 'Baronial Accounts, Incomes and Arrears in the later Middle Ages', Ec.H.R., xxi (1968), pp. 214-217).

¹⁶³ F.P. 62.

TABLE III

LEVELS OF ARREARS ON EAST ANGLIAN ESTATES.

<u>PROPERTY</u>	<u>1445-6</u>	<u>1447</u>	<u>1457</u>
Caister	54--7--2	+	29-18--0 $\frac{1}{2}$ +
Reppes	0--9--0	0--9--4	*
Runham	N	N	**
Herringby Fennes	N	6--0--0	**
Herringby Spencers	N	N	**
Mundham	4--8--0	*	SOLD
Beighton	3-10--7 $\frac{1}{4}$	5--2--6 $\frac{1}{4}$	5-11--8
Hellesdon	39-16--4 $\frac{3}{4}$	25--0-11 $\frac{3}{4}$	70-13--2
Drayton	12-17--5	12-17--5 $\frac{1}{4}$	*
Taverham	N	*	**
Hainford	6-11--9	9--0--9	*
Saxthorpe	27-12--4 $\frac{1}{4}$	15--1--9 $\frac{1}{2}$	10-16--3 $\frac{1}{2}$
Blickling	45-16--7 $\frac{1}{4}$	37-11--7	SOLD
Guton	11-14-10	9--5--9	14-13--2
Titchwell	22--0--0	*	18--6--8
Winterton	10--2--3	3-19--0	*
Yarmouth	**	53--9-11 $\frac{1}{2}$	32--4--1
Longstratton	**	5--0--0	19--1--5
Essex in Hickling	**	**	7-10--0
TOTAL IN NORFOLK (excluding Caister):	184-19--2$\frac{1}{2}$	183--0--1$\frac{1}{4}$	178--8--5
Spitlings	69-10-10	91--9--4	42-12--5
Hablond	8-16--4	8-15--2	7--2--9
Gapton	9-12-11	9--2--0	**
Bradwell	2--7--9	2--7--9	**
Lowestoft	24--2--6 $\frac{1}{2}$	18--0--0	12-12--9
Cotton	12--4--6	10-10--0 $\frac{1}{2}$	1--4--0
Fritton	39--7--6 $\frac{1}{4}$	39--7--6 $\frac{1}{4}$	5--9-10 $\frac{1}{2}$
Levington	26-13--4	14-16--0	13-11-11
TOTAL IN SUFFOLK:	193--6--8$\frac{3}{4}$	194--7--9$\frac{3}{4}$	82-13--8$\frac{1}{2}$
<u>TOTAL ARREARS FOR NORFOLK AND SUFFOLK INCLUDING CAISTER:</u>	432-13--1$\frac{1}{4}$	420--5-11++	291--0--2
<u>TOTAL LANDED INCOME EXPECTED:</u>	c550	c550	c480
<u>ARREARS AS PERCENTAGE OF INCOME:</u>	78%	76%	60%

Symbols + Damage to MS.
 * No arrears shown in MS.
 N No arrears on property.
 ** Property omitted from MS.
 ++ In this total an estimate for Caister has been used.

The tables list the total arrears on each property at Michaelmas 1446, 1447 and 1457 and analyse the arrears into types where possible.¹⁶⁴ There is a contrast between the two earlier years and the last year. In 1446 total arrears on the Norfolk and Suffolk estates were £432; in 1447 they were £420. These totals form 78% and 76% of the expected income of the estates in these years. This income was about £550 p.a. In 1457 debts and arrears of £291 were recorded. Expected income was now about £480 so that arrears formed 60% of income, a significant reduction compared with the earlier years.

If the arrears at Caister are disregarded a great similarity in the figures for each county is evident in the first two years. Arrears in Norfolk were £185 and £183 respectively; in Suffolk they were £193 and £195. If Caister arrears are included the arrears on the Norfolk properties exceed those on the Suffolk by about £40 in each of these two years. In 1457 the position was slightly different. While the arrears (excluding Caister) in Norfolk fell marginally to £178 those in Suffolk fell by well over a half to about £82-10-0. Clearly much of the administration's success was in Suffolk.

It is worthwhile looking at Suffolk in more detail. At Gorleston arrears of rent became a problem in this period, rising from 2/- in 1446 to £9-18-10 in 1457. Commerce, however, was the real source of income. Commercial debts could fluctuate rapidly. They rose from £69-8-4 in 1446 to £91-9-4 in 1447. These debts were reduced in the long term. They stood at only £26-13-0 in 1457. Together debts and arrears were then half the 1447 level, owing to the administration's success with the collection of commercial debts.

The administration was successful on most other properties in Suffolk. At Lowestoft arrears were reduced by half between 1447 and 1457; arrears at Cotton were only a tenth of their 1447 level by 1457. At Fritton arrears were reduced to a seventh of their 1447 level. There was reasonable success at Gapton, Bradwell and Levington as well. On the first two properties nothing was owed in 1457, arrears having been reduced from about £9 and £2-7-9 respectively in 1447. Arrears

¹⁶⁴ See Tables III and IV on pp. 88 and 93.

at Levington were halved to about £13 over the same period. Altogether this was highly encouraging for the administration. Only at Lowestoft, Cotton and Levington is there evidence of short term reductions in arrears during the 1440s following a major initiative against the problem. Much of the success was long term.

In Suffolk the administration was equally successful in collecting commercial debts and arrears of rents and farms. Analysis of comparable information for Norfolk properties reveals that a type of debt rarely encountered in Suffolk could be significant, although never of major importance. This was the arrears of fines and amercements imposed in the manorial courts. The ratio of these arrears to others on a property varied considerably. There was no general level. Nevertheless arrears of this type constituted an important source of indebtedness on nine Norfolk properties in 1447. They caused most difficulty at Guton. Standing at £3-8-7 in 1446, they were pushed down to £2-19-6 in 1447 but still accounted for £2-2-8 in 1457. It was unusual for them to be this persistent. They are only recorded on one other property in 1457. At Hellesdon only 3/8 was involved.

The administration did have some success in Norfolk. The marginal change in the overall position there between 1447 and 1457 is mainly the result of marked failure on one or two properties. In this period arrears at Hellesdon rose by £45-13-6, at Guton by about £5 and at Beighton by about 10/-. At Saxthorpe, however, arrears in 1457 were down by about £5 and stood at two-thirds of their 1447 level. At Drayton, Hainford, Winterton and Reppes arrears were eliminated. On these properties reductions of about £12, £9, £4 and 8/- respectively were achieved between 1447 and 1457. In Norfolk, therefore, the administration enjoyed mixed fortunes.

Commercial debts were important at Great Yarmouth and Hellesdon. At Yarmouth they were highly significant, contributing greatly to John Rafman's financial difficulties. Here, as at Gorleston, these debts could be collected by a determined administration. At Yarmouth in 1447 arrears almost reached £48-10-0. Of this total £45-8-10½ was accounted for by commercial debts. By 1457 these debts probably stood at £25-13-4. Meanwhile arrears of rent had almost doubled to £6-0-9.

Hellesdon was a thorn in the administration's flesh. Arrears of rent were hard to keep under control and commercial debts evidently less easy to deal with than

elsewhere. In 1447 £2-6-8 was already described as ancient arrears. The property had been acquired in 1432. £8-6-11½ was described simply as arrears. In 1457 £45-6-3 arrears were outstanding. In the earlier year commercial debts totalled £12-7-4: by the later year they had more than doubled to £25-1-2. Although these were not in themselves very large sums they could easily grow to uncomfortable levels. So far as arrears were concerned Hellesdon was the administration's least successful property in East Anglia.

Hellesdon is a good example of a phenomenon that also occurred, though less strikingly, in Suffolk. On several of the Norfolk properties it is clear that a determined attack on arrears was made during 1446-7. In 1447 ancient arrears at Hellesdon were actually £1 lower than in the preceding year; ordinary arrears were £21-12-7 lower and commercial debts £16-14-11 lower. Although less obviously, Saxthorpe and Blickling display the same short term pattern. Unlike those at Hellesdon arrears at Saxthorpe continued to fall. Unfortunately the sale of Blickling in 1450 prevents us from knowing what happened there.

This evidence of a successful attack on arrears is unlikely to be a statistical accident. It comes from both Norfolk and Suffolk. It agrees closely with other evidence of determined administrative activity at the time. Such activity had an impact even at Hellesdon for a short time. Elsewhere its effects were still felt in 1457. It is possible that some forgotten debts were uncovered. At Blickling ancient arrears of £1-10-0 are mentioned for the first time in 1447. It may reasonably be concluded that during the last fifteen years of Fastolf's life his administration worked efficiently.

Yet even in 1457, after years of effort, arrears were still a difficult problem. The list of arrears and debts of this year, covering twenty East Anglian properties, mentions fifty-six people as being in debt. Thirty-two of them were either estate officers or farmers of Fastolf's property (whether whole manors, smaller properties or mills). Four of these had certainly spent ^{time} ~~them~~ in prison as a result of action against them and a further two may have done so. The debtors' official titles are known in twenty-three cases: there were two bercars, six bailiffs, fourteen farmers and one rent collector. In twelve cases the age of

the debt is known. No debt originated before 1445. There were three in this year, two from 1446 and one each from 1447 and 1449: one originated in each of 1450, 1451 and 1453, and two in 1454. Since 1445 the administration had dealt with four debtors every year on average. Three in every four were estates officials or farmers. Often, however, it was the smaller category of commercial debtors who owed the most money.

What were the causes of arrears on the East Anglian estates? The records produced by Fastolf's administration hint at the hardships imposed on his tenants by the years of dearth at the close of the 1430s but do not suggest that large, long-standing debts were the result of these conditions.¹⁶⁵ It is possible that some payments were withheld deliberately by men, particularly of elevated social status, who could afford to pay. Fastolf, moreover, did not press for payment where this would have been unfriendly or politically damaging. Some who withheld payments were his enemies.

To trouble Lady Heveningham for 13/4 owed by her for a lease of Helleston waters would have been unfriendly, especially as the lease was granted by Fastolf's express command. Fastolf had not even bothered to take sureties from Edmund Clere, a politically important figure, who owed him £8 in 1457.¹⁶⁶ Exemption from annoying payments was perhaps a privilege of a councillor's service. John Fastolf of Oulton and Edmund Wichingham went untroubled for their arrears.¹⁶⁷ Geoffrey Boleyn, on the other hand, was probably badly disposed towards Fastolf owing to ill-feeling caused by the terms of Fastolf's sale of Blickling to him. In 1457 the debt of £2-17-6 owed by Boleyn was at least seven years old.¹⁶⁸ Thus there are a number of possible explanations for arrears.

¹⁶⁵ Hardship may explain the poaching in Fastolf's warren and the unlicensed fishing of his waters at Blickling in 1438-9, for which amerancements were imposed (Norfolk and Suffolk 1).

¹⁶⁶ F.P. 62.

¹⁶⁷ For Fastolf of Oulton see F.P. 9, 14. Edmund Wichingham was the son of the Nicholas Wichingham referred to below. Nicholas died in about 1434.

¹⁶⁸ F.P. 62. For Boleyn's grievances see Davis II, no. 619 and C1/18/67.

TABLE IV

ANALYSIS OF ARREARS ON SELECTED PROPERTIES.

<u>PROPERTY</u>		<u>1446</u> ¹	<u>1447</u> ²	<u>1457</u> ³	
<u>NORFOLK</u>	Blickling:	Ancient Arrears	--	1-10--0	
		Arrears (Rent ⁴)	29--1--8	22--9--0	SOLD
		Amercements	6-11--0	4--8--4	
		Commercial Debts	10--6--3	10--6--3	
	Guton:	Arrears (Rent)	6-12-10	6--6--3		2--4--8
		Amercements	3--8--7	2-19--6	2--2--6
		Commercial Debts	1--8--0	--	--
		Unspecified	--	--	10--0--0
	Hellesdon:	Ancient Arrears	3--6--8	2--6--8	--
		Arrears (Rent)	29-19--6	8--6-11	45--6--3
		Amercements	--	2--0--0	0--3--8
		Commercial Debts	29--2--3	12--7--4	25--1--7
<u>SUFFOLK</u>	Gorleston:	Arrears (Rent)	0--2--0	--	9-18-10
		Amercements	--	--	--
		Commercial Debts	69--8--4	91--9--4	26-13--0
		Unspecified	--	--	7--0--7
	Hobland:	Arrears (Rent)	7-10-10	7-19--8	7--2--9
		Commercial Debts	1--0--0	0-15--4	--
	Fritton:	Arrears (Rent)	39--7--6	39--7--6	5--9-10

NOTES

¹ Norfolk and Suffolk 1

² F.P. 28

³ F.P. 62

⁴ Arrears of farms are included in this category.

A further possibility is that gentry tenants took advantage of the relative weakness of great landlords and attempted to cancel or reduce their rent payments and to escape from manorial jurisdiction. Nicholas Wichingham's arrears included fines imposed because he failed to sue to the manorial court. In the 1440s William Coppleditch esquire got into arrears on a small rent of about 6/- and fines imposed in the court leet at Drayton. He is not known as a councillor or close associate of Fastolf. Similarly the gentry family Berney of Witchingham built up arrears on a small rent at Guton in the 1440s. A small relief, which should have been paid in 1441, was also outstanding. This family, which should not be confused with the Berney family of Reedham (Norfolk), was not closely associated with Fastolf either. Unfortunately it is impossible to discover how Fastolf's administration coped with gentry who tried to evade their obligations.¹⁶⁹

Fastolf's administration sometimes found that repayment of debts was prevented or delayed by powerful outsiders; or that political circumstances made collection difficult or unwise. When John Starkey was in arrears at Lowestoft his brother and he entered an obligation to pay, which was found to be insufficient. Starkey was arrested and imprisoned at Norwich. A local gentlewoman, Elizabeth Clere of Ormesby, intervened on his behalf, promising Thomas Howes that she would pay Starkey's debts. Starkey was allowed to go free. On another occasion an estate official at Guton was taken to law for a debt on his account for 1447-8. When the suit was in progress Lord Beaumont, who was no friend of Fastolf, spoke for him and persuaded Fastolf to grant him a period of years in which to pay. Following this the officer paid some of the debt, finding surety for the remaining £2-0-0. His obligation was being sued out at Michaelmas 1457. Beaumont's intervention delayed the collection of this debt. The distraints made by the Duke of Suffolk and Sir Philip Wentworth at Cotton caused Fastolf to grant 'long respyte' to his tenants there even though Spirling was ready with the name of every debtor 'my

¹⁶⁹ Norfolk and Suffolk 1: F.P. 28. This cause of arrears is analogous to the 'rent-strike' of lesser tenants described by C. Dyer, 'A Redistribution of Incomes in the Fifteenth Century?', Past and Present, xxix (1968), pp. 11-33. Since Coppleditch had been in Bedford's service in the 1420s (P & M (1413-1437), p. 76) it is surprising he was not an associate of Fastolf.

maister hath there which is levable & good det'. Fastolf enjoyed the support of his tenants and did not wish to lose their goodwill. On being notified of John Clerk's arrears of £9-18-10 at Gorleston, owed since 1454, Fastolf had required sureties to be taken, but he took a lenient view of the actual debt 'by colour of the mater atwix Sir Thomas Tuddenham and the seid John'. It seems, however, that Clerk was sued in the end.¹⁷⁰ Fastolf's policy towards arrears was flexible.

Another general influence on the level of arrears was the success or failure of Fastolf's commercial associates. Commercial debts occurred in various ways. In 1457 at least £10-10-0 was outstanding from the sale of tiles made at Caister. That this was an important business can be seen from brick and tile sales during the 1440s.¹⁷¹ These occasionally led to arrears. Sales of meat were important during the 1430s and probably after. In 1446 a Yarmouth man owed 8/8, unpaid a year later, for bacon sold to him at Caister. Other agricultural produce was sold. In 1446, for instance, a man from Hainford owed 30/- for corn and silage sold to him at Hellesdon. Timber was also sold; Robert Sellot owed £3-13-4 in 1457 for timber sold to him on Fastolf's command.¹⁷² There were important urban markets for estate produce at Norwich and Yarmouth. By far the greatest impact on arrears, however, was made by the wool and coney trades. These were big businesses.

Hellesdon warren was the main source of rabbits; though there were also warrens at Drayton and Fritton. During the 1440s and 1450s Fastolf's estates supplied a number of urban markets with rabbits priced about 1½d a head. Two London men were in arrears for over 600 rabbits in 1446. One man was described as a 'pulterer'. Thomas Symmes sold rabbits at Dedham. John Fishlake came from Sudbury in Suffolk to purchase. Altogether, in 1446, seven men were about £17-15-0 in arrears on transactions involving over 1400 rabbits. Only two of the smallest of these debts remained unpaid in 1447, suggesting that these debts were normally short term ones. By then, however, another man owed a debt of £8 for 800 rabbits sold at Sudbury.

¹⁷⁰ F.P. 62. P.L. IV, p. 269 shows Clerk was sued.

¹⁷¹ Norfolk and Suffolk 1: F.P. 28.

¹⁷² F.P. 62.

In 1457 only one man was known to be in debt. He owed £4-12-9 for rabbits sold to him in 1451. By 1457 his obligation was being 'sewed owte in ye common lawe'.¹⁷³

The main marketing centre for Fastolf's wool was Gorleston. This town was easily accessible for the Lowestoft and Great Yarmouth merchants who were the usual purchasers. Norwich merchants, and sometimes men from farther afield, purchased the wool. Two men from Fastolf's manor of Dedham in Essex supplied the textile industry there. One was John Holt, who owed £8-4-0 in 1446 and 1447; the other, John Calys, incurred a debt of £18 in 1447. Small amounts of wool were also sold locally at Hellesdon and Blickling. Like rabbit sales, wool sales normally created short term debts. Only two out of six debts outstanding at Gorleston in 1446 were unpaid in 1447. Three of the debtors incurred fresh debts in the later year. Presumably this was common. The merchants probably did not hold enough cash to pay for the wool until they had begun to sell it. The overall level of wool debts was similar in 1446 and 1447, being about £98 and £95 respectively. This was roughly 18% of expected income from the East Anglian estates. In 1457 outstanding debts had been halved to about £45. Whether this reflects more efficient collection or a declining trade is uncertain.¹⁷⁴

The trade in Fastolf's wool was dominated by a small number of men of whom John Higham of Lowestoft, Henry Crossone and John Fuller are notable. These merchants were sometimes in partnership. Higham and William Langley owed 30/- in 1446, Fuller and Crossone £10 in 1446 and new debts of £20 in 1447. Higham was exceptional in owing £40 on his own account in 1446. It was apparently unusual that

¹⁷³ Norfolk and Suffolk 1: F.P. 28, 62. The Thomas Symmes mentioned in this paragraph was the bailiff of Guton. His role in selling Fastolf's rabbits, and also Fastolf's wool (Add. MS. 39848, no. 223; abstract in P.L. II, p. 149) well illustrates the commercial orientation of agricultural production on Fastolf's estates.

¹⁷⁴ Norfolk and Suffolk 1: F.P. 28, 62. Cloth manufacture was a growth industry at Dedham, which was easily reached by sea from Great Yarmouth and Gorleston (V.C.H. Essex, ii, pp. 380, 381). E. Power, writing of the wool trade ('The Wool Trade in the Fifteenth Century', in Studies in English Trade in the Fifteenth Century, ed. M. Postan and E. Power, pp. 56, 62) observed that it was usual for only part of the price of wool to be paid quickly, there being perhaps a one-third downpayment on all transactions, which were very dependent on credit. East Anglian wool was not of high quality (op. cit., p. 49) and Fastolf's was probably destined for mass-produced coarse cloth. A lack of statistical evidence prevents us from knowing whether internal trade in East Anglian wool declined during the 1450s.

Thomas Howes had caused him to enter two obligations (of £20 each), rather than one, before this transaction was completed. The next year Higham incurred another debt of £40. This time he was bound in Statute Merchant at London by Fastolf before Howes was allowed to deliver the wool to him. Almost £25 of this was still unpaid in 1457. Whoever compiled the list of debts in this year felt that this method was an unsatisfactory way of ensuring repayment when substantial men like John Jenney had been prepared to stand surety for Higham. Amongst the merchants (as elsewhere) there were good and bad debts. The administration could not always guard against the bad ones. In 1457 Henry Norman still owed £19 for wool sold to him by Howes at Hellesdon in 1450. According to the 1457 list, 'ye suerte that tyme taken was not sufficiaunt, as it semeth more evidently at this day'. The taking of inadequate sureties in commercial contracts or those entered into by estate officials was an important subsidiary cause of all types of debts and arrears.¹⁷⁵

Debts were harder to recover when the debtor had died, whether naturally or by violence. In 1457 John Frevil, who owed $33/4$ on the lease of an enclosure in Lowestoft, was reported dead without executors. This was evidently a sub let as the administration was looking for the man who had made the lease, so that action might be taken against him. Henry Pigeon had been fined $42/6$ for trespass in Fastolf's woods at Guton. An obligation had been taken from him and felt to be sufficient, although it was said not to have been in 1457, when the debt was judged 'desperate'. Pigeon had fallen ill with 'such siknesse that by the lawe might be held little remedy' and had died.¹⁷⁶ One man, who owed $26/8$ on the lease of a salthouse at Great Yarmouth, outwitted Fastolf's officials. Being in arrears, he suddenly 'avoyded such gode as he had in the howse & so he myght not be distrained'. He was taken to the common law but, while the case was still in process, died 'by infortune of

¹⁷⁵ Norfolk and Suffolk 1: F.P. 28, 62. Higham's debts caused problems because of the need to undertake legal action on the Statute and because of Higham's death in 1450 (K. B. McFarlane's transcription of Folger Library MS. Xd. 274). Fastolf sued his widow, believing she had sufficient resources to pay her husband's debts (Add. MS. 34888, fo. 75; P.L. II, pp. 253, 254). He also planned to, and apparently did, buy land from her cheaply (Add. MS. 34888, fo. 49; partly printed in P.L. II, pp. 178, 179; F.P. 59, 68). He was still unable to cover his losses.

¹⁷⁶ F.P. 62. McFarlane noted that the penalty in this case was twenty times the damage (Nobility of Later Medieval England, p. 50).

mordre'. William Wormegay was also murdered whilst 26/8 in debt.¹⁷⁷ Hope of repayment remained since administrators of his goods had been appointed, from whom the debt might be recovered.

Amongst estate officials a regular source of small debts was the officials' failure to account for stock such as lambs, rabbits and sheep. Debts could vary from 14d or 16d for a hurtard or sheep to the 11/11 owed by the bercar at Capton in 1446 for twenty-four lambs. They were occasionally even larger. John Coman, a warrener at Hellesdon, incurred a debt of 28/10 when it was found that he had delivered to the household at Caister fewer rabbits than he had received by tally at Hellesdon. Generally the solution of these debts was obvious, as when Walter Fish, a long-serving official, was 7/- in debt for 'sheepe upon hym lakkyng'. It was noted that this sum 'may be reteyned in his wages'.¹⁷⁸

Fastolf was often forced to resort to the common law to recover debts. An exceptional case reached Chancery.¹⁷⁹ Payment then depended on the result of litigation and there might be a long delay before a debt was recovered - a £7 Gorleston debt was said in 1457 to have 'bene in sute thys twelve yere & more'.¹⁸⁰ The law was probably a last resort. When debts or arrears were detected by the auditors the debtor usually entered an obligation to pay and found sureties. Action regarding obligations was rarely taken immediately because it was hoped that a private settlement would be reached. A reliable man might be granted several years in which to pay, by means of regular instalments, but there was no guarantee that payment would be made in full at the appointed time. In 1457 Thomas Hope of Guton

¹⁷⁷ F.P. 62. As well as being Fastolf's bailiff of Hellesdon and Drayton in 1450, Wormegay was a wool merchant, buying wool from Fastolf (Norfolk and Suffolk 1; F.P. 28). He was murdered in 1456 (H.M.C.: Various Collections, ii, p. 342, no. 13: Davis II, no. 548).

¹⁷⁸ F.P. 62.

¹⁷⁹ Fastolf sued Pyere Burton, bailiff of Bentley (Yorks.) for £66 arrears in the common law. Burton tried to void the action by showing an acquittance from Walter Shipdam. Fastolf summoned Burton and Shipdam to Chancery for an examination of the acquittance (C1/22/187).

¹⁸⁰ F.P. 62.

owed £10 of a debt of 20 marks incurred in 1454. With Fastolf's agreement Hope and John Hervey of Causton 'were bowend togedre to pay V marcs yerely whereof is payed onely V marcs & so ye seid X li ys yet owyng & there obligacion ys sewed at London'. Yet private settlements were probably frequent. In 1454 Robert Inglose suggested that his debts could be paid if he sold land near Norwich to Fastolf. This transaction was probably never concluded, but that involving the wool merchant John Higham was. Fastolf intended to buy land from Higham's widow at well below the market price and lease it.¹⁸¹ Unfortunately it is impossible to decide whether private settlement or legal action was more frequently used. It is also difficult to be sure how successful each method was in recovering debts. The threat of the law probably encouraged debtors to settle privately, while legal action was much more costly and frustrating for Fastolf than a private settlement. The latter method was probably preferred by both parties; but as this method was less likely to leave evidence than litigation, it is difficult to evaluate.

Discussion of debts and arrears clearly cannot be separated from the subject of the economic exploitation of Fastolf's estates and the work of his administration. While the difficulties and delays faced by the administration in collecting debts are obvious, the degree of success it enjoyed in this task should be emphasised. Fastolf's central officials showed immense persistence in the pursuit of even the smallest debts. In this, as in other matters, they were pushed hard by an exceptionally demanding employer.

In a period when landlords often faced falling incomes from their estates, Fastolf enjoyed a healthy stability. He even succeeded in raising the annual value of some of his purchased properties by investment and by putting pressure on local officials. As on other fifteenth century estates, the level of arrears was a major administrative concern. The problem was tackled energetically and with some success. The overall level of arrears was brought down between 1445 and 1457. Fastolf's estates were not immune to social changes which affected a lord's

¹⁸¹ See above, notes 105 and 175.

revenues. There is evidence of growing independence amongst his tenants, especially those from the gentry, and of some breakdown of manorial jurisdiction. However, the combination of his massive foreign earnings and stability on his English estates placed Fastolf in an enviable financial position. As well as enabling him to purchase property, his profits of war allowed him to undertake important repairs, improvements and building, all of which raised the annual value of his properties at farm. When those profits dwindled his English administration proved effective enough to prevent his domestic income from following suit. The administration's success was partly owing to Fastolf's own vigilance and brooding presence. Unlike some landlords he expected excellent service. Administrative effectiveness was undoubtedly enhanced by the long and loyal service that many servants gave him. Continuity in administration is always an asset.

Financial strength was also a consequence of the intelligent use of economic resources. Fastolf threw himself into the marketing of wool produced on his East Anglian estates and encouraged the textile industry at Dedham as much as that at Castle Combe. He was closely involved in East Coast merchant shipping and the manufacture of building materials, making use of the raw materials in the clay marshes around Caister Castle. He appreciated the value of urban markets like Norwich, selling meat, rabbits and agricultural produce in them. Diversity, and a constant search for profitable enterprises, were deliberate policies. Sometimes properties were purchased with specialist purposes in mind. One of the attractions of Higham's lands was their value to a wool merchant, to whom Fastolf wished to let them.¹⁸² Thus Fastolf took advantage of the economic opportunities offered by fifteenth century East Anglia. These included the valuable harbour facilities of Great Yarmouth, Gorleston and Lowestoft and the skills of the merchants and seamen of the coastal towns. Dr. Saul has suggested that Yarmouth was in decline by the fifteenth century: nevertheless the proximity of Caister Castle must have generated

¹⁸² Add. MS. 34888, fo. 49; partly printed in P.L. II, pp. 178, 179.

income and employment there and throughout this part of Norfolk and Suffolk. Ease of access to cheap transport by sea was advantageous. Another asset was the cost advantage derived from linking Caister Castle by canal to the river traffic between Yarmouth and Norwich.¹⁸³ Fastolf also tried to improve the infrastructure of the area, as can be seen from a letter to John Paston of May 1456:¹⁸⁴

'Moreouer, like yow to remembre that lateward I meued vn-to yow that I wold do kyt out a litell fleet rennyng by-twix the comouns of youre lordship of Maulteby and Castre there it was of old tyme and now is ouer grounded and growen by reed; wherfore lyke yow to write on-to youre baly of Mauteby to take youre tenauntes wyth hym to haue a syght of the seid water and ground, and pat they bere half costes for ther part and I wole bere the other part'.

It cannot be doubted that astute enterprise contributed greatly to the financial health of Fastolf's estates.

¹⁸³ For decline, see note 126. For canals, see H. D. Barnes and W. D. Simpson, 'Caister Castle', Antiquaries' Journal, xxxii (1952), pp. 38, 43, 51.

¹⁸⁴ Davis II, no. 547.

CHAPTER III

The Associates of Sir John Fastolf.

The preceding chapters have examined Fastolf, his councillors and servants at work acquiring and managing property. Surviving evidence about these subjects is plentiful and detailed. Our information about Fastolf's involvement in other men's affairs, though less rich, tells us who his friends and associates were. It also enables us to make inferences about his political interests and sympathies, which form a necessary introduction to Fastolf's litigation, particularly his disputes with the Duke of Suffolk and his followers.

Considering how long he lived, Fastolf did not serve many people as a feoffee or executor. Those he did serve usually had a very direct connection with him. Together with Sir Henry Inglose he was the co-executor of his cousin Sir Hugh Fastolf, who died in 1417 at the siege of Caen.¹ He was a feoffee to the use of the will of his sister Margaret Branch, who owned the Suffolk manor of Cowling. She had lived in the household at Caister.² Her husband Sir Philip Branch (died 1429)³ was a soldier who served in the retinue Fastolf maintained as Grand Master of Bedford's household,⁴ but their association went back to 1408 when both men served in Ireland.⁵ Fastolf, together with Sir William Oldhall, was also a feoffee to the use of Sir Robert Harling's will.⁶ Harling, Fastolf's nephew, was a soldier who died at the siege of St. Denis in 1435. Fastolf's role as his

¹ Add. MS. 39848, Antiquarian Collections, no. 184: P.L. III, p. 157. Copinger, Suffolk, VI, p. 64 shows Fastolf acting as Sir Hugh's executor.

² P.L. III, p. 155: F.P. 8.

³ C.F.R., xv, p. 187. He was killed in France (P.L. III, p. 157).

⁴ A. Marshall, The Role of the English War Captains in England and Normandy, 1436-1461, University of Swansea M.A. Thesis (1975), p. 47. Branch was also Fastolf's Lieutenant in Anjou and Maine (Letters and Papers Illustrative of the Wars of the English in France during the Reign of Henry VI, ed. J. Stevenson, II, ii, p. 436).

⁵ C.P.R., HIV, iv, p. 41.

⁶ F.P. 17: P.L. III, p. 157. A Parisian Journal, 1405-1449, ed. J. Shirley, p. 297.

feoffee brought him into conflict with William, Earl of Suffolk regarding the wardship and marriage of Harling's daughter and heiress Anne.⁷ Sir Henry Inglose of Dilham employed Fastolf as a feoffee to the use of his will.⁸ The two served together in France, for instance at the siege of Orléans.⁹ Both Sir John Clifton¹⁰ and Sir Andrew Ogard, who was retained by York, employed Fastolf as a feoffee.¹¹ Sir William Oldhall was another who did so.¹² All of the men mentioned were East Anglian landowners who had served in France. A surprising omission from the list is Sir John Radcliff, but this is probably owing to lack of evidence about him. It is likely that Fastolf was his feoffee too. There was another soldier whom Fastolf served as feoffee, though he was not an East Anglian. This was William fitz Herry esquire,¹³ a King's squire, who numbered Marque in Picardy amongst his captaincies.¹⁴

Fastolf can also be found acting for some men who were not war captains. John Wells, his London merchant associate, was one.¹⁵ He was unusual in this respect because Fastolf was apparently not a feoffee of other Londoners. In East Anglia Fastolf was a feoffee of John Jernegan esq., who lived at Somerleyton in Lothingland,¹⁶ John Norman of Filby near Caister¹⁷ and Ralph Garneys of Barsham near

⁷ See below, Chapter IV, pp. 135-8.

⁸ A.D. IV, A7907: Add. Ch. 7386.

⁹ A. Marshall, op. cit., p. 47.

¹⁰ C.P.R., HVI, v; p. 111. Clifton's feoffees included Sir Henry Inglose, Edmund Wichingham and Nicholas Bocking.

¹¹ Cal. Charter Rolls, vi, p. 38: J. T. Rosenthal, 'The Estates and Finances of Richard, Duke of York (1411-60)', Studies in Medieval and Renaissance History, ii (1965), p. 181.

¹² Norfolk Fines, p. 422.

¹³ P & M (1413-37), p. 274. The other feoffees were Inglose, Oldhall, Richard Waller and John Wells.

¹⁴ C.P.R., HVI, i, pp. 466, 476, 531, 539.

¹⁵ C.C.R., HVI, iv, p. 226. Wells probably had a Norfolk background and distant kinship with Fastolf (K. B. McFarlane, 'Profits of War', p. 99).

¹⁶ Bod. Lib. Ch. 1105.

¹⁷ C1/16/137a.

Beccles.¹⁸ There is a little evidence about Fastolf's role as a feoffee of his councillors. John Norman of Filby may be regarded as a councillor.¹⁹ Fastolf certainly acted for William Paston²⁰ and Edmund Wichingham.²¹ Apparently he was Thomas Howes' feoffee too.²² A feoffee had considerable responsibility, especially if he was drawn into disputes on the feoffor's behalf. This happened to Fastolf, as John Norman's feoffee, in 1445.

Fastolf was one of the feoffees summoned to Chancery by Thomas, son of Alexander Norman.²³ Thomas claimed that he was the heir of John Norman, who had recently died. John had been the eldest of three brothers: Alexander, Thomas's father, and Robert Norman (of Ormesby) were the other two. According to Thomas, Robert Norman had granted two-thirds of Holmhall manor in Filby (Norfolk) to Alexander, who had leased it to John for John's life. John had enfeoffed Fastolf, Edmund Clere of Ormesby, John Lynford of Stalham (Fastolf's councillor) and others to the use of Alexander's heirs. Thomas alleged that although he had often requested the feoffees to do so they had refused to make estate to him as Alexander's heir.²⁴ To this Fastolf replied that John Norman had enfeoffed them to the use of his will. That this will, which bequeathed Holmhall to John Norman's son, had been made was 'opynly noysed & knowen yn thys contree'. Fastolf, who claimed that he was willing to perform Norman's intent, asked to be dismissed from the court.²⁵

¹⁸ Copinger, Suffolk, VII, p. 157.

¹⁹ John Norman was one of Fastolf's earliest Norfolk feoffees (for Beighton: B. 10, 8, 32, 31).

²⁰ Norfolk Fines, p. 410.

²¹ C.C.R., HVI, iii, pp. 9, 10.

²² Blomefield, V, p. 203, 204.

²³ See the proceedings in Chancery: C1/15/277, 278, 279; C1/16/137.

²⁴ C1/16/137a.

²⁵ C1/15/137b.

When Edmund Clere appeared in Chancery he supported Fastolf's position.²⁶ He also told the court that Edmund, John Norman's son, had taken possession of the manor of his father's death. Edmund had made a will, Clere stated, that required his executors, of whom Clere was one, to sell Holmhall on his death. Edmund having died, Clere wanted to dispose of the manor. In reply Thomas asserted that John Norman had only enjoyed a life interest in Holmhall and denied that Edmund had ever been seised of the profits of the manor to his own use. He also denied that Edmund's will was formulated as Clere had alleged.²⁷ Thomas's aim was to prevent the manor from leaving the family's hands, and to enjoy possession of it himself.

Fastolf and his colleagues successfully defended the interests of John Norman and his heir. We know that John Lynford released his right in Holmhall to Fastolf during 1445 and that the executors sold the manor to William Pickering, who owned the other third of the manor.²⁸ Whatever the justice of the case, Fastolf seems to have been worthy of the trust placed in him by the feoffor John Norman.²⁹

Overall there is surprisingly little evidence that Fastolf was connected with the gentry of East Anglia in this way. Similarly there is only one example of him acting as an arbiter in a local dispute.³⁰ This may be owing to his long sojourn in France, which was followed by many years during which he resided mainly in London. Fastolf's absence from East Anglia made him less attractive as a feoffee for gentlemen who spent most of their time in the county. It is also probable that men of Fastolf's status were not generally used as feoffees on the scale that county lawyers were. Fastolf's involvement as a feoffee was always dictated by

²⁶ C1/15/278.

²⁷ C1/15/279: Edmund Norman's will (P.L. II, pp. 67, 68), made on 6 December 1444, confirms Clere's version.

²⁸ Blomefield, XI, pp. 218, 219.

²⁹ On the surviving evidence it is impossible to be certain that a decision against Thomas Norman was just.

³⁰ This was in 1450: C.C.R., HVI, v, pp. 189, 190.

his family or professional connection with the feoffor, as with his military associates. John Norman was a councillor, as were Wichingham, Paston and Howes. Jernegan was a near neighbour. He was also connected with Fastolf's nephew Sir Robert Harling through Harling's wife Joan.³¹ There were a number of connections between the Garneys family and Fastolf's circle of acquaintances. Ralph Garneys was an associate of William Paston and John Berney of Reedham.³² He was step-father to Margaret Paston by his marriage to Margery, the widow of John Mautby esquire and daughter of John Berney.³³ His uncle Peter, who had the remainder rights to his property, was a soldier known to Fastolf.³⁴ These direct links between Fastolf and the men for whom he acted explain why he was invited to be a feoffee.

This illustrates the way in which ties of kinship and marriage united the men with whom Fastolf was associated, whether they were companions-in-arms or councillors. Branch and Radcliff were his brothers-in-law, Harling was his nephew. Fastolf's sister Cicely (Radcliff's wife) had previously been married to Sir John Harling, the father of Sir Robert Harling.³⁵ Radcliff, a Lancastrian by origin, settled in Norfolk. He became deeply involved with war and administration in Gascony.³⁶ His association with Fastolf went back to at least 1405, when both men were squires in Clarence's retinue.³⁷ Another of Fastolf's nephews was Henry Filongley, who married the daughter of one of his sisters. He was a Warwickshire

³¹ Copinger, Suffolk, V, pp. 9, 10.

³² Ibid., VII, p. 157.

³³ Davis I, no. 126.

³⁴ In February 1418, at Caen, Henry V granted Peter Garneys custody of Sir Hugh Fastolf's lands during the minority of Hugh's son John (Cal. Signet Letters, 1399-1422, ed. J. L. Kirby, nos. 821, 864: C.P.R., HV, ii, pp. 134, 136).

³⁵ Blomefield, I, p. 10.

³⁶ M. G. A. Vale, English Gascony, 1399-1453, pp. 245, 247.

³⁷ C.C.R., HIV, iii, p. 83.

squire of wide interests.³⁸ His position in the Court of Common Pleas made him a valuable ally - and a loyal one, for his friendliness towards Fastolf was not affected by the wounds he received at St. Albans in 1455, when he fought against Fastolf's patron Richard, Duke of York.³⁹ A niece of Fastolf's, Elizabeth, daughter of Sir Philip Branch, married into the Clere family of Ormesby by Caister. She married John Clere and was the mother of Robert and Edmund Clere esquires.⁴⁰ As a consequence relations between Fastolf and the Cleres of Ormesby were usually amiable. Less directly, Fastolf was related to Sir Henry Inglose⁴¹ and John Paston,⁴² two of his closest associates. The councillor John Fastolf of Oulton was his cousin, as well as a close neighbour dwelling in Lothingland.⁴³ In addition to those relationships which involved Fastolf directly, there were others which bound his friends and associates. Amongst his military associates, for example, there was the marriage of Sir Andrew Ogard to the daughter of Sir John Clifton, which brought Ogard most of Clifton's property.⁴⁴ Sir Henry Inglose's son, also named Henry, married Anne, the daughter and one of four coheiresses, of Fastolf's councillor Edmund Wichingham.⁴⁵ Wichingham acted as Sir Henry's executor in

³⁸ Henry Filongley (1415-1471) was Keeper of the Writs in Common Pleas by 1440 and Clerk of the Great Wardrobe between 1453 and 1459. He was M.P. for Weymouth in 1449 and Warwickshire in 1453-4 (M. Hastings, The Court of Common Pleas, p. 277; J. C. Wedgwood, History of Parliament. Biographies of the Members of the Commons' House, 1439-1509, p. 325).

³⁹ P.L. III, p. 33.

⁴⁰ Blomefield, XI, p. 250.

⁴¹ P.L. III, p. 157; G. 196. Copinger, Suffolk, V, p. 4: Inglose married Anne, daughter of Sir Robert Geney by Margaret, daughter and heiress of John Fastolf. This Margaret is unlikely to have been of the Nacton line. She may have been a daughter of John Fastolf of Fishley (see note 63).

⁴² The kinship was through Margaret, John Paston's wife (Davis II, no. 510). She was related to John Berney of Reedham, whom Fastolf calls cousin (Davis I, p. lv and no. 25).

⁴³ K. B. McFarlane, 'Profits of War', p. 100. The exact relationship is unknown.

⁴⁴ Blomefield, I, p. 377.

⁴⁵ Copinger, Suffolk, V, p. 4.

1451.⁴⁶ Ties of kinship, marriage and service developed amongst Fastolf's associates in the same way that they did amongst his administrative servants.

Sir William Oldhall and Sir Henry Inglose were the East Anglian knights who were closest to Fastolf, though neither was a member of his council. Inglose's career is less well known than Oldhall's. Inglose lived at Dilham, fifteen miles north-west of Caister. He was related to the Fastolf family through his wife's mother.⁴⁷ Inglose served in France and, like Fastolf, was associated with the Duke of Clarence. Inglose was captured at Baugé in 1421.⁴⁸ After this battle he took service with Bedford. By the late 1420s he was his Deputy-Admiral, having responsibility for the East Coast of England.⁴⁹ He was also associated with Humphrey, Duke of Buckingham. In 1437 he was Deputy-Commander of Calais under the Duke,⁵⁰ for whom he acted as a feoffee.⁵¹ Inglose can also be found in association with the Duke of Norfolk during the 1440s.⁵²

Inglose performed a variety of administrative tasks in East Anglia. He collected customs and subsidies at Yarmouth in 1415,⁵³ treated for loans (in 1431 and 1446),⁵⁴ made assessments for a subsidy (in 1431)⁵⁵ and collected a subsidy (in 1441).⁵⁶ In 1433 he made inquiries into concealments by the Mayor of

⁴⁶ Copinger, Suffolk, V, p. 4. See also Davis I, no. 141.

⁴⁷ See note 41.

⁴⁸ Cal. French Rolls, HV, p. 601; Itineraries, p. 359; Edward Hall's Chronicle (1399-1547), ed. H. Ellis, p. 106.

⁴⁹ C.P.R., HVI, i, p. 502; ii, p. 37.

⁵⁰ Proceedings and Ordinances of the Privy Council of England, 1386-1452, ed. N. H. Nicolas, V, p. 66.

⁵¹ C.C.R., HVI, v, p. 244. Inglose was Buckingham's feoffee when the Duke took seisin of Gower in July 1448 (Add. Ch. 17740). He was also the feoffee of Buckingham's relative Humphrey Stafford of Grafton (C.C.R., HVI, v, p. 312).

⁵² He witnessed Norfolk's charter favouring Sir Robert Wingfield (C.C.R., HVI, iv, p. 215).

⁵³ C.F.R., xiv, pp. 70, 72.

⁵⁴ C.P.R., HVI, ii, p. 126; *ibid.*, iv, p. 431.

⁵⁵ C.P.R., HVI, ii, p. 137.

⁵⁶ C.P.R., HVI, iii, p. 536.

Norwich.⁵⁷ He was on a Norfolk commission of array in 1436 and an Ipswich gaol delivery commission in 1439.⁵⁸ He acted as a Justice of the Peace during the 1420s and 1440s.⁵⁹ In 1436 and 1449 he represented Norfolk in Parliament.⁶⁰ Inglose did not neglect his public duties.

By the time of his death Inglose owned about fifteen manors in East Anglia and one in Rutland.⁶¹ Three were in Lothingland. Two of them, Gunton and Hopton, were purchased. Like Fastolf he invested in this area. Several of his Norfolk properties (Mundham, Sisland and Rackheath) lay close to places Fastolf owned. Inglose was an appropriate colleague for Fastolf: a relative, a neighbour, a soldier and an influential, respected member of East Anglian society.

Fastolf drew the senior members of his council, and a number of his friends, from the East Anglian squirearchy. Edmund Wichingham, John Berney of Reedham, John Fastolf of Oulton and John Lynford of Stalham were the most important. They each lived within a fifteen-mile radius of Caister; Lynford was a neighbour of Sir Henry Inglose. Edmund Wichingham was in many ways typical of this kind of associate. He was the younger son of Nicholas Wichingham, a squire who flourished after the Lancastrian Revolution.⁶² An associate of Sir Thomas Erpingham, Nicholas was steward of the Duchy of Lancaster estates in East Anglia under Henry IV, and the Sheriff of Norfolk and Suffolk in 1405. Edmund was related to Fastolf by his marriage to Alice, the daughter of John Fastolf of Fishley.⁶³ Through his father, who died in 1434, he was closely associated with Sir Henry Inglose.⁶⁴ As we have

⁵⁷ C.P.R., HVI, ii, pp. 349, 351.

⁵⁸ C.P.R., HVI, ii, p. 521: *ibid.*, iii, p. 269.

⁵⁹ C.P.R., HVI, i, pp. 566, 567: *ibid.*, iv, p. 474.

⁶⁰ He was also the distributor of a tax allowance in 1436-7 (C.F.R., xvi, pp. 284, 289, 351, 357) and 1449-50 (*ibid.*, xviii, pp. 123, 129).

⁶¹ A.D. IV, A7907: Davis I, no. 62: Copinger, Suffolk, V, pp. 4, 40.

⁶² T. John, 'Sir Thomas Erpingham, East Anglian Society and the Dynastic Revolution of 1399', Norfolk Arch., xxxv (1970), p. 104.

⁶³ Wichingham married Alice, daughter of John Fastolf esq. of Fishley (Blomefield, IX, p. 430). This Fastolf was probably a younger son of Sir John's uncle Thomas (Norfolk and Suffolk 55).

⁶⁴ C.C.R., HVI, ii, p. 277: Copinger, Suffolk, II, p. 190.

*Inglose was proctor for Fastolf during by
Cardinal Beaufort's*

seen, this association was maintained until Inglose's death. Being a younger son, Edmund Wichingham did not inherit all his father's lands. Nevertheless by 1434 he held property at Epping Heath in Essex and the manor of Moulton, near Fastolf's property at Beighton.⁶⁵ He also held the manor of Salthouse, on the coast between Sheringham and Blakeney.⁶⁶ His elder brother Robert also owned manors (at Upton and Fishley, near Acle)⁶⁷ which lay near to Fastolf's property concentration in Flegg. Thus Wichingham, as a neighbour, a relative and a friend of Inglose, made a very suitable associate and councillor for Fastolf.

Like Sir Henry Inglose, Wichingham had his share of public employment. He inquired into the Mayor of Norwich's concealments in 1433, was on the commission for the delivery of Ipswich gaol in 1439, another commission investigating the Norfolk and Suffolk customs in 1440 and was entrusted with subsidy collection in 1450.⁶⁸ He was a J.P. for Norwich in 1443 and for Norfolk in 1444 and 1445.⁶⁹ These appointments as Justice probably owed something to the Duke of Norfolk's influence, since Wichingham was amongst his acquaintances.⁷⁰

John Fastolf of Oulton, John Lynford and John Berney had a lot in common with Wichingham. They had a substantial stake in East Anglian landed property, sufficient to make them eligible for occasional public employment. Fastolf of Oulton was a Norfolk and Yarmouth Justice of the Peace during the 1420s and 1430s.⁷¹ He was a member of a commission of array for Suffolk in 1436.⁷² John Lynford was twice appointed Sheriff of Norwich (in 1437 and 1443).⁷³ He collected

⁶⁵ C.C.R., HVI, iii, pp. 9, 10: *ibid.*, ii, p. 278.

⁶⁶ Blomefield, IX, p. 430.

⁶⁷ C.C.R., HVI, ii, p. 278: Blomefield, XI, pp. 101, 130, 131.

⁶⁸ C.P.R., HVI, ii, p. 349; iii, p. 269; iii, p. 413: C.F.R., xviii, p. 173.

⁶⁹ C.P.R., HVI, iv, pp. 474, 475.

⁷⁰ Davis II, no. 489.

⁷¹ C.P.R., HVI, i, pp. 566, 567; ii, p. 621.

⁷² C.P.R., HVI, ii, p. 523.

⁷³ C.F.R., xvi, pp. 344, 345; xvii, p. 254.

Norfolk subsidies in 1416 and 1428.⁷⁴ He owned at least two manors in Norfolk and land in several villages there.⁷⁵ Probably the wealthiest of Fastolf's councillors was John Berney of Reedham, a member of the junior branch of the Berneys of Witchingham. When he died in 1440 he held at least five Norfolk manors.⁷⁶ After the reign of Henry V (Berney received commissions of array in 1418 and 1419),⁷⁷ however, he had little public employment, though his son Philip had some.⁷⁸ By marriage Berney was connected with the Heveningham family:⁷⁹ he had been a feoffee of Nicholas Wichingham, and in 1451 his son John received custody of the lands belonging to the senior line of the Wichingham family.⁸⁰ His sons were associates of Sir John Fastolf too.⁸¹ John fitz Rauf esquire, whom Fastolf described as his nephew, can be added to this list of substantial councillors.⁸² He was Sheriff of Norfolk and Suffolk in 1433 and made assessments for a subsidy in 1436.⁸³ Fitz Rauf, together with Wichingham, Fastolf of Oulton, Lynford and Berney, was the kind of man Fastolf relied upon to defend his interests and to help supervise his affairs.

⁷⁴ C.F.R., xiv, p. 171; xv, p. 219.

⁷⁵ Blomefield, XI, p. 4; IX, p. 343.

⁷⁶ Blomefield, XI, pp. 121 ff., esp. p. 126. Berney died in 1440.

⁷⁷ C.P.R., HV, ii, pp. 199, 212.

⁷⁸ He was, for instance, on a commission of oyer and terminer in 1445 (C.P.R., HVI, iv, p. 337).

⁷⁹ Blomefield, XI, p. 126.

⁸⁰ C.C.R., HVI, ii, p. 277; C.F.R., xviii, p. 248.

⁸¹ John Berney junior was Fastolf's proctor at Le Mans in 1447 (see above, Chapter I, p. 10). Two letters of 1451 show that he was highly regarded as a legal counsellor by Fastolf (Add. MS. 39848, nos. 246, 236; abstracts in P.L. II, pp. 209, 212). The second letter reveals that Fastolf had asked Berney not to enter the manor of Rockland Tofts. It seems likely that this request favoured Philip Berney (Blomefield, XI, p. 126). Fastolf named John Berney as a feoffee to the use of his will in 1452 (F.P. 47).

⁸² P.L. III, p. 157. I have been unable to discover exactly how Fastolf and fitz Rauf were related.

⁸³ C.F.R., xvi, pp. 221, 261. The same man was also Sheriff in 1420-21 (P.R.O. Lists and Indexes, ix, p. 87). He died early in 1444 (C.F.R., xvii, p. 300).

These men must have been reliable and effective associates, for Fastolf regularly employed them as feoffees. An examination of the feoffments made in East Anglia during the period of property acquisition shows this clearly. Sir Henry Inglose, John Kirtling (the receiver-general) and John Fastolf of Oulton appeared in more than ten separate feoffments. John Berney appeared in seven, John Lynford in five, John fitz Rauf in four and Edmund Wichingham in three. Only two other men were of similar importance: Justice William Paston appeared in four feoffments and Henry Sturmer, the prominent East Anglian lawyer,⁸⁴ in three. With the exception of Kirtling, estate administrators rarely appeared in these feoffments. The feoffments tell us which of his East Anglian associates Fastolf regarded most highly. The witness lists of his deeds of conveyance, by contrast, do not usually do this because of the nature of the transactions recorded. The best witnesses were men who lived near the properties being acquired. Such men usually appear as the witnesses to Fastolf's deeds.

Magnates did not often serve as feoffees in East Anglia. They made more appearances in Surrey,⁸⁵ presumably because they were close at hand in London. Fastolf used magnates when disputes seemed likely or had already broken out.⁸⁶ On such occasions Fastolf also employed more than the usual number (five or less) of feoffees. Only in the mid 1440s, when the main period of buying had ended, did

⁸⁴ Fastolf paid him a fee of 26/8 p.a. as his attorney in King's Bench in 1433-4 and 1434-5 (F.P. 9 - Fees: F.P. 12 - Fees). Sturmer also worked as an attorney in Common Pleas and as Sheriff of Norwich in 1441-2. He was a Norwich J.P. in 1441-3 (C.P.R., HVI, iv, pp. 179, 475).

⁸⁵ In 1442 Fastolf enfeoffed the Duke of Gloucester and Cardinal Beaufort (Swk. 13); in 1446 he twice enfeoffed York and Lord Scales (Swk. 166, 1C) and once enfeoffed John, Duke of Exeter (Swk. 166) and William, Bishop of Lincoln (Swk. 1C). In 1451 he enfeoffed William Wayneflete, Bishop of Winchester and Thomas Bourghier, Bishop of Ely (Swk. 70C).

⁸⁶ Legal difficulties were expected with the Southwark properties for which feoffments were made in 1442 and 1446. A dispute was in progress when the 1451 feoffment took place. When a dispute erupted over Beighton in 1415 Fastolf enfeoffed Humphrey of Gloucester and Thomas, Earl of Dorset (B. 31) and when one occurred over Fritton in 1441 Lord Cromwell and the Bishop of Lincoln were named (C. 27). Fastolf's councillors were anxious about the purchase of Guton when they enfeoffed the Duke of Norfolk and the Bishop of Lincoln (G. 17A, 174: see above, Chapter I, p. 16).

Fastolf try to subsume all his properties under a general feoffment.⁸⁷ This change was prompted by the deaths of some regular feoffees, notably John Kirtling, John Berney, William Paston and John Fastolf of Oulton.⁸⁸ Eventually, in July 1449, a general feoffment was made to the use of Fastolf's will.⁸⁹ There is no evidence that Fastolf actually made a will in this year. To safeguard his property and ensure that any will he made was duly executed he sought the assistance of twenty-three men. Amongst them were some of the most important people in the country.

In 1449 the following became Fastolf's feoffees: the Archbishops of York and Canterbury,⁹⁰ the Bishops of Lincoln, Winchester and Chichester,⁹¹ Lords Cromwell, Beauchamp and Sudeley, Sir John Fortescue,⁹² Sir William Yelverton,

⁸⁷ John Fastolf of Oulton (Norfolk and Suffolk 69) and Sir Henry Inglose, John Lynford, William Yelverton, Henry Sturmer, Thomas Howes and others (Norfolk and Suffolk 35) released their rights to Fastolf's East Anglian lands in 1444. In September 1443 and February 1445 respectively Fastolf secured releases from possible claimants to Guton and Runham (G. 69: H. 19). There were new feoffments for Lowestoft and Titchwell in September 1445 (Benyers 19, 21: T. 81, 127, 74). The Titchwell feoffees were Bishop Alnwick of Lincoln, William Oldhall, Richard Waller, William Toleye, Thomas Howes, Thomas Ludham and Nicholas Molyneux esq. (a soldier-administrator colleague of Fastolf: K. B. McFarlane, 'A Business-partnership in War and Administration, 1421-45', E.H.R., lxxvii (1963), pp. 290-310). These men, with the addition of Inglose, were probably made feoffees of most of Fastolf's lands during 1445, though there is no direct evidence for this.

⁸⁸ Kirtling had died by June 1440 (F.P. 20), John Berney by September 1440 (Blomefield, XI, p. 126), William Paston in August 1444 (Davis I, p. liii) and John Fastolf of Oulton between February and November 1444 (Norfolk and Suffolk 69, 35).

⁸⁹ Norfolk and Suffolk 68, 71: enrolled in Chancery in August 1451 (C.C.R., HVI, v, pp. 228-230).

⁹⁰ John Stafford, Archbishop of Canterbury, was Chancellor until 31 January 1450. He died on 25 May 1452. John Kemp, Cardinal Archbishop of York, succeeded him both as Chancellor, a position he held until his death on 22 March 1454, and as Archbishop of Canterbury.

⁹¹ He was Keeper of the Privy Seal from 1444 to 1450 and Bishop of Chichester from 1445 to 1450. His death by murder on 9 January 1450 was owing to his extreme unpopularity as a member of Suffolk's regime.

⁹² Fortescue was Chief Justice of King's Bench. On the occasions in 1450 and 1456 that he was directly involved in Fastolf's affairs he acted in his favour (below, Chapter IV, p. 126 and V, p. 211). William Yelverton, a Norfolk man who became a Justice of King's Bench in 1443, was a lifelong and loyal associate of Fastolf, who retained him as a legal adviser, with a fee of 13/4 p.a., during the 1430s (F.P. 9 - Fees; 12 - Fees; 14 - Fees). His career has been described by E. C. Robbins, 'The Cursed Norfolk Justice. A Defence of Sir William Yelverton (c. 1400-1477)', Norfolk Arch., xxvi (1936), pp. 1-51.

Sir Henry Inglose, Sir William Oldhall, Richard Waller esquire,⁹³ William Toleye,⁹⁴ Clement Denstone,⁹⁵ Thomas Ludham, Thomas Howes, Thomas West, William Wangford,⁹⁶ Nicholas Girlington, William Jenney and Thomas Green.⁹⁷ Thus Fastolf had the services of the Chancellor, the Keeper of the Privy Seal, the Archbishop of York, several ecclesiastics of dignity and influence,⁹⁸ two secular royal councillors and one lord (none of whom was closely associated with Suffolk),⁹⁹ three trusted companions-in-arms, of whom one was a member of the royal household and another the chamberlain of the country's leading magnate, two members of the judiciary (one of whom was an old acquaintance) and five common lawyers. There are two surprising omissions from the feoffment - the names of the Dukes of York and Norfolk. Both dukes were disliked by Suffolk's regime and Fastolf may have considered them to be controversial choices. In 1452 his wariness caused him to remove Oldhall from his feoffment when Oldhall, suspected of treasonable actions,

⁹³ Waller and Fastolf had been colleagues in war and administration in Normandy. By 1449 Waller was an important member of the Royal Household (R. A. Griffiths, 'Richard, Duke of York and the Royal Household in Wales', Welsh Historical Review, viii (1976-7), p. 22). Fastolf employed Waller as a feoffee in East Anglia in 1445 (see note 87 above) and in Southwark between 1439 and 1451 (Swk. 2, 20, 13, 15C, 131, 136, 70C).

⁹⁴ He had been Cardinal Beaufort's secretary (C.C.R., HVI, iv, p. 354).

⁹⁵ By 1448 he was Archdeacon of Sudbury (C.P.R., HVI, v, p. 97).

⁹⁶ He became a sergeant-at-law in February 1453 (C.C.R., HVI, v, p. 381).

⁹⁷ Green was the most important of Fastolf's legal counsellors in 1450, as can be seen from Add. MS. 39848, no. 224 (abstract in P.L. II, p. 160) and other letters.

⁹⁸ William Alnwick was Bishop of Norwich from 1426 to 1436 and Bishop of Lincoln from 1436 to his death on 5 December 1449. He was Fastolf's feoffee for Guton in 1436 (G. 17A) and Drayton by 1440 (Norfolk and Suffolk 82). William Waynefleete succeeded Cardinal Beaufort as Bishop of Winchester on 17 April 1447. Fastolf, who named him as feoffee again in 1452 and 1457, and Waynefleete both had residences in Southwark. Alnwick and Waynefleete were both royal councillors (R. Virgoe, 'The Composition of the King's Council, 1437-61', B.I.H.R., xliii (1970), pp. 157, 158) though Virgoe remarks (op. cit., p. 146) that Alnwick had virtually retired from service by 1449.

⁹⁹ Lords Cromwell and Sudeley served as royal councillors between 1447 and 1450. Sudeley lost the offices of Treasurer of England and Chamberlain of the Household (in 1446 and 1447 respectively) through Suffolk's machinations, but was appointed Steward of the Household. This was usually an important office, though its significance was reduced by Suffolk's power. Sudeley did not come under attack as a member of Suffolk's regime in 1450. Cromwell was opposed to Suffolk and Beauchamp was not a councillor (see R. Virgoe, op. cit., pp. 145, 146, 158).

fled into sanctuary.¹⁰⁰ York's isolation in Ireland is unlikely to have been an important reason for his omission, and there is nothing similar to explain Norfolk's. In view of Fastolf's hostility towards Suffolk the inclusion of Adam Moleyns, Bishop of Chichester (a member of Suffolk's regime) is surprising. Presumably his usefulness overcame Fastolf's prejudices.

Reasons may be suggested for Fastolf's choice of Cromwell, Beauchamp and Sudeley as the secular lords in his feoffment. They shared his opposition to Suffolk but retained some political influence during Suffolk's ascendancy. Equally important were associations going back to the French War of Bedford's days, perpetuated during the 1440s by the regular meetings of the Order of the Garter, which Fastolf, Beauchamp and Sudeley certainly attended.¹⁰¹ In addition Fastolf may have regarded the location of their territorial influence as important - Cromwell's in Lincolnshire, Beauchamp's and Sudeley's in the West Country. They were better placed than he was to defend his Yorkshire and West Country estates. Overall, however, this feoffment was a practical one made by a shrewd, well-connected and possibly anxious man.

Fastolf had reason to be anxious when this feoffment was made. Lord Talbot's hostility, first incurred at the Battle of Patay in 1429, may still have concerned him.¹⁰² He had enemies at Court - during 1450 an accusation of treason was levelled at him by one of Queen Margaret's associates. Cade's rebels made similar, though wildly improbable, charges against him, also in 1450.¹⁰³ While some men were ill-disposed towards Fastolf, others were attracted by his property.

¹⁰⁰ Norfolk and Suffolk 14: Lothian MSS., p. 54. This is misdated to 1442.

¹⁰¹ Register of the Most Noble Order of the Garter, i, pp. 100-168 shows that Fastolf rarely attended meetings before the 1440s but often did so thereafter until 1452, as did Beauchamp and Sudeley. After 1452 illness kept him away: in 1454 it was Sudeley who made Fastolf's excuses for him.

¹⁰² In 1441 or 1442 (more than ten years after the event) Fastolf was trying to rebut a charge of conduct unbecoming a Knight of the Garter brought by Talbot before the King and Peers (F.P. 72: K. B. McFarlane, 'William Worcester', p. 200).

¹⁰³ Davis II, no. 692.

Challenges from Suffolk and his associates caused Fastolf considerable loss. The ambitions of his friends also worried Fastolf. His reaction in 1456 to the suggestion that the Duke of York should buy Caister was to urge Paston to hasten to acquire a licence of mortmain for the college he wished to found.¹⁰⁴ Pressure on Fastolf's feoffees was all the greater because he had no heir. During 1451 or 1452 Fastolf complained to the Chancellor about rumours current in East Anglia.¹⁰⁵ These stated that Thomas Daniel esq. had affirmed that he possessed documents, sealed by Fastolf, which proved he was Fastolf's heir and entitled to inherit his property. Fastolf asserted that he had given no such documents to Daniel and had no intention of doing so. He complained that Daniel's behaviour was a 'noisome grete vexacion & trouble' to his feoffees and executors. He requested the Chancellor to examine Daniel and recommend a form of legal action that could be taken against him. Fastolf's anxiety is also evident from the will he declared in August 1452.¹⁰⁶ In the first article of this he obliged his feoffees to defend him before the King and Council against the shameful charges his 'adversaries' had brought against him. His feoffees were to prove that he was the King's true subject, using the evidence that he had collected for this purpose. One reason why the 1449 feoffment was so powerful, then, was its role as a defence against the dangers of a hostile world.

A new feoffment was proposed for the execution of the 1452 will but it was not carried out. This can be concluded from the fact that when the feoffments were made in 1457 they were preceded by releases from the survivors of the 1449 feoffments.¹⁰⁷ Those named in 1452 were Chancellor Kemp, Thomas Bourghier, Bishop of Ely, Bishop Wayneflete, the Abbots of St. Benet's Hulme (Norfolk) and Bermondsey, Lord Beauchamp and Sir William Yelverton, Richard Waller, Henry

¹⁰⁴ Davis II, no. 569.

¹⁰⁵ C1/19/115. There were also rumours in 1452 that Fastolf had given Caister to the Duke of Norfolk (Davis I, no. 25).

¹⁰⁶ F.P. 47.

¹⁰⁷ See Norfolk and Suffolk 22, 23, 59.

Filongley, John Berney,¹⁰⁸ John Paston, William Jenney, Hugh Fenn,¹⁰⁹ Thomas Howes, John Bocking and William Worcester. Lawyers, estate officials and high ecclesiastical dignitaries predominated in this feoffment. The Abbots' inclusion probably indicates an attempt by Fastolf to place a politically unaligned religious authority behind the provisions of his will. His relations with the monastery at Hulme were particularly friendly.

Fastolf's approach in 1457 was different from that of 1449. In May 1457 seven different feoffments were made, with different portions of his estates being included in each one:¹¹⁰ all his property in Flegg was subsumed under one feoffment, his property at Hellesdon and Drayton under another, the manors of Guton, Hainford and Saxthorpe under a third, Cotton and Levington under a fourth, all property in Lothingland under a fifth, in Southwark under a sixth and at Dedham under a seventh. Two properties recently disputed were already covered by feoffments made when the disputes were successfully concluded, Beighton by one of March 1456 and Titchwell by one of April 1456.¹¹¹ Seven men appeared in all seven feoffments of 1457 - Thomas Bourghier, by now Archbishop of Canterbury, Bishop Wayneflete, Sir William Yelverton, John Paston, Henry Filongley, Thomas Howes and William Jenney. Lord Beauchamp was included in four, the Earl of Oxford in the other three. The lawyers Thomas Green and William Allington appeared in four feoffments. There is no obvious sign that lords, lawyers and squires (John Radcliff¹¹² in two, John Howard in one and John Holberd in another) were used as feoffees because they themselves had interests near the properties with which the feoffments were concerned. The 1456 and 1457 feoffments were in force when Fastolf died. They did not match his hope, expressed in the 1452

¹⁰⁸ He was the son of John Berney of Reedham.

¹⁰⁹ Fenn was a common lawyer who was heavily involved in Fastolf's litigation, particularly that regarding Thomas Fastolf's wardship.

¹¹⁰ F.P. 59.

¹¹¹ Loc. cit.

¹¹² John Radcliff of Attleborough was Sir John Radcliff's son.

will, that his feoffees, executors, friends and attornies would be of one accord in the performance of his will and any other duties incumbent upon them. The fierce dispute over Fastolf's will is well known.¹¹³

An examination of the political connections Fastolf had with magnates proves how cautious he was when he made his 1449 feoffment. He was associated with what may be termed the 'aristocratic opposition' of the 1440s. William Worcester informs us that Fastolf was a councillor of the Duke of York.¹¹⁴ In December 1440 Fastolf was a member of the 'chief council' which advised York before he departed on his second French expedition.¹¹⁵ When York awarded Fastolf a £20 annuity in 1441 he described him as his 'beloved counsellor'.¹¹⁶ In 1441 Fastolf also acted as York's feoffee, as he did again in 1449.¹¹⁷ Although he had no office on York's estates Fastolf did engage in private work on his behalf, as in 1445.¹¹⁸ Other connections Fastolf had with York included his lending the Duke money in 1450 and 1452 and his employment of York's associate Thomas Young as his steward of courts at Castle Combe during the 1450s.¹¹⁹ Fastolf knew many of the friends and servants (such as William Browning and William Minors) of York because

¹¹³ There is a brief account in Davis I, pp. xliv-xlviii.

¹¹⁴ F.P. 69.

¹¹⁵ Letters and Papers Illustrative of the Wars of the English in France during the Reign of Henry VI, ed. J. Stevenson, II, ii, p. 585.

¹¹⁶ Add. Ch. 14598: J. T. Rosenthal, 'The Estates and Finances of Richard, Duke of York (1411-60)', pp. 181, 190.

¹¹⁷ Proceedings and Ordinances of the Privy Council of England, 1386-1542, ed. N. H. Nicolas, V, p. 136; Copinger, Suffolk, II, p. 155 and Suffolk Fines, p. 303; Essex Fines, IV, pp. 43, 44.

¹¹⁸ A. Marshall, The Role of the English War Captains in England and Normandy, 1436-1461, p. 53.

¹¹⁹ See below, Chapter IV, p. 150: Add. Ch. 17242; abstract in P.L. II, p. 280. Thomas Young was receiving an annual fee of 40/-, charged on Castle Combe, by 1447-8 (Add. Ch. 18230, 18231).

they had transferred from Bedford's to York's service in France, just as Fastolf had done.¹²⁰ Thus Fastolf had a very close connection with York.

The two other dukes with whom he was associated were Gloucester and Norfolk. According to Worcester, Fastolf was a councillor to them both.¹²¹ Together with Lord Cromwell and Sir Henry Inglose, Fastolf witnessed Norfolk's charter favouring Sir Robert Wingfield in 1444.¹²² He was confident enough of Norfolk's friendship to risk outlawing one of his squires (Edmund Stapilton of Framlingham Castle) for debt in 1446.¹²³ Fastolf also employed Norfolk as a feoffee.¹²⁴ His connection with the Duke was strengthened through his friendship with the Jenney family of lawyers, John Paston and Edmund Wichingham, all of whom were associated with Norfolk. In letters of 1450 and 1455 Fastolf wrote of Norfolk as a natural ally, as indeed he was.¹²⁵ Fastolf's association with Gloucester went back to 1415, when the Duke was temporarily his feoffee for Beighton.¹²⁶ During 1439-40 he was Gloucester's Lieutenant-Governor of the Channel Islands, and in 1441 he witnessed a charter favouring the Duke.¹²⁷ During the 1440s Gloucester was once more Fastolf's feoffee, this time for Southwark property.¹²⁸ An indication of

¹²⁰ A. Curry, 'The First English Standing Army? Military Organisation in Lancastrian Normandy, 1420-1450', in Patronage, Pedigree and Power in Later Medieval England, ed. C. Ross, p. 206; J. T. Rosenthal, op. cit., pp. 176, 180. Fastolf was also appointed, together with Thomas Bourgchier, Cromwell, Sudeley, Oldhall and others, as a feoffee to the use of York's will (Rosenthal, op. cit., p. 185).

¹²¹ F.P. 69.

¹²² C.C.R., HVI, iv, p. 215.

¹²³ C.P.R., HVI, v, p. 19.

¹²⁴ Norfolk became Fastolf's feoffee for Guton in 1436 and released his right in 1449 (G. 17A, 291).

¹²⁵ A letter of September 1450 shows that Fastolf expected Norfolk's good lordship (Add. MS. 39848, no. 253; abstract in P.L. II, p. 171), as do two of 1455, written in connection with the dispute with Sir Philip Wentworth (Davis I, no. 51; Add. MS. 34888, fo. 13; printed in P.L. III, pp. 19-21).

¹²⁶ B. 31, 5, 19.

¹²⁷ F.P. 69; C.C.R., HVI, iii, p. 474.

¹²⁸ Swk. 13 (14 August 1442).

the closeness of the connection between the two men is Fastolf's appointment as an administrator of the Duke's goods.¹²⁹ This evidence is sufficient to demonstrate Fastolf's allegiance to three critics of Suffolk's regime and its foreign and military policies, particularly those pursued after 1444. All four men could fairly regard themselves as victims of Suffolk's regime in domestic affairs.¹³⁰

In France Fastolf had enjoyed political influence and administrative responsibilities of the highest order. If he expected something similar in England after 1440 he did not attain it. He did do work of importance. He headed a commission investigating the evasion of subsidies and customs at Great Yarmouth, appointed on 2 June 1440.¹³¹ His colleagues here included Sir Henry Inglose, Sir John Radcliff and Justice William Yelverton, all men with great Norfolk interests. A very similar commission for the same place was appointed on 8 August 1442.¹³² Fastolf was included on the Norfolk peace commissions in October 1441 and March 1443.¹³³ In the same month as the latter appointment (on 12 March 1443) he was also made a commissioner of array in Surrey.¹³⁴ After these jobs his official employment for the next six years, until 1449-50, was

¹²⁹ The Register of Thomas Bekynton, Bishop of Bath and Wells, 1443-65, ed. H. C. Maxwell-Lyte and M. C. B. Dawes, I, pp. 204-6.

¹³⁰ Norfolk was imprisoned by the government in 1441 and 1448. In 1441 this was owing to his hostility towards Suffolk's associates Tuddenham and Heydon; in 1448 it was through Sir Robert Wingfield's influence with Queen Margaret (R. L. Storey, The End of the House of Lancaster, Appendix IV). Gloucester's opposition was a threat to Suffolk because he was associated with the steadfast prosecution of war and resistance to an unworthy peace, and because it was possible that he would become King. The trial of his wife may have been designed to discredit him (R. A. Griffiths, 'The Trial of Eleanor Cobham: an Episode in the Fall of Duke Humphrey of Gloucester', B.J.R.L., li (1968-9), pp. 381-399). His arrest, and possibly his death, in 1447 was Suffolk's responsibility. York's appointment as Lieutenant of Ireland has generally been seen as amounting to exile. Like Fastolf he was owed considerable sums of money by the Crown and was frustrated by the government's irresolute conduct of the war during the 1440s.

¹³¹ C.P.R., HVI, iii, p. 413.

¹³² C.P.R., HVI, iv, p. 108.

¹³³ C.P.R., HVI, iv, p. 474.

¹³⁴ C.P.R., HVI, iv, p. 200.

virtually nil, except for commissions of the peace in Norfolk (on 19 December 1447 and 8 May 1448).¹³⁵ This may well have been because of Suffolk's disapproval of him.

During 1449-50 Fastolf's public duties increased dramatically. In November 1449 he was entrusted with an important role in the collection of a subsidy granted by the Westminster Parliament. He also helped to collect a subsidy in London in August 1450.¹³⁶ In 1450 a commission of oyer and terminer was issued to Fastolf for Norfolk and Suffolk and another for Surrey and Sussex. These were dated 1 August 1450 and 11 April 1450 respectively.¹³⁷ Right at the end of the year on 14 December 1450 he was included on yet another such commission, this time for Kent and Sussex.¹³⁸ Then on 13 January 1451 he received a commission to investigate the offences of rebels in Kent, including several named suspects.¹³⁹ Thus there is a spate of activity in this period, connected with the political upheavals that occurred. Obviously there was much work to be done and Fastolf was useful. It may also have been the result of the change of government, and, in particular, the fall of Suffolk in January 1450.

The fall of Suffolk and the crisis in Normandy explain Fastolf's brief appearance as a royal councillor in 1450. In this role he proffered advice about an expedition proposed for the relief of the Duke of Somerset, who was besieged in Caen.¹⁴⁰ Fastolf's memorandum was critical of the conduct of Sir Thomas Kyriel, who was defeated at Formigny on 14 April. Fastolf was also present as a councillor in July, when the Exchequer was instructed to pay Sir Thomas Tirrel

¹³⁵ C.P.R., HVI, v, p. 592.

¹³⁶ Letterbook K, p. 331; C.F.R., xviii, p. 167.

¹³⁷ C.P.R., HVI, v, pp. 381, 388.

¹³⁸ C.P.R., HVI, v, p. 435.

¹³⁹ C.P.R., HVI, v, p. 437.

¹⁴⁰ Letters and Papers Illustrative of the Wars of the English in France during the Reign of Henry VI, ed. J. Stevenson, II, ii, pp. 595-7.

and Richard Waller for their services against Cade.¹⁴¹ Fastolf seems to have been a royal councillor only between April 1450 and January 1451.¹⁴² His appointment to receive money destined for John, Duke of Somerset and his retinue in 1443 was owing to his experience of military administration and his position as a councillor of the Duke.¹⁴³ Similarly, it is unlikely that he was a royal councillor when he offered advice to Edmund, Duke of Somerset in 1448. The phrasing of the memorandum does not suggest that he was Somerset's councillor either. William Worcester did not include this duke amongst the men Fastolf served in this way.¹⁴⁴ It is also unlikely that Fastolf's proposals regarding the security of Normandy, written in 1449, were prepared specifically for a magnate or the King.¹⁴⁵ It cannot be assumed that his views were not heard in this year. His friend Sir Henry Inglose was in the Commons, and, more importantly, certain of his associates were deeply involved in the discussions of Normandy which dominated meetings of the Great Council.¹⁴⁶ For this reason the arguments of Fastolf's 1449 memorandum are of special interest. Two characteristics of the memorandum are very striking. One is Fastolf's utter opposition to the peace policy favoured by Suffolk. He advocated in place of this a massive military intervention designed to restore English supremacy in France.¹⁴⁷ Much of his

¹⁴¹ Proceedings and Ordinances of the Privy Council of England, 1386-1542, ed. N. H. Nicolas, VI, p. 98. On 12 July Tirrel and Waller had been sent to arrest Cade's treasure at Rochester (ibid., p. 96).

¹⁴² See below, Chapter IV, p. 151.

¹⁴³ Somerset's expedition was about to depart for France: Richard Waller was assisting Fastolf (N. H. Nicolas, op. cit., V, p. 233). Fastolf received a £20 annuity from the Duke (F.P. 69: E.P. 102/33).

¹⁴⁴ Letters and Papers Illustrative of the Wars of the English in France during the Reign of Henry VI, ed. J. Stevenson, II, ii, pp. 595-597.

¹⁴⁵ J. Stevenson, op. cit., I, pp. 723-730.

¹⁴⁶ The memorandum was written in August after Parliament had closed, but presumably its contents were discussed by Fastolf's friends during the preceding months. Two of his 1449 feoffees, Lords Cromwell and Sudeley, were important in discussions in Parliament and Council (W. H. Dunham, 'Notes from the Parliament at Winchester, 1449', Speculum, xvii (1942), pp. 402-415).

¹⁴⁷ J. Stevenson, op. cit., I, pp. 723-725, articles 2-12.

analysis of the dangers and difficulties inherent in the peace policy was realistic,¹⁴⁸ but the alternatives he proposed (expeditions involving forty thousand men) were surely the 'excogitationes fantasticas' that he admitted some might call them.¹⁴⁹ His opinion that England could find sufficient numbers of men and enough money to carry out his proposals was, in view of the financial difficulties and lack of commitment of the government, wholly unwarranted.¹⁵⁰ Fastolf wished to recreate the system which had worked temporarily under Bedford: an English occupation had been maintained on French revenues and the profits of engagements fought outside the occupied zones.¹⁵¹ He was aware that it would be harder to attain this in 1449 than it had been in 1417, but argued that its achievement was essential to prevent national humiliation, to defend English strategic interests and to prevent rebellion at home and invasion from abroad.¹⁵² His recommendations were impracticable: some of his worst fears became facts. Fastolf, his servants and associates studied the history of the English conquest particularly closely, but they were not alone in appreciating the big difference between the successes of the 1420s and the ignominious failures of the 1440s.¹⁵³ It was a rising tide of anger regarding this that helped to sweep Suffolk away early in 1450.

¹⁴⁸ Ibid., I, p. 726, articles 14 and 15. In Fastolf's opinion the loss of either Normandy or Gascony would seriously endanger the security of whichever one the English continued to control, would increase French naval power and threaten Calais.

¹⁴⁹ Ibid., I, p. 727, article 20.

¹⁵⁰ Ibid., I, p. 729, article 24. Fastolf asserted (pp. 725, 726, article 13) that a six month campaign would cost £140,000. He gave no details as to how the money ought to be raised, but said that it could be found in England (p. 728, article 21).

¹⁵¹ This is implied in article 19 (ibid., I, p. 727).

¹⁵² Ibid., I, pp. 729, 730, articles 26 and 27: p. 726, article 16. Fastolf, quite correctly, expected that defeat would cause rebellion in England, stirred by soldiers returning in defeat. He also feared that the Welsh and Scots would seize the opportunity to attack the English (p. 726, article 17).

¹⁵³ Peter Basset and Christopher Hanson, two of Fastolf's servants, wrote about the war (B. J. H. Rowe, 'A Contemporary Account of the Hundred Years' War from 1415 to 1429', E.H.R., xli (1926), pp. 504-513): William Worcester's interest is evident from his 'collections' (published in Stevenson, II, ii), his Boke of Noblesse and the notes in his Itineraries.

Suffolk's fall helped to restore Fastolf's position in East Anglia and to thrust him into political prominence.¹⁵⁴ After 1451, however, Fastolf played little part in politics: he avoided involvement in the struggles of factions. He probably remained sympathetic towards York. His litigation certainly proceeded more favourably when York had power.¹⁵⁵ He nevertheless had friendly relations with men who inclined to support the Court, like the Earl of Wiltshire.¹⁵⁶ His friends Sudeley and Beauchamp remained politically important during the 1450s.¹⁵⁷ The Duke of Norfolk and John, Earl of Oxford were also well disposed towards him, but his most important ally, and the man he trusted most,¹⁵⁸ was Thomas Bourghier, Archbishop of Canterbury. Bourghier steered a middle course through the politics of the decade, being an Archbishop acceptable to the Court at the same time as he was associated with York and Sir William Oldhall through his brother Henry, Viscount Bourghier.¹⁵⁹ Being preoccupied with his litigation, his plans for a

¹⁵⁴ Fastolf was named on the Norfolk peace commissions of the 1450s (C.P.R., HVI, v, p. 592: vi, pp. 671, 672). He was appointed to raise money for the defence of Calais during 1455 (Proceedings and Ordinances of the Privy Council of England, 1386-1542, ed. N. H. Nicolas, VI, p. 238). He also received commissions to conduct coastal watch in Suffolk in November 1456, attend to the defence of Great Yarmouth and its environs in September 1457 and to investigate the possibility of raising 1012 bowmen in Norfolk in December 1457. There were further commissions of array in September 1458 and February 1459 (C.P.R., HVI, vi, pp. 344, 371, 402, 407, 490, 495). His age and failing health probably reduced the effectiveness of his contribution in the later years.

¹⁵⁵ See below, Chapter V, pp. 203, 204, 210.

¹⁵⁶ Wiltshire was Treasurer in 1455 and 1458-60. He had been retained by York in 1445-6 (J. T. Rosenthal, *op. cit.*, pp. 190, 191). See also Chapter V below, p. 216.

¹⁵⁷ Beauchamp replaced Sudeley as Steward of the Household in 1457. He had been Treasurer in 1450-1452.

¹⁵⁸ Davis II, no. 513. A year later Bourghier wrote to Fastolf in very friendly terms (P.L. III, pp. 79, 80).

¹⁵⁹ Registrum Thome Bourghier Cantuariensis Archiepiscopi A.D. 1454-1486, ed. F. R. H. Du Boulay, esp. pp. xvi, xix. Fastolf first associated himself with Bourghier in 1451. By 1452, as we have seen, he wanted him as a feoffee. In 1456 and 1457 Bourghier was his chief feoffee.

college at Caister and his worries about Bedford's will, Fastolf presumably considered Bourghier's spiritual authority as Archbishop and legal and political authority as Chancellor to be advantageous.¹⁶⁰ Even so, Bourghier's political neutrality and independence were probably just as important to Fastolf, since they helped to protect him from factional strife.¹⁶¹ He was anxious to avoid the enmity of great lords because he knew what this could mean, having experienced it for himself at the hands of William de la Pole, first Duke of Suffolk.

¹⁶⁰ Fastolf claimed arrears from his days in Bedford's service from the Duke's estate. Although he denied that he had ever acted as Bedford's executor himself (F.P. 47), claims on the Duke were directed to him. In 1457, for example, Joan, widow and executrix of Richard Buckland, sued him for debts of £1073-16-0, plus £200 damages. In an attempt to bring him to court she claimed from one Richard Clarelle a gold cross set with precious stones and pearls, valued at 510 marks, as a 'foreign attachment' in London Guildhall (P & M (1437-57), pp. 155, 156). Richard Buckland esq. had been Treasurer of Calais and an executor of the Duke of Bedford.

¹⁶¹ A further connection between Fastolf and Bourghier was that Fastolf lent him money during the 1450s (Davis II, no. 513), as he also did the Dukes of York and Norfolk. During his career Fastolf lent considerable sums. Most of his known loans to lords (for instance to Suffolk, Scales and Willoughby of Eresby) seem to have occurred whilst he was still serving in France, and were made to men serving with him. Willoughby, for instance, received large sums, including 200 marks on one occasion, as security for which he granted Fastolf an annual rent of 100/- in Hainford and the manor of Walcott (F.P. 74; Davis I, no. 67).

CHAPTER IV

Disputes with the Duke of Suffolk.

When Fastolf made an enfeoffment of all his property to the use of his will in July 1449, Dedham in Essex was in the Duke of Suffolk's hands by unjust disseisin. According to his complaint to the King in 1455, Fastolf lost control of the manor for about three years:

'Item the seyde Fastolf hath be gretefully damaged and hurt by the myght and power of the seyde Duc of Suffolk and his counseill, in disseising and taking away a maner of the seyde Fastolf, called Dedham, in the counte of Essex, to the value of C marks of yerly rent which was halden from the seyde Fastolf by the terme of iii yere day and more, to his grete hurt, with CC marks in costs expended in recouere of the same'.

Suffolk entered the property at about the beginning of 1447 and subsequently resisted any efforts to persuade him to abandon his claim.¹

Suffolk's fall in January 1450 gave Fastolf an opportunity to get his property back. On 16 February 1450 arbitrators presiding over the case declared that in law and conscience Fastolf had title to the manor. The arbitrators were John Stafford, Archbishop of Canterbury, and Walter Lyhert, Bishop of Norwich. In making their decision they had acted on the advice of Sir John Fortescue (CJKB) and William Yelverton (JKB). A month later, on 14 March 1450, Fastolf purchased a licence from the King for 40/- which enabled him to grant the manor, which was held in chief, to the feoffees of the trust made in July 1449.²

The arbitrators' decision, then, was arrived at shortly after Suffolk had been removed from political power, and the licence was obtained just three days before the Duke was arraigned by the Commons for the second time and received his sentence of exile. He was murdered as he made his journey into exile not long after this sentence was pronounced. Changing political fortune clearly accounted for Fastolf's success in retrieving the manor of Dedham. It is most unlikely

¹ Norfolk and Suffolk 68, 71 (1449); P.L. III, p. 56.

² E.P. 154/8, A.D. I, A637; C.P.R., HVI, v, p. 314.

that he would have done so well had Suffolk remained in power, as he had failed to persuade the Duke to reach a settlement.

Fastolf did not attempt to challenge the Duke at common law or by means of a suit in Chancery. Suffolk was too powerful to make this worthwhile. Instead he sought a private settlement by negotiation with the Duke and his advisers.³ His approach was made in the middle of 1448 when Suffolk was still at the height of his power. Fastolf's offers at this date were very favourable to Suffolk. They were not, he informed the arbitrators in 1450, 'reasonable ne not in conscience to be accepted yet the seid Fastolfe offred it the rather at that tyme to the meene of peese and to have his good lordship', for his 'heeve lordship' would have been unbearable. As well as making proposals for a settlement, Fastolf had appealed to the Duke's honour. To settle this unjust disseisin would be 'for hys worship and trouth because it might be take extortionately doon that onye man shuld be sterid to depart from hys good by that meene'. Suffolk was so powerful at this stage that he was able to ignore everything his opponent said.

Fastolf's references, when approaching the Duke, to the 'meene of peese', coupled with his appeal to the Duke's good lordship, emphasize that he had no hope of redress except through the Duke's good grace. His main aim was to prevent further trouble. This was why his terms were so generous. Fastolf proposed that the dispute be put to arbitrators. If they found for the Duke, he would seek only compensation for his investments at Dedham (principally the building of a new mill valued at £31 p.a.). If his own title were established, he would pay Suffolk £100 just to have secure possession of his own property. Fastolf also suggested surrendering Dedham, if the Duke compensated him with property of equal value in Norfolk, Suffolk or Essex. These proposals were rebuffed, so Fastolf made a last offer:

'yet moreover at that time the seid Fastolfe was meved to give the seid Ducys son his maner called Overhall and sell the forseid Dedham Netherhall to the seid Duc after the valew and rate of XX yeer and so he shuld best by that moyen have his gode lordship and the wey of peese'.

This suggestion was hardly advantageous to Fastolf.

³ F.P. 1 contains notes of Fastolf's proposals and other materials relating to Dedham.

Fastolf's property at Dedham consisted of two manors which had descended together throughout the fifteenth century. Dedham Overhall, which was to be granted to Suffolk's son, then a minor of about eight years old, was by far the more valuable. It had cost Fastolf £1000 and was worth £60 annually in 1445. The sale of Dedham Netherhall (valued at £10 p.a.) would have brought him just £200, covering his initial outlay on it by a mere £40. Fastolf felt driven to offer Suffolk for £200 property which had cost him £1160.

Yet, even though Dedham had once been granted by Richard II to the first de la Pole earl, Fastolf's title to the manor was perfectly good. The first Earl had lost the manor when his political career ended in ruin, and it was in Archbishop Roger Walden's hands when the second Earl restored the family fortunes early in Henry IV's reign. The second Earl had confirmed Walden's right by quitclaim. Fastolf had purchased Dedham from men who had been granted remainder rights by Roger Walden's brother and heir John Walden. All this was well known.⁴ The only loophole Suffolk could have exploited was connected with the Earl's quitclaim, as Fastolf may have been ignorant of it before 1450, though he knew of it by the end of his life.⁵ Suffolk defeated Fastolf in 1447 through might rather than right. It was in this year that he became unassailably powerful in the government of the country.

After Fastolf's title had been confirmed in 1450 Suffolk's supporters were still able to fire a destructive parting shot. Before departing from the property John Waryn (Suffolk's steward) and John Squire (his chaplain) were involved in a damaging attack on the mill, mill dam and streams, in the company of some of the

⁴ Richard II granted Dedham to de la Pole on 7 August 1382 (C.P.R., RII, ii, p. 156). The Merciless Parliament removed all his possessions, and the government sold Dedham to Nicholas Exton, lately Mayor of London, on 24 October 1389 to recoup royal debts (C.P.R., RII, iv, p. 126). Henry IV fully confirmed the second Earl's position in 1399 (R.P. III, 668A) a few months after the Earl's quitclaim to Walden (C.C.R., RII, vi, p. 491; 17 April 1399). The fortunes of the de la Pole family were studied by Fastolf's servants before 1450 (F.P. 1).

⁵ Davis II, no. 579 (3 July 1459).

Duke's local wellwishers, principally John Bukk and John Cole.⁶ Bukk was parson of Stratford St. Mary (a village owned by Suffolk) and Cole came from Stoke by Nayland; these were places close to Dedham on the Suffolk side of the Stour. Fastolf regarded both Cole and Bukk as old enemies; both had illegally fished his waters and taken his swans and cygnets over several years. Having obtained information from his loyal tenants by December 1450, Fastolf proposed to indict these men before the Suffolk commission of oyer and terminer. Squire, however, was beyond retribution, for, hated because of his association with Suffolk, he had been murdered during the summer.⁷ The possibility of proceeding against Waryn was being investigated by Fastolf's legal counsel at the end of the year. Thus even after death Suffolk caused Fastolf trouble and expense, in the repair of his property and the prosecution of his enemies.

That there was more trouble at Dedham during the 1450s is evident from the injunction in Fastolf's 1459 will that his executors should pursue his right against Suffolk's old claim 'as well for the wrongfull entre eftsonys and late made upon serteyn personys feffyd to myn use in the seyd maner, now of latter tyme'.⁸ As part of the general feoffment of May 1457 Dedham was conveyed to the Archbishop of Canterbury, Bishop Wayneflete, Lord Beauchamp, Sir William Yelverton and other of Fastolf's friends, but this was not the feoffment mentioned in his will. By July 1459 he had sent a copy of a new feoffment of Dedham to the lawyer William Jenney, who was preparing action 'for the seurtee of the said maner'.

⁶ Fastolf's letters of 4 and 5 December 1450 mention this incident; Add. MSS. 34888, fo. 53, 39848, no. 247 (abstracts in P.L. II, pp. 194, 195). In a letter of September 1450 he referred to Waryn, steward of Lothingland, and Brampton, attorney, 'that hath be so much in every fals cause against me'; Add. MS. 39848, no. 253 (P.L. II, p. 171). For Stratford St. Mary in Samford Hundred, see Copinger, Suffolk, VI, pp. 96-7.

⁷ By Alan Martin gentleman and men from his parish of Alderton (Suffolk), who were pardoned in July; C.P.R., HVI, v, p. 528; C1/19/144.

⁸ P.L. III, p. 154.

A letter to Paston which mentions this shows us the nature of the problem:⁹

'as for that ye desyre to know of one Teynton yn whoos name the fyrst entree yn Dedham was made, the auncetrie or som cosyn of that Teynton was infeffed of trust in the seyde maner bethyn thys xl yere, and hath delyvered such astate, wyth dyvers othyr so enfeffed yn that maner, hath enseled to me and othyr of my feffees as the dede of my purchasse wille make mencion; and yn London a man shall best inquyre of the seyde Teynton'.

This was a descendant of John Teynton, who, as an executor, had been granted remainder rights to Dedham by John Walden esquire in 1416, and had been among the men who sold the manor to Fastolf in 1428.

Teynton's challenge may have been prompted by Fastolf's old age and the uncertainty expected to follow his death. Another possible cause was his plan to sell the reversion of Dedham, as this was probably public knowledge in 1456,¹⁰ when there was trouble which concerned the tenants there. Fastolf or his tenants had been indicted at the Quarter Sessions, where, in spite of his considerable influence, the decision had been unfavourable. There is no indication of the nature of the charges. All we know is that William Worcester suggested to John Paston that:¹¹

'for ease of my maister tenauntes in Dedham, yff a lettre were devysed by Maister Geney yn my maister name or youres to Thomas Higham, one of the justices of pease in Suffolk that toke the veredyt, he myght do grete ease, as yn...wythdrawyng it owte of the bok'.

The tenants had been caught up in the struggle with Philip Wentworth. He had distrained and otherwise harassed them because they were employed by Fastolf to assert his rights at manors belonging to Thomas Fastolf's inheritance.¹² As this was mainly in south-east Suffolk, Dedham was close to a number of the disputed properties. Wentworth, a determined opponent of Fastolf and an ally of the de la Poles, was clearly behind the Dedham incidents, including the challenge from the otherwise obscure Teynton.

⁹ The feoffment of 1457 is in F.P. 59: powers of attorney for this are Misc. Chs. 44 and 52. Davis II, no. 579.

¹⁰ Davis II, no. 558. At some date Fastolf had appointed Robert Broke of Dedham as overseer of the ponds and waters within the manor (F.P. 1). In 1456 William Worcester discussed terms for the reversion with him.

¹¹ Davis II, no. 559. Worcester added that Robert Dene, clerk of the peace, would do anything to help Fastolf's cause 'whych he may do undammaged hym-self'.

¹² F.P. 42.

Involving Teynton was a clever move, though there was little to be said for his claim. In 1416 remainder rights had been granted by John Walden to a number of men, including John Teynton, and to Teynton's heirs. Fastolf's challenger probably claimed, on the basis of this deed, as Teynton's heir. After the deaths of John Walden (1417) and his wife Idonia (c. 1426), the surviving remaindermen had taken possession of Dedham in their own right, and the King had received the homage and fealty of John Teynton. Although in 1459 Fastolf mistakenly believed that, at the time of his purchase in 1428, Teynton and the others were 'enfeffed of trust yn the seyde maner', the briefest examination of his archives would have shown that he had bought from the legitimate owners, in good faith.¹³ But that was thirty years earlier, in different circumstances. A determined enemy could now have a plausible appearance of legal right as he attacked Fastolf.

Suffolk also made an unsuccessful claim to the valuable manor of Helleston (Norfolk). His officers caused financial losses there and at neighbouring Drayton from about 1440. During 1450 Fastolf collected evidence of these to use against them.¹⁴ During 1465 John Paston referred to Suffolk's claim in this way:

'the Dewk of Suffolk that last diid wold haue bouth it of Fastolff, and for he mygth not haue it so he claymyd the maner, seying it was on Polis, and for his name was Poole he claymid to be eyr. He was ansueryid that he com nothing of that stok, and how someuer were kyn to the Polis that owth it, it hurt not for it was lafully bowth and sold; and he neuer kleymid it after'.

Fastolf had rejected Suffolk's claim by descent and based his defence on his own lawful and well documented purchase from Richard Selling in 1432. Only the Duke's fall can have prevented Helleston from being added to the list of Fastolf's

¹³ Roger Walden granted Dedham by will dated 31 December 1405 to his brother and executor John (J. H. Wylie, Henry the Fourth, III, p. 127; E. A. Webb, The Records of Saint Bartholomew's, Smithfield, I, pp. 185-194), who, with John Teynton (clerk) and others, received the manor from Roger's feoffees on 1 July 1406 (F.P. 1). The men granted remainder rights (London and Middlesex Fines, p. 235; Essex Fines, III, p. 266) entered in May 1426 when Idonia Walden died (C.C.R., HVI, i, p. 297; C.F.R., HVI, xv, pp. 136, 137), she having acquired her husband's property shortly after his death in accordance with his will (C.C.R., HV, i, pp. 462-3; Webb, loc. cit.; Reg. Chichele, ed. E. F. Jacob, II, pp. 135-6). Evidence proving Fastolf had purchased in fee simple in 1428 was enrolled (C.P.R., HVI, i, p. 483).

¹⁴ Howes was ordered to begin research in April 1450; Add. MS. 39848, no. 229, (abstract in P.L. II, p. 137). Paston's 1465 letter is Davis I, no. 73.

losses. Suffolk had probably not made the claim earlier because of its weakness. In other cases Fastolf's opponents sought to have some semblance of legal right behind them when they attacked. Making a plausible case for Hellesdon presented difficulties.

Suffolk's son, John, later attacked Paston's possession of Drayton by means of the same claim of descent. No mention was made of his father having claimed it, though he probably did so. Hellesdon and Drayton had indeed descended together since Richard II's reign. Paston ridiculed the de la Pole claim to either manor. In July 1465 he wrote that:¹⁵

'Drayton was a marchantis of London callid Jon Heylison longe er any of the Polis that the seyde Dewk comyth of wer borne to any lond in Norffolk or Suffolk; and if they wer at that tyme born to no lond, how may the seyde Dewk klaym Drayton be that pedegré? As for the seyde John Heylison, he was a por man born, and from hym the seyde maner dessendid to Alise his dowtyr, hos estat I haue; and I suppose the seyde Dewk comyth not of hem'.

Paston's opinion was shared by Fastolf's advisers. From their work on Dedham they knew that Hellesdon and Drayton, unlike Dedham, were not amongst the properties granted to the first Earl by Richard II. During 1450-1 they worked on the descent of the manors before Fastolf's purchase.¹⁶ While this investigation was probably a response to Suffolk's actions it was given added importance by the appearance of a challenge by Richard Selling.

In September 1451 Fastolf reported that Selling had 'put up a bille' to him claiming damages of 700 marks.¹⁷ Selling disagreed with Fastolf about the annual values, and therefore the purchase prices, of Hellesdon and Drayton. He also alleged that Fastolf's councillor Henry Sturmer had failed to pay him money to which he was entitled. Although Fastolf was sceptical about the accuracy of Selling's claims he urged Howes to speak with Sturmer's widow and to press her to

¹⁵ Davis I, no. 74.

¹⁶ Documents relating to agreements between Fastolf and Selling or Lady Wiltshire, and those about John Gurnay, were of special interest; Add. MS. 39848, no. 226 (abstract in P.L. II, pp. 188, 189).

¹⁷ Add. MS. 34888, no. 75 (printed in part in P.L. II, pp. 253, 254). I have seen no other reference to Selling's bill.

look for more evidence so that he could make a quick reply to Selling.¹⁸ There is, however, no record of the outcome of this dispute.

Selling was an old career soldier and King's squire with property in Kent, but it is unlikely that he had close connections with the court at this date. As his claim came nearly twenty years after his sale of Hellesdon and Drayton it may be suspected that he was encouraged by more important men, although this cannot be proved. His claim came when the Duke of Somerset, who gave support to old allies of Suffolk, was increasing his political power at the expense of York and his sympathisers.

The weakness of the Duke of Suffolk's claim shows that his was an opportunist attack on Fastolf. While it is true that Drayton had been owned by a family called de la Pole, this family had never owned Hellesdon, though it was Hellesdon that Suffolk claimed from Fastolf. The two manors were only united by John Hellesdon, a mercer of London, who died in 1384 after a largely respectable civic career which included the offices of alderman and sheriff.¹⁹ Paston correctly stated that it was Hellesdon's daughter and heir Alice 'hos estat I haue'.

By 1392 Alice Hellesdon had married John Gurnay of West Barsham (Norfolk), who died early in 1409.²⁰ She seems to have remarried. William Worcester noted that Sir John Wiltshire died at Hellesdon in 1427; he was almost certainly Alice

¹⁸ Add. MS. 34888, no. 75: Selling also alleged that he had never received £50 entrusted by Fastolf to Sturmer for delivery to him. Sturmer was an important Norfolk lawyer and a member of Fastolf's council during the 1430s. In 1433/4 John Kirtling gave him money to pay in Selling's name to John Gurnay's executors, who were about to transfer deeds connected with Hellesdon and Drayton to Fastolf (F.P. 9).

¹⁹ P & M (1364-81), pp. 265, 290; Hellesdon was accused of consenting to rise with the rebels against the King in 1381. He was an alderman of Cordwainer Street (Letterbook H, pp. 58, 164, 213). His will, proved in July 1384, mentions his daughters Alice and Margaret, who died young; Alice had married John Gurnay by November 1392: P & M (1381-1412), pp. 99, 100.

²⁰ A writ diem clausit extremum for Gurnay was dated 16 February 1409; C.F.R., xiii, p. 123. John Gurnay and Alice, his wife, conveyed Hellesdon and Drayton to John Winter and other feoffees during 1395-6; Norfolk Fines, p. 387.

Gurnay's second husband.²¹ If so, she was the Lady Wiltshire referred to by Fastolf in 1450. Either this Alice, or a daughter of hers bearing the same name, was Richard Selling's wife by 1432. This is confirmed by the fact that Selling possessed the Gurnay manor of West Barsham, as well as Helleston and Drayton.²² Fastolf saw Selling's wife as a danger and required a clause of warranty barring claims from her to be included in the purchase agreement of 1432.²³ These relationships explain the research interests of Fastolf's servants in 1450 and indicate that the defence he and Paston made against their opponents was legitimate.

John, Duke of Suffolk's assertion that Drayton had once been owned by a family called de la Pole was correct. This family was not, however, closely related to his, and his claim by descent from them was without substance. Drayton was acquired by the Northamptonshire de la Poles through marriage with another family of that county, the Peverells.²⁴ Near the end of his life John, one of the Northamptonshire de la Poles, sold Drayton to John Helleston. John de la Pole's heir was Joan, Baroness Cobham.²⁵ Drayton did not form part of her inheritance and there is no evidence that she ever claimed it. It is particularly unlikely

²¹ Itineraries, p. 251; he was buried at Lewes Priory: Wiltshire had Bucks. property (C.F.R., xv, p. 235) but his main interests were in Sussex, which explains his close association with the Earls of Arundel (C.P.R., HVI, i, pp. 115, 116; C.C.R., HVI, i, p. 105; ii, p. 38). In 1424 he acted as deputy Constable of England (C.P.R., HVI, i, pp. 169, 187). Alice was his second wife, Blanche being his first (C.P.R., HVI, i, p. 16). Alice is described as Alice Gurnay and as Alice, relict of Sir John Wiltshire in F.A., iii, pp. 599, 554, 556 (1428).

²² Selling had earlier married Joan, the widow of Sir William Bardolf; Blomefield, XI, pp. 202, 203. Selling's feoffees were Peter Neylond, John Hamond and Nicholas Hill; Norfolk Fines, pp. 411, 412. A 1440 deed (Norfolk and Suffolk 82) shows that Fastolf's feoffees received Drayton from Nicholas Hill.

²³ F.P. 88.

²⁴ Blomefield, X, p. 410. In the section on Helleston the de la Poles are nowhere said to have owned the manor.

²⁵ C.P., iii, pp. 344-5; C.I.P.M., xv, nos. 256, 406. John died 3 March 1380. A son, William, who presumably died in nonage, is mentioned. The Northants. family is clearly distinguishable from that of Hull. Joan, Baroness Cobham's daughter by Sir Reginald Braybrook, carried the title to Sir Thomas Brook.

that the Cobhams supported Selling's challenge to Fastolf. Edward Broke, to whom the barony descended, was a staunch ally of Richard, Duke of York.²⁶

Thus the evidence was all in Fastolf's favour. An opponent would have to account for John de la Pole of Northamptonshire's sale of Drayton to John Helleston, as well as explain away the manor's descent. It may have been the doubtfulness of his case which made Suffolk give up his challenge to Fastolf, though it did not stop his son from troubling the Pastons. If it was simply the Duke's fall which saved Fastolf from adding Helleston, and perhaps Drayton, to his list of losses, then this emphasises the Duke's opportunism, which was made possible by his political power. Since the two men were old enemies Suffolk felt little reason to behave fairly towards Fastolf.

From about 1437 disputes occurred which contributed to the growth of enmity between the two men. One such issue was raised by Fastolf as late as 1455. He alleged that a debt owed to him by Suffolk had never been repaid. Sir Thomas Tuddenham, on behalf of the Duchess of Suffolk, claimed that it had been settled before 1440.²⁷ This disagreement was closely connected with the circumstances of the Harling marriage.

Anne Harling, the daughter of Fastolf's nephew Sir Robert Harling, was her father's only heir when he was killed fighting near Paris in 1435. In November 1436 the Earl of Stafford undertook to bring her, unmarried, to Chancery by 10 February 1437, so that it could be decided whether or not the King was entitled to her wardship and marriage. Presumably Stafford hoped to acquire these rights, but it was to Suffolk, who was already influential at court, that they were eventually granted. Stafford's bond was cancelled on 9 February 1437 and Suffolk, whose representatives had reached an agreement with Stafford, brought the girl to

²⁶ Wolffe, Henry VI, pp. 215, 251, 252, 254, 255, 258, 262, 264.

²⁷ C1/15/331, 335: Davis II, nos. 554, 555. Davis suggests a possible date of 1456 for these letters. 1455 is more likely.

Chancery. One of Suffolk's representatives was Fastolf's councillor, Edmund Wichingham, whose participation may reflect Fastolf's own interest in the case.²⁸ There is no evidence that ill-feeling existed as yet between Fastolf and Suffolk.

It was decided that the wardship and marriage of Anne Harling were the King's to grant and that Suffolk should receive them. This was almost certainly an unjust decision contrived by Suffolk. When Harling died his property was in the hands of feoffees, of whom Fastolf was one and Sir William Oldhall another.²⁹ In view of his close connections with Harling Fastolf probably expected to have control of the girl and her inheritance. He probably felt cheated by Suffolk and the young King when this decision was reached. The decision also made it impossible for Fastolf and the other feoffees to honour whatever obligations Harling had placed upon them.

The importance of the heiress to Fastolf is clear from his purchase of Suffolk's rights before the end of 1437. Harling had owned four manors in Lothingland, an area which greatly interested both Fastolf and Suffolk. Despite the attractions of controlling this property both men regarded the wardship and marriage as something to be sold for profit rather than as a means of confirming an alliance or an opportunity to add to their own possessions.³⁰ Suffolk quickly sold his rights to Sir John Clifton.³¹ Clifton, a military colleague of Fastolf and an East Anglian

²⁸ C.C.R., HVI, iii, p. 102. On 6 February 1437 Fastolf agreed to have Suffolk and the Bishop of Lincoln suggest ways in which Henry Inglose should repay a debt of £533-6-8 to him. As relations between Fastolf and Suffolk must have been reasonable then, the Harling dispute was the first to create ill-feeling between them (Spitlings 189).

²⁹ F.P. 17: in Davis II, no. 555 Fastolf states that, since he and others were Harling's feoffees, Suffolk had no right to the girl or the 500 marks paid by him to Sir John Clifton to the Earl's use, 'whych my lady ought hafe concience offe'. The lady was Suffolk's widow, whose representatives had just called at Caister.

³⁰ F.P. 17: Copinger, Suffolk, V, pp. 12-13, 23. Sir William Chamberlain, Anne's husband, became a friend of Fastolf, though he was apparently not one until 1438.

³¹ I have followed the account given in Chancery by Nicholas Bocking, who was receiver-general when the arrangements were made. Fastolf's version is not as clear as Bocking's and conflicts with it in some details.

landowner, agreed to pay Suffolk 500 marks. He entered into obligations to him for this amount. Through the mediation of Sir Henry Inglose, Clifton afterwards sold his rights to Fastolf for the same price. A dispute about his payment for these rights added to Fastolf's feeling of injury.

Although the disagreement regarding Fastolf's payment did not appear in the courts until 1455 its origins went back to 1439-40. When Fastolf purchased the wardship and marriage from him Clifton had still not paid anything to Suffolk for them. Fastolf therefore paid 200 marks in hand to Clifton for him to pay to Suffolk. For the remaining 300 marks (£200) Fastolf and three associates were obliged to Clifton in £50 each. Two of these obligations were met; Fastolf's at Michaelmas 1438 and Thomas Sweyne's at Michaelmas 1439. Following these payments Nicholas Bocking made an arrangement directly with Suffolk for the restitution of the £100 owed by the other two obligations. This sum was to remain with Fastolf in part payment of a debt of 250 marks owed to him by Suffolk. In this way Fastolf's debt to Clifton and Clifton's to Suffolk would be settled, and Suffolk would owe Fastolf 100 marks instead of 250. According to Bocking the appropriate outstanding obligations were cancelled when this agreement was reached. Suffolk failed to pay the final 100 marks he owed Fastolf.

A different story was told by Fastolf's opponents in 1455.³² They agreed that Suffolk had been obliged to Fastolf for 250 marks but claimed that this had been paid during his lifetime, 100 marks by his servant Simon Brayles and 150 marks by an assignment to Sir John Clifton. By this they meant that Suffolk had paid 150 marks to Clifton in part payment of the 500 marks Fastolf owed Clifton for the Harling heiress. Moreover, it was stated in Chancery by Sir Thomas Tuddenham that Fastolf having agreed to endorse Suffolk's obligation with a statement that it had been honoured in this manner, subsequently erased this endorsement from the obligation.³³ Naturally Fastolf denied that there was any truth in this story.

³² Their story, as reported by Fastolf, is in Davis II, nos. 554, 555.

³³ C1/15/335. The Duchess's representatives made the same accusations regarding erasure when they visited Caister as Tuddenham made in Chancery.

This conflicting account seems less plausible than Nicholas Bocking's story, and, indeed, a ruling was made in Fastolf's favour in King's Bench on this dispute.³⁴ At one point his opponents seemed ready to pay money to him, only to raise last minute objections. Unfortunately it is not known if Fastolf ever received payment from his opponents. Whether he did so or not, it is clear that these disputes had done much to sour relations between the two men by 1440.

A misunderstanding about Fastolf's purchase of the manors of Cotton and Wickham Skeith from the Earl added to the rising tension between them during the early 1440s. A much higher than normal price was paid for these manors, and only part of it was paid at the time of purchase in 1434. Three of Fastolf's councillors became obliged in Statute Merchant for a sum of 500 marks, which was to be paid by instalments. 100 marks was paid annually from 1435 to 1440, except in 1437 when no payment was made.³⁵ Although full payment had been made, a public dispute erupted in 1441.³⁶ Sir Simon Felbrigg, one of Suffolk's representatives during the original negotiations, declared that Fastolf's representatives still owed Suffolk 300 marks by their 1434 obligation. During 1442 his statement was read and enrolled in Suffolk County Court. It was not until 1443 that Simon Blyant, another of Suffolk's representatives, acknowledged the truth - that Fastolf's obligations had been met in full three years before.³⁷

This affair, which continued for over two years, undoubtedly caused ill-feeling. Felbrigg was an old, perhaps senile, man when this disagreement took place. He

³⁴ Davis II, no. 555. Fastolf's opponents complained about the manner in which judgement was given. Fastolf rejected this complaint: 'Sir Simon seyde that the sewte was stole ayenst Sir Thomas Tuddenham yn the Kynges court, and sodenly jugement yoven, and yff the councell of my lady had knowen hyt one day before how th'obligacion, as they surmitten, was rased, that I shuld neuere had jugement'. According to Fastolf Tuddenham had three weeks' respite. The representatives had money when they came to Caister, but refused to pay when Fastolf failed to show the obligation (no. 554).

³⁵ This transaction has been reconstructed from evidence in F.P. 9, 10, 11, 13, 16, 20, 23.

³⁶ F.P. 22.

³⁷ F.P. 23.

appears to have alleged that part of the purchase price had been set aside to satisfy as yet unfulfilled conditions of Isabella Ufford's will. Felbrigg was her executor and, as death approached, was probably worried about outstanding obligations of this kind.³⁸ Cotton and Wickham, however, had not been Ufford properties.

There was room for confusion about this transaction. Suffolk had employed three representatives during it, but they had not all regularly acknowledged Fastolf's payments. Felbrigg may genuinely have been unaware of some payments, though this is unlikely. It is more likely that this dispute was encouraged by Suffolk's servants. Otherwise Blyant would have settled the matter sooner. Perhaps Suffolk tried to use the allegation that Fastolf had not paid as a means to cancel debts he owed to him. Another possibility is that this method was used in a vain attempt to force Fastolf to part with the properties, which Suffolk may have sold unwillingly.

Like the Harling disputes this one came when Suffolk's political influence was increasing. Fastolf must have felt wronged. He also suffered financial loss. On the pretext that the obligation in Statute Merchant had not been honoured, Suffolk probably tried to proceed by distraint at Cotton and Wickham. In 1450 Fastolf ordered his servants to look for evidence of damage in the accounts of these manors. His tenants also suffered losses, and Fastolf appreciated their continuing support for him. His success in resisting Suffolk over Felbrigg's allegations almost certainly led to continual harassment on these properties during the 1440s.³⁹

Fastolf's litigation with Isabella, Lady Morley probably made his relations with Suffolk even worse, as she was closely related to the Earl.⁴⁰ In December 1442

³⁸ Felbrigg died in December 1442; his will, executed by his widow Katherine, was proved 20 February 1443 (T.V., p. 245). Cf. J. D. Milner, 'Sir Simon Felbrigg K.G., the Lancastrian Revolution and Personal Fortune', Norfolk Arch., xxxvii (1978).

³⁹ In September 1450 Fastolf remembered many offences (including ameracements and distraints of cattle) by Suffolk's officers at Cotton (Add. MS. 39848, nos. 245, 253; abstracts in P.L. II, pp. 170, 171). In 1457 his tenants were treated leniently over arrears owing to their sufferings in his cause (F.P. 62).

⁴⁰ Almost certainly she was Suffolk's sister: C.P., ix, pp. 218-9.

a dispute between Fastolf and Lady Morley was heard by William Paston, justice of assize. It was probably connected with an argument between the two regarding the goods of Robert Sargeant, a wool chapman.⁴¹ Sargeant had got into debt with Nicholas Bocking, Fastolf's receiver-general, over a grain transaction, and still owed £6 when he died intestate. Before Fastolf could act, Lady Morley seized Sargeant's goods to recover his arrears as farmer of her manor of Hockering. Fastolf did not let this go unchallenged, even though it was unwise to antagonise a close relation of Suffolk.

From the late 1430s, then, relations between Fastolf and Suffolk were bad. This is further indicated by the fact that on his return to England Fastolf did not join Suffolk's council, and neither man employed the other as a feoffee. Only once during the 1440s are they recorded as acting together. This was in 1447, when both were Sir John Clifton's feoffees.⁴² When Fastolf retired from France his position in East Anglia was already being undermined by Suffolk and he was suffering financial loss. His continued absence overseas had weakened his council's ability to prevent this from happening. Throughout the 1440s Fastolf's influence in East Anglia was not as great as one would expect it to have been. Suffolk's hostility towards him almost certainly accounts for his absence from local commissions during this period.⁴³ By contrast, when Suffolk was in eclipse Fastolf temporarily became a figure of some political importance.

There was a close connection between the progress of Suffolk's political career and the increasing number of problems Fastolf had to face. Suffolk enjoyed an enormous amount of political influence from the moment in 1437 that the Minority

⁴¹ F.P. 26, 98.

⁴² C.C.R., HVI, v, p. 120.

⁴³ Fastolf had surprisingly little public employment during the 1440s, whereas he was given regular employment during the 1450s (see above, Chapter III, pp. 120, 121, 124).

Council ceased to exercise authority.⁴⁴ His prominence in national politics was matched by his steadily growing power in East Anglia. At first in partnership with William Philip, Lord Bardolf, and afterwards with Lord Beaumont, Suffolk consciously built up his influence in the area, particularly by placing his supporters in local Duchy of Lancaster offices. As a result his council's power there was overwhelming before 1444, as Justice William Paston was aware.⁴⁵ He warned William Burgeys that however rightful his cause was he should not go to law with Reginald Rous; instead he should heal their quarrel, whatever the cost might be. Rous was fed of Suffolk's council and no lawyer in East Anglia would stand against him. To proceed, Justice Paston warned, would bring certain ruin.

It is generally agreed that Suffolk reached the peak of his political influence in 1447. In the same year his hold on East Anglia became tighter, because of the removal from royal favour of Thomas Daniel, his only real rival there.⁴⁶ Suffolk's national political supremacy between 1447 and 1450 was made possible by the removal from influence of his main aristocratic rivals, the Dukes of York, Norfolk and Gloucester. It was from these three magnates that Fastolf might have expected most support in his affairs. Without such support Fastolf could not withstand the attacks made on his possessions by Suffolk and his allies and

⁴⁴ Although Suffolk was an important courtier from the early 1430s the Minority Council stopped him gaining excessive influence. In November 1437 full powers of kingship were vested in Henry; he had exercised real power since December 1435 (Wolffe, Henry VI, pp. 87-92). Dr. G. L. Harriss has shown that Suffolk controlled the royal household by 1439. His power and ability gained Commons' support for Crown policy regarding the Duchy of Lancaster; by 1442 Henry V's feoffment was broken. Dr. Harriss has also shown how important control of the Duchy's offices and revenues was in the rise of Suffolk and a court party between 1437 and 1442: G. L. Harriss, The Finances of the Royal Household, 1437-60, Oxford D.Phil. Thesis (1953), pp. 37, 39, 40, 44, 51.

⁴⁵ Davis II, no. 872.

⁴⁶ Suffolk's attainment of overwhelming power by 1447 is evident from: J. Baldwin, The King's Council, pp. 187-94; K. Vickers, Humphrey, Duke of Gloucester, pp. 287-309; Wolffe, The Personal Rule of Henry VI, pp. 38-41 and Henry VI, ch. 7. Wolffe places more emphasis on Henry's deficiencies than on Suffolk's ruthless mastery. In Henry VI, ch. 7, esp. p. 127, he rightly notes the 'sinister' aspect of 1440s politics. On Daniel: Davis I, nos. 79, 128.

dependants at court. The difficulties Fastolf faced between 1447 and 1449 were much more serious than the harassment he had suffered in earlier years. Suffolk and his associates caused him to lose possession of four valuable manors, and prevented him from gaining the wardship of Thomas Fastolf. They also gave support to his opponents in the dispute over a rent owed to him by Hickling Priory. In these ways Suffolk's political power had a considerable impact on Fastolf.

As soon as Suffolk was toppled from power one of Fastolf's main aims was to gain redress for the losses he had suffered at his hands. He retrieved the manor of Dedham, although nothing was ever paid in compensation for lost revenues and damage to property there.⁴⁷ Two months before Suffolk left England Fastolf already planned to present a bill to Parliament listing his other losses, which were reckoned to amount to 5000 marks. He probably hoped that the Commons which had shown the Duke such hostility would look favourably on him. The bill was never presented, possibly because it took a long time to prepare.⁴⁸

Throughout 1450 Fastolf continued to insist that a comprehensive, accurate list of the losses and expenses suffered since 1437 should be drawn up, mentioning every offence committed against him by the Duke's officers and councillors. No grievance was to be included unless there was adequate proof of it. Thomas Howes' various drafts were subject to constant revision and improvement. Members of Fastolf's legal council were required to see that nothing on the list could be contradicted. This would prevent delays when action was underway.⁴⁹ By September 1450,

⁴⁷ Davis II, no. 555.

⁴⁸ P.L. III, pp. 55, 56. The bill is first mentioned on 7 March. On 7 May and 15 September Fastolf complained to Howes about slow progress. (Add. MS. 39848, nos. 225, 223, 253; abstracts in P.L. II, pp. 134, 149, 171.)

⁴⁹ Research was done in London and Norfolk. Fastolf regularly sent Howes advice. On 16 April Fastolf complained of insufficiently detailed drafts which did not mention all losses; on 8 August he ordered the lawyer Thomas Green to examine the latest draft (Add. MS. 39848, nos. 229, 224; abstracts in P.L. II, pp. 137, 160). Losses for which no written evidence existed were excluded from consideration. Any expense arising directly from a dispute (including servants' board, lodgings and horses) was included for 'it ys reson that it be valued' (K. B. McFarlane's transcript of Folger Library MS. Xd. 274, letter of 24 June).

encouraged by political change and his own rise to political influence, Fastolf hoped to place his grievances before the King's Council.⁵⁰ In a letter to Howes he wrote regarding the compilation of his list of losses and expenses:

'The seid mater ys of grete charge and shall be shewed to lordes and men of greet autorite and of grete audience wherfor the said mater must be greetly examyned or it be shewed. Now the mater ys be gonne ye may the esyer contynew it. And sparyth for no wrytyng whyle ye hafe help ynough to renewe the seid articles and make it well'.

The possibility of presenting a bill to Parliament was also still under consideration. Increasingly, though, Fastolf looked for a more local settlement of his grievances. The appointment of a commission of oyer and terminer for East Anglia, headed by his ally the Duke of Norfolk, gave cause for optimism.⁵¹ Fastolf hoped to settle his account with Suffolk's old associates before these commissioners.

Some of the disputes noted in the 'rolle of articles' compiled in 1450 had not originated with Suffolk or his associates but had been maintained by them after being begun by others. Fastolf believed that the power of his opponents had prevented him from obtaining justice in all these disputes. Several letters written during 1450 demonstrate this belief very clearly. When he reminded Howes in April of the offences committed by Suffolk's councillor John Heydon, Fastolf

⁵⁰ Add. MS. 39848, no. 245; abstract in P.L. II, p. 170. On 24 June private arbitration by unnamed judges was considered (as note 49). Paston evidently considered presenting a bill in November (Davis II, no. 467) and Fastolf may have done. His losses became politically important in October when Heydon, claiming that he 'dyd not but as a lerned man of counsell ayenst men', tried to avoid conviction in East Anglia by making excuses to the Council. Fastolf refused to reply to him before his 'articles', together with original evidences, copies of pleas and written defences (prepared by Paston) of his claims, arrived from Caister, 'for I doubt not but the seyde Heydon wolle make fulle myghty colourable resone ayenst myne articles to safe hys worshyp' (Add. MS. 34888, fo. 49; abstract in P.L. II, pp. 178, 179).

⁵¹ Storey, House of Lancaster, p. 56. Not all efforts were directed towards these sessions; the Saxthorpe dispute Fastolf was ready to have heard by the Justices of Peace (Add. MS. 34888, fo. 49 etc.). The Titchwell, Beighton and Bradwell disputes were already in process in other courts.

observed: 'I took never plea in the matter because the world was alway set after his rule... as I would have engrossed upon my bill'. Suffolk's influence had long prevented him from having access to documents at Redlingfield Priory which were vital to his dispute with Hickling Priory, but in May he wrote confidently to Howes: 'seth it ys soo the world ys changed gretely over it was y pray you and charge you parson, labour ye... so as I may come by a copy of theyr evidens'.⁵² In fact Fastolf was only one of many men in East Anglia who had suffered injustice during Suffolk's supremacy, even if he was one of the most important. It was natural that Suffolk's fall should encourage such men to seek redress.

The outcry against Suffolk produced in East Anglia a political movement which reacted to pressures similar to those which had caused Cade's rebellion. Fastolf's special qualifications - his wealth, reputation, losses at Suffolk's hands and his access to the highest political circles - made him an obvious figurehead of this movement. Its main organiser was William Yelverton, a Norfolk born Justice of King's Bench, and a longstanding associate of Fastolf. Possibly the two men were influenced by a desire to prevent a repetition in East Anglia of the disorders seen in Cade's rebellion, which Fastolf had experienced at first hand.⁵³ They also felt responsibility for the restoration of order and good government to the region. Fastolf seems to have been popularly regarded as an appropriate choice for this task.⁵⁴ His participation in this movement was prompted by more than just the desire to see his own grievances settled.

⁵² Add. MS. 39848, nos. 229, 223; abstract in P.L. II, pp. 137, 149. John Crane's letter suggests that many men brought bills to Parliament when news of Suffolk's death was known (Davis II, no. 451).

⁵³ Davis II, no. 692 (Payn's narrative). The fear that popular disorder would erupt if justice was not provided is often expressed in letters from summer 1450 to spring 1451 (e.g. Davis II, nos. 461, 471). Blake warned of 5000 or more Norfolk commons ready to rise in January 1451, possibly with some exaggeration as he intended to prevent Tuddenham and Heydon receiving royal pardons and writs of supersedeas which would enable them to escape the oyer and terminer sessions.

⁵⁴ In September the rumour that he was an oyer and terminer commissioner for East Anglia was well liked, according to John Paston (Davis I, no. 39).

East Anglian politics were discussed when Fastolf and Yelverton dined together in London during October 1450.⁵⁵ They decided that Fastolf should write to the Duke of Norfolk, asking him to make clear to the King and Council that Norfolk and Suffolk were in disorder 'without a mene may be that justice be hadde'. As a remedy it was necessary that a sheriff of 'gret byrthe and lyflod', who would perform his duties in a manner conducive to peace and stability, should be appointed. Fastolf and Yelverton recommended Sir Miles Stapleton. According to James Gresham they also wished the Duke to inform the Council that worse disorder would result if the commissioners of oyer and terminer did not appear in East Anglia and do a good job. Finally they decided to try to persuade other East Anglian knights and squires to convey the same opinion to the Council.

These aims were still important in November, when Yelverton wrote from Norfolk to Fastolf in London.⁵⁶ He reported that the people of East Anglia were anxious to see Tuddenham, Heydon and others of Suffolk's adherents brought to justice. Consequently it was very important that a suitable sheriff and undersheriff be appointed, so that the people:

'may hafe remedye now by the ordre of law, and ellys grete inconveniencences arn lyke for to folowe ther off. Therfor, Sir, for the weele of all our gode contree, mewyth the Kyng, the Lord Chancellor and all othyr Lords as ye thynk best for thys matier on thys behalf'.

Yelverton also wrote to Fastolf's solicitor John Bocking, requiring him to urge his

⁵⁵ Davis II, no. 461. Fastolf wrote about sheriffs on 15 October, roughly the date of this meeting (Add. MS. 34888, fo. 49). The sheriff should be of 'worshyp' and of good 'conceyt' amongst the commons, neither 'covetouse in takyng partie ne mede' nor 'havyng the left hand' (a bribe-taker), for on 'thys hangyth the welfare of the shyre'. Almost as important was the undersheriff. On 20 December Fastolf planned to write to two unnamed lords for one who would execute 'dewelye hys office to the weele of the contree'. He referred to a lost letter dated 15 December from Howes, warning of the dire consequences of this official favouring his adversaries (P.L. II, pp. 195, 196).

⁵⁶ Add. MS. 34888, fo. 52; P.L. II, pp. 189, 190.

master to use his influence to obtain the appointment of an impartial sheriff and undersheriff 'for the pepil here is loth to compleyn til thei here tidynges of a good shereve'.⁵⁷

Fastolf and Yelverton obviously thought that justice could be done within the existing legal and judicial framework now that, with Suffolk gone, political conditions were right. This implied serious criticism of the Duke's regime. His governing clique had flouted the accepted conventions of government, central and local, by governing almost entirely in the interests of themselves and their associates. This was the same criticism of the government as that made by Cade. It must be concluded that there was widespread dissatisfaction with the domestic policies of Suffolk's regime. Lord Cromwell's opposition to Suffolk in 1449-50, for example, was the direct result of the Duke's style of government in England. The Commons in the Parliament of 1449-50 were angered by the same aspects of Suffolk's domestic policies as Fastolf and Cade were, in their different ways. Although widespread discontent with Suffolk's foreign policy played a major part in his downfall, mounting dissatisfaction with misgovernment at home also contributed to it.⁵⁸

A letter written by Fastolf near the end of 1450 shows why he thought that Suffolk's regime had earned public hatred and deserved to be condemned.⁵⁹ Since

⁵⁷ Davis II, no. 878.

⁵⁸ The charges against Suffolk are in R.P. V, pp. 176-183. Wolffe (Henry VI, pp. 219-229) argues that Suffolk was overwhelmingly the scapegoat for military failure in France. Storey (House of Lancaster, ch. ii), while agreeing that this was important, places due emphasis on mounting criticism of Suffolk's domestic record: 'The exploits of the Tuddenham gang inevitably tarnished Suffolk's reputation, and they help to account for the bitterness against him in the parliament of 1449-50' (p. 57). Wolffe (p. 227) concedes that Suffolk 'personified the abuse and prostitution of royal power in the localities to private ends which had become the hallmark of Henry's personal rule'. As chief minister Suffolk was the man to correct this abuse. In fact he encouraged it and benefited from it, as the Commons realised. The late date at which domestic charges were brought against him (9 March; Wolffe, p. 225) does not prove that his unpopularity in domestic matters was unimportant as a cause of his downfall.

⁵⁹ P.L. II, pp. 196, 197 (20 December). Fastolf feared that Lord Scales would maintain Tuddenham and Heydon, who were expected in January at the King's Lynn sessions.

the contents of this letter were not expected to be made public there is every reason to believe that the opinions Fastolf expressed were genuine. He thought that it was necessary that all those who were to bring indictments before the commissioners of oyer and terminer should:

'labour to my Lord Oxford, and to my brothyr Yelverton, Justice, that they wolle as ferre as justice, reson and concience do that justice may be egallie mynistred, and not to wythdrawe theyr couragez well sett from the pore peple; for and they hald not the hand well and stedfast yn thys mater from hens forth whyle it shall dure, as they have herebefore, the pore peple and all the grete part of both shyres of Norffolk and Suffolk be destroyed. For it shewyth well by what manyfold undewe menys of extorcion they have lyved yn myserie and grete poverte by manye yeers contynewed that the mooste part of the comyners have litell or nought to meynteyn their menage and household ne to pay the kyngs taskys, nothyr theyr rents and services to the lords they be tenants unto as it shewyth daylie to all the worlde, whych ys overe a grete pitie to thynk. And when the said pore peple have be by such liveries overladd and so undoon, nedz must the gentlemen that have they pore lyvelode amongs hem be gretely minisshed and hyndered of ther increse and levyng'.

He was worried that Suffolk's associates would find protectors and escape the rigour of the law.

Fastolf wanted justice for the East Anglian 'cuntre', for which he felt love and pride. He was unhappy about the way Suffolk's associates had oppressed the ordinary people. This was not only unjust, it was also financially damaging to all, including the King. If the ordinary people suffered losses so did their social superiors, who were unable to levy the rents and services owed to them. Fastolf was not merely the representative of the opposition felt by a landlord class to these oppressions. He encouraged and helped the common people to seek redress along with him. He gave assistance to the poor villagers of Swaffham when they combined to bring a bill indicting Thomas Tuddenham and John Heydon before the commissioners of oyer and terminer. The pressure he applied for the replacement of offending Duchy of Lancaster officials in East Anglia brought advantage not only to himself but to all classes in the region.⁶⁰ This does not mean Fastolf held

⁶⁰ P.L. II, p. 197. Fastolf supported the Swaffham men's indictments and wished to help their appeal to King and Council. In 1451 the men petitioned the Commons (pp. 231-3). Their complaints illustrate the abuse of Duchy offices by Suffolk's men. Fastolf regarded Tuddenham's appropriation of 140 acres of pasture at Swaffham as an injury to the men and as robbery of the King. Through his ally Edmund Blake, a signet clerk who worked to restore the Duchy, Fastolf pressed for changes in officials (Add. MS. 34888, fo. 53; letter of 5 December).

radical views. He was, in fact, very conservative in outlook: his attitude was based on the assumption that there existed a relationship of mutual obligation between landlords and their tenants. The East Anglian movement in which he was involved was one of general complaint about abuses tolerated, and indeed encouraged, by a corrupt government.

This movement had the approval of the Dukes of Norfolk and York. On arriving in England in the early autumn York met Norfolk to discuss the political campaign they were to undertake. Norfolk had already chaired a meeting of substantial East Anglian landowners at which measures for the restoration of orderly government to the region were discussed. York also petitioned the King about the misgovernment and failure of justice rife in England.⁶¹ This, he alleged, was much resented and complained about throughout England. His petition repeated in a general way the complaints Fastolf and Yelverton were already making. York and Norfolk were not too closely associated in public with the East Anglian movement, perhaps for two reasons. They were immediately busy preparing for the forthcoming Parliament, work which was not the most important concern for Yelverton and Fastolf. The Dukes may also not have wished to be too closely associated with a regional movement when they adopted the position of advocates of national political reform. Behind the scenes, of course, they were in close contact with Fastolf and his associates.

There is evidence that this connection was important during the last months of 1450. The Duke of Norfolk wrote to Paston informing him of the names of the men

⁶¹ For the August meetings, Davis II, nos. 456, 456A (and P.L. II, pp. 165, 166): for York's bill and Wayte's letter of 6 October, II, nos. 460, 460A. Wayte sent a copy of the bill to Paston, recommending him to distribute copies in Norwich. This emphasises the importance in East Anglia of York's reforming stance. On York's career at this time see R. A. Griffiths, 'Duke Richard of York's intentions in 1450 and the origins of the Wars of the Roses', Journal of Medieval History, i (1975) and 'Richard, Duke of York and the Royal Household in Wales 1449-50', The Welsh History Review, viii (1976).

who he and York had agreed should represent the county of Norfolk in Parliament.⁶² One of the nominees, Sir William Chamberlain, was probably recommended by Fastolf. A Northamptonshire man by birth, Chamberlain had become a landowner and neighbour of Fastolf in Norfolk and Suffolk through his marriage to Anne Harling, which Fastolf had arranged in 1438. Fastolf undoubtedly thought highly of Chamberlain.⁶³ On another occasion Thomas Howes and John Paston asked the Duke of Norfolk for an assurance that Justice Yelverton would not be prevented from coming into East Anglia with the commissioners. This request was made with Fastolf's approval.⁶⁴ The connections between the Dukes and the leaders of the East Anglian movement also helped to reduce the impact of the propaganda campaign directed against Yelverton by Suffolk's associates. Yelverton confidently believed that Fastolf's influence would prevent his detractors from winning new friends in high places.⁶⁵ Tuddenham and Heydon attempted to ingratiate themselves with York by securing the favour of his chamberlain, Sir William Oldhall. Since Oldhall was a close associate of Fastolf, it is not surprising that this move failed.⁶⁶ There was also some

⁶² Davis II, nos. 464, 465, 466. Norfolk wrote on 16 October. On 18 October the Earl of Oxford recommended that Norfolk's directions should be followed. On 22 October Norfolk summoned Paston to wait on him in array before proceeding to Parliament at Westminster.

⁶³ Fastolf named Chamberlain as a possible sheriff (note 67), and showed favour to him in a land transaction in 1451 (Add. MS. 39848, no. 236; abstract in P.L. II, pp. 212, 213).

⁶⁴ Add. MS. 39848, no. 226 (11 November 1450; abstract in P.L. II, pp. 188, 189). Fastolf reported that King and Council were determined that Yelverton should go to East Anglia, as he did later in November.

⁶⁵ Add. MS. 34888, fo. 52, to Fastolf (abstract in P.L. II, pp. 189, 190); and to Fastolf's solicitor John Bocking (P.L. II, pp. 190, 191). Thinking his enemies would slander him through Lord Scales or others Yelverton asked Fastolf 'to sey for me yn savacion of my pore worshyp' to the King, the Lord Chancellor, Bishop Wayneflete and Lord Cromwell 'as ye semyth, that no credence by goven to myne hurt yn myne absence'. Informing Bocking of tales told about Sir William Oldhall and himself by Tuddenham's men he observed that Fastolf would act as 'my sheld and my defense ageyns all fals noyses and sclaundres meved ayens me...'

⁶⁶ Davis II, no. 460 (6 October 1450); Yelverton's servant William Wayte said that friends of Tuddenham and Heydon had offered Oldhall more than £2000 for York's good lordship. To counter this Wayte asked Paston to arrange that Swaffham and Norwich men complained to York about their enemies.

consultation about the appointment of a sheriff for Norfolk and Suffolk. The Dukes were expected to have considerable influence over the naming of sheriffs in November 1450.⁶⁷ John Jermyn, who was given the job, was not Fastolf's first choice but Yelverton felt that he was an acceptable one.

Thus during late 1450 Fastolf's role as a link between the East Anglian political movement and the leaders of the political nation was important, as was his personal support for York, to whom he lent money in October.⁶⁸ His relationship with the Duke of Norfolk was also close. Fastolf was confident that Norfolk's good lordship would favour him in all his disputes.⁶⁹ With reference to the Duke Howes was informed that he 'or John Bernay or onye othyr of my lerned councell may meoffe unto him and I doubt not but he wode gefe you audience'. Fastolf planned to ride into East Anglia to wait upon the Duke, feeling that his presence there with Norfolk would hasten the redress of his grievances, which were before the commissioners. Fastolf's optimism during these months was very much the product of the favourable political conditions of the time.

By the end of December Fastolf was no longer confident that his opponents would be defeated.⁷⁰ He did not visit Caister to rally his associates because he was busy maintaining the influence of the East Anglian movement in London. Fastolf's great efforts in this cause earned him the lasting hatred of his opponents. It was to him that the Earl of Oxford sent word that the sheriff (John

⁶⁷ Add. MS. 34888, fo. 49 (letter of 15 October 1450, printed in part in P.L. II, pp. 178, 179). Fastolf ordered that 'speciall mocion' be made to Norfolk and Oxford that a list of worshipful men be compiled, from which the sheriff should be chosen. Here he named Sir William Chamberlain, Osbern Mundeford and Sir John Heveningham as candidates.

⁶⁸ Fastolf lent £66-13-4; Hampshire Record Office, 23M 58/57b (Richard, Duke of York's Household Accounts, 1450-1). My thanks are due to Mr. Andrew Wathey of Merton College, Oxford for drawing my attention to this document and showing me his copy of it.

⁶⁹ Add. MS. 39848, no. 253 (abstract in P.L. II, p. 171). Fastolf also asked to be commended to each of the commissioners of oyer and terminer.

⁷⁰ P.L. II, p. 196.

Jermyn) would try to stop the commissioners hearing indictments of Suffolk's associates. Oxford requested Fastolf to warn the Council of this and send him word of their advice.⁷¹ In January there was also mounting concern that Tuddenham and Heydon would receive royal pardons.⁷² This led Sir John Tirrel to recommend that Tuddenham be obliged in £4000 to abide by Fastolf's 'rule and ordenance'. When Edmund Blake arrived in London from East Anglia he warned that the granting of such pardons would cause worse disturbances there than had yet occurred. At Blake's suggestion Fastolf asked King and Chancellor that no favour be granted to Tuddenham.

In January 1451, then, Fastolf and Yelverton still hoped for victory over their opponents. The Duke of Norfolk and Earl of Oxford continued to support their efforts. An attempt was made to undermine Lord Scales' protection of Suffolk's East Anglian adherents.⁷³ Success seemed increasingly distant. By March East Anglia abounded with rumours that Tuddenham and Heydon were favoured by the King and destined for renewed influence in the region.⁷⁴ The change in the balance of

⁷¹ P.L. II, pp. 204, 205 (2 January); Oxford wrote to the sheriff on the same day, pp. 203, 204.

⁷² Davis II, no. 471; with Chancellor Kemp's support Fastolf obtained a writ of procedendo against Tuddenham and others by 12 January after a difficult struggle. He was worried that his opponents would receive pardons and writs of supersedeas (Add. MS. 39848, no. 230; abstract in P.L. II, p. 212).

⁷³ Letters to Yelverton from Chancellor Kemp, Fastolf and Norfolk (Davis II, no. 472) and Fastolf's request that Yelverton and Oxford thank Edmund Blake for his friendliness to the shire (Add. MS. 39848, no. 230) referred to the Lynn sessions, where it was intended that the commons should protest publicly about Scales' maintenance of Tuddenham and Heydon. Cp. letters by Bocking (Add. MS. 34888, fo. 62; P.L. II, pp. 205, 206) and Wayte (Davis II, no. 472): Wayte warned Paston to keep hidden his plan to array Norwich men at Lynn, John Wyndham having reported rumours of it to Scales and other commissioners. Scales vainly tried to break the movement's unity by negotiating a settlement between Tuddenham and Swaffham (Davis II, nos. 471, 472).

⁷⁴ Davis I, nos. 137, 138, 139; II, no. 474. Early in March James Gloys and Margaret Paston reported rumours that Heydon would be knighted and 'haue rewle a-geyn' and that Oxford, Yelverton and Paston would be indicted with maintenance of the Norfolk sessions and John Damme, because he had accused Heydon of it, with treason. Twice again Margaret recorded dismay in Norfolk at rumours, spread by his men, of Heydon's restored influence and royal favour. On 4 March Yelverton took precautions against his enemies' slanders (Davis II, no. 475).

political power became evident early in May, when the oyer and terminer sessions were moved from Norwich (where the citizens were hostile towards Suffolk's associates) into Duchy of Lancaster territory at Walsingham.⁷⁵ Despite the presence of Yelverton, commissioners such as Justice Prisot and Lord Scales intimidated the men indicting Suffolk's followers. Thomas Howes reported this to Fastolf, saying that success might still be had in his suits, but he spoke darkly of defections by Fastolf's friends from his cause. Howes' letter announced the collapse of the East Anglian movement against Suffolk's misgovernment. The collapse was caused by the failure of York and Norfolk to gain the King's confidence and prevent the emergence of a new court party led by Somerset. As the Dukes were no longer in a position of power Fastolf and Yelverton could not exert enough influence on East Anglia to achieve their political aims.

When the East Anglian movement was defeated in 1451 Fastolf's active political career ended. In view of his age and failing health this is understandable. He remained influential during 1451-2 in spite of political change. Increasingly politics affected him directly only where the course of his major lawsuits was concerned. His sympathies were, of course, well known, and this led to his involvement in the Collinson affair.

Dr. Virgoe has described how William Tailboys tried to blacken Ralph, Lord Cromwell's character.⁷⁶ For instance, he was behind an accusation, made by Robert Collinson, that Cromwell plotted York's 1452 rebellion. Cromwell denied this charge before the Council in February 1453. During July 1455 William Worcester

⁷⁵ Add. MS. 34888, fo. 68; P.L. II, pp. 238-240. On 13 April Fastolf reported that Tuddenham and Heydon were expected to attend the Norwich sessions with a great fellowship, in the company of Justice Prisot. He instructed Howes to try to keep his friends steadfast, while he laboured in London. He promised to send word about the balance of political power (Add. MS. 39848, no. 231; abstract in P.L. II, p. 233).

⁷⁶ R. Virgoe, 'William Tailboys and Lord Cromwell: Crime and Politics in Lancastrian England', B.J.R.L., lv (1973), pp. 465, 467-471; R. Storey, 'The Wars of the Roses in Lincolnshire', Nottingham Med. Studies, xiv (1970), pp. 68-70, 75-78.

observed that Collinson had also accused Fastolf and Lord Grey of Ruthin, and was about to reveal who had persuaded him to make the accusation.⁷⁷ This explains why Fastolf and Grey were summoned before the Council to answer unspecified charges in September 1453.⁷⁸ On appearing in November they were excused and dismissed without hindrance, for the charges were apparently groundless.

Cromwell and Fastolf were not hardline supporters of York during the 1450s (in the way William Oldhall was), though Fastolf had considerable sympathy for the Duke. Cromwell was on good terms with Fastolf, being a feoffee to the use of his will in 1449 and named by him as arbiter in the Titchwell dispute in 1451.⁷⁹ Grey was sufficiently independent of York to escape the attainder of his supporters in 1459. He was under suspicion, however, and was not sincere when he protested his loyalty to Henry VI. His defection to the King's enemies at Northampton in 1460 was an important cause of Yorkist victory. Relations between Grey and Cromwell were certainly good in 1453.⁸⁰

The three men accused by Collinson were friends and had interests in common. These can be traced to October 1450, when Fastolf was worried that a dispute about the manor of Saxthorpe (Norfolk) had not received enough attention.⁸¹ He required 'that a speciall bille be conceived' in Cromwell's name and brought before the Justices of Peace or the commissioners of oyer and terminer, with the help of John Jenney, a member of Cromwell's council in Norfolk. In December he expressed

⁷⁷ Davis II, no. 529.

⁷⁸ C.C.R., HVI, v, p. 398.

⁷⁹ Norfolk and Suffolk 68; P. S. Lewis, 'Titchwell', p. 18. Cromwell was regarded by the citizens of Norwich as a leader of the movement against Suffolk's adherents in 1450-1 (note 96 below).

⁸⁰ They remained friendly regarding the Ampthill issue: R. A. Griffiths, 'Local Rivalries and National Politics: the Percies, the Nevilles and the Duke of Exeter, 1452-5', Speculum, xliii (1968), pp. 606-8; I. R. Jack, The Grey of Ruthin Valor, pp. 34, 35.

⁸¹ Add. MS. 34888, fo. 49; printed in part in P.L. II, pp. 178, 179. The letter is dated 15 October; on 9 October Jenney was appointed to the peace commission (C.P.R., HVI, v, p. 592).

surprise at the failure of Jenney and Robert Ledham (another member of Cromwell's council) to act against Tuddenham, Heydon and John Gent, 'whyche have and wold dayly labour to disseisse my Lord Cromwell of a knyghten service in Saxthorp'.⁸²

His earlier letter reveals that the loss was not simply Cromwell's:

'I have lost xxli yeerly yn approwement of my chatell, for cause my Lord Cromwell, throw negligence of hys officers in Norffolk, have not meyntheyned his right'.

Fastolf asked Howes to instruct Jenney to prepare a bill in Cromwell's name for presentation to the oyer and terminer commissioners, whom he expected to rule in his favour.

This dispute is typical insofar as Fastolf was in the right and Suffolk's associates were responsible for his losses. Cromwell, whose approval Fastolf must have had for his actions, played an important part in Suffolk's downfall. His behaviour is usually explained as being the result of his anger with Suffolk for supporting Tailboys. Obviously he had other grievances too. It was alleged by Tuddenham that Fastolf's manor Saxthorpe was held of the manor of Hethersett (Norfolk) whereas it was in fact held of Cromwell's manor of Tattershall (Lincs.). Cromwell also owned property in Hethersett, where his rights must have been usurped, for Tuddenham would not have claimed that Fastolf held of this manor unless he himself was in firm control there.⁸³ Tuddenham's power derived from Suffolk's political supremacy. Hethersett was part of the honour of Richmond, which was in royal hands after the death of John, Duke of Bedford. Lord Grey's manor in Saxthorpe, moreover, was held of the earldom of Pembroke, which entered Suffolk's hands on Humphrey, Duke of Gloucester's convenient death in 1447.⁸⁴ As both earldoms were open to Suffolk's exploitation the losses suffered by Fastolf, Grey and Cromwell are easily explained.

⁸² P.L. II, pp. 197, 198 (20 December).

⁸³ F.A., iii, pp. 555, 589.

⁸⁴ The circumstances of Gloucester's arrest and death reflected badly on Suffolk and caused suspicion that Suffolk had murdered him.

Collinson's accusations were made when King and court were supreme after York's failure at Dartford. A new court party, favourable to Suffolk's surviving associates, had formed. It included Jasper and Edmund Tudor, the King's half brothers. Early in 1453 they received the earldoms of Pembroke and Richmond respectively. With the Duke of Somerset they also enriched themselves from Sir William Oldhall's East Anglian estates. The Reading Parliament, which met in March 1453, reflected the mood of the time, hearing petitions for the formal condemnation of Cade and other rebels: some now wished this category to include York's sympathisers. The carve-up of Oldhall's estates was confirmed. Early in 1453 pressure mounted on the opponents of the court, especially those who were believed, as Fastolf, Grey and Cromwell probably were, to have sympathy for York.⁸⁵

Old friends of Suffolk at court wished to see the Duke's enemies embarrassed. Collinson's charge was not unique, for in August 1450 the Bishop of Rochester, one of Suffolk's allies, had accused Fastolf of treason.⁸⁶ Fastolf's wealth was a temptation. Had he met Oldhall's fate his enemies would have reaped rich rewards. Although he avoided this his political sympathies left him vulnerable to attack from courtiers like Sir Philip Wentworth. It was in February 1453 that Wentworth made a determined effort to secure the wardship of Thomas Fastolf for himself. Queen Margaret may have countenanced such attacks on Fastolf. He suffered losses at the hands of members of her household, and according to John Payn the 1450 accusation of treason was made at her instigation. Another opponent with influence at court was Lord Beaumont, the chief steward of the Queen's household.⁸⁷ Such opposition made inevitable a close connection between the progress of Fastolf's litigation and the factional struggles of the 1450s.

⁸⁵ Wolffe, Henry VI, pp. 261, 263, 264.

⁸⁶ According to John Payn (Davis II, no. 692).

⁸⁷ Beaumont was chief steward 1446-60: G.L. Harriss, The Finances of the Royal Household, 1437-60, p. 398.

Beaumont had been Suffolk's ally, and was a rival of Lord Cromwell in Lincolnshire, where he supported William Tailboys.⁸⁸ He was never an associate of Fastolf. From 1440 he increased his power in Lincolnshire and East Anglia with Suffolk's support. His marriage to Elizabeth, the daughter of William Philip, Lord Bardolf, made his sons heirs to the Bardolf estates. This gave Beaumont important landed interests in East Anglia and a further connections with Suffolk, who was closely involved with the Bardolf family himself. Beaumont's influence could not have been welcomed by Cromwell and Fastolf because it increased Suffolk's power.⁸⁹ Since Beaumont was never friendly towards these two men he may have encouraged Collinson's charges against them after Suffolk's fall.

Beaumont probably knew about the Bardolf dispute, which caused Fastolf humiliating losses at the hands of Suffolk's associates before 1450.⁹⁰ A manor in Caister, once Sir William Bardolf's, descended to Joan and Anne, the coheir-esses of Thomas, Lord Bardolf (ob. 1408). The property of William and Thomas Bardolf was divided between the two women, the elder of whom, Joan, married Sir William Philip. During the 1440s Fastolf, who probably wanted to buy Caister Bardolf for himself, rented the sisters' moieties from them.⁹¹ His difficulties

⁸⁸ See the works cited in note 76 above; a letter from William Tailboys to Lord Beaumont is printed in P.L. II, pp. 118-20.

⁸⁹ Suffolk married Alice, widow of Bardolf's younger brother John (died 1415; C.F.R., xiv, p. 104; Itineraries, p. 357). Bardolf was Suffolk's feoffee while the Earl was a minor (C.P.R., HV, i, p. 383; ii, p. 256) and remained one until he died in 1441. Cromwell's resentment of Beaumont is evident. Fastolf was apparently in dispute with Beaumont, since a memorandum of c. 1450-1 notes that no suit, service or rent was ever owed to him from Caister (Add. MS. 39848, no. 277; abstract in P.L. II, p. 193). This disagreement is obscure.

⁹⁰ Research on Caister accounts from 1437 was ordered by Fastolf in April 1450 (Add. MS. 39848, no. 229; abstract in P.L. II, p. 137).

⁹¹ C.C.R., HVI, i, pp. 105, 106; C.F.R., xiii, p. 120. Before the September 1450 sessions began Fastolf sent to Norwich indented leases for each moiety, a 'confirmation' by Sir Reginald and Lady Anne Cobham, copies of pleas, and testimonial letters from Sir Henry Inglose and the Prior and Sacristan of Norwich (Add. MS. 39848, no. 233; abstract in P.L. II, pp. 252, 253).

probably began with the death of Joan Bardolf in 1447. Her executor was Suffolk's councillor John Heydon.⁹² The details of this dispute are obscure to us, but Fastolf thought of it as the most important to be brought before the commissioners of oyer and terminer in 1450.

Suffolk's associates probably used the inquests on Joan Bardolf's property as a means to challenge Fastolf's possession of Caister Bardolf, and perhaps other Bardolf lands as well. Nicholas Appleyard, against whom Fastolf brought a bill of maintenance in 1450, was the chief organiser of this attack, but several of Suffolk's followers were implicated in it, having sat on the jury of inquisition. In September 1450 Fastolf ordered that any attempt by Tuddenham, Heydon, Wyndham, Willy, Brampton and Dynne to seek acquittal in this dispute should be strenuously opposed, and the county be 'laboured' against them.⁹³ He nursed a grievance against the citizens of Norwich for their failure to prevent the outbreak of this dispute and expected them to redeem themselves in 1450.⁹⁴ The inquests almost certainly took place while Suffolk was still in control of the city government, for the citizens had long been hostile towards the Earl and were unlikely to have acted deliberately in his interests.⁹⁵

The citizens' hostility was a great help to the enemies of the Duke and his associates. In May 1451, when the East Anglian movement had collapsed, they

⁹² Blomefield, VI, pp. 419, 505; her will, dated 7 September 1446, was proved 3 April 1447.

⁹³ Add. MS. 39848, no. 233; abstract in P.L. II, pp. 252, 253; this is an undated letter similar to one of 14 September 1450 (Add. MS. 39848, no. 251; P.L. II, p. 253). Gairdner wrongly ascribed both to 1451: cp. Davis's note (II, no. 457).

⁹⁴ Add. MS. 39848, no. 236; abstract in P.L. II, pp. 212, 213; dated 28 January 1451. Fastolf said that he had loved no city more before the citizens' unkindness and untruthfulness in the Bardolf dispute. This can hardly refer to the recent past.

⁹⁵ Storey, House of Lancaster, p. 224. Only in Michaelmas 1447 were the citizens allowed to sue for the restoration of their liberties.

continued to defy Tuddenham and Heydon openly, according to Thomas Howes' report.⁹⁶ Fastolf was confident in September 1450 that the citizens, particularly the common people, would favour his cause, providing him with a great advantage while the sessions were held in Norwich. He instructed his servants to interview the wealthier citizens, including the Mayor and his predecessor, so that their attitudes towards Appleyard might be discerned. Appleyard was expected to have help from his kin and friends in Norwich against Fastolf. He was related to a Mayor who had clashed with Fastolf in 1415.⁹⁷ His friends, in fact, did bring a bill of maintenance against Fastolf before the sessions opened on 17 September.⁹⁸ The negotiations that Fastolf's servants conducted were successful. His action against Appleyard had widespread support from rich and poor in the town, and it was not through lack of sympathy from them that this dispute was not conclusively settled in 1450.

Fastolf thought that the progress of disputes before the commissioners would be determined by the new balance of power in East Anglia, which was evident in the outcry against Suffolk's adherents. His belief that the people were uniformly opposed to Suffolk's men accounts for his surprise at the news that John Berney, one of his councillors, had been conciliatory towards John Waryn and other members of the Duke's following. This, he said, 'wolle cause him and

⁹⁶ Letter of 9 May (Add. MS. 34888, fo. 68: P.L. II, pp. 238-240). A post-script reports that Tuddenham and Heydon, on Priset's advice, required the Mayor and his 'bretheren' to ride with them (presumably from Walsingham sessions). The Mayor refused, saying he wished to do only as Oxford, Fastolf, Yelverton and Cromwell advised.

⁹⁷ Add. MS. 39848, no. 233; abstract in P.L. II, pp. 252, 253. Fastolf expected that the town and commons in court would give valuable evidence against Appleyard. So too would William and John Jenney who also had an action against him. For the 1415 dispute, Beighton 101: this Appleyard, the first Mayor of Norwich, was a merchant who married into a gentry family, the Cleres of Ormesby (B. Green and R. M. R. Young, Norwich, the Growth of a City, Norwich Museum Services, 1977, p. 17).

⁹⁸ Add. MS. 39848, no. 233; abstract in P.L. II, pp. 252, 253.

Mundeford to be yn lesse favor of the shyre'. Presumably not all men were so confident as he was.⁹⁹ Fastolf later saw that Berney's caution was appropriate, for Suffolk's men had influential friends and held important offices. Far away in London, Fastolf must have been less aware of the complex patterns of local politics than men on the spot. He may have miscalculated in thinking that the days of Suffolk's adherents' hegemony were numbered.

Whether he did or not, the sessions of oyer and terminer in September 1450 seemed to offer many opportunities to Fastolf. He instructed that no effort and no reasonable expense should be spared there in remedying the 'grete wrong and dammage' done to him and in making 'a gode eende to my worshyp and proffyt'. Financial redress was not the main advantage he sought from the sessions. Of the Bardolf dispute he wrote: 'I ponder thys mater full gretly because it sownyth more to my worshyp and hertys ease then onlye my proffyt'.¹⁰⁰ A public reaffirmation of his power and influence (his 'worshyp') was necessary, as years of being insulted by Suffolk's men had seriously reduced his status as a regional leader. Fastolf's negotiations with Norwich in the autumn may be considered as part of his attempt to re-establish his influence.

Fastolf's pride had been injured, and the sessions offered a chance for revenge. He did not desire to break the law in seeking it, though, because to do so would make him no better than the opponents he condemned. He realised that victory over his opponents, and the threat of proceedings against others, would

⁹⁹ Add. MS. 39848, no. 253; abstract in P.L. II, p. 171, a letter of 15 September. Waryn was responsible for the assault on Dedham. The other men named were Brampton, Dynne and Fowler. A warning about his attitudes and behaviour had been issued to Waryn by Fastolf on 8 August (Add. MS. 39848, no. 224; abstract in P.L. II, p. 160).

¹⁰⁰ Add. MS. 39848, no. 251; abstract in P.L. II, p. 253. Fastolf's determination to succeed is evident from remarks he made on 11 November about the sessions due to take place at Norwich on 16 November. With regard to matters of substance his servants should 'assay' all his friends 'to do for me as ferre as ryght and trouth wolle for I wold not for Xc li but the materes be laboured inne such wyse as it may take a worshypfull ende on my syde' (Add. MS. 39848, no. 226; abstract in P.L. II, pp. 188, 189).

discourage potential enemies. In September John Waryn and others were warned that 'they shall be quit in such wyse as othyr shall be ware by theym and they amend not'.¹⁰¹ Even more revealing is a remark made by Fastolf in December. By now the value to him of the sessions was reduced by the failure of several major opponents to answer his indictments; Sir Thomas Tuddenham being the most important of these men. He nevertheless instructed Howes that all actions should be continued against his opponents if only as 'a chastysyng to theym that they enbold hem not to mysdon to me here aftir'.¹⁰² Such losses as those imposed by Suffolk's men were, indeed, rarely suffered by Fastolf after 1450. Although this was mainly because no later opponent wielded as much power as Suffolk, Fastolf's vigorous campaign probably deterred his enemies from involvement in later disputes like those with Sir Philip Wentworth.

By the end of 1450 Fastolf was prepared to use the oyer and terminer proceedings as a means of forcing some of his less powerful enemies into private settlements, the details of which he left to the discretion of his learned council. Private settlements were attractive because of the immense difficulties Fastolf faced in obtaining quick convictions at the sessions. The implementing of a favourable settlement would prove equally as well as a legal conviction that he was a man of 'worshyp'. John Wyndham, indicted in the Bardolf dispute and named by William Wayte as one of the four worst offenders in East Anglia, approached Fastolf during November. He was granted respite until after Christmas in order to allow time for a settlement to be reached.¹⁰³ Fastolf insisted that he would

¹⁰¹ Add. MS. 39848, no. 253; abstract in P.L. II, p. 171.

¹⁰² Add. MS. 39848, no. 235; abstract in P.L. II, pp. 192, 193. This is a letter of 2 December. On 4 December Fastolf wrote to Howes in similar vein about threats made by his opponents: 'whereas onye man hath onye thretynyng langage to yow or to onye of my servaunts yn the name of Tuddenham or Heydon let me hafe knoulage of it and it shall be remedied' (Add. MS. 34888, fo. 53; printed in part in P.L. II, p. 194).

¹⁰³ Wyndham had approached Fastolf by 23 November (P.L. II, pp. 191, 192). He was granted respite on 2 December (Add. MS. 39848, no. 235 etc.). Besides Wyndham, Wayte named Tuddenham, Heydon and John Prentice as the worst offenders, (Davis II, no. 460).

only settle if Wyndham admitted the truth of the charges against him. No settlement was ever reached, for by the New Year Wyndham's position was far stronger than it had been in November.¹⁰⁴

The example of Wyndham confirms that Fastolf was prepared, as he told Howes in November, to come to terms with most of his enemies. Tuddenham, Heydon and John Pickering were the only ones he refused to negotiate with.¹⁰⁵ It was his lawyers' task to see that his enemies produced sufficient sureties to abide by their settlements. The conditions of these were to be decided not by independent arbitrators but by his learned council. He allowed this council to decide who was eligible for private settlement. He instructed that his lawyers should go to law against men who they thought had offended him greatly enough to require that 'the rygour and utmost off the lawe be shewed and doon unto hem till I be satisfyed of my coste and dammages'.¹⁰⁶ Fastolf distinguished between two types of offence done to him and two appropriate means of dealing with these offences.¹⁰⁷ The gravest crimes required the full course of the law, however long this took. Lesser crimes could be settled satisfactorily, and with greater efficiency, by private negotiation, since the abnormal circumstances which had produced them no longer existed. Wyndham's case shows that the favourable conditions of 1450 did not last very long.

The view that legal process was a suitable means of gaining redress from his enemies confirms that Fastolf had faith in the existing legal machinery if it was

¹⁰⁴ In January Wyndham ingratiated himself with Lord Scales. His colleague, John Prentice, was 'atte hom' with Scales during the Lynn sessions (Davis II, no. 472).

¹⁰⁵ Add. MS. 39848, no. 235; abstract in P.L. II, pp. 192, 193.

¹⁰⁶ Loc. cit.

¹⁰⁷ Fastolf made a distinction between important and unimportant opponents on 7 September 1450 (Add. MS. 39848, no. 245; abstract in P.L. II, p. 170). Referring to his list of losses he ordered that the names of men who had offended him, 'alle the grete ones specially', should be recorded so that his lawyers might the more easily 'ground my seid materes'. He sent to Caister a 'rolle of parcell of the names whych noyed and damaged' him.

impartially administered by the government. By 13 April 1451 he was concerned about the way the world was 'sette', seeing that political developments were increasingly favourable to his opponents.¹⁰⁸ In fact events gave Fastolf an advantage for much of 1450, allowing him cause for optimism about the outcome of every legal dispute that involved Suffolk, his friends or servants. This is true of the indictments brought before the commission of oyer and terminer and of the litigation in progress elsewhere, such as that concerning Hickling Priory.

After Suffolk's fall Fastolf rightly predicted that he would be able to see important documents concerning Hickling which were owned by the nuns of Redlingfield.¹⁰⁹ The Duke had prevented him from having access to these documents, but copies of them became available early in August.¹¹⁰ Undoubtedly the information helped Fastolf's cause, for he reached agreement with Lord Scales, now the Prior's principal supporter, before the end of August.¹¹¹ This agreement was not enforced. By November it was obvious that Scales had not intended to abide by it. Indeed, his officer, the bailiff of Hickling, was openly supporting the Prior.¹¹² Fastolf was still confident that he could succeed through the law. In December he was advised to proceed by special assize. In January he expected that this process would go ahead and that he would be in Norfolk for the assize.¹¹³

¹⁰⁸ Add. MS. 39848, no. 231; abstract in P.L. II, p. 233.

¹⁰⁹ Add. MS. 39848, no. 233; abstract in P.L. II, p. 149.

¹¹⁰ Add. MS. 39848, no. 224; abstract in P.L. II, p. 160. Work by Fastolf's servants on the Redlingfield evidence was mentioned in letters of 7 and 15 September (Add. MS. 39848, nos. 245, 253; abstract in P.L. II, pp. 170, 171).

¹¹¹ Add. MS. 39848, no. 277; abstract in P.L. II, p. 193. An intermediary was to inquire whether the Prior and Lord Scales would do as Fastolf and Scales had agreed in London. References in the manuscript to preparations for the indictment of Nicholas Appleyard prove that it was written during the first few days of September at the latest. Thus the first agreement must have been reached in August.

¹¹² P.L. II, pp. 191, 192.

¹¹³ Add. MS. 39848, no. 230; abstract in P.L. II, p. 212. This letter is dated 12 January 1451.

His confidence was misplaced on both matters. By 9 May success was no longer likely. 'And as for the Lord Scalys,' Howes wrote gloomily to Fastolf, 'ye knowe well what he is toward you, and namely for Hykelyng matter'.¹¹⁴

Lord Scales' developing opposition over Hickling was connected with national political changes. He allied himself to the court party led by Somerset and protected Suffolk's friends from their enemies. Fastolf's position was best during the summer of 1450 when he was most active in national politics, before York returned to England.¹¹⁵ In November, following the unsatisfactory oyer and terminer sessions in Norfolk, he lost the initiative but still believed that legal victory was possible, presumably because of his continuing influence in London. Only after the sessions at Lynn and Walsingham was defeat admitted. By this time both the Duke of York and Fastolf himself had lost influence at court.

Fastolf's optimism and influence during 1450 and early 1451 contrast strongly with the period 1437-1450, when Suffolk's local and national power caused him so many problems. There is no reason to suspect, as others have,¹¹⁶ that Fastolf exaggerated the extent of these difficulties or that he overestimated the financial damage that resulted from them. He was not prepared to claim for undocumented expenses. Fastolf's estimate that 5000 marks was lost at Suffolk's

¹¹⁴ Add. MS. 34888, fo. 68; P.L. II, pp. 238-40.

¹¹⁵ York's return probably reduced Fastolf's direct influence. When York sought reform and a position of influence for himself the formation of a new court party opposed to his friends was almost inevitable. Furthermore Fastolf's prominence in the summer was caused by the government's weakness during Cade's rebellion and was always likely to decline once order was restored.

¹¹⁶ Wolffe, Henry VI, pp. 121-4. The author rightly concludes that royal household men supported by Suffolk dominated East Anglia c. 1437-50 but fails to make clear that Thomas Daniel was not Suffolk's client (p. 122). Fastolf's claim that the lies of Suffolk's council lost him Dedham was accurate though Wolffe's view that he blamed Tuddenham and Heydon is not. He named only Waryn and Squire. Wolffe's statement that in 'all these incidents right was probably never entirely on one side' is too generous to Suffolk (p. 123).

hands was certainly of the right order of magnitude.¹¹⁷ The Duke had ample opportunity to cause Fastolf difficulty. An illustration of this is the way his hold over the Duchy of Lancaster was used at Blickling in Norfolk.

Suffolk's councillor John Heydon was extremely powerful in the Duchy administration.¹¹⁸ In May 1450 Fastolf reminded Howes that Thomas Fowler had distrained his tenants at Blickling 'by her plowys' for amerancements imposed by the authority of the officers of South Erpingham hundred.¹¹⁹ This had long been part of the Duchy.¹²⁰ In consequence John Heydon was delivered a writ certiorari (requiring the cancellation of the amerancements) which he promised to obey, but in fact totally ignored.¹²¹ As Suffolk was dead this action testified to the confidence Heydon placed in the power and authority he derived from office. Fastolf ordered that his legal council should determine whether Fowler had any right to distrain within his 'lordshyp' and what remedies were open to him. Considering the provocation offered to him his letter was moderately phrased. Characteristically he intended to proceed with caution.

The behaviour of Heydon's men caused serious problems for Fastolf at Blickling.¹²² His bailiffs suffered harassment and his shepherd deserted him.

¹¹⁷ Fastolf's total (P.L. III, pp. 56-57) excluded losses from Dedham, Beighton and Bradwell though it probably included Hickling losses. His losses in this category that are known, or can be plausibly estimated, total c. 1500 marks. As these cover a fraction of known disputes an actual total of 5000 marks does not seem exaggerated.

¹¹⁸ R. Somerville, Duchy of Lancaster, pp. 425, 430, 453, 594: Heydon was deputy chief steward of the North Parts (1444-5) and of the South Parts (c. 1437-42), and steward (from 1443) of Norfolk, Suffolk and Cambridgeshire in the company of Tuddenham, who had held the office since 1437. Heydon was retained as an apprentice-at-law from 1438 onwards. Another Suffolk councillor, Reginald Rous, was appointed steward in 1438 of the Hereford heritage in these three counties (p. 594).

¹¹⁹ Add. MS. 43488, fo. 15; printed in part in P.L. II, p. 152.

¹²⁰ Blomefield, VI, p. 240: R. Somerville, op. cit., pp. 52, 53.

¹²¹ So Fastolf alleged in his letter (Add. MS. 43488, fo. 15 etc.).

¹²² As note 121.

Land, rented by him from William Lumnor, was illegally occupied by Brampton, a lawyer he detested for his work on Suffolk's council, and by others living nearby. "Bryston's Lands", pasture for two hundred sheep, had been seized by his adversaries. A 1450 investigation into property called "Chever's in Blickling" looked at 'what that mater cost and stood me upon...by replevyn makynge, and what the sewte cost me for the accord of trespasse...and deffendynge the pleynt attached'.¹²³ This reference to replevin (an action respecting unjust disseisin of chattels on the pretext of distraint) suggests that abuse of this aspect of legal process was often very damaging. Fastolf, his officers and families like the Moultons, who were substantial tenants both at Blickling and at Saxthorpe, all suffered at the hands of Duchy officials.¹²⁴ Furthermore, on 15 October Fastolf drew attention to the great losses imposed on his tenants and himself by Fowler, Dynne and Brampton in 'the Duchy of Richmond fee' at Blickling.¹²⁵ This duchy was in royal hands and was exploited to Suffolk's advantage elsewhere in Norfolk. Fastolf's problems were aggravated by the geographical locations of Blickling and Saxthorpe. Situated in the Duchy hundred of South Erpingham, they did not lie in a concentration of Fastolf's own property and were much closer to Heydon's home at Baconsthorpe than to Caister Castle. It is not surprising that Fastolf sold Blickling soon after 1450.

As well as being the holder of important offices Heydon was an experienced and unscrupulous lawyer. The manipulation of the law was critically important in the campaign waged against Fastolf. Indeed two of the problems brought by Fastolf before the commissioners of oyer and terminer actually arose from intervention by

¹²³ As mentioned in a letter of 7 March (Add. MS. 39848, no. 225; abstract in P.L. II, p. 134).

¹²⁴ In May Fastolf ordered that 'an article' should be written for John Moulton 'as for record of his distresse' (Add. MS. 43488, fo. 15 etc.). The Moultons (John and Philip) are in F.P. 28 and Norfolk and Suffolk 1: Philip, a miller, was Fastolf's rent collector at Blickling. John was probably his son.

¹²⁵ Add. MS. 34888, fo. 49; a short section is printed in P.L. II, pp. 178, 179.

Suffolk's lawyers in Fastolf's relations with his own tenants. Some details are known about one case. A woman referred to as 'Byshopps wyfe' was a Blickling tenant.¹²⁶ In November 1450 Fastolf recalled that he was 'rewled to pay her for the wythdrawyng of the appele sewed by her' a sum of £100, though her property was worth only forty shillings a year.¹²⁷ Maintenance by Suffolk's council lay behind this dispute.

The affair dated from the early 1440s when Nicholas Bocking was receiver-general. No money was paid to the woman; it presumably filled the coffers of Tuddenham or Heydon.¹²⁸ Tuddenham's involvement in this matter is evident from events which took place during the autumn of 1450. Tuddenham sought to convince the Council that the numerous accusations made about him in East Anglia were false. One witness he summoned to London was a man named John Clerk, who was almost certainly one of Fastolf's tenants.¹²⁹ He was regarded by Fastolf as a vital witness in the Byshopp case. On 11 November Fastolf ordered that Clerk should not go to London unless he sent for him. Meanwhile he should make a statement about the case which was to be sealed by the bailiffs of Great Yarmouth with their seals of office.¹³⁰ Two weeks later Clerk was residing in London with Fastolf.¹³¹

¹²⁶ Norfolk and Suffolk 1, where her husband's debt is noted. A similar case involved Margaret Brigg of Guton who owed arrears in the 1440s (Norfolk and Suffolk 1 and F.P. 28). Little is known about this, though it was of importance at the sessions (Add. MS. 39848, nos. 277 and 231; abstracts in P.L. II, pp. 193, 233).

¹²⁷ Add. MS. 39848, no. 226; abstract in P.L. II, pp. 188, 189. The information in this letter forms the basis of my account.

¹²⁸ The November letter indicates that she did not receive the money, although it was paid to someone during Nicholas Bocking's term of office, as is clear from a letter of 7 May (Add. MS. 39848, no. 223; abstract in P.L. II, p. 149).

¹²⁹ At Bradwell, Norfolk and Suffolk 1 and F.P. 28. That Clerk was well known in Yarmouth tends to confirm this identification.

¹³⁰ It would be an advantage, Fastolf remarked, if other 'credyble persones of Jermuth' sealed the document as well.

¹³¹ P.L. II, pp. 191, 192 (dated 23 November).

John Clerk's experience shows that Fastolf's disputes with the Duke and his adherents directly affected the lives of his tenants and suggests that their attitudes had significance for him. Clerk, like Fastolf's tenants at Cotton, gave him useful support but 'Byshopps wyfe' undoubtedly contributed to his difficulties

The campaign directed against Fastolf by Suffolk's adherents was characterised by a concern with legal forms. The fabrication of legal titles to property, the exploitation of jurisdictions like those of Lancaster and Richmond, and the abuse of legal process, particularly distress, were methods commonly used to harass him and his loyal tenants and officers.¹³² It was support from the Duke, with his great political power, which enabled the lawyers to abuse their skills with impunity for more than a decade. Fastolf, as we have seen, was acutely aware of this connection between the perversion of law and the abuse of power.

Fastolf's relations with Suffolk illuminate English political history by illustrating the domestic misgovernment that the Duke encouraged. It is hardly surprising that frustrations and resentments arose under Suffolk's rule. Even a man as wealthy and well-connected as Fastolf was badly treated and denied redress for his grievances while the Duke was in power. The wider consequences of misgovernment concerned Fastolf as much as his own losses. In East Anglia the combination of Suffolk's local influence and national political power produced an unacceptable state of affairs. Fastolf's objections to this were genuinely felt and pushed him into the leadership of a regional political movement. The sense of regional identity expressed in 1450 was similar to, though not as pronounced

¹³² Homages were claimed from Hainford and Drayton in Taverham hundred (Add. MS. 39848, no. 225; abstract in P.L. II, p. 134). Fastolf paid to have the Hainford claim respited. George Felbrigg had once held court there of the Duchy of Lancaster (Blomefield, X, pp. 422, 423). Fastolf may have acquired but disputed this obligation. He held of the heirs of Ufford (F.A., iii, p. 599); in 1428 Suffolk held several properties in Taverham hundred once Uffords', possibly as heir. Suffolk could have had a legitimate claim at Hainford. There was scope for making one. No legitimate claim existed at Drayton, whence Suffolk's officers drove sheep on at least one occasion before 1450.

as, that displayed by 'county communities' in the seventeenth century.¹³³ There was nothing necessarily radical about this. In 1450 leadership was in the hands of Fastolf and Yelverton who were men of conservative outlook. The East Anglian movement showed a traditional concern with seeing that the right men were appointed to local offices, particularly the office of sheriff. The aim of redress of grievances through the sessions of oyer and terminer did, however, provide a special focus for the movement.

The oyer and terminer commission appointed for East Anglia was not used as a 'financial expedient' or as an 'effective instrument for putting down violent disorder'.¹³⁴ The intention was to make possible the settlement in East Anglia of grievances which were at root political and were expressed by a political movement involving men from various social classes in the region. Fastolf himself was probably influential in having the commission appointed.¹³⁵

The prejudices of the landowners in this movement were naturally against political violence by the lower orders of society. By offering East Anglian landowners an opportunity for swift redress of their grievances through institutional means the government hoped to prevent another rebellion as organised as Cade's. Men like Fastolf or Edmund Blake, who criticised misgovernment, realised that the threat of mob violence was a means of persuading the government to punish Suffolk's adherents. They feared that sporadic violence of the kind common during 1450 would continue should reform and redress not be imposed. Local reform would succeed only if the government was resolved that it should. Therefore Fastolf strove in London to isolate Suffolk's supporters and to prevent them from retaining influence after the Duke's death. In this he failed.

¹³³ L. Stone, The Causes of the English Revolution, p. 106.

¹³⁴ These are words used by B. H. Putnam, Proceedings before the Justices of Peace, p. liv.

¹³⁵ The Bishop of Ely, Duke of Norfolk, Earl of Oxford, Lord Scales, Justices Prisot, Yelverton and Markham, Sir John Fastolf, Andrew Ogard and John Heveningham were appointed on 1 August (C.P.R., HVI, v, p. 388).

CHAPTER V

Litigation.

The impossibility of excluding political considerations from a discussion of the origins and development of Fastolf's main lawsuits emphasises the extent to which litigation was a political activity in the fifteenth century. This chapter seeks to explore the surviving evidence of Fastolf's litigation. It cannot be a balanced account of each lawsuit because the evidence is usually more enlightening about the origin and nature of a dispute than about its progress through the courts. The best documented disputes concern rural property in East Anglia. They are the main subject of the chapter. Nevertheless something is known about urban disputes, such as those concerning Fastolf's Southwark possessions. These relatively minor difficulties will be examined before the more important rural ones.

An account of Fastolf's most serious urban dispute was written by William Worcester.¹ Soon after he acquired it Fastolf's title to the Boar's Head was challenged by William Ferrour, George Heton and 'Josquin of the King's Bakehouse'. During 1451 Ferrour named Nicholas Willinghamale and others as his feoffees for the property, ejected Fastolf's tenant Nicholas Preest and installed his own man Colin Willinghamale. Forty days later Fastolf himself ejected Colin Willinghamale and, on 10 July, made Bishops Wayneflete and Bourgchier, Justice Yelverton and other associates his feoffees, but this did not deter his opponents from causing more trouble.

Fastolf's opponents included members of the royal household. John Joskin, a loyal supporter of Henry VI, was made receiver of Richard, Duke of York's Hertfordshire and Essex lordships in 1460. His relative Richard was also in the

¹ William Worcester's account was written c. 1480 (Swk. 168). A copy of the statute of 8 Henry VI regarding forcible entry is in Swk. 201. Fastolf's enfeoffment is Swk. 70C.

King's household.² Heton, another minor household official, became controller of Great Yarmouth in June 1455.³ Also involved in the case was William Philip, appointed sergeant-at-arms in 1453.⁴ These men had influence and potentially were awkward opponents.

William Ferrour, of whom little is known, claimed for his son, who was married to the daughter of Robert William junior. William was nephew and heir of Robert William senior, who purchased the Boar's Head from the Mounpeler family in 1407.⁵ This man's second wife Maud survived him and later married John Stradlyng. From this couple Fastolf's colleague John Winter acquired, for their lives, the Boar's Head in 1439.⁶ Robert William junior meanwhile sold his reversionary interest to John Stopindon and Henry Castinet, from whom Winter purchased it in 1441.⁷ Fastolf afterwards acquired the Boar's Head outright from Winter's executors.⁸

Ferrour's claim was false because William, by selling his reversion, deprived his daughter of any title by inheritance.⁹ Possibly Ferrour hoped to exploit the property's troubled history. In 1441 Winter was challenged by Katherine Tyrell, who claimed to be heiress of the Mounpeler family. She temporarily recovered the property, only to release it to Winter.¹⁰ Later on, Fastolf's negotiations with Winter's executors caused ill-feeling. One executor, Matthew Philip, a London

² C.P.R., HVI, vi, pp. 546, 547, 563; C.C.R., HVI, v, pp. 419, 477.

³ C.P.R., HVI, vi, p. 202. Heton was dead by 4 April 1459 when his widow was pardoned his debts as Sergeant of the Larder (*ibid.*, p. 476).

⁴ C.P.R., HVI, vi, pp. 39, 364, 577.

⁵ Swk. 178, 84C, 83C; Swk. 74C, 38 and 3C show it in Robert William senior's hands between c. 1408 and 1420.

⁶ Swk. 174, 195.

⁷ Swk. 191, 157.

⁸ Swk. 178, 180.

⁹ Fastolf's lawyers knew the significance of this point. On 27 June 1451, during the dispute with William Philip and associates, an exemplification of Robert William's 1441 sale was made for them (Swk. 192).

¹⁰ Swk. 73C, 67. Evidence of the 1441 proceedings in Common Pleas is an exemplification of them made at Fastolf's request on 14 May 1451. Presumably William Philip raised this subject.

goldsmith, was certainly unhappy about them, believing that Fastolf had acted wrongly.¹¹ He was probably related to William Philip of the household and also to Richard Philip, a London grocer who contested Fastolf's title to Southwark property during the 1450s. Fastolf certainly made enemies of these men. Whatever the dispute's background Fastolf met Ferrour's challenge decisively.

On 14 March 1452 Fastolf's opponents brought an action of forcible entry against him before the Surrey Justices of Peace.¹² According to William Worcester Fastolf then found that through 'grete malyce' the Justices were 'well wylling' towards his enemies. His legal council advised him to ask Chancellor Kemp to appoint new Justices, a favour granted by Kemp and the Lords of the Council on 29 June,¹³ so that, as Worcester says, Fastolf's challengers lost their intent according to 'reson and concience'. No known enemies of Fastolf were on the preceding commission and the changes, the first since 1448, were few. The significance of Fastolf's move was not that individuals were removed but that his enemies' action was disrupted and his own power emphasised. Kemp's favour was probably enough to deter Fastolf's opponents in spite of their background. Arbitration was also tried during 1452 and 1453 as a means to a settlement. The first agreements to arbitrate were reached before the Justices were changed. On 16 and 24 May 1452 Fastolf's representatives Robert fitz Rauf and William Est entered bonds of £200 with Philip and Heton, who promised that Willinghamale and his cofeoffees would accept the ruling of six arbitrators, three from each side.¹⁴ On 26 November 1452 and 17 May 1453 Philip and Heton further agreed to abide by the decision of one lawyer from each side.¹⁵ After a year of negotiations no final decision was reached, even though the last two arrangements were proposed in order to settle the dispute formally, Fastolf having won a victory in June 1452.

¹¹ Swk. 214 is a statement of Matthew Philip's objections.

¹² Swk. 199 (copy of the writ); Swk. 168.

¹³ C.P.R., HVI, v, p. 595.

¹⁴ Swk. 71C, 179. Fastolf was represented by William Wangford, Henry Sotehill and Henry Filongley.

¹⁵ Swk. 181, 163. Fastolf's representative was William Wangford.

Fastolf was confident that arbitration would bring success and made several attempts to persuade his opponents to accept it. Late in 1451 he secured an agreement that his tenant Nicholas Preest should occupy, paying rent to neither party, until the matter was settled.¹⁶ His opponents probably had some support amongst his Southwark tenants, to whom he wrote instructing that Preest should be allowed to occupy the Boar's Head. The letter, probably written early in 1452, mentions arbitration by two lawyers from each side who, if they failed to agree, would put the matter to a jury. Should this fail the Steward and Treasurer of the King's household would be asked to make a ruling. They, the senior household officers, would obviously have had power over Fastolf's opponents.

Another time Fastolf suggested placing the matter in the hands of the Council or two justices or sergeants named by it or any of a group of named courtiers and councillors, Lords Cromwell, Sudeley, Beauchamp of Powicke, Stourton and St. Amand and Sir Thomas Stanley, Sir Richard Harington and Sir Edmund Hungerford.¹⁷ These suggestions worried his opponents who wanted ordinary lawyers to decide. They clearly did not believe that these courtiers would support them as Suffolk might have done. Fastolf confidently expected to be helped. To settle the dispute quickly he accepted his opponents' proposals on condition that Chancellor Kemp should name the lawyers who would arbitrate.¹⁸

Suffolk's death allowed Fastolf influence he had not enjoyed since the 1430s. This persisted after York's failure to establish himself at court in 1451 and survived the hardening of attitudes after Dartford in early 1452. Probably Kemp's

¹⁶ Swk. 201 contains a note of the Preest agreement, a draft of Fastolf's letter and memoranda about the dispute.

¹⁷ Cromwell, Sudeley and Beauchamp were Fastolf's feoffees (as was Chancellor Kemp) but Hungerford, Stanley, Stourton and St. Amand were associated with government and royal household during Suffolk's ascendancy. Beauchamp, Cromwell, Stourton and Sudeley attended the Council c. 1450-53 (R. Virgoe, 'The Composition of the King's Council, 1437-61', B.I.H.R., xliii (1970), pp. 158, 159). Although Hungerford and Stanley were named in the Commons' petition against Somerset of 1451 Fastolf did not see them as a threat to him (S. Chrimes and A. Brown, Select Documents of English Constitutional History, 1307-1485, pp. 292-4).

¹⁸ Swk. 201. Fastolf accused his opponents of inventing objections to his proposals as a delaying tactic.

friendship was especially helpful to Fastolf. Although after early 1451 Fastolf was not politically important some friends and associates certainly were.

Fastolf used his influence successfully for the modest purpose of defeating unimportant householdmen in a contest for a few London tenements. Although he safeguarded his possessions his efforts did not produce a formal settlement. Such minor problems could be made troublesome, as here, by maintenance. For William Worcester Fastolf's victory accorded with 'reson and conscience' because his title was legitimate and because he triumphed over maintenance. Influence was exercised in a socially acceptable way. He did not contravene his own dictum that he 'shal nother werke by force ner by extorcion but sekyng his remedie as the kyngys lawes requiren'.¹⁹ Rarely can it be proved that he did contravene it, although he naturally used the advantages open to a man with wealth and connections.²⁰

Other Southwark properties posed less serious problems. During the 1450s Richard Philip, a London citizen and grocer, twice claimed the Hart's Head, valued at £10 p.a. in 1459.²¹ Lawrence Donne summoned him in Trinity 1459 but Fastolf knew that Philip maintained Donne. Fastolf suggested to Paston that an action of trespass regarding an entry made by Donne and Philip in 1455 would be a suitable reply, though he should seek counsel before acting. Fastolf looked for information, instructing Thomas Plummer to recover documents from Aston (his landlord) and Christopher Hanson to speak to a widow with relevant deeds who once had Donne imprisoned. John Hanham, the property's previous owner, was believed to have an obligation by which Donne had renounced his title to it. Fastolf, probably rightly, thought that Hanham might have other documents too.²²

¹⁹ Swk. 201.

²⁰ Two examples of Fastolf putting pressure on his opponents are the cases of Eiton and Sprout (below, pp. 177, 178).

²¹ Davis II, no. 579: a July 1459 letter to Paston.

²² Fastolf's letter shows that he did not own Donne's 1438 release to Hanham (Swk. 118). If Hanham had it he also had John Donne's similar release (Swk. 86 and 90).

Although in 1459 Fastolf prepared to counter this challenge there is no evidence that the property ever caused him serious difficulties. After 1459 his opponents had more opportunity. Only in 1471, with Wayneflete in command, was final settlement reached. Then Lawrence Donne, Margaret (his wife) and John (his son) released their claims, delivering to Wayneflete relevant deeds and muniments still in their possession.²³ Little is known of what was disputed. Wayneflete bought out Donne without proving the superiority in law of Fastolf's title. A College manuscript of c. 1480 refers to a Hart's Head deed being 'forged, as it is said'. This, a charter granted by John Bromsgrove in 1429, has an important place in the property's history.²⁴

By this charter Bromsgrove, on 11 July 1429, granted the Hart's Head to John Donne and his feoffees with remainders to Lawrence (Donne's brother), Thomas (another brother), John (Edith Bowet's son) and Henry (Bowet's brother). During 1438 each beneficiary except Henry Bowet released to John Hanham. He, having acquired the property in 1434, named several feoffees to his use in 1437, one of whom, John West, conveyed to Fastolf on Hanham's behalf in April 1440.²⁵ Superficially it seems that Hanham, regarding Bromsgrove's grant as valid, created a secure estate for himself before selling. In reality the position is less clear.

Bromsgrove's charter was probably thought a forgery at Magdalen because Hanham purchased the Hart's Head not from the Donnes, or even from Bromsgrove, but from William Philip, a London citizen and grocer and ancestor of the Richard Philip who challenged Fastolf. He claimed as kinsman and heir of William Philip of Leeds

²³ In March 1463 Justice Yelverton leased the property to William Philip, citizen and grocer of London (Swk. 113). For Wayneflete's settlement see Swk. 7C, 24C, 53C, 107, 82 and 11, 112, 120.

²⁴ Swk. 105, 106: recorded as a forgery in Magdalen College. Add. MS. 96, 4v, no. 120, a manuscript of c. 1480. Two late fifteenth century registers of Southwark deeds (Swk. 204 and E.P. 129/41) reveal the College's interest in these properties.

²⁵ See Swk. 116, 115, 118, 86 and 90, 72, 6, 103 for the 1434-40 transactions. J. Hanham of Tendring (Essex) esquire was a sergeant of the poultry and cellarer of the great kitchen, supplying the household until his retirement in 1440. In other respects he was active after 1440 (C.P.R., HVI, iii, p. 499: C.F.R., xvii, pp. 200, 201, 203, 234, 236, 237; xix, p. 49: C.C.R., HVI, iv, p. 414).

(Kent). Clearly a dispute was in progress in 1431 when Philip of Leeds made him his attorney to prosecute his claim to the property.²⁶ This may have been decided in favour of William Philip of Leeds or his kinsman. When Hanham secured releases from the Donnes in 1438 he may have tried to insure himself, as a matter of prudence, against men whose claim had been overruled.

That Bromsgrove's charter was forged is impossible to prove because most of the surviving deeds cover the reigns of Richard II and Henry IV while material from the accession of Henry V to 1430 is scarce. These deeds do not present a clear picture of the property's history. Indeed their confusion suggests that the preconditions for a dispute between the Donnes and the Philips existed several years before 1431.²⁷ Thus the possibility of forgery cannot be dismissed, particularly as Lawrence Donne received grants of Surrey property from Bromsgrove in 1429 and 1431. When Bromsgrove died in 1431 Donne had the opportunity and the incentive to perpetrate a fraud.²⁸ So any forgery would probably have occurred then. If forgery took place Fastolf was unaware of it when he purchased in 1440. He knew very little about the property's history even during the 1450s when opposing factions from the Donne-Philip dispute joined forces against him, perhaps claiming that Bromsgrove's charter was authentic. It was Fastolf's wealth and

²⁶ Swk. 8B and 65 (2 February). Hanham's feoffment (Swk. 115) describes the property as once being William Philip's of Leeds. Philip made a feoffment on 23 February 1431 (Swk. 92 and 64C, 99 and 63C). One feoffee was William Aston, the man (or a relative of the man) Fastolf believed to have relevant information in 1459 (also Swk. 121, 84).

²⁷ Philip of Leeds claimed as heir of Sarah Wayte. Her family appears in some deeds (Swk. 101, 91, 88 and 89, 122, 128, 114) and certainly owned the property late in the fourteenth century. The deeds are confusing because they give no evidence of Philip's relationship to Sarah Wayte. Also, while showing that Bromsgrove was a feoffee for the Hart's Head (by 1411; Swk. 102, 114) they give no indication that he possessed it in his own right.

²⁸ C.C.R., HVI, ii, pp. 89, 289. On 26 August 1429 Lawrence Donne received a twenty-two year lease of 2/3 of Mickleham (Surrey) from Bromsgrove who, shortly before his death, released it to Donne, his heirs and assigns on 2 March 1431. On 8 November 1433 Donne was quitclaimed Bromsgrove's Surrey property by Bromsgrove's cousin and heir Thomas de Pulle of Bromsgrove (Worcs.). Some of this he sold in 1441 (C.P.R., HVI, iii, p. 545; iv, p. 28). Lawrence and Thomas Donne, who were probably from a London family, lived in Surrey by 1434 (C.P.R., HVI, ii, p. 380; C.C.R., HVI, ii, pp. 46, 56).

influence, not conclusive evidence of his rightful ownership, that rendered the challenge ineffective. The background to this challenge was the complex and confusing conveyancing of small urban properties such as the Hart's Head in a London market kept bouyant by the urgent demand of the members of the commercial classes, like the Philips, for this property.

The complexities of urban property rights, which provided many opportunities for dispute, is illustrated by Dunley's property. As with the Hart's Head the full impact of dispute about this came after Fastolf's death, although minor problems occurred during his lifetime. In 1459 Richard Weltden esquire, a Northumberland man whose father served in Henry VI's household, claimed that this property belonged to his wife's inheritance. On this occasion he received only fair words from Fastolf.²⁹ After Fastolf's death Weltden continued to press his claim. In November 1466 Yelverton and Howes tried to end the disagreement by arbitration. When this failed Weltden entered the property only to be expelled in an action of trespass by Bishop Wayneflete. Finally Weltden challenged Fastolf's executors in Chancery, where judgement was given in his favour.³⁰ Obviously the most damaging aspects of this conflict took place after Fastolf's death. Presumably Weltden was deterred by the prospect of litigation with him.

During Richard II's reign Dunley's property (a messuage, two mills, land, associated gardens and wharf in Saint Olave's parish) came to John Oliver by marriage with Joan, Thomas Dunley's daughter and heir. Their heir, William, was vicar of Croydon, where he founded an almshouse. After John Oliver's death William and Joan, with Joan's new husband Robert Wolton, made an arrangement with Stephen Bartillot, a London glover, regarding this property. Bartillot agreed to have it on a hundred year lease.³¹ Later he created a separate interest in

²⁹ Davis II, no. 579. In F.P. 82 (a copy of 1460s Chancery proceedings) Weltden says that Fastolf promised him the reversion if he proved his case and observes that Fastolf's will offered redress to those denied rights by him. For Weltden, father and son, see C.P.R., HVI, v, pp. 270, 387, 389, 418, 445, 479; vi, pp. 28, 177, 220, 299, 673.

³⁰ F.P. 82, Swk. 54C, 72C.

³¹ Swk. 13C (conveyance to Bartillot of 1397): Swk. 49 (a 1398 bond between the parties).

part of it for William Eiton, who continued to hold when the lease came to Bartillot's executor William Combes, a London fishmonger and alderman, in about 1420. On 14 August 1442 Combes sold the lease to Fastolf for 80 marks in hand.³² What Fastolf knew of this background is uncertain. Possibly because he was unhappy about his title a powerful group of feoffees was named in 1442.³³

Thus Fastolf acquired a lease for the remaining fifty-six years, two rents, the right to execute Bartillot's will and Combes's promise that, should William Oliver die within three years, 20 marks would be paid to him. His obligations were to pay a 10 marks annual rent to Oliver, rents of £4 and £2 to the heirs of John Brynklesworth and Rochester Priory respectively and a duty to leave William Eiton in possession. Fastolf paid Oliver but neglected the other obligations. Failure to pay the rents caused litigation later. Possibly using his authority as Bartillot's executor as an excuse he kept Eiton out of his property. Eiton twice petitioned Fastolf saying that poverty prevented him seeking legal redress.³⁴ Eiton feared that the 'fulle honourable and descrete sovereign...knyght' would vex him 'cruelly' for Fastolf told him to re-enter at his peril. Fastolf cannot have intended to honour these well-known obligations.

This may have been because he planned to convert his lease to an estate in fee simple. By 1442 William Oliver, who owned Dunley's property, was old. In January 1445 he enfeoffed Thomas Sprout (his attorney) and William Purpitt with his Southwark property to the use of his will.³⁵ During March he bequeathed his property to Sprout on condition that Sprout pay 8d weekly to the poor in his

³² Swk. 13, 16; P & M (1437-57), pp. 71, 72, 118, 146, 160, 205. Combes, alderman from 1437 to 1452 and sheriff in 1441-2, was dead by 26 March 1455. John Sire was co-executor of Bartillot's will (Swk. 16C).

³³ Most senior were Humphrey, Duke of Gloucester and Henry, Bishop of Winchester. Sir Henry Inglose, John Winter and Richard Waller were also named (Swk. 13).

³⁴ F.P. 39. Eiton tried to secure his interests by gaining a release from John Hickling in 1438 (Swk. 17C) and an acknowledgement of his rights from William Southcote in 1439 (Swk. 1). Eiton owed 15/- rent to Bartillot's executor who, by 1442, was Fastolf.

³⁵ Swk. 26C.

Croydon almshouse until a total of 40 marks was disbursed.³⁶ Remainder was granted to his right heirs. In January 1446 Oliver stipulated that his right heirs should enter straight away if Sprout failed to perform this obligation.³⁷ Finally, by a deed of 2 March 1446 Sprout was granted the reversion of Dunley's property.³⁸

Fastolf alleged that this last deed was a forgery and quickly assembled evidence to prove it.³⁹ Had the deed been authentic, which it probably was not,⁴⁰ his hopes of gaining a permanent estate in Dunley's property would have been dashed. In addition Oliver's will meant a sixteen year wait before his nephew and heir, William Southcote, could enter. Both Southcote and Fastolf had reasons for undermining Sprout's position and Sprout appears to have played into their hands. They co-operated to achieve his downfall apparently without resorting to the courts. Late in 1446 Fastolf purchased from Southcote a large Southwark property including that on lease from Oliver. He carefully obtained releases from Southcote, who was in financial difficulties, and other interested parties, although not from Sprout, who, crushed by Fastolf's coup, posed no problem after 1446.⁴¹ There is no sign that the almshouse received a bequest from Oliver's property.

His joint action with Southcote insured Fastolf against serious challenges. Apart from a relatively minor dispute with Rochester Priory and a hint of trouble from Thomas Hartwell esquire in November 1451 Fastolf's occupation of Dunley's

³⁶ Swk. 29: declaration by William Bryan, public notary, of the will's terms.

³⁷ Swk. 75.

³⁸ Swk. 46.

³⁹ Swk. 64: Stephen Scrope's statement that Sprout told him that Oliver never made estate and feoffment to him and he never took seisin of the property; and Thomas Howes' declaration that Oliver, being ill, never left his chambers in the three months before his death.

⁴⁰ Margaret Paston's November 1460 letter shows that the deed was already kept in a box labelled 'falce carte Sprout' (Davis I, no. 156). It is so described in a Magdalen manuscript of c. 1480 (Add. MS. 96, fo. 4v, no. 109).

⁴¹ For these transactions see Swk. 1C, 36, 22C, 69. Thomas Howes argued that owing to her youth Elizabeth Southcote released later than 1446. If Fastolf was correct she did so during Trinity 1451 (F.P. 82: Davis II, no. 579). Weltden, however, denied that record of this existed. There is none amongst the Southwark deeds.

property was untroubled. Hartwell made an obscure claim for a 12 mark quit rent which has left barely a trace in the records.⁴² Fastolf's failure to pay Rochester's £2 rent caused him trouble between 1454 and 1457 when expenses on pleas, juries and assizes amounted to at least £14-12-1. In c. 1458 judgement (possibly in arbitration) was given against him and he paid a small sum in compensation to the Priory. By contrast John Brynklesworth's heirs created no problems.⁴³ Weltden's claim in July 1459 on behalf of his wife (Southcote's daughter and heir) referred only to Dunley's property, as is clear from proceedings in Chancery. Although this suit involved discussion of transactions of the 1440s Weltden succeeded by revealing an entail of Richard II's reign by John and Joan Oliver, of which Fastolf was ignorant when he first gained an interest in Dunley's property.⁴⁴

Although Dunley's property was not Fastolf's first in Southwark it was valuable to him, perhaps more for its location than its economic significance.⁴⁵ Having used an unsatisfactory method (leasing) to acquire it he ejected a sitting tenant and completed a suspicious transaction to ensure permanent possession; one of the few examples (another is the Boar's Head) of such pressure being applied in his purchasing. Not only did the London market involve intricate tangles of property, it was also competitive and difficult to enter. This was unfortunate

⁴² On 17 November Hartwell appointed attornies (including Thomas Littleton) to demand the rent for him and to distraint Dunley's Southwark property for it (Swk. 10B). Possibly he wanted rent from Dunley's Field, part of Dunley's property until 1426 when William Oliver released it to Robert Rickhurst, a London citizen and butcher (Swk. 55). Swk. 36 plainly shows that this field was not in Southcote's inheritance, so Hartwell had no claim on Fastolf regarding it.

⁴³ F.P. 42. Letters of June 1456 and April 1457 mention Rochester (Davis II, nos. 552, 571). In 1456 John Bocking called Paston to London for assistance in reaching a favourable settlement, though one was not made then. An estate in Dunley's property was granted to Robert Brynklesworth by William Oliver's stepfather in 1425 (Swk. 63, 41C, 15) but the nature of the heirs' interest is obscure.

⁴⁴ In 1394 John and Joan Oliver granted Dunley's property to John Spicer and John Stanton and recovered it for themselves and their heirs with remainder to Joan's right heirs (Swk. 19C, 73).

⁴⁵ Dunley's strategic location between Yevele's property and Horseydown Field enabled Fastolf to concentrate property for residential purposes. Plausible allegations that he destroyed two mills here suggest that purely economic considerations were of secondary importance (F.P. 82; Swk. 69; Add. MS. 28212, fo. 25).

for men like William Eiton whose own share of such rights obstructed Fastolf's desire to build himself a residence beside London.

Such conditions made legal disputes nearly inevitable. How little trouble Fastolf actually encountered is therefore significant. Several Southwark properties were evidently not subjects of disagreement at all. The contrast between what happened before and what after his death is instructive. The Dunley and Hart's Head cases suggest that Fastolf was better informed about his rural properties than his urban ones. Information was harder to accumulate in the active urban market. Possibly Fastolf was unworried by this lack of knowledge, there being little evidence that he intended protracted litigation which would make information about Southwark essential. Nevertheless it was possible to buy unencumbered property as in the purchase of Southcote's property and Yevele's inheritance.

No serious problems affected Southwark because Fastolf was never opposed by anyone with power. His challengers for the Boar's Head were threatening but the case was atypical. Moreover, although it involved royal householdmen, it happened when their influence was less than under Suffolk, whose ascendancy encouraged considerable difficulties from this source. The Boar's Head dispute shows Fastolf using influence to solve a legal problem. His success with John Winter's executors and his triumph over Sprout reveal his influence preventing conflict from occurring where his actions might have provoked it. Faced by men without influence Fastolf enjoyed the advantage of wealth for, as William Eiton knew, he was better placed to incur legal expenses than most men. Yet there is no evidence that such expenses amounted to very much for his Southwark possessions. Success, however, could not be guaranteed. The Rochester Priory case was quite correctly decided against him. Justice sometimes triumphed in mid-fifteenth century England.

These disputes are uninformative about how cases were conducted, though they suggest that private negotiation was important in attempting to resolve disagreements, probably because it was cheaper and quicker than Chancery or common law suits. Bargaining about who should be arbiters and what their terms of reference

should be was a timeconsuming matter requiring skills akin to the diplomat's. Arbitration gave contestants room for manoeuvre that the law did not, and Fastolf was fond of it. The Boar's Head evidence shows that agreements to seek arbitration might be abortive and final settlements not be reached. Fastolf was prepared to use bonds of agreement as weapons leading to the imposition of peace. Arbitration, a great advantage to those with superior title and powerful friends, was not confined to title disputes in Southwark. At least once Henry Filongley and Thomas Hoo arbitrated in a boundary disagreement between Fastolf and William Lemyng.⁴⁶ The City's courts were also used. Lawrence Donne was prosecuted in Gild Hall in 1455 and Rochester's claim was probably heard there.⁴⁷ Unfortunately these suits are obscure.

The Southwark evidence demonstrates Fastolf's singularity of purpose, which provided the vital impetus and power in confrontations of this kind, especially when he resided in London (c. 1440-1454). It was this that his quarrelling executors did not maintain after 1459. The Southwark disagreements did not have very serious consequences during Fastolf's lifetime. Similarly the dispute that broke out about the rural Suffolk manor called Caldecotes in Fritton was not very serious. It contrasts markedly with Fastolf's difficulties with the Prior of Hickling, Sir Edward Hull and Sir Philip Wentworth. Fritton lay near to Caister Castle in the hundred of Lothingland. It cost Fastolf the equivalent of about twelve times its annual value and was the subject of complicated disagreements over a long period. When Fastolf purchased the manor in 1434 there were two well-known, unresolved disputes concerning it in progress. His purchase price was favourable. The decision to buy must have been his alone, for the purchase was a calculated risk. Fritton was attractive because of its excellent location and its economic potential. Fastolf's gamble paid off. Considering the initial problems it is striking how little trouble the manor really caused him.

⁴⁶ Swk. 11A, c. 1452.

⁴⁷ F.P. 42.

The disagreements existing when Fastolf purchased were not formally resolved until Wayneflete bought out the competing interests in 1472 and 1473.⁴⁸ The conflicts between Fastolf's executors gave the disagreements renewed importance after 1459. During his life Fastolf was strong enough to protect his interests without a formal solution either in court or out, and the manor (and revenue from it) remained safely in his hands at all times. In this way he saved money. By the late 1440s, when other lawsuits were making heavy financial demands, he would not have wished to spend money to gain an unnecessary vindication of his title to Fritton, and there was at that time no pressing need for him to do so.

On the two occasions during his possession of Fritton when serious disagreements occurred (in 1441 and 1455-7) Fastolf responded to challenges from his enemies.⁴⁹ He did not take the initiative. His chief rival during each challenge was Gilbert Debenham, though Sir Philip Wentworth's support in 1455 alarmed Fastolf's servants. Debenham was an unscrupulous man whose predilection for seeking gain by bringing vexatious suits against other men is well known.⁵⁰ Nevertheless his earlier attack is slightly surprising because it occurred when Fastolf had recently returned to England for good and must have seemed a formidable opponent. Possibly Debenham, who had troubled Fastolf's English council during the late 1430s while the knight was still overseas, hoped for support from

⁴⁸ Wayneflete bought out William Lawney's daughter and heir Anne and her husband Henry Wood (C. 33, 34, 76, 77, 81), gained a release from William Paston (C. 44), obtained licence to grant Fritton to Magdalen from John, Duke of Suffolk and his mother (C. 12) and caused Sir Thomas Brews to renounce (C. 50) the rights John Lancaster granted him (C. 42) on account of his marriage connections with the Debenhams.

⁴⁹ No evidence suggests that litigation occurred after 1441. Concern was expressed in June 1455 when Wentworth approached Debenham and others of Norfolk's household over the wardship dispute (Davis II, no. 525). In April 1457 three Fritton men confirmed that statements made in 1431, which provided vital evidence in Fastolf's favour, were true (F.P. 56, C. 9, 45). These indications of concern regarding Fritton are the only references I have found to developments after 1441.

⁵⁰ See W. I. Haward, 'Gilbert Debenham: a medieval rascal in real life', *History*, xiii (1929), pp. 300-314. Debenham is described as 'an exceptionally able and unscrupulous villain' (p. 300), who specialised in fraudulent actions on obligations (p. 304). Miss P. Madden of Brasenose College, Oxford has further evidence of Debenham's villainy, which she has kindly told me about.

more influential men.⁵¹ He seems at this time to have been friendly with Fastolf's enemy Sir Thomas Tuddenham.⁵² Debenham's natural allegiance, however, was to the Mowbray dukes of Norfolk. As Fastolf and the third Duke were on good terms it is likely that Fastolf's deference towards Norfolk persuaded him not to press his case against Debenham after 1441. The Duke may have helped to enforce a settlement, just as the Duke of York healed a dispute between two of his followers in 1458.⁵³ Norfolk was probably not keen to see Debenham and Fastolf undertake divisive litigation for both men were his well-wishers whose friendship he wished to keep. Nevertheless this exercise of lordship, supposing it occurred, was more favourable to Fastolf than to Debenham.

During 1441 Fastolf used a suit in Chancery to defeat Debenham. Eventually Debenham was deterred from causing further trouble until about 1455. Fastolf had to approach the Chancellor twice because Debenham ignored the first sub poena summoning him to appear in Chancery.⁵⁴ Fastolf's action was a necessary means of stifling trouble in East Anglia where, initially with the Chancellor's support, Debenham had an action of formedon against him before the justices of assize.⁵⁵

⁵¹ In 1435-6 the council spent money defending John Pekker from Debenham's suit of novel disseisin for Fritton (F.P. 14).

⁵² Haward, op. cit., p. 302.

⁵³ J. T. Rosenthal, 'Feuds and Private Peace Making: a Fifteenth-Century Example', Nottingham Med. Studies, xiv (1970), pp. 84-90. Relations between Norfolk and Debenham were not invariably good. Thus in October 1438 Debenham agreed to obey the award of Norfolk and the Earl of Suffolk regarding disagreements with Katherine Clerk (see Haward, op. cit., pp. 309, 310) and with Norfolk himself (C.C.R., HVI, iii, p. 232). It is possible, given Debenham's friendship with Tuddenham and Suffolk's involvement, that Suffolk's associates encouraged Debenham's dispute with Fastolf.

⁵⁴ Two different (undated) petitions are evidently from 1441: F.P. 32 and C1/11/214 (copied in F.P. 56 together with Debenham's reply and Fastolf's response).

⁵⁵ F.P. 32. An action of formedon, also contemplated by Anne and Henry Wood against Sir John Paston in 1467 (C. 43), was available for recovery of entailed property in remainder, reverter or descender. Although Lawney was still alive, Debenham's action presumably turned on Lawney's 1423 feoffment, allegedly made to the use of his will. A 1423 will required his wife to have estate of his property for her life and to be guardian of any children. Failing issue Lawney's heirs in tail were to inherit (C. 5). In c. 1392 Lawney's grandfather entailed the family property on Lawney's father and his heirs and Lawney's uncles and aunts in turn (C. 68).

As an emergency measure Fastolf asked the Chancellor to issue a new commission to the justices in East Anglia because Debenham, a powerful and aggressive man,⁵⁶ had impanelled a jury that was sure to decide against him. Although the case was heard in Chancery there is no evidence that a decision was reached there. This potentially explosive dispute was evidently defused outside the existing framework of legal institutions.

It is hardly surprising that Chancery failed to provide a conclusive settlement of this difficult case. It had already heard it in 1430, four years before Fastolf purchased the manor, and had not reached a decision. During 1431 arbitration by the Earl of Suffolk had also been ineffective.⁵⁷ In 1430 it became apparent that the main disagreement was between William Lawney esquire, who then owned Fritton, and two of his feoffees in the property, Gilbert Debenham and John Lancaster. Debenham and Lancaster claimed that, although Lawney had sold Fritton in 1430, they should still have an estate in the property. With this argument they challenged the two subsequent owners, John Pekker (a citizen and vintner of London) and Fastolf himself. A subsidiary dispute emerged between Pekker and Lawney regarding the terms of Lawney's sale to Pekker. Though related, these two disputes should be seen as separate issues. The former was the more important.

William Lawney, a Suffolk squire, was associated with the Mowbray affinity, as can be seen from his marriage to Eleanor Debenham.⁵⁸ She was the daughter of Gilbert Debenham, who was an important member of the second Duke of Norfolk's council, and the sister of the Debenham who was the main troublemaker in the Fritton dispute. The latter, as we have seen, was connected with the third Duke and, rather

⁵⁶ Debenham was a Suffolk J.P. throughout the 1440s (C.P.R., HVI, iv, p. 479; v, p. 595). In 1444 he attacked Ralph Garneys and his property at Ellingham (C.P.R., HVI, iv, pp. 290, 337) and was involved in Norfolk's attack on Letheringham in 1448 (v, p. 236).

⁵⁷ c. 66.

⁵⁸ Fastolf believed that Lawney married in 1415-16 (C. 59).

like his lord, earned a reputation for unruliness.⁵⁹ His friend John Lancaster was the son of another man who had served the second Duke.⁶⁰ Perhaps the Lawney-Debenham dispute should be seen as a disagreement amongst members of the same affinity. If so the significance of its date of outbreak (1430) is evident. Mowbray power was rendered temporarily ineffective by the youth of the second Duke's heir, so that there existed no disciplining control over the disputants. For this reason in April 1431 John Pekker agreed to abide by the Earl of Suffolk's ruling in his dispute with Debenham and Lancaster. Lawney, largely through financial difficulties, had already opted out of the unequal struggle against them. Like many proposed arbitrations this one achieved nothing.

Lawney inherited the manors of Fritton and Onehouse (another Suffolk property) from his father Bartholomew.⁶¹ On 31 May 1423, before leaving to fight in France, he conveyed his lands to a group of feoffees which was headed by Sir Simon Felbrigg and included Debenham and Lancaster. On the same day he seems also to have made a will.⁶² In January 1430 he required his surviving feoffees to release their right to him in order to clear the way for his sale of Fritton and Onehouse. All, with the exception of Debenham and Lancaster, complied with his request. Despite their refusal Lawney went ahead with his plan, selling Onehouse to William Skrene and

⁵⁹ K. B. McFarlane, English Seignorial Administration and its Records, 1290-1536, unpublished lectures given in Trinity term 1954. Chapter V examines the Mowbray council c. 1375-1425. The elder Debenham, who probably died in 1417 (C.F.R., xiv, p. 196), was a 'lifelong servant' of the Mowbrays. His son was certainly a councillor during the 1450s (Davis I, no. 46; II, no. 479): see note 57.

⁶⁰ McFarlane, op. cit. John Lancaster senior was chief councillor by 1422. He enjoyed a distinguished career in the Commons (J. S. Roskell, The Commons in the Parliament of 1422, pp. 194-6). Two other of the second Duke's councillors, William Paston (retained in 1422-3) and Richard Stersacre, were William Lawney's feoffees in 1423.

⁶¹ His family owned these manors by the middle of the fourteenth century. After the death of William Lawney's father Bartholomew in c. 1409 his mother Agnes married Sir John Clifton. She was dead by September 1415 when Lawney held courts at Fritton (C. 24, 74, 78).

⁶² C1/11/214; F.P. 32, 56; C. 59, 67. Lawney's will bears the same date as this feoffment (C. 5). The feoffees were Felbrigg, Sir John Heveningham, John Lancaster senior, Richard Stersacre, William Paston, Gilbert Debenham, John Lancaster junior and John Walsham. Heveningham, Walsham and the elder Lancaster died before 1430.

Fritton to John Pekker during March 1430.⁶³ He was quickly forced into litigation regarding these transactions. Within a few days of each other two petitions were brought before the Chancellor on Lawney's behalf. The first, on 29 April 1430, was directed against Debenham and Lancaster.⁶⁴ Lawney requested that they be compelled to make the required releases to him as his other feoffees had done. The second, on 1 May, was directed against John Pekker, the purchaser of Fritton.⁶⁵ Lawney claimed that Fritton was only granted to Pekker for a period of twenty years against a debt of 250 marks whereas Pekker asserted that he had received the manor in fee simple. Moreover Lawney alleged that Pekker had forged evidences to his detriment. Neither of these suits went beyond this preliminary stage.

Obviously there were conflicting pressures acting upon Lawney. He had to sue Debenham and Lancaster for their releases if any transaction with Pekker was to be completed satisfactorily. This difficulty had been expected as an agreement made in December 1429 between Pekker and Lawney reveals. In 1429 Lawney promised Pekker that he would secure these releases.⁶⁶ Lawney's action against Pekker is difficult to explain because the surviving deeds^d do not substantiate the claim that Fritton was conveyed to Pekker merely for a term of years. It is not altogether impossible that Debenham and Lancaster bribed Lawney to bring this action against Pekker. Lawney was clearly worried by impending financial ruin. He very quickly dropped this action, releasing all his right to Pekker on 26 June for 100 marks in hand.⁶⁷ He may simply have been trying to get money out of Pekker, but his accusation did provide Debenham and Lancaster with a useful weapon against Pekker and may have been inspired by them. The eventual outcome of these manoeuvres was that Pekker was left facing a difficult battle.

⁶³ C. 67 (January 1430): C. 56, 8, 32. Lawney barred all claims from himself, his heirs and anyone in his name by deeds which Debenham accused Pekker of forging. Lawney's June release (C. 32) came two months after his Chancery petitions.

⁶⁴ C. 13; C.C.R., HVI, ii, pp. 48, 49.

⁶⁵ C1/7/134; C. 80 (with a copy of the writ of sub poena to Pekker).

⁶⁶ C. 69. This is a note of a bond made 17 December 1429 in £400 by Lawney to Pekker (in statute staple; see F.P. 56).

⁶⁷ C. 32.

Pekker had little success in his dispute with his opponents who brought an action of novel disseisin against him. His appeal to Suffolk was futile because the Earl was unable to impose a settlement. It is therefore understandable that Pekker was prepared within four years to sell out to Fastolf at just over half the normal price. This did not bring Debenham's action to an end. It was continued for several years with financial support for Pekker being provided by Fastolf's council. A further significant development was that, shortly after Fastolf's purchase, Lawney made a full quitclaim of both Fritton and Onehouse to Debenham and Lancaster, declaring that he desired that they should have them to their own use.⁶⁸ Lawney may have needed money, but it was most unscrupulous of him to do this. He must have been aware that he had no right in these properties to grant away. The quitclaim was sought by Debenham in response to Fastolf's purchase. Debenham needed this strong position because Fastolf would be a tougher opponent than Pekker.

The unfortunate Lawney became important again during 1441. A statement made by him on 18 February 1441 and acknowledged by him on 21 February was enrolled on the Close Rolls.⁶⁹ This statement provided detailed confirmatory evidence of the argument that Debenham was to bring against Fastolf and concluded with the request that Debenham and Lancaster should duly perform Lawney's will. This statement not only flatly contradicted an earlier declaration of Lawney's, made on 7 February 1441 before John Stokes (protonotary) and Nicholas Consell (notary public),⁷⁰ it also overlooked the consequences of Lawney's quitclaim of his property to Debenham and Lancaster during 1434 by omitting to notice that it had ever taken place. This suggests that Lawney was put under pressure by Debenham. Fastolf reacted by placing Lawney under even greater pressure. On 20 March 1441 Lawney made an

⁶⁸ C.C.R., HVI, ii, p. 312.

⁶⁹ C.C.R., HVI, iii, p. 463. Lawney said that he wanted his 1423 will performed. He alleged that Pekker forced him to change his will, to acknowledge a new will and to secure release from his feoffees. Fastolf believed that Lawney made wills after 1423 (F.P. 56).

⁷⁰ Spitlings 10.

affidavit which overturned his statement of 21 February.⁷¹ He did this at the Chancellor's London residence in the presence of Chancellor Stafford himself, Lord Cromwell (the Treasurer), James Lord Audley and Thomas Bekington (the King's Secretary). This impressive gathering was surely arranged by Fastolf in order to bring pressure to bear not only on Lawney but also on Debenham. Furthermore on the next day (21 March) Lawney made a confirmation of his statement of 7 February to the notaries.⁷² By exercising his influence Fastolf seems to have gained the upper hand in his struggle with Debenham during the course of litigation in 1441.

Fastolf also brought pressure to bear on his opponents by inviting important men to be his feoffees for Fritton. On 29 June he planned to demise the manor to the Bishops of Lincoln and Norwich, to Lord Cromwell, Sir Henry Inglose, Sir William Oldhall, Sir Robert Wingfield (who was as yet still friendly with the Duke of Norfolk) and eight lesser men who were his servants or neighbours in East Anglia.⁷³ This feoffment was designed to show his opponents the support he could call on. Another feoffment, of 17 August, had fewer laymen amongst the senior members, who were the Bishops of Lincoln, Norwich and Salisbury and Sir Henry Inglose.⁷⁴ Fastolf presumably felt more secure than he did in June. He was justified in doing so because this dispute caused almost no problems after 1441.⁷⁵ The litigation of that year, by showing how greatly the parties differed, underlines the significance of Fastolf's success out of court.

Debenham claimed that in 1423 William Lawney made a feoffment with the condition that his feoffees (of whom he and Lancaster were two) should convey his property to his wife and their heirs at his death.⁷⁶ Fastolf denied that this

⁷¹ C. 28.

⁷² Spittlings 10 is a confirmation of the earlier statement. In July 1441 Fastolf acquired an inspeximus of Lawney's April 1430 petition and declaration against Debenham.

⁷³ C. 27.

⁷⁴ C. 51, 48.

⁷⁵ After 1441 only the minor alarms of the 1450s are recorded.

⁷⁶ C. 29; F.P. 56.

condition was made.⁷⁷ He argued that Lawney intended that his property should be returned to him on request and that, being unlearned in the law, Lawney assumed that he was able to sell in fee simple to Pekker without releases from Debenham and Lancaster, who were overseas when the other feoffees released. Fastolf stated that, having purchased it from Pekker, he held Fritton peacefully, trusting that Debenham and Lancaster would eventually release. Debenham, however, explained that Lawney met Pekker in London and was induced to lead a disorderly life and fall into debt. Then he was forced to mortgage Fritton to Pekker for a loan of 250 marks. The manor was not sold in fee simple. Debenham further alleged that the feoffees who released in 1430 did so in ignorance of the conditions of the 1423 feoffment. Knowing better he and Lancaster refused to release, leaving Pekker (and consequently Fastolf) with seisin of only 3/5 of Fritton. Finally he asserted that Pekker stole Lawney's seal of arms and forged an estate in fee simple before selling to Fastolf.

These accusations against Pekker were the same as those made by Lawney in 1430. If true they meant that Pekker was never entitled to sell to Fastolf. This would undermine Fastolf's case and leave Pekker vulnerable to the claim that Lawney, by the terms of his 1423 feoffment, was obliged not to dispose of his property outright. Fastolf, needing to prove that Lawney was free to sell, concentrated on his opponents' claim to have seisin of 2/5 of Fritton. Since Lawney had renounced his 1430 accusations against Pekker, Fastolf had only to defeat Debenham in order to be secure. In his view the case raised no matter of legal principle because he and Debenham disagreed merely about what had happened in the past. Thus, accusing Debenham of lies and forgery, Fastolf focussed attention on the 1423 feoffment and Lawney's marriage settlement.

Debenham claimed that his mother Ellen paid £120 to Lawney in order to ensure that her daughter Eleanor would have an interest in Lawney's property throughout her life. According to him Lawney's 1423 feoffment, combined with a will of the

⁷⁷ C1/11/214; F.P. 56; C. 59, 6.

same date, was designed to provide for Eleanor in this way. The advantage of this argument was that Debenham would be seen as the defender of his sister's rightful interests against the damage caused by Pekker's exploitation of her husband's weaknesses. Fastolf denied that Lawney received money from Ellen Debenham and rejected the idea that a marriage settlement had been arranged. Lawney, he said, had been the ward of John Lancaster senior and was married in accordance with Lancaster's wishes. If any money was offered, which Fastolf doubted, it should have been paid to Lancaster. Moreover Fastolf believed that Lawney was married at fifteen, when he would have been too young to be party to the alleged agreement.⁷⁸ More important, however, was his denial that conditions were attached to the 1423 feoffment. Fastolf drew attention to a statement by eight Fritton men that Lawney's feoffment was made without conditions. This statement was made before John Polard (imperial notary and clerk of Lincoln diocese) in Fritton church on 22 April 1431 by men who were present in 1423 when Lawney granted livery of seisin to his feoffees.⁷⁹

Fastolf thus challenged Debenham's principal evidence for his claim that Lawney imposed conditions on his feoffees in 14¹3. This was a document which allegedly recited the conditions Lawney declared then. Fastolf also argued that Lawney would not have sought releases from Debenham and Lancaster in 1429 if he had genuinely desired them to fulfil the supposed conditions of 1423. He noted that Debenham had not offered this evidence during Suffolk's 1431 investigation or on another occasion when Sir John Tirrel acted as arbiter. In Fastolf's view the document was a forgery. The wax of the seal was too fresh for it to have been sealed in 1423. Lawney, moreover, had denied sealing it. Even if the document were authentic, Fastolf concluded, it was not Lawney's last will because Lawney

⁷⁸ F.P. 56; C. 59, 6. There is doubt about this. Presumably Lawney was of age when holding courts in 1415 (C. 24). He could not have married at fifteen in 1415-16 as Fastolf asserted. An error about the marriage date was unimportant, though if Lawney married as an adult of his free will this was more damaging. However it would not affect Fastolf's position on the 1423 feoffment.

⁷⁹ F.P. 56. See also C. 9(1), (2); C. 45. The latter are affidavits made in 1457 respecting the 1431 statements.

had rejected it in word and deed. Fastolf possessed evidence that Lawney had made wills since 1423.⁸⁰ Thus without denying that Lawney made a will in 1423 Fastolf easily undermined Debenham's account of what happened in that year. His case was intelligently argued and he created the impression that his opponents were crooks while emphasising the central importance of his main evidence. This was sensible in view of Debenham's reputation.

Although Fastolf's case cannot be proved there are reasons for thinking it correct. One is the suspiciousness of Debenham's assertion that Lawney's feoffees released in ignorance of the conditions of the 1423 feoffment, as it would be surprising if this were the case. Another reason is Debenham's success in pressurising Lawney on several occasions. Even though Fastolf felt that his arguments were superior to Debenham's he tried to make them look better still. At times he was not candid. He said that Lawney was ignorant of the law in order to explain Lawney's sale without releases from all his feoffees. This was misleading; Lawney's later behaviour was weak and unscrupulous rather than naive. It was in Fastolf's interests to persuade the Chancellor that Debenham had exploited the innocent Lawney. Similarly Fastolf's assertion that he occupied Fritton in peace expecting Debenham and Lancaster to release is not the whole truth. In 1435-6 his council supported Pekker in an assize of novel disseisin brought by Debenham. Fastolf cannot have expected Debenham to release without a struggle. There were reasons why he had been able to buy Fritton at half price.

Since this case involved a feoffment to use it was typical of early proceedings in Chancery, being of the type Avery has called 'equitable'.⁸¹ Fastolf

⁸⁰ C. 6. Here it is stated that Lawney often made wills contrary to the intent supposed by Debenham.

⁸¹ M. E. Avery, 'The History of the Equitable Jurisdiction of Chancery before 1450', B.I.H.R., xlii (1969), pp. 130, 135. N. Pronay criticises Avery's interpretation, observing that cases about uses and legal abuses form the bulk of landowners' suits only, whereas the largest category of suits in Chancery was the commercial cases from the towns: 'The Chancellor, the Chancery and the Council at the end of the Fifteenth Century', in British Government and Administration: Studies Presented to S. B. Chrimes, ed. B. H. Hearder and H. R. Loyn, pp. 88, 89, 93.

petitioned that there was no remedy available in common law for his difficulties and asked the Chancellor to halt suits against him by confirming his title to Fritton. The failure of feoffees to comply with a feoffor's wishes was a common problem for the Chancellor. Here only some of the feoffees failed, claiming that by doing so they were fulfilling the feoffor's real intentions. That the petition came from an alienee at second remove, during the original feoffor's lifetime, probably made this case an unusual one of its kind. Certainly it was unusual amongst Fastolf's major lawsuits. It was the earliest, settled relatively easily in his favour and he never lost the property or income. Expenses do not appear to have been great. This contrasts with his loss of Hickling, Dedham, Titchwell, Beighton and Bradwell, properties unthreatened by dispute at purchase, where his title looked adequate by contemporary standards. In these cases opposition from the Duke of Suffolk or his associates prevented settlement unless death removed Fastolf's antagonists.

The dispute about a 25 marks annual rent payable by Hickling Priory (Norfolk) from a third part of its manor of Hickling Netherhall began in 1444 and was unresolved in 1459. Fastolf devoted much effort to retrieving it despite its relative unimportance. Magdalen finally stopped endeavouring to have it paid c. 1500.⁸² When Fastolf purchased it from Henry Barton in 1428 at a normal price problems were not expected. The Priory paid Barton regularly without complaint from 1410 onwards and Fastolf until May 1444.⁸³ On 30 October 1444, however, Fastolf entered the Priory's manor of Palling and took three horses worth twelve marks.⁸⁴ The Prior's refusal to pay, coupled with Fastolf's determination to act, made litigation inevitable.

⁸² C.P. 3/32.

⁸³ Barton purchased for a term of years in 1410 and outright in 1421 (H. 49, 83, 50; H. 51, 47 and 82, 46 and 48, 56, 69, 100, 93, 52). During 1422 William Clifford informed the Priory of the transaction by letter (H. 66). Payments to Barton are H. 78, 76, 79, 84 and to Fastolf F.P. 9, 14; H. 157(7) and (8).

⁸⁴ H. 137.

An understanding of the litigation requires knowledge of the rent's history. The manor of Hickling Netherhall was divided into three parts during the fourteenth century. It was held whole by Sir Brian Hickling and by his daughter and heir Joan. Her marriage to Sir Edward Berkeley brought him the manor, along with one called Rishangles (Suffolk). Joan died without surviving issue in c. 1362.⁸⁵ Her coheirs were Sir Thomas St. Omer, Sir Bartholomew Antingham and Sir Thomas Bardolf of Spixworth, who agreed that Berkeley should keep her property during his lifetime 'by the courtesy of England'.⁸⁶ The existence of the coheirs' reversionary interests explains the division of Hickling and Rishangles into thirds on Berkeley's death in 1380.⁸⁷

Fastolf's rent was payable from Sir Thomas St. Omer's third. St. Omer died in 1367 and his reversion, having been sold by his executors to Sir Thomas Ufford, was eventually acquired by Berkeley himself.⁸⁸ On making his will in 1380 he required everything he owned in fee in Hickling and Rishangles (as opposed to what he held there for life) to be sold to clear his debts, first refusal being offered to his feoffee and executor Sir Lewis Clifford, who took advantage of this offer.⁸⁹ Sir Thomas Bardolf sold his reversion to Adam Stokynland and his heirs in February 1375. Shortly after Berkeley's death Stokynland's feoffees granted his third to Hickling Priory, in return for which the Prior and Convent undertook to perform religious devotions on Stokynland's behalf.⁹⁰ Sir Bartholomew Antingham sold the reversion of his third of Joan Berkeley's inheritance to Sir William

⁸⁵ H. 126.

⁸⁶ See the coheirs' indenture of 25 September 1362 (H. 146(1) and 149).

⁸⁷ Berkeley died about 4 July (C.I.P.M., xv, p. 128). Robert Brandeston and John Jakys, rector of Rishangles, were appointed administrators of his goods on 16 December 1380 (H. 63).

⁸⁸ H. 52(2) and 146, 126 and 146(4), 54, 55 and 146(3).

⁸⁹ H. 82 (Berkeley's will), H. 60. Berkeley's executors were Sir Lewis Clifford, Sir John Clanvow and John Fordham (later Bishop of Ely). See also H. 10, 70.

⁹⁰ H. 146(5) and (6); C.P.R., RII, i, p. 525.

Kerdiston in 1362. Soon after Edward Berkeley's death, in February 1381, Kerdiston granted the property to the nuns of Redlingfield in Suffolk. In 1386 they granted the Hickling portion to Hickling Priory, though they kept the Rishangles lands for themselves.⁹¹ Reconstituting the manor of Hickling Netherhall was part of the Priory's policy of land investment during the 1380s. Its 1386 acquisition from Relingfield consolidated gains from Stokynland's feoffees in 1381 and from Sir Lewis Clifford in 1383.⁹²

In May 1383 Clifford granted his Hickling property to John Stiward (vicar of Stalham), William Blackson (parson of Catford), Robert Hert (parson of Palling), Geoffrey Somerton, John Eccles and John George in return for 25 marks annual rent. The same day Hickling Priory conditionally granted Clifford and his heirs £20 per annum, this to be paid should the rent fall into arrears. Stiward represented the Priory in this transaction, and Clifford intended to endow it, as Fastolf's servants later concluded.⁹³ This is remarkable only because Clifford afterwards became one of the Lollard knights. For Fastolf the transaction's significance was the proof it offered of the Priory's obligation to pay the rent he bought forty-five years later.

During 1452 the Prior told Chancery that Fastolf, without being entitled to it, was paid the rent while the Priory could afford it, but he did not explain how the allegedly rightless Fastolf first came to be paid. Considering the Priory's willingness to undertake expensive litigation the plea of poverty was unconvincing. More plausibly Fastolf stated that, through malice towards him and in anticipation of gain, certain men advised the Priory to withhold payment.⁹⁴ To challenge Fastolf so close to home required the support of substantial men.

⁹¹ H. 149(2); H. 127, 85; H. 146(7), 134. Copinger (Suffolk, III, p. 294) states that Redlingfield was originally endowed with Rishangles manor.

⁹² V.C.H. Norfolk, ii, p. 384 (purchases of 1380 and 1384).

⁹³ H. 80 and 87, 106; F.P. 29.

⁹⁴ H. 139 and 142 (Prior); H. 132 and 141 (Fastolf).

Thomas, Lord Scales, lord of Hickling manor and patron of the Priory, was one. The comradeship between Scales and Fastolf soured on Fastolf's return to England. One cause was Fastolf's outlawing of Scales' servant Dowebebygng who was obliged for a debt owed to Fastolf by Thomas Daniel, but Scales probably owed Fastolf money too.⁹⁵ By 1450 Scales was associated with the Duke of Suffolk, whose East Anglian followers he protected after the Duke's fall. In 1447, during litigation between Fastolf and Hickling, John Heydon, possibly at Suffolk's instigation, spoke in the Priory's defence, although he was not acting as its attorney.⁹⁶ When Fastolf wished to examine documents at Redlingfield, Suffolk prevented him from seeing them.⁹⁷ This Benedictine nunnery, lying in Hartismere hundred near Eye and holding land in Rishangles from the honour of Eye, was within Suffolk's sphere of influence.⁹⁸ Its fourteenth-century benefactor, Sir William Kerdiston, was an ancestor of Sir Thomas Kerdiston, who was closely associated with Suffolk in the 1440s.⁹⁹ Thus a number of Fastolf's powerful enemies supported Hickling.

This may not have been evident to Fastolf in 1444. A letter from his counsel, William Wangford and William Jenney, shows that he sought expert advice before acting against Hickling.¹⁰⁰ They correctly told him that he could not claim £20

⁹⁵ Scales' undated letter (H. 104) shows that he felt wronged by Fastolf. An autograph postscript states that if Fastolf had been as faithful and kind to him in England as in France there would be no-one else of his estate for whom he would do more. In Scales' view the malice of Fastolf's counsel was responsible for the outlawry which prevented his servant conducting his business, for Thomas Daniel had already forwarded money to Sir Thomas Hoo for payment to Fastolf. Seeking his good 'mastership' Scales asked Fastolf to withdraw the outlawry until Easter (he wrote in January). In 1429 Fastolf was bound to Cardinal Beaufort for 500 marks on Scales' behalf. When Scales could not pay he offered to sell Fastolf land, but there is no evidence that land was ever sold or the money repaid (Add. MS. 28212, no. 21; P.L. II, pp. 113-6).

⁹⁶ H. 59.

⁹⁷ Add. MS. 39848, no. 229; abstract in P.L. II, p. 137.

⁹⁸ Copinger, Suffolk, III, pp. 294, 298.

⁹⁹ C.C.R., HVI, iv, pp. 55, 57, 119, 270, 441, 443.

¹⁰⁰ H. 71 (6 February 1445 or 1446).

from the Priory as compensation for its default because he was only Sir Lewis Clifford's assign. The May 1383 grant to Clifford covered merely his heirs, who were never deprived of the rent. He could, however, recover the rent together with arrears, damages and costs either by assize or by writ of entry in Common Pleas. The lawyers were cautious about Fastolf's right to distrain, doubting that provision for this existed in Clifford's agreement with Hickling. They offered to consult justices and sergeants on the point. Whatever their opinion, Fastolf used this action in 1444. He investigated the legal technicalities but apparently not the political background of the case.

Despite having the weight of evidence on his side Fastolf enjoyed little success in early litigation. Proceedings in Common Pleas were begun by him in November 1445, when he sued out a writ of precipe requiring the Prior to show why he failed to pay. The Prior replied with an action of trespass regarding Fastolf's attempt to distrain in 1444. This action was in process during Michaelmas 1446.¹⁰¹ On 27 November 1446 Fastolf ordered that deeds relating to Hickling should be brought to London from the tower at Caister Castle. About this time he also sued out a writ of disseisin against the Prior.¹⁰² Proceedings continued in Common Pleas during Trinity and Michaelmas 1447 but were inconclusive.

Evidence about issues raised there emphasises the weakness of the Priory's case and, thereby, the influence of its supporters.¹⁰³ The Prior made several allegations that Fastolf's lawyers easily refuted. He stated that Sir Lewis Clifford only held his property in Hickling for life, that the Priory recovered the rent on his death and that Fastolf's account of the division of Joan Berkeley's property into thirds was false because Sir Thomas Bardolf, her son and heir, granted his Hickling property to the Priory. As Fastolf's counsel observed, this

¹⁰¹ H. 108, 137.

¹⁰² H. 67: the writ of disseisin is mentioned in H. 139 and 142.

¹⁰³ This discussion is based on H. 147, a paper written by Fastolf's lawyers criticising the Priory's case.

could not reasonably be defended. It was known that the Priory attorned the rent to Clifford's feoffees, heirs and assigns but no evidence of Hickling's recovery, said by the Prior to be of record in Chancery, had been produced. This suggested that no record existed because no recovery was made. To claim Thomas Bardolf as Joan's heir made nonsense of the tripartite indenture made in Sir Edward Berkeley's favour by the coheirs in September 1362 and the subsequent division of Joan's property. Fastolf easily dismissed the Prior's first arguments.

The Prior attached importance to Bardolf because he next tried to prove that the rent was charged on Bardolf's, not Clifford's, property. This demonstrates that his case was poor. If Bardolf were sole heir why should he have held only one third of Joan's property? Counsel systematically disproved the Prior's argument, showing that they knew well the evidence for Hickling's history, with one significant reservation. Having traced the descent of St. Omer's third to Sir Thomas Ufford they could not be sure that, supposing Clifford had acquired it, Antingham's rather than St. Omer's land bore the rent charge. To illuminate this point Fastolf wished to explore the archives of Redlingfield, which once owned Antingham's third.

Yet, counsel observed, it was irrelevant whether St. Omer's or Antingham's property bore the rent because the Prior's claim that Bardolf's did could be disproved. Clifford's 1383 arrangement with Hickling was cited as proof that Fastolf's rent was originally Clifford's. Attention was drawn to Bardolf's 1375 sale of his reversion to Adam Stokynland and Stokynland's feoffees' grant, in return for religious services, to the Priory in 1380. This showed that Clifford never owned Bardolf's property and that the rent could not possibly be charged on Bardolf's third of Hickling Netherhall. Furthermore, counter attack was possible. The Priory should show what authority Stokynland's feoffees had to convey to the Priory, for Bardolf granted his reversion to Stokynland's heirs alone.

Although Fastolf's arguments were far stronger than Hickling's there were gaps in his knowledge which he began energetically to fill in. A paper written in the summer of 1447 shows that his servants were investigating whether Joan Berkeley had a husband before Sir Edward by whom Thomas Bardolf of Spixworth could have

been fathered.¹⁰⁴ Fastolf wanted to know where Joan was buried and what arms were displayed on her tomb, how her coheirs were related to her and what their arms and pedigrees were. Thomas Howes' letter of 26 October 1447 notes that Fastolf was sent information about the testaments of Thomas Bardolf, Adam Stokynland, Edmund St. Omer, Edmund Ufford and Joan Ufford.¹⁰⁵ Howes told Fastolf that episcopal officials had promised him access to records in the Bishop's palace at Norwich. Inquiries were being addressed to Canterbury about the testaments of Thomas St. Omer and Bartholomew Antingham. Authority over these, Howes reported, was the Archbishop's because the two men had owned lands in more than one diocese. Howes' letter replied to an urgent one of 21 October from Fastolf.¹⁰⁶ This referred to a new move by the Prior during Michaelmas. Clifford's 1383 grant to the Priory was under examination during this term and documents relating to it were brought into court. At John Heydon's suggestion the Prior summoned to warranty Robert Eccles, grandson and heir of John Eccles (one of the feoffees to whom Clifford granted his Hickling property in return for rent).¹⁰⁷ Fastolf immediately wrote home for information about the Eccles family. His servants promptly conducted an investigation, interviewing landowners in the Hickling area. Eventually they discovered a boy who was John Eccles' grandson, thus disproving Fastolf's belief that Eccles' descendant existed only in the Prior's imagination. Fastolf asked that his examination be postponed until he reached adulthood.¹⁰⁸

Shortly after this ploy was frustrated the Priory tried another. On 17 November the rent was granted to Sir John Cheyne (II) of Drayton Beauchamp (Bucks.) 'kinsman and heir' of John Cheyne (I) the Lollard. Cheyne (II) had released to

¹⁰⁴ F.P. 29; H. 96 is a similar paper of the same date containing an abstract of Fastolf's title and memoranda of inquiries to be made about Joan Berkeley and her coheirs.

¹⁰⁵ H. 140.

¹⁰⁶ H. 130.

¹⁰⁷ H. 137.

¹⁰⁸ Information derived from letters by Howes and Fastolf (H. 140, 130) and miscellaneous notes on the case (H. 59).

Fastolf in 1440.¹⁰⁹ His affiliations are unknown: his and his brother's violent behaviour worried the government between about 1428 and 1430, so perhaps he welcomed a struggle.¹¹⁰ The Prior hoped to deny Fastolf's title by showing that Clifford entailed the rent on Cheyne (I)'s heirs. Fastolf replied that Clifford's 1395 feoffment did not do so. Furthermore he proved that owing to a dispute about Clifford's will Clifford's surviving feoffees, executors and surveyors, including Cheyne (I), decided in 1406 that the rent should descend to William Clifford (Lewis Clifford's nephew) and his heirs. Thus although the Priory raised a real difficulty Fastolf had the better of the argument.¹¹¹

During 1447 Fastolf learned from John Vampage, attorney-general in Common Pleas, that Lord Say and Sele, having custody of William Clifford's heir Alexander, possessed helpful documents. Vampage suggested that he should be required to produce them in court. In view of Suffolk's connections with Say and Sele it is not surprising that this did not happen.¹¹² Nevertheless Fastolf's servants spent the summer investigating Clifford's family, making a list of Kent jurisperiti (including the infamous Stephen Slegge and William Isley) to whom inquiries should be addressed. These ready sources of information were all gentry with backgrounds in the law and county administration.¹¹³ The Hickling case well illustrates the

¹⁰⁹ H. 98 and 154; H. 105.

¹¹⁰ C.P.R., HVI, ii, pp. 75, 153. In 1414 Cheyne's brother Thomas and the rector of Drayton Beauchamp were accused of holding Lollard beliefs. John was apparently suspected of this (T. Rymer, Foedera, ix, p. 120: V.C.H. Buckinghamshire, i, p. 292).

¹¹¹ H. 137, 109 (Fastolf's copy of the conveyance); 61 (copy of Clifford's will); 64 (note of the October 1406 meeting at which Clifford's will was heard and a decision reached in William Clifford's favour).

¹¹² H. 155. Fiennes was granted the wardship in 1440 (C.P.R., HVI, iii, pp. 488, 508).

¹¹³ F.P. 29. On Clifford see Hasted, Kent, IV, p. 457; V, p. 364; VI, pp. 148, 195; VII, pp. 338, 446. He married Elizabeth, daughter and heir of Arnald Savage of Bobbing (son of the famous Speaker) and widow of Sir Reginald Cobham of Rundale and Allington (J. S. Roskell, 'Sir Arnald Savage of Bobbing', Archaeologia Cantiana, lxx (1956), pp. 68-83). He died in 1438 (C.F.R., xvii, p. 2). The less controversial jurisperiti were John Bamborough (C.P.R., HVI, v, pp. 41, 189, 590; C.C.R., HVI, v, p. 100), John Rowe (C.P.R., HVI, v, pp. 339, 346, 579), William Moile (C.C.R., HVI, v, pp. 97, 270, 355, 358, 364) and John May (C.P.R., HVI, v, pp. 216, 365; C.F.R., xvi, p. 79).

significance for Fastolf's litigation for William Worcester's antiquarian training.

As the common law courts could not help him in the face of determined opposition from both the Prior and more powerful men, Fastolf discontinued litigation. His decision was connected with the deposition of Prior Okkham, for which he worked by asking Bishop Lyhert to reform the Priory.¹¹⁴ Suffolk's fall made Fastolf confident of victory by special assize. This was prevented by his waning political influence early in 1451. Okkham's successor staunchly opposed him with Lord Scales' support. Yet changes in 1450 gave Fastolf room to seek settlement outside the common law proceedings he gladly curtailed. He turned to private arbitration and Chancery, whereas the Priory demanded that a solution be reached in Common Pleas.¹¹⁵

In 1451 Fastolf proposed to seek Bishop Lyhert's arbitration, paying Hickling's costs should award be made against him.¹¹⁶ He offered to accept a ruling by his friend Bishop Bourghier of Ely and whoever the Prior named.¹¹⁷ He petitioned Chancellor Kemp for an impartial commission of inquiry.¹¹⁸ Alexander Clifford, who proved his age and entered his inheritance in 1451,¹¹⁹ was approached. Details of the 1406 decision favouring William Clifford's heirs were sent to him and agreement was reached by September. This involved removing Sir Lewis's property from

¹¹⁴ H. 132 and 141: Okkham was certainly dismissed before August 1451 (H. 89). Oxeneade's Chronicle states that after Prior Wroxham's death (1390) true religion disappeared from Hickling and was unrestored forty years later (V.C.H. Norfolk, ii, p. 384; the list of Priors on p. 383 incorrectly states that Okkham ceased to be Prior in 1461). H. 145 shows that in c. 1447: (1) Fastolf negotiated with Lyhert, seeking his help in a private settlement (he suspected Hickling tried to bribe Lyhert to favour it), (2) Fastolf hoped, as he did in September 1451 (Add. MS. 34888, fo. 75: P.L. II, pp. 253, 254), that Lyhert's visitations of Hickling and Redlingfield would produce favourable results and (3) Suffolk was already obstructive regarding Hickling.

¹¹⁵ H. 139 and 142.

¹¹⁶ H. 95. Lyhert should consult two lawyers, one named by himself or Fastolf, the other by himself or the Prior.

¹¹⁷ H. 107. He will abide by the arbitration of Bourghier and whoever the Prior names by Pentecost: dated 21 May, the year being evident from the lateness of Pentecost.

¹¹⁸ H. 99 (undated, but earlier than 1 July 1451 since Sir Henry Inglose is named).

¹¹⁹ C.C.R., HVI, v, p. 309.

the Priory because the Prior's covenant with him was broken by failure to pay Fastolf's rent. Once in possession of the land Clifford would pay the rent.¹²⁰ These initiatives were fruitless and in September Fastolf was angered by Lyhert's apathy when the Priory refused to attorn the rent to his feoffees to the use of his will.¹²¹ This provoked Fastolf to action in Chancery, which occurred in the summer of 1452.¹²²

When summoned to appear the Prior criticised certain aspects of Fastolf's performance in Common Pleas but his main defence was simply a denial of Fastolf's title, coupled with the untrue allegation that Fastolf, on losing the rent, retaliated by ejecting the Priory from its property called Hickling Hall in Caister.¹²³ Fastolf truthfully replied that he held this on a twenty year lease agreed with Prior Okkham in 1442.¹²⁴ The Prior asked that the case be returned to common law, where he presumably felt more able to obstruct Fastolf. No record exists of any decision reached by the Chancellor.

Possibly owing to the pressure of Fastolf's litigation with Philip Wentworth nothing more was done until 1455 when, on 15 March, the two sides agreed to refer the dispute to John Paston and John Fyncham, sergeant, for settlement. Points of contention would be settled by the ruling of Archbishop Bourghier and Bishop Lyhert, based on advice from any two justices except the Chief Justices.¹²⁵ When this arrangement collapsed Fastolf reverted to action in Common Pleas, where

¹²⁰ The endorsement of H. 64 records its delivery to Clifford: agreement is noted in Add. MS. 34888, fo. 75; P.L. II, pp. 253, 254 (23 September 1451).

¹²¹ H. 144; Add. MS. 34888, fo. 75; P.L. II, p. 253.

¹²² These proceedings are not amongst the E.C.Ps: (1) H. 144 (Fastolf's petition, copied in H. 102(1), 145, 151); (2) H. 139 and 142 (Prior's reply); (3) H. 132 and 141 (Fastolf's reply); (4) H. 103 (Prior's rejoinder). H. 136 contains copies of H. 144, 139, 132, 103.

¹²³ H. 139 and 142. The Prior claimed, probably rightly, that Fastolf was not entitled by Clifford's covenant to distrain for the rent.

¹²⁴ The lease is H. 101.

¹²⁵ H. 152. It is mentioned in Fastolf's letter of 2 May, dated 1456 by Gairdner and Davis though 1455 is clearly correct (Add. MS. 35251, fo. 24; P.L. III, pp. 82, 83; Davis II, no. 547).

the justices soon ruled in his favour.¹²⁶ In July a writ of distress 'per omnia bona et catalla' was awaited in Norfolk and Fastolf instructed Paston to speak with the sheriff to ensure its execution.¹²⁷ In spite of this neither rent nor arrears had been paid by 1459.¹²⁸

During the 1450s Fastolf's failure to secure justice was caused largely by Lord Scales' hostility. He had great influence on Bishop Lyhert, whose attitude towards the Priory was crucial. Since Paston and Bourghier were Fastolf's choice of arbiters in 1455 Lyhert should be seen as Hickling's, though Fastolf usually saw him as a possible ally. In May Lyhert was asked to command the Prior to bind himself to accept any agreement reached and was informed of Fastolf's desire to see a settlement imposed.¹²⁹ Yet within two months, through Scales' pressure, Lyhert was forced to forbid his officials to help Fastolf with the case. In July the Priory delivered its evidences to Scales, who intended to occupy Hickling himself to prevent the execution of Fastolf's writ, which he did.¹³⁰ Similarly, early in 1451 Fastolf sought Lyhert's arbitration and hoped he would employ ecclesiastical sanctions against Hickling. Yet in August 1451 Lyhert informed Fastolf that he could not help him, instead recommending him to visit East Anglia and to seek assistance from the Duke of Norfolk, who would be his good lord. Lyhert noted Fastolf's reasonableness and willingness to settle, qualities not displayed by his opponents, and recalled that he had spoken to two

¹²⁶ Davis II, no. 560; arbitration ended when Hickling's representatives failed to attend negotiations. On 24 June Fastolf told his attorney Walter Raulyns to 'take more tendernesse yn thys mater' which 'hath so manye yeeres and dayes be dryve off yn the lawe to my grete dammage' (Davis II, no. 554). F.P. 42 confirms that proceedings restarted in 1455.

¹²⁷ Davis II, no. 560.

¹²⁸ P.L. III, p. 154.

¹²⁹ Davis II, no. 547.

¹³⁰ Davis II, no. 560.

successive Priors on Fastolf's behalf. He explained that he was powerless now because Lord Scales had warned him not to meddle in the dispute.¹³¹

As old soldiers and members of York's council Fastolf and Scales had much in common. It would be surprising if York did nothing to resolve a dispute between loyal supporters. By the time the Hickling case reached the courts, however, Scales had moved closer to Suffolk than to York.¹³² During the 1450s he was loyal to the King and the manner of his death in 1460 proves he was not then sympathetic towards York.¹³³ Scales differed from Fastolf's main enemies in not having been associated with the royal household under Suffolk. His change of allegiance late in the 1440s may be explained by York's political isolation and Suffolk's power in East Anglia and England as a whole. A growing antipathy towards Fastolf, stimulated by the Hickling dispute, probably helped push Scales from York's into Suffolk's camp.¹³⁴ Conflicting roles in East Anglian politics in 1450-1 made reconciliation between Fastolf and Scales unlikely.

From 1446 to 1450 during Suffolk's ascendancy Fastolf had little success. Between 1450 and 1452 he was optimistic, trying various initiatives outside the common law despite Scales' opposition. As York's influence waned nothing could be gained even from the friendly Chancellor Kemp. Fastolf's March 1455 agreement with Hickling followed negotiations in the favourable political climate of York's first protectorate. The King's restored health ended York's influence just as

¹³¹ H. 89.

¹³² During 1446 Fastolf employed Scales as his feoffee for Southwark (C.C.R., HVI, iv, pp. 439, 448). In February 1447 Scales was York's associate but by 1448 he was closely connected with Suffolk (C.P.R., HVI, v, p. 231; C.C.R., HVI, v, pp. 38, 212, 214). Reports in October 1450 of renewed friendship with Oldhall indicate a previous break with York (Davis II, no. 460). In 1451 Scales was Keeper of the late Duke's property (C.F.R., xviii, p. 220).

¹³³ He was appointed to many commissions, including those of the peace in East Anglia, and in June 1456 Henry VI granted him Castle Rising in Norfolk (C.P.R., HVI, vi, p. 287). He was murdered after failing to organise London against Yorkist forces.

¹³⁴ Another likely cause was Scales' hostility to Thomas Daniel, for Daniel's East Anglian influence was overcome by Suffolk in 1448 (Davis I, nos. 79, 128). By 1451 the two were reconciled and Scales tried to heal the old enmity between Daniel and Suffolk's former supporters (Davis II, no. 483).

agreement was reached.¹³⁵ After St. Albans in May Fastolf considered action in Common Pleas for the first time since 1446. This was justified by a quick favourable decision, which illustrates the effect political change could have on Fastolf's litigation. Fastolf's quarrel with Scales was, naturally enough, low on York's list of priorities in government, and Scales was able to prevent the execution of justice.¹³⁶ Increasing political instability followed York's removal from power in February 1456 and still continued after Fastolf's death. The settlement of this dispute he left to his executors. Despite having a clear legal title he was unable to enforce his rights over an insignificant neighbouring priory through fifteen years in which he was amongst the wealthiest men in England.

Fastolf's dispute with Philip Wentworth, which began during Suffolk's ascendancy, illustrates the opportunities members of the royal household then had to pervert royal government in their own interests. Fastolf did not quarrel with Wentworth until November 1447 when Wentworth had the wardship and marriage of Thomas Fastolf granted to his brother-in-law Robert Constable.¹³⁷ The grant angered Fastolf, who believed that he was entitled to the wardship. He claimed that John Fastolf of Nacton (Suffolk), Thomas's father, willed that he should be guardian, using the family inheritance for the 'most advayle' of Thomas's mother and Thomas's sister's marriage. He alleged that Thomas's widowed mother was imprisoned in the Fleet 'undre duresse' to make her hand her son to Robert

¹³⁵ Henry was in control by early March. York may actually have resigned on 26 January (Wolffe, Henry VI, p. 285).

¹³⁶ Disturbances in the West Country required York's attention (J. R. Lander, 'Henry VI and the Duke of York's Second Protectorate, 1455 to 1456', B.J.R.L., xliii (1960-1), pp. 46-69). During May 1455 Scales attacked Fastolf by claiming that Fastolf held a property called Essex in Hickling from his manor of Hickling (Davis II, no. 547).

¹³⁷ A grant to William Lumley of 14 November was cancelled in favour of Constable's grant of 18 November. On 15 April 1448 the wardship was regranted to Constable, his earlier grant being declared invalid. Wentworth's involvement is proved by his statement that he paid the Treasurer on 18 November 1447 (C.F.R., xviii, pp. 79, 77, 74: C.P.R., HVI, v, p. 144: Davis II, no. 886).

Constable.¹³⁸ Through Wentworth's intervention Fastolf felt cheated of the wardship and prevented from performing important duties.

Wentworth soon launched an attack on Fastolf's own property. His challenge to Bradwell (Suffolk) and Beighton (Norfolk) was possible because they had once belonged to Thomas Fastolf's ancestors. Wentworth produced evidence that Fastolf unlawfully disseised Sir Hugh Fastolf (Thomas's grandfather) of Bradwell and Beighton. He did this by means of inquisitions taken on 14 April and 14 June 1449,¹³⁹ which gave him an excuse to annex the manors to Thomas Fastolf's inheritance, of which he had control through Robert Constable. Fastolf decided to traverse these inquisitions. This enabled him, in accordance with statutory provision, to farm the manors from the Crown and temporarily ward off Wentworth's attack. Fastolf was granted Bradwell on 9 June and Beighton on 22 July 1449, the former at £20 p.a. (its annual value in 1445). He farmed Bradwell until 1452, Beighton until 1454.¹⁴⁰ Thus he was forced to pay for properties rightly his own. Although this was unfavourable the manors at least remained in his possession, unlike Titchwell which Sir Edward Hull farmed from 1448.¹⁴¹

Wentworth's action was illegal. The escheator, John Blakeney, denied that he or his deputies took the inquests themselves or gave authority for them to be taken. Fastolf brought Blakeney to the Exchequer to disavow the findings.¹⁴²

¹³⁸ F.P. 48, 49.

¹³⁹ An inquest was held for Bradwell at Needham Market on 14 April (F.P. 49) and for Beighton at Norwich Shirehouse (Briggs and Boyton 24). A second inquest occurred for Bradwell at Tuddenham (Suffolk). Fastolf had to traverse both Bradwell inquests (Add. MS. 39848 no. 243; P.L. II, pp. 234, 235). In April 1451 Fastolf instructed that if the sheriff asked for a reward Howes should make him promise to empanel the same jury on each venire facias so that 'for sparyng of money...both myght be sued by one rewarde'. Clearly it was conceivable that nothing might be paid.

¹⁴⁰ C.F.R., xviii, pp. 112, 148, 175, 199, 252; xix, p. 17 (Bradwell); xviii, pp. 116, 156, 206, 257; xix, p. 19, 66, 114 (Beighton). The statutory provision was that of 8 HVI concerning escheators who made false inquests and caused disinheritance (Statutes, II, pp. 252, 253).

¹⁴¹ P. S. Lewis, 'Titchwell', p. 3.

¹⁴² F.P. 48, 49. F.P. 42 shows that 40/- was paid to Blakeney for his riding to London to make the necessary declarations in the Exchequer.

A letter of 15 October 1450 shows that Fastolf doubted whether a jury ever sat for Bradwell and suspected that the office, delivered to the Exchequer by the lawyer John Ulveston, was forged by John Andrew.¹⁴³ He hoped to confirm this during peace sessions meeting at Ipswich on 20 October. He instructed his servants to attend with one of the Duke of Norfolk's servants to question the jurors. They were to be asked whether they had sat on the inquest or not, whether the office in the Exchequer contained their findings or something different and whether John Andrew or someone else had taken the inquest in the escheator's name. Their answers were to be recorded in a sealed certificate witnessed, if possible, by the Justices of Peace. On this Fastolf hoped to ground an indictment before the oyer and terminer commissioners, accusing Ulveston and Andrew of forging the office and taking it without authority.

These two, both associates of the Duke of Suffolk, were deeply implicated in Wentworth's attack. Ulveston was Constable's mainpernor in the 1447 wardship grant. Fastolf believed that John Heydon was Wentworth's counsellor.¹⁴⁴ Although Fastolf thought that Blakeney had not given offence the escheator probably sympathised with his opponents. He and Thomas Sherneborne, who forged the Titchwell office, were connected with Wentworth and the royal household. Blakeney was a signet clerk, Sherneborne and Wentworth members of the Queen's household. Wentworth, whom L. E. James describes as a client of the Duke of Suffolk, was sheriff of Norfolk and Suffolk in 1447-8 and represented Suffolk in Parliament in 1447 and 1449.¹⁴⁵ All three acted as Edmund Clere's feoffees in October 1449.¹⁴⁶

¹⁴³ F.P. 49: Add. MS. 34888, fo. 48. The jurors were still unquestioned on 5 December when Fastolf referred to this subject again (Add. MS. 39848, no. 247; abstract in P.L. II, p. 195).

¹⁴⁴ Heydon's involvement is noted in F.P. 42. Heydon was also implicated in Hull's attack on Titchwell (P. S. Lewis, 'Titchwell', p. 7).

¹⁴⁵ L. E. James, The Career and Political Influence of William de la Pole, First Duke of Suffolk, 1437-50, Oxford M.Litt. Thesis (1979), p. 243. During August 1447 Blakeney and Wentworth received a grant of wine in survivorship A. J. Otway-Ruthven, The King's Secretary and the Signet Office of the Fifteenth Century, p. 186).

¹⁴⁶ A.D. IV, 7874, 7875.

Clere was a member of the King's household from Ormesby in Norfolk. East Anglian officials, members of the royal households and Suffolk's affinity acting together to challenge him made life very difficult for Fastolf. His opponents may even have had sympathy, and possibly information, from some branches of the Fastolf family.¹⁴⁷

Wentworth's success was based more on power than on the validity of his case against Fastolf. The King's title to the ward could be defended, but not the attack on Bardwell and Beighton. One of Thomas's manors, Shollond Hall in Nacton, was held in chief, as Wentworth took pains to discover. Fastolf tried unsuccessfully to find a loophole in the King's title.¹⁴⁸ Finally, in 1454, he purchased the wardship from the King, not so much to gain Thomas's property as to defend his own manors when he failed to traverse the inquests on them.¹⁴⁹ By uncovering technical irregularities in the letters granting the wardship to Wentworth, Fastolf was able to have it restored to the King so that he could buy it for himself.¹⁵⁰ This amounted to an acknowledgement of the validity of the King's title.

¹⁴⁷ In February 1447 Margaret Fastolf received 20 marks p.a. for services to the Queen; in June 1450 the King's groom William Fastolf received land grants in partnership with John Blakeney (C.P.R., HVI, v, p. 59; C.F.R., xviii, p. 159). Their relationships to the Caister and Nacton branches of the family are unknown.

¹⁴⁸ Copinger, Suffolk, III, pp. 67, 68, 70. A 1375 inquest on Sir John Holbrook, Thomas Fastolf's great-great-grandfather, found that Shollond Hall was held in chief (C.I.P.M., xiv, no. 231). A 1375-6 dispute between Thomas's ancestors and Edward III about custody of Holbrook's property was investigated by Fastolf in 1448-9 (C.C.R., EIII, xiv, p. 393; C.F.R., viii, p. 336; F.P. 42). Wentworth said that he spent 500 marks proving the King's title to Thomas and conducting related suits (Davis II, no. 886).

¹⁴⁹ A grant to John Paston and Thomas Howes on 6 June 1454 was cancelled in favour of Wentworth on 16 July. Fastolf had Wentworth's grant cancelled and a new one made to John Bocking and William Worcester on 12 December (C.F.R., xix, pp. 92, 93; C.P.R., HVI, vi, pp. 158, 208). Judgement on the Bradwell traverse was given for Wentworth in early 1453 (Davis II, no. 886; C.F.R., xix, p. 17; F.P. 42) whereas Beighton was adjudged to Fastolf in Trinity 1455 (Briggs and Boyton 24; F.P. 42).

¹⁵⁰ Fastolf petitioned the Exchequer Barons who ruled that Wentworth's patent was invalid and that the wardship should return to the Crown. Fastolf, and 'worshipful men' on his behalf, then laboured to Treasurer Worcester and his deputy for it. Fastolf alleged that no record existed of Wentworth having paid for his grant. This probably influenced the Barons' decision (F.P. 48).

Fastolf's failure to traverse the inquests easily is surprising. Beighton was legally purchased from Sir Hugh Fastolf in 1415. Although there was dispute about it then this did not involve Sir Hugh, and Wentworth never referred to it.¹⁵¹ Unlike Titchwell's, Beighton's fourteenth century descent gave no opportunities for legal attack on Fastolf's title.¹⁵² The view that he disseised Sir Hugh of Bradwell was equally mistaken because this was bought after Hugh's death. Hugh, moreover, had agreed to the sale before he died.¹⁵³ Fastolf and Sir Henry Inglose were Hugh's executors and Fastolf was granted administration of the will. The Caister and Nacton branches of the Fastolf family remained friendly despite possible causes of tension between them. Some months before making his last will, for instance, Sir Hugh made another by which he required Beighton to be settled on his widow, provided she compensated Sir John for the manor.¹⁵⁴ Although such provision was open to exploitation by Fastolf's enemies no reference was made to it by Wentworth. As Wentworth never challenged Fastolf's title to Levington (his third purchase from the Nacton inheritance) it is probable that he knew little about the history of Fastolf's properties.¹⁵⁵ This ignorance

¹⁵¹ Fastolf easily defeated William Appleyard's 1415 claim (B. 101). Appleyard claimed that he purchased Beighton from Roger Vobbey. Vobbey was related by marriage to William Lincoln, an earlier owner. Fastolf, probably rightly, thought that Vobbey's estate was forged and that Hugh Fastolf (the elder) purchased legitimately from Lincoln's son Bartholomew (B. 1, 107).

¹⁵² P. S. Lewis, 'Titchwell', pp. 5-7. Hugh Fastolf bought Beighton in about 1363 (B. 2). Surviving fourteenth and fifteenth century documents reveal no weakness in his title (B. 1, 2, 3, 17, 20, 34, 35, 36, 107).

¹⁵³ For this transaction and Sir Hugh's will, see Add. MS. 39848, Antiquarian Collections, no. 184; F.P. 48. Judging from Fastolf's report (Add. MS. 39848, no. 243; abstract in P.L. II, pp. 234, 235) Wentworth made fantastic claims during pleadings on the traverse of Bradwell in April 1451. Wentworth alleged that Fastolf had only a joint interest in 1449 with others whom he had disseised. Fastolf replied that he had no connection with those Wentworth named.

¹⁵⁴ B. 48. Fastolf's 1420 will required that Bradwell be sold to Hugh's heirs (F.P. 3). As late as the 1430s Fastolf was paying debts in accordance with Hugh's will (F.P. 9, 14). Hugh's heir, John, gained possession of his lands in 1436 (C.F.R., xvi, p. 311). There is no sign that he and Fastolf were ever in dispute.

¹⁵⁵ Detailed Magdalen evidence gives no indication that Levington was subject to dispute between 1393, when Sir Hugh's father bought it, and 1460 (C.P. 3/32 - an early sixteenth century volume listing College deeds - and B. 111).

did not stop Wentworth winning Bradwell in 1453 and preventing Fastolf from proving his title to Beighton until 1455.

Wentworth's victory regarding Bradwell was underlined by the grant of the wardship to him in his own name rather than Robert Constable's in February 1453.¹⁵⁶ These successes, which occurred when Henry VI and his supporters were at their strongest, made Fastolf investigate the possibility of having the wardship granted to himself.¹⁵⁷ This policy cannot have seemed likely to succeed until York became Protector in 1454. Fastolf probably hoped to be favoured by Treasurer Worcester, who is usually thought to have been friendly towards York.¹⁵⁸ The speed with which Wentworth was able to retrieve the wardship suggests that Worcester showed no marked preference for Fastolf. He was probably more concerned to gain maximum profit for the Crown. Nevertheless it must be concluded from Fastolf's success in regaining the wardship in December that conditions were more favourable to him in 1454 than they were in 1453.¹⁵⁹

When York lost influence in 1455 Fastolf was worried that his gains would be lost. His conviction that Wentworth would ignore the December grant and take the

¹⁵⁶ C.P.R., HVI, vi, p. 46.

¹⁵⁷ F.P. 42. Thus in July 1453 Robert Constable's patent was 'scrutinised' by Fastolf's servants.

¹⁵⁸ C. A. J. Armstrong, 'Politics and the Battle of St. Albans, 1455', B.I.H.R., xxxiii (1960), pp. 1-72 is invaluable for politics in 1455. By his first marriage Worcester was the son-in-law of York's Chancellor Richard, Earl of Salisbury. He was acceptable to Henry but probably sympathised with York before St. Albans (Armstrong, p. 15).

¹⁵⁹ Fastolf expected that York's power would assist him. On 30 October he asked Richard Waller (an important member of the royal household) to commend him to York and seek York's favour in his 'matters'. Paston and Henry Filongley visited Waller to explain what was required (Add. MS. 39848, no. 273; abstract in P.L. III, p. 6). Fastolf referred to the effect of political power when he said 'that lawe goth as it is faouered and after that the attorneys be wyse and discret in their condyt'. A week after St. Albans he expected great success in litigation 'as the woorld goth nowe' (Davis II, nos. 520, 523).

wardship profits by force made him seek the Duke of Norfolk's support.¹⁶⁰ In early May he expected to lose the wardship itself. Difficulties mounted in the courts and Fastolf feared that Wentworth had ingratiated himself with the Duke.¹⁶¹ Consequently York's return to power after St. Albans was welcomed by Fastolf.

Fastolf's servant William Barker thought that the outlook for Wentworth after the battle was dismal. He reported in June that Wentworth had abandoned the King's standard at St. Albans and dared not enter Henry VI's presence. The Duke of Norfolk was threatening to hang Wentworth.¹⁶² By contrast Fastolf enjoyed the goodwill of Thomas Bourghier, the Chancellor, and Henry, Viscount Bourghier, the Treasurer. On 21 June the Treasurer ordered that the profits of the wardship be delivered to Fastolf's representatives.¹⁶³ Heavy expenditure on litigation in Trinity, one result of which was the favourable verdict on Beighton, indicates Fastolf's optimism at the time.¹⁶⁴ Fastolf also thought the Parliamentary session of 9-31 July an important means of airing his grievances and he was prepared to attend if this would help to solve his problems.¹⁶⁵ He probably presented a bill of complaint about Wentworth during this first session.¹⁶⁶

An approach to Parliament was not without dangers because the Commons wanted an Act of Resumption which would apply to grants of wardship and marriage.¹⁶⁷

¹⁶⁰ Two corrected draft letters seeking Norfolk's support against Wentworth's occupation of the ward's lands survive (P.L. III, pp. 19-21; Davis I, no. 51). The first is probably of 29 March, as mentioned in Davis II, no. 518. The second, dated 2 April, mentions Paston's imminent meeting with Norfolk to discuss Wentworth. Gairdner, who never saw the original (Add. MS. 34888, fo. 113) rightly concluded that this was a draft (P.L. III, p. 20, note 1).

¹⁶¹ Davis II, nos. 518, 519, 520. Fastolf's letter of 29 March required Paston to ensure that Norfolk was not persuaded to favour his opponents.

¹⁶² P.L. III, pp. 32, 33.

¹⁶³ Davis II, no. 526; Add. MS. 39848, no. 31.

¹⁶⁴ F.P. 42.

¹⁶⁵ Davis II, nos. 529, 530.

¹⁶⁶ Its wide-ranging contents are mentioned in F.P. 48 (a defence of it against Wentworth's criticisms). It is possible, though unlikely, that it was submitted during the second session.

¹⁶⁷ R.P. V, p. 330.

Wentworth probably tried to exploit this concern in order to have the wardship restored to the King. The Lords questioned ex-Treasurer Worcester about Bocking's and Worcester's grant during the second session, at which time a bill presented by Wentworth was also discussed by the Lords. They were informed by Chief Justice Fortescue that the verdict reached in the Bradwell traverse was unjust and Wentworth's story that Fastolf had disseised Sir Hugh was untruthful.¹⁶⁸

Fastolf continued to enjoy success in London during the first half of 1456. Early in the year negotiations for an arbitration regarding the wardship, undertaken on Henry Filongley's advice, were in progress. During February judgement was placed in the hands of Yelverton and Fortescue, who probably both favoured Fastolf.¹⁶⁹ No settlement was imposed and new negotiations, begun in November, took place in conditions much less advantageous to Fastolf than earlier.¹⁷⁰

Early in the year Fastolf also had success in suits connected with the wardship, such as those Wentworth used to annoy him and cause him expense. On 7 May the Exchequer Barons sharply criticised a petition by which Wentworth tried to force Fastolf to pay the farm of Bradwell in full to the Crown.¹⁷¹ Fastolf's counsellors were not alarmed when Wentworth renewed litigation in Common Pleas over an obligation, binding Thomas Howes and William Jenney, which was damaging to Fastolf's interests.¹⁷² Furthermore, considerable progress was made in May in an

¹⁶⁸ Davis II, no. 569 refers to events of December 1455, which are also mentioned in II, no. 536. In the latter Fastolf praised Paston's reply to Wentworth's bill. He sent evidence about Bradwell to London 'to th' entent that the juges aswel as the parlement may have better consideracion of my right in the seyde maner and of the patentees...'

¹⁶⁹ Davis II, no. 537. Yelverton and Fortescue were appointed by arbitrators whose names are not known (see Bocking's 9 February letter to Fastolf, Add. MS. 39848, no. 265; P.L. III, pp. 74-76).

¹⁷⁰ Davis II, no. 569. Fastolf was happy to do whatever Paston and Yelverton advised regarding this arbitration.

¹⁷¹ Davis II, no. 548. As a result, Bocking said, 'we ar assigned day over to the next terme and dwelle in lawe'. Although not closely associated with Fastolf Haltoft strongly supported his cause. This Cambridgeshire man, who died about 1458, was second Baron of the Exchequer (C.P.R., HVI, vi, pp. 477, 661).

¹⁷² Davis II, no. 548.

action of attaint started by Fastolf in 1454 as a way of attacking Wentworth's associates.¹⁷³ In the year following St. Albans Fastolf came closest to defeating Wentworth, but after the political changes of the summer of 1456 victory was unlikely. Important writs were sued out late in 1456 but they had little effect.¹⁷⁴ Fastolf remained on the defensive in these disputes until he died.

According to Fastolf Wentworth's litigation in Common Pleas was based on serious offences by his associates, to which Fastolf's attaint was largely a reply. Howes and Jenney were 'compelled' to enter a 200 mark obligation by which they promised that Fastolf would surrender his title to Bradwell in Wentworth's favour. The compulsion occurred immediately after an inquest at Bury St. Edmunds early in 1453 had decided against Fastolf in the traverse on the manor. Wentworth's men had managed to postpone this inquest for three days, in which time 'the seid enquest was putte so in fere' that the jurors made their unjust return. Thus Fastolf accused Wentworth of embracery. Surprisingly, and much to his later regret, Fastolf released as required. Despite this, he complained, Wentworth started proceedings on the obligation in Easter term 1453 and continued them during 1455 and 1456.¹⁷⁵

An action of attaint, which Fastolf took in November 1454, was intended to combat embracery.¹⁷⁶ Fastolf considered, but rejected, the possibility of suing the attaint by appeal to Parliament. Instead he sought redress through a writ of

¹⁷³ Davis II, no. 548. Bocking later told Paston that the attaint 'abideth unreuled' until Trinity term 'and it shal doo weel, with God is grace' (Davis II, no. 549).

¹⁷⁴ On 3 November Andrew, Wentworth and Thomas Deville were summoned to the Exchequer at the suit of Paston and Howes (Add. Ch. 17244; abstract in P.L. III, p. 112). On 1 December, at Bocking's and Worcester's suit, Wentworth, Deville and John Barnard gent. were summoned to King's Bench regarding their unlawful entry and occupation of Bradwell (F.P. 58).

¹⁷⁵ F.P. 48. F.P. 42 provides evidence of litigation during 1453 and confirms Fastolf's release. In November 1456 Fastolf hoped to regain Bradwell 'by sum meane as clere as I hadde it by-fore myn unhappy relees made' (Davis II, no. 569). He probably hoped to spare Howes and Jenney trouble by releasing.

¹⁷⁶ On 13 November Howes asked Paston to discuss taking this action with others of Fastolf's counsel. On 18 November he wrote that 'my maistyr is fully purposed to sewe ateynt' (Davis II, nos. 510, 511). M. Hastings (The Court of Common Pleas, pp. 220-224) has examined this procedure.

decies tantum regarding the embracery at Bury. He hoped to prevent Thomas Howes from being outlawed through yet another attack by John Andrew and Wentworth's allies. Howes was sued for conspiracy in the summer of 1454. Fastolf's anger regarding Howes' behaviour during a session of oyer and terminer at Ipswich suggests that there were justifiable grounds for Andrew's suit. Howes erred by making foolish remarks to Andrew in the presence of witnesses. Fastolf rebuked him for having 'noysed me...that ye have suffisaunt warraunts undre my lettre and sele to safe you harmlesse in case ye be condempned yn the somme this Andreus sewyth you for'. Fastolf referred to Wentworth's action in Common Pleas over Howes' and Jenney's 200 mark obligation. He privately denied that he authorised Howes to 'note and correct' Andrew and his other adversaries at Ipswich.¹⁷⁷ Nevertheless he threw his weight behind Howes' defence, as the attaint shows. Fastolf helped this difficult process forward by rewarding the sheriff for a favourable grand jury, persuading him of the justice of his cause, and by having Howes placed in the Duke of Norfolk's household to make it clear where the magnate's sympathies lay.¹⁷⁸

Fastolf needed Norfolk's support because his own power in East Anglia was weak, as events during 1454, 1455 and 1456, when he should have had considerable influence, show. Wentworth reacted to his purchase of the wardship by trying to abduct Thomas Fastolf. Wentworth entered Colchester on 24 June 1454 with an armed company.¹⁷⁹ Unable to find Thomas he took another young man and rode some distance

¹⁷⁷ See Fastolf's letters to Howes of 12 July (Add. MS. 34888, fo. 102; P.L. II, pp. 326, 327) and 20 July (Add. MS. 39848, no. 258; abstract in P.L. II, p. 252, which Gairdner misdated to 1451).

¹⁷⁸ Davis II, no. 511; Hastings, p. 224. Hastings remarks that having a lord's protection was the best way to influence a jury (p. 221). Howes hoped that entering Norfolk's household would 'cause the matere to haue the redyer expedecyon as well be the sheref as be the gret jury. And yef the processe may haue so redy sped that it myght be had be-fore my Maystyr Yelwerton in this vaccacyon tyme, it were a gret counfort...for I ferre gretly to be outlawed or the seyd processe shuld be brought to a conclucyon wythoute redy processe in the seyd ateynte'. Norfolk's effect on the speed of execution was important.

¹⁷⁹ Davis II, no. 497.

from the township before releasing him. He made enquiries locally regarding men who supported Fastolf. One of his associates threatened that they would be indicted. Wentworth thus demonstrated that he thought Fastolf's grant illegal and showed his willingness to intimidate anyone who opposed him. Wentworth's determination is evident from his treatment of the ward's properties. Some were unlawfully entered by John Andrew and Thomas Deville on 8 June 1454, immediately after Fastolf had been granted the wardship. Andrew and Deville were mainpernors when Wentworth temporarily recovered the wardship in July.¹⁸⁰ During June 1455 Nacton, Bentley and elsewhere were entered in Wentworth's name and from 9 September 1455 to December 1456 Andrew and Deville occupied Bradwell, which was rightfully John Bocking and William Worcester's following their acquisition of the wardship in December 1454.¹⁸¹

Fastolf spent much time and money opposing Wentworth by holding the ward's courts and collecting his rents. This produced incidents like that in October 1454, described by John Russe, when Fastolf's and Wentworth's representatives simultaneously tried to hold court at Nacton.¹⁸² Although technically Fastolf was forcibly dispossessed here, no physical violence occurred: despite Wentworth's aggression, violent disturbances evidently did not occur during the dispute. Yet the lives of the ward's tenants were disrupted and his revenues dissipated; Fastolf's own resources were strained, his properties molested and some of his

¹⁸⁰ Add. Ch. 17244; abstract in P.L. III, p. 112: C.P.R., HVI, vi, p. 158.

¹⁸¹ Davis II, no. 554; F.P. 58.

¹⁸² Davis II, no. 508. A yeoman of Norfolk's chamber accompanied Russe on this occasion; in 1456 Norfolk instructed the bailiff of Colneis hundred to assist Fastolf (II, no. 551). The latter well illustrates Fastolf's problems, for the farmer of Nacton was obliged to Wentworth and him, and was threatened with litigation by Wentworth. Elsewhere distraint was necessary when a farmer would not oblige himself to Fastolf, while at Brustal one man farmed for Fastolf, another for Wentworth who, moreover, intended to sue Fastolf's servants for trespass.

tenants harassed by Wentworth.¹⁸³ The cost of the wardship and heavy legal expenses forced Fastolf to recall loans in 1455.¹⁸⁴ The combination of political change and financial necessity prompted him to demand in that year that the Crown honour its debts to him. He tried to cancel some of the debts incurred at the Exchequer in this dispute by balancing them against what the Crown owed him.¹⁸⁵ The level of expenditure forced upon Fastolf is illustrated by the example of one lawyer, Hugh Fenne, who in Trinity 1455 spent £32 of Fastolf's money.¹⁸⁶

The struggle with Wentworth much increased the importance of the friends and lawyers, particularly John Paston, on whom Fastolf depended. Henry Windsor and Hugh Fenne, who both played important parts in the litigation, came to expect higher rewards than their fees alone.¹⁸⁷ Paston's influence on Fastolf grew markedly as the dispute progressed. In May 1455 Fastolf allowed him the freedom to take whatever steps he desired; he guaranteed that he would meet Paston's costs.¹⁸⁸

¹⁸³ F.P. 42. Tenants at Cotton and Dedham were distrained and otherwise harassed. Fastolf had the Duke of Norfolk's support for complaints about riotous behaviour and distraints at Cotton during 1456 by Henry, Philip Wentworth's son (see C. Richmond, John Hopton, p. 255). Fastolf took from his tenants sureties that they would 'aduowe and be demesned in all sutes as I wolde' (Davis II, nos. 569, 570). With Wentworth were John Calthorpe and William Brews. These two held court with Philip Wentworth and his brother at Nacton in 1454 (Davis II, no. 508). Calthorpe's wife was Wentworth's sister (Richmond, p. 253).

¹⁸⁴ Bourghier was asked to repay in January 1455, the Duke of Norfolk even earlier in November 1454 (Davis II, no. 513; P.L. III, pp. 6, 7). Recovery of debts is often mentioned in E.P. 102/33, a manuscript of 1455. By October 1456, however, Fastolf had still not paid for the ward (Davis II, nos. 564, 565).

¹⁸⁵ P.L. III, pp. 55-60, 61-63. Both lists of debts were almost certainly presented in 1455. Hugh Fenne wrote in March 1456 that 'my Maister Fastolff compert is spedde and demyd' in the Exchequer (Davis II, no. 543). E.P. 102/33 contains a proposal that money owed for service at Harfleur be assigned to Fastolf's debts for the farm of Bradwell. Memoranda regarding arrears for service at Harfleur and Bordeaux also appear.

¹⁸⁶ F.P. 42.

¹⁸⁷ Hugh Fenne and Henry Windsor were attornies in the Exchequer and Chancery respectively. Fenne wanted his ancestors' manor of Herringby Fennes (Norfolk) after Fastolf's death; Windsor wanted the Boar's Head (Davis II, nos. 544, 574).

¹⁸⁸ Davis II, no. 520. By November 1454 Fastolf was determined to spend freely 'for now that y have go so ferre yn the matier y wold not it faylled for no gode but it preved well and toke to a gode conclusion' (Davis II, no. 509).

Paston struggled hard against Wentworth, motivated by the hope of gaining the wardship profits for himself and marrying his daughter to the ward. Fastolf approved of this plan, which was recommended by those of his servants, notably Thomas Howes, who were now deliberately cultivating Paston's friendship.¹⁸⁹ A rival plan, to marry Thomas Fastolf to the daughter of Lady Hastings, was considered in about 1455.¹⁹⁰ Owing to Wentworth's hostility neither plan succeeded and the wardship was eventually sold to Sir Thomas Fulthorpe. This was unsatisfactory because Fulthorpe was slow to pay Fastolf.¹⁹¹

The Dukes of York and Norfolk, Archbishop Bourghier and Bishop Wayneflete were each seen as allies in this dispute. Fastolf's nephew Henry Filongley and old associate Richard Waller were useful friends for their influence in London. Their involvement shows that Fastolf found help outside Yorkist circles through personal contacts.¹⁹² He also marshalled support amongst the judiciary and in the City. In October 1457 he wrote to William Yelverton (JKB) seeking his friendship in the conspiracy between Howes and Andrew then before King's Bench. He also wrote to his stepson Stephen Scrope desiring the help of Scrope's father-in-law Richard Bingham, another Justice of King's Bench.¹⁹³ Probably in connection with this suit he contacted the London citizen and alderman Henry Frowyk, a Middlesex J.P.¹⁹⁴

¹⁸⁹ Paston received friendly letters from Howes and Worcester (Davis II, nos. 506, 507, 510). Friar Brackley's postscript to II, no. 557 also suggests that they sought Paston's favour.

¹⁹⁰ Davis II, no. 585. In 1454 the merchant Geoffrey Boleyn wanted to marry one of his daughters to the ward (II, no. 510).

¹⁹¹ Davis II, no. 579.

¹⁹² Filongley, who fought for the King at St. Albans, also assisted Fastolf over Titchwell (P. S. Lewis, 'Titchwell', pp. 13, 14, 15). Another who was friendly towards Fastolf but not York was the Earl of Wiltshire (Davis II, nos. 573, 577, 584). John Bocking's friends amongst the Lords in the Coventry Parliament were expected to give warning of bills about Fastolf. Wentworth's (II, no. 886) appeared after Bocking had written.

¹⁹³ Add. MS. 39848, no. 268; abstract in P.L. III, p. 120; P.L. III, pp. 120, 121.

¹⁹⁴ Add. MS. 29747, fo. 2: dated Caister, 20 October without indication of the year: C.P.R., HVI, vi, p. 671.

He thanked him for his kindness in naming a jury in a case between Wentworth and himself. The jury, which Fastolf thought 'ful indifferent', was expected to give a favourable decision with Frowyk's 'good helpe & supportation'. Fastolf needed Frowyk's influence to empanel an impartial jury rather than one biased towards him. From experience he knew that his opponents would probably try to pack or influence the jury. He wanted to avoid this without being thought to have done the same thing himself. Fastolf concluded his letter by recommending Filongley and Paston to Frowyk and promising to 'acquit me so to yow that I trust to god ye shal hold yow well content & pleased'. Unfortunately even influential friends could not exert enough pressure to make a lasting settlement from one of the many arbitrations undertaken during the course of this dispute. Conflict still continued when Fastolf died in 1459.¹⁹⁵

There are similarities between this dispute and that with Sir Edward Hull (a member of the Queen's household) over Titchwell.¹⁹⁶ Wentworth's challenge was a more ambitious and less convincing imitation of Hull's. Fastolf believed that the October 1448 inquest by which Hull denied his title was forged by the deputy escheator on instructions from Thomas Shernborne, the escheator. He suspected that Heydon was involved in this attack, through which Titchwell was altogether lost. By mid 1451 Fastolf had ceased trying to recover it. Only with Hull's death at Castillon in 1453 did hope return. The dispute was settled in Fastolf's favour during 1455. Lewis fairly concludes that Fastolf's title was little better than Hull's.

195

Controversy occurred in 1459 regarding Rendlesham Church, a part of the ward's inheritance to which his grandmother presented in 1425 (Davis II, no. 578: Reg. Chichele, III, p. 469). On 24 June William Barker argued that if Paston spoke to him the Bishop of Norwich 'shal never presente ner inducte non tyl the ryght of the patentes be discussed' even though Wentworth 'groundeth not his presentacion by the patent, but by the endenture a-twyxt the wedewe and hym'. He was unaware that Wentworth's mother's chaplain had already been inducted on the King's presentation. Wentworth's mother was Margery, Lady Roos, whose first husband John, Lord Roos died at Baugé (Copinger, Suffolk, II, pp. 329-333: C.P. xi, pp. 103, 104). At least four unsuccessful arbitrations occurred. Others have probably gone unrecorded.

¹⁹⁶ P. S. Lewis, 'Titchwell', pp. 1-20.

Too much has been inferred from this case. Fastolf's titles were rarely 'even more defective than most were in the fifteenth century'.¹⁹⁷ As we have seen, they were sound for Hickling, Beighton, Bradwell and Dedham, and no worse than those of his opponents for Titchwell and Fritton. Moreover Fastolf's titles to another twenty purchased properties were so secure that no challenge ever arose. Lack of information was not a serious problem since Fastolf usually had enough evidence to support his case and undermine his opponent's before litigation progressed far. Carelessness in buying was not often a difficulty. Superficially the purchase of Fritton in 1434 looks like a case of carelessness. In fact the manor was cheap because the title to it was disputed. Rather than being careless Fastolf was taking a calculated risk. His success with Fritton owed something to the Duke of Norfolk's favour and political influence. Later on Suffolk's misgovernment allowed politically important men to create problems for Fastolf which, given the prevailing legal institutions and political instability of the 1450s, were hard to solve, even when, as in 1455, political conditions were in his favour. Titchwell was exceptional amongst Fastolf's main lawsuits because Hull had a plausible claim. Nevertheless it was typical in that the course of the litigation was mainly determined by the exercise of political power.

¹⁹⁷ P. S. Lewis, 'Titchwell', p. 1. The statement that Fastolf fought lawsuits over three manors (presumably Titchwell, Bradwell and Beighton: see p. 7, note 31) bought on dubious and complicated titles is misleading. It is true only of Titchwell.

Conclusion.

Fastolf earned a considerable fortune through war and administration in France. He made a deliberate decision to invest in England rather than in France, most probably because he believed that the future of the Lancastrian Conquest was uncertain. His own and his councillors personal knowledge and connections were skilfully used to provide opportunities for investment in a limited market. The concentration of his possessions near his ancestral home was a policy consistently pursued by Fastolf.

Concentration was advantageous because it reduced administrative and transport costs. Most of Fastolf's properties had ready access to river and sea routes. They were located within easy reach of urban markets, which were supplied with produce from the agricultural operations supervised by Fastolf's bailiffs. In addition to these economic advantages, concentration was socially desirable as it demonstrated Fastolf's wealth and status to his neighbours and increased his influence over them.

It is difficult to evaluate these advantages in financial terms. Yet they make it implausible to regard Fastolf's investment as having been unprofitable, even when the expenses of litigation are taken into account. There was, in any case, no satisfactory alternative to investment in land before the end of the seventeenth century. This was true of the short-term as well as the long. Fastolf's loans to merchants did not bring noticeable gains and had certain disadvantages. They may have hampered his investment in land. Except in this respect, Fastolf's investment of his profits was a rational and considered operation.

Fastolf was determined to make his investment succeed as an economic venture. He adopted a flexible approach to the exploitation of his estates, sought to benefit from industrial growth and invested heavily in the improvement of his property. Success depended on the personal initiative of the landlord. Fastolf maintained a close surveillance of estate administration and commercial policy until his last years. His investigations of defaulting estate officials are an indication of this. These were part of a campaign against arrears. The evidence

of Fastolf's estates confirms the impression that mid-century economic conditions were not helpful to the great landlord, even in prosperous regions like East Anglia. Continual vigilance was required to keep the level of arrears down. The constraints of a society in which deference was a fact of political life also prevented Fastolf from maximising his revenue. Influential tenants and lessees could not be treated severely over arrears. It was sometimes necessary to bargain with tenants for support in disputes by proceeding gently in arrears cases. Legal and political disputes could result in serious loss of revenue.

There is no evidence that Fastolf used violence as a means of furthering his interests during disputes. Indeed it appears that only the Duke of Suffolk's officers used force against him, and this was directed against his property rather than his servants or associates. Violence and disorder did not characterise the disputes in which Fastolf was involved, even though the procedures of the common law were protracted and tiresome. When possible, Fastolf sought remedies through Chancery and private arbitration, and by exercising what influence with magnates and royal councillors he could muster. His wealth was a great advantage in minor disputes, though even this did not guarantee him success. Against opponents with political influence, like Sir Philip Wentworth, Fastolf was helpless during the last fifteen years of his life, except for the periods when York had power. During such periods Fastolf was optimistic about his litigation, probably with good reason, for he enjoyed marked success with Beighton and Hickling while the Duke held power. The importance of political power in this respect is evident from the history of Fastolf's disputes. The most serious began when Suffolk was influential; the participants were courtiers, their titles were weak and their claims were made long after Fastolf had acquired the properties in dispute. It cannot be plausibly argued that Fastolf suffered as a result of rash buying. Rather, an examination of these disputes emphasises the care with which the great majority of his purchases were made.

Fastolf's experience during the 1440s lends support to the view that the Duke of Suffolk's regime was an oppressive one. He opposed Suffolk's style of government because it damaged the interests of all classes of East Anglian society,

not just his own. He believed that mutual obligations bound lords and tenants in a well-ordered community. His political and social outlook was conservative.

Having served in successful campaigns under Henry V and the Duke of Bedford between 1415 and 1428, Fastolf was unable to accept that the English might lose the military and diplomatic initiative in France permanently. He advocated vigorous warfare against the 'rebels' who denied the Lancastrian monarchy's legitimate right to have dominion over France. He did so as late as 1449, by which time this policy was not a realistic option for the Crown. Fastolf would have been critical of Suffolk's foreign policy even if his own interests had not been at stake because of it. As it was, the policy pursued by Suffolk and the King caused him losses for which he never received compensation.

The crisis of Normandy and the fall of Suffolk thrust Fastolf into political prominence. He played an important part in the reaction against Suffolk's supporters that occurred in East Anglia during 1450-1. After this, however, his political influence was negligible and he probably made little effort to increase it. Rather, he consciously sought to avoid involvement in the factional struggles of the 1450s, despite having had close connections with Sir William Oldhall and the Duke of York.

Fastolf's will leaves us in no doubt that he distrusted magnates like York and Norfolk during his last years:¹

'Forasmyche as for the welfare of my soule..., and for the ese, support, and helpe of the pore inhabitantes in the cuntre of Flegge, and for to avoyde that noo lord nor gret astat shuld inhabit in tyme comyng withinne the gret mancion be me late edified and motid in Castre...; I have of long tyme been in purpose to stablishe and founde a collage withinne the seyde gret mancion, and soo to purveye that such as I lovyd and thought behoffefull for the seyde cuntre, and that noon othyr, shulde inhabite in the seyde mancion with the collagens of the seyde collage'.

Fastolf presumably believed that a substantial religious bequest would assist the expiation of his sins. Yet this was more than an act of conventional piety: as his own death approached, Fastolf's thoughts and hopes centred more and more on the future welfare of the small community to which he had owed his earliest duty.

¹ P.L. III, pp. 147, 148 (Second Draft).

BIBLIOGRAPHY OF MANUSCRIPTS AND WORKS CITED

A. MANUSCRIPT SOURCES.

Bodleian Library, Oxford:

Norfolk Charters; 58, 730 (Tittleshall).

Suffolk Charters; 873 (Fritton), 1105 (Somerleyton).

British Library:

Additional Charters.

Additional Manuscripts.

Harleian Charters; 46 E 40, 47 B 15 (Cotton and Wickham Skeith).

Stowe Charters; 212 (Tittleshall).

Magdalen College, Oxford:

Additional Manuscript 96.

C.P. 3/32.

Deeds; Apton Hall

Beighton

Benyers

Briggs and Boyton

Caldecott

Guton

Hickling

Hobland Hall

Norfolk and Suffolk

Southwark

Spitlings

Titchwell.

Estate Papers.

Fastolf Papers.

Miscellaneous Charters.

Norfolk Record Office, Norwich:

NRS 19722 42 E6 (Saxthorpe).

Public Record Office:

C1; Early Chancery Proceedings.

B. PUBLISHED AND CALENDARED DOCUMENTS.

Actes de la Chancellerie d'Henri VI concernant la Normandie sous la Domination Anglaise (1422-1435), ed. P. le Cacheux, 2 vols. (Rouen and Paris, 1907-8).

The Boke of Noblesse, ed. J. G. Nichols (Roxburghe Club, 1860).

'The Building Accounts of Caister Castle (A.D. 1432-1435)', ed. H. D. Barnes and W. D. Simpson, Norfolk Arch., xxx (1952), pp. 178-188.

Calendars of Charter Rolls (H.M.S.O., London, 1903-).

Calendars of Close Rolls (H.M.S.O., London, 1892-).

Calendars of Fine Rolls (H.M.S.O., London, 1911-).

Calendars of French Rolls, 1-10 Henry V (44th Annual Report of the Deputy Keeper of the Public Records, Appendix III, pp. 543-638, 1883).

Calendars of Inquisitions Post Mortem (H.M.S.O., London, 1904-).

Calendars of Norman Rolls, Henry V (41st and 42nd Annual Reports of the Deputy Keeper of the Public Records, Appendix II, pp. 671-810, 1880; Appendix II, pp. 313-472, 1881).

Calendars of Patent Rolls (H.M.S.O., London, 1904-).

Calendars of Letter Books of the City of London, ed. R. R. Sharpe (London, 1899-1912).

Calendars of the Plea and Memoranda Rolls of the City of London, 1364-1437, ed. A. H. Thomas, 3 vols. (Cambridge, 1929, 1932, 1943).

Ibid., 1437-1457, ed. P. E. Jones (Cambridge, 1954).

Calendar of Signet Letters of Henry IV and Henry V (1399-1422), ed. J. L. Kirby (H.M.S.O., London, 1978).

COKAYN, G. E., Complete Peerage, 12 vols. (London, 1910-59).

Descriptive Catalogue of Ancient Deeds, 6 vols. (H.M.S.O., London, 1890-1915).

Feet of Fines for Various Counties:

(1) Cambridgeshire (1196-1485), ed. W. Rye (Cambridgeshire Antiquarian Society, xx, 1891).

(2) Essex, ed. R. E. G. Kirk, E. F. Kirk, P. H. Reaney, M. Fitch, et al., 4 vols. (Essex Archaeological Society, 1899-1964).

(3) London and Middlesex, Richard I to Richard III, ed. W. J. Hardy and W. Page (London, 1892-3).

(4) Norfolk, ed. W. Rye, pt. ii (Norwich, 1886).

(5) Suffolk, ed. W. Rye (Ipswich, 1900).

(6) Surrey, Richard I to Henry VII (Surrey Archaeological Society, 1894).

Feudal Aids, 6 vols. (H.M.S.O., London, 1899-1920).

The Grey of Ruthin Valor, 1467-8, ed. I. R. Jack (Sydney, 1965).

Edward Hall's Chronicle (1399-1547), ed. H. Ellis (1809).

Letters and Papers Illustrative of the Wars of the English in France during the Reign of Henry VI, ed. J. Stevenson, 2 vols. (Rolls Series, xxii, 1861-4).

Visitations of Religious Houses in the Diocese of Lincoln. Records of Visitations held by William Alnwick, ed. A. H. Thompson, 2 vols. (Canterbury and York Society, 1919, 1927).

List of Sheriffs for England and Wales from the Earliest Times to A.D. 1831, P.R.O. Lists and Indexes, ix (1898).

NICHOLS, J. G., 'An Original Appointment of Sir John Fastolfe to be Keeper of the Bastille of St. Anthony, at Paris, in 1421', Archaeologia, xliv (1873), pp. 113-123.

A Parisian Journal 1405-1449, ed. J. Shirley (Oxford, 1968).

The Paston Letters A.D. 1422-1509, ed. J. Gairdner, 6 vols. (London, 1904).

Paston Letters and Papers of the Fifteenth Century, ed. N. Davis, 2 vols. (Oxford, 1971 and 1976).

Proceedings before the Justices of the Peace in the Fourteenth and Fifteenth Centuries, ed. B. H. Putnam (Ames Foundation, 1938).

Proceedings and Ordinances of the Privy Council of England, 1386-1542, ed. N. H. Nicolas, 7 vols. (Record Commission, 1834-7).

The Register of Thomas Bekynton, Bishop of Bath and Wells, 1443-1465, ed. H. C. Maxwell-Lyte and M. C. B. Dawes, 2 vols. (Somerset Record Society, xlix, 1, 1934-5).

Registrum Thome Bourghier Cantuariensis Archiepiscopi A.D. 1454-1486, ed. F. R. H. Du Boulay (Canterbury and York Society, liv, Oxford, 1957).

The Register of Henry Chichele, Archbishop of Canterbury, 1414-1443, ed. E. F. Jacob, 4 vols. (Canterbury and York Society, xlii, xlvii, cxii, cxiii, Oxford, 1938-47).

Report on the Manuscripts of the Marquess of Lothian, preserved at Blickling Hall, Norfolk (Historical Manuscripts Commission, 1905).

Report on Manuscripts in Various Collections, iv (Historical Manuscripts Commission, 1907).

Rotuli Parliamentorum, 6 vols. (Record Commission, 1783).

RYMER, T., Foedera, Conventiones, Litterae, 20 vols. (London, 1704-35).

Select Documents of English Constitutional History 1307-1485, ed. S. B. Chrimes and A. L. Brown (London, 1961).

Statutes of the Realm, 11 vols. (Record Commission, 1810-28).

Stonor Letters and Papers, 1290-1483, ed. C. L. Kingsford, 2 vols. (Camden Society, xxix, xxx, 1919).

Testamenta Vetusta, ed. N. H. Nicolas, vol. 1 (London, 1826).

Three Books of Polydore Vergil's English History, ed. H. Ellis (Camden Society, xxix, 1844).

WEBB, E. A., The Records of Saint Bartholomew's, Smithfield, 2 vols. (London, 1921).

William of Worcestre, Itineraries, ed. J. H. Harvey (Oxford, 1969).

C. SECONDARY SOURCES.

ALLMAND, C. T., 'The Lancastrian Land Settlement in Normandy, 1417-50', Ec.H.R., xxi (1968), pp. 461-479.

ANSTIS, J., Register of the Most Noble Order of the Garter, 2 vols. (London, 1724).

ARMSTRONG, C. A. J., 'Politics and the Battle of St. Albans, 1455', B.I.H.R., xxxiii (1960), pp. 1-72.

---, 'John Fastolf and the Law of Arms' in War, Literature and Politics in the Later Middle Ages, ed. C. T. Allmand, pp. 47-56.

AVERY, M. E., 'The History of the Equitable Jurisdiction of Chancery before 1460', B.I.H.R., xlii (1969), pp. 129-144.

BALDWIN, J. F., The King's Council in England during the Middle Ages (Oxford, 1913).

BARNES, H. D., 'Drayton Lodge', Norfolk Arch., xxix (1951), pp. 228-237.

--- and SIMPSON, W. D., 'Caister Castle', Antiquaries' Journal, xxxii (1952), pp. 35-51.

BLOMEFIELD, F., An Essay Towards a Topographical History of the County of Norfolk, 11 vols. (London, 1805-10).

CARUS-WILSON, E. M., 'Evidences of Industrial Growth on Some Fifteenth Century Manors', Ec.H.R., xii (1959), pp. 190-205.

COPINGER, W. A., The Manors of Suffolk, 7 vols. (London, 1905-11).

CURRY, A. E., 'The First English Standing Army? Military Organisation in Lancastrian Normandy, 1420-1450' in Patronage, Pedigree and Power in Later Medieval England, ed. C. Ross (Gloucester, 1979), pp. 193-214.

DAVIES, R. R., 'Baronial Accounts, Incomes and Arrears in the Later Middle Ages', Ec.H.R., xxi (1968), pp. 211-229.

DENHOLM-YOUNG, N., Seignorial Administration in England (Oxford, 1937).

DOBSON, R. B., Durham Priory 1400-1450 (Cambridge, 1973).

DU BOULAY, F. R. H., 'Who were Farming the English Demesnes at the End of the Middle Ages?', Ec.H.R., xvii (1965), pp. 443-455.

DUNHAM, W. H., 'Notes from the Parliament at Winchester, 1449', Speculum, xvii (1942), pp. 402-415.

DYER, C., Lords and Peasants in a Changing Society (Cambridge, 1980).

---, 'A Redistribution of Incomes in the Fifteenth Century?', Past and Present, xxxix (1968), pp. 11-33.

GRAY, H. L., 'Incomes from Land in England in 1436', E.H.R., xlix (1934), pp. 607-639.

- GRIFFITHS, R. A., 'The Trial of Eleanor Cobham: an Episode in the Fall of Duke Humphrey of Gloucester', B.J.R.L., li (1968-9), pp. 381-399.
- , 'Duke Richard of York's Intentions in 1450 and the Origins of the Wars of the Roses', Journal of Medieval History, i (1975), pp. 187-209.
- , 'Local Rivalries and National Politics: the Percies, the Nevilles and the Duke of Exeter, 1452-1455', Speculum, xliii (1968), pp. 589-632.
- , 'Public and Private Bureaucracies in England and Wales in the Fifteenth Century', T.R.H.S., xxx (1980), pp. 109-130.
- , 'Richard, Duke of York and the Royal Household in Wales 1449-50', The Welsh History Review, viii (1976), pp. 14-25.
- HARVEY, B., Westminster Abbey and its Estates in the Middle Ages (Oxford, 1977).
- , 'The Leasing of the Abbot of Westminster's Demesnes in the Later Middle Ages', Ec.H.R., xxii (1969), pp. 17-27.
- HASTED, E., The History and Topographical Survey of the County of Kent, 12 vols. (1972: reprint of the 2nd Canterbury edition, 1797-1801).
- HASTINGS, M., The Court of Common Pleas in Fifteenth-Century England (Ithaca, New York, 1947).
- HATCHER, J., Plague, Population and the English Economy 1348-1530 (London, 1977).
- HAWARD, W. I., 'Gilbert Debenham: a medieval rascal in real life', History, xiii (1929), pp. 300-314.
- HICKS, M. A., False, Fleeting, Perjur'd Clarence (Gloucester, 1980).
- HILTON, R. H., The English Peasantry in the Later Middle Ages (Oxford, 1975).
- JOHN, T., 'Sir Thomas Erpingham, East Anglian Society and the Dynastic Revolution of 1399', Norfolk Arch., xxxv (1970), pp. 96-108.
- JOHNSTONE, C. E., 'Sir William Oldhall', E.H.R., xxv (1910), pp. 715-722.
- JOUET, M. R., La Résistance à l'Occupation Anglaise en Basse-Normandie (1418-1450) (Caen, 1969).
- LANDER, J., 'Henry VI and the Duke of York's Second Protectorate, 1455 to 1456', B.J.R.L., xliii (1960-1), pp. 46-69.
- LEWIS, P. S., 'Sir John Fastolf's Lawsuit over Titchwell 1448-1455', Historical Journal, i, pp. 1-20.
- McFARLANE, K. B., The Nobility of Later Medieval England (Oxford, 1973).
- , 'A Business-partnership in War and Administration, 1421-1445', E.H.R., lxxvii (1963), pp. 290-310.
- , 'William Worcester and a Present of Lampreys', Medium Aevum, xxx (1961), pp. 176-180.
- , 'William of Worcester, a Preliminary Survey' in Studies Presented to Sir Hilary Jenkinson, ed. J. C. Davies (Oxford, 1957), pp. 196-221.
- , 'The Investment of Sir John Fastolf's Profits of War', T.R.H.S., vii (1957), pp. 91-116.
- McKISAK, M., Medieval History in the Tudor Age (Oxford, 1971).
- MILNER, J. D., 'Sir Simon Felbrigg K.G., the Lancastrian Revolution and Personal Fortune', Norfolk Arch., xxxvii (1978), pp. 84-91.
- OTWAY-RUTHVEN, A. J., The King's Secretary and the Signet Office in the Fifteenth Century (Cambridge, 1939).

- PLANCHENAUT, R., 'La Conquête du Maine par les Anglais', Revue Historique et Archéologique du Maine, lxxxi (1925), pp. 3-31; lxxxix (1933), pp. 125-152; xvii (1937), pp. 24-34, 160-172.
- PLATT, C., Medieval England (London, 1978).
- POWER, E., 'The Wool Trade in the Fifteenth Century' in Studies in English Trade in the Fifteenth Century, ed. E. Power and M. M. Postan (London, 1933), pp. 39-90.
- PRONAY, N., 'The Chancellor, the Chancery and the Council at the End of the Fifteenth Century' in British Government and Administration, ed. B. H. Hearder and H. R. Loyn (Cardiff, 1974), pp. 87-103.
- PUGH, T. B. and ROSS, C. D., 'Some Materials for the Study of Baronial Incomes in the Fifteenth Century', Ec.H.R., vi (1953), pp. 185-194.
- RAWCLIFFE, C., 'Baronial Councils in the Later Middle Ages' in Patronage, Pedigree and Power in Later Medieval England, ed. C. Ross (Gloucester, 1979), pp. 87-108.
- REDDAWAY, T. and WALKER, L., The Early History of the Goldsmiths' Company, 1327-1509 (London, 1975).
- RICHARDSON, H. G., 'Business Training in Medieval Oxford', The American Historical Review, xlvi (1941), pp. 259-280.
- RICHMOND, C., John Hopton (Cambridge, 1981).
- ROBBINS, E. C., 'The Cursed Norfolk Justice. A Defence of Sir William Yelverton (c. 1400-1477)', Norfolk Arch., xxvi (1936), pp. 1-51.
- ROSENTHAL, J. T., 'Feuds and Private Peace Making: a Fifteenth-Century Example', Nottingham Med. Studies, xiv (1970), pp. 84-90.
- , 'The Estates and Finances of Richard, Duke of York (1411-60)' in Studies in Medieval and Renaissance History, ii, ed. W. Bowsky (Nebraska, 1965), pp. 115-204.
- ROSKELL, J. S., The Commons in the Parliament of 1422 (Manchester, 1954).
- , The Commons and Their Speakers in English Parliaments 1376-1523 (Manchester, 1965).
- , 'Sir Arnald Savage of Bobbing', Archaeologia Cantiana, lxx (1956), pp. 68-83.
- , 'Sir William Oldhall, Speaker in the Parliament of 1450-1', Nottingham Med. Studies, v (1961), pp. 87-112.
- ROSS, C. D., The Estates and Finances of Richard Beauchamp, Earl of Warwick (Dugdale Society, Occasional Papers xii, 1956).
- ROWE, B. J. H., 'A Contemporary Account of the Hundred Years' War from 1415 to 1429', E.H.R., xli (1926), pp. 504-513.
- SAUL, A., 'Great Yarmouth and the Hundred Years' War in the Fourteenth Century', B.I.H.R., lii (1979), pp. 104-115.
- SCROPE, G. P., History of the Manor and Ancient Barony of Castle Combe (London, 1852).
- SOMERVILLE, R., History of the Duchy of Lancaster, vol. 1 (London, 1953).
- STONE, E., 'Profit-and-Loss Accountancy at Norwich Cathedral Priory', T.R.H.S., xii (1962), pp. 25-48.

- STONE, L., The Crisis of the Aristocracy, 1558-1641 (Oxford, 1965).
---, The Causes of the English Revolution (London, 1972).
- STOREY, R. L., The End of the House of Lancaster (London, 1966).
---, 'The Wars of the Roses in Lincolnshire', Nottingham Med. Studies, xiv (1970), pp. 64-83.
- THRUPP, S. L., The Merchant Class of Medieval London (Ann Arbor, Michigan, 1948).
- VALE, M. G. A., English Gascony, 1399-1453 (Oxford, 1970).
---, 'Sir John Fastolf's "Report" of 1435: a New Interpretation Reconsidered', Nottingham Med. Studies, xvii (1973), pp. 78-84.
- VICKERS, K. H., Humphrey, Duke of Gloucester (London, 1907).
- VIRGOE, R., 'The Composition of the King's Council, 1437-61', B.I.H.R., xliii (1970), pp. 134-160.
---, 'William Tailboys and Lord Cromwell: Crime and Politics in Lancastrian England', B.J.R.L., lv (1973), pp. 459-482.
- WEDGEWOOD, J. C. and HOLT, A. D., History of Parliament. Biographies of the Members of the Commons' House, 1439-1509, 2 vols. (H.M.S.O., London, 1936).
- WOLFFE, B. P., Henry VI (London, 1981).
---, 'The Personal Rule of Henry VI' in Fifteenth Century England, ed. S. B. Chrimes, et al. (Manchester, 1972), pp. 27-48.
- WYLIE, J. H., History of England under Henry IV, 4 vols. (1884-98).
- YOUNG, R. M. R. and GREEN, B., Norwich, the Growth of a City (Norwich Museum Services, 1977).

D. OTHER.

- HARRISS, G. L., The Finances of the Royal Household, 1437-60, Oxford D.Phil. Thesis (1953).
- JAMES, L. E., The Career and Political Influence of William de la Pole, First Duke of Suffolk, 1437-50, Oxford M.Litt. Thesis (1979).
- MARSHALL, A., The Role of the English War Captains in England and Normandy, 1436-1461, University of Swansea M.A. Thesis (1975).
- McFARLANE, K. B., English Seignorial Administration and its Records, 1290-1536. These lectures were given in Trinity 1954. They are amongst McFarlane's unpublished papers in Magdalen College, Oxford.
---, Transcript of Folger Library MS. Xd. 274.

Victoria County Histories:

- Buckinghamshire, vol. i, ed. W. Page (London, 1905).
Essex, vol. ii, ed. W. Page and J. H. Round (London, 1907).
Norfolk, vol. ii, ed. W. Page (London, 1906).

SHORT ABSTRACT

'Aspects of the Career of Sir John Fastolf (1380-1459)' by Anthony Robert Smith of Pembroke College, Oxford. Submitted for the degree of D.Phil. in Trinity Term 1982.

This thesis, which is based on manuscripts in Magdalen College, Oxford, is a study of the English career of Sir John Fastolf (1380-1459). In the first chapter Fastolf's investment in land is examined and the conclusion is reached that Fastolf bought property in a limited and artificial market. The second chapter analyses the administration of Fastolf's estates. It demonstrates that Fastolf paid close attention to administration and policy-making. A survey of Fastolf's friends and associates, particularly in the light of the feoffments he made, is undertaken in the third chapter. The subject of the fourth chapter is the enmity between Fastolf and William, Duke of Suffolk during the 1440s. The high-handedness of the Duke and his officers is emphasised. The major lawsuits fought by Fastolf are studied in the final chapter. It is concluded that Fastolf suffered not because he had bought property unwisely but because he was the victim of the acquisitiveness of men who had political power during Suffolk's supremacy. Disputes, nevertheless, were almost always conducted in a peaceful way.

LONG ABSTRACT

'Aspects of the Career of Sir John Fastolf (1380-1459)' by Anthony Robert Smith of Pembroke College, Oxford. Submitted for the degree of D.Phil. in Trinity Term 1982.

This thesis is a study of the English career of Sir John Fastolf (1380-1459). It is based on manuscripts preserved in Magdalen College, Oxford. These manuscripts are of four main types: title deeds, materials relating to litigation, administrative documents (primarily three receiver's accounts from the 1430s and records concerning arrears from the 1440s and 1450s) and the accounts of certain East Anglian properties owned by Fastolf. In addition to these I have made great use of materials concerning Fastolf in the British Library, particularly the letters written by Fastolf to his servants during the 1450s. The manuscripts in these two archives are invaluable for an examination of several aspects of Fastolf's affairs in England.

Fastolf was one of the foremost soldier-administrators of the Hundred Years' War. I have not undertaken a detailed investigation of his military career. This is referred to only when it illuminates such aspects of Fastolf's English career as his investment in land, his circle of associates and his political career. Fastolf earned enormous profits through his service in war and administration in France; he spent a good deal of his gains in England. I have examined the use he made of this money in buying land, running the property he had acquired and defending it through litigation. I have also studied Fastolf's associates and his political career and attitudes, particularly in the light of his relations with William, Duke of Suffolk.

The first chapter is devoted to Fastolf's investment in land. It is suggested that Fastolf made a decision to invest in England because he felt that Lancastrian control of France was insecure. He made an effort to concentrate his manorial property within certain parts of East Anglia. Within these areas he consolidated his position as a landowner by renting and buying smaller pieces of property. The location of property rather than its price was important to him. The market in which he purchased was limited and artificial. The opportunities to buy arose through personal connections of Fastolf's own and those of the members of his council. Once he had bought land Fastolf made a point of improving it and of undertaking major building programmes, especially at Caister, Norwich and London.

Fastolf was greatly interested in administration. He paid close attention to his English affairs even whilst he was resident in France. These affairs were supervised by his council. On his return to England in 1440 Fastolf launched investigations into both the central and the local administration of his estates. A major reason for this was his concern about the level of arrears. During the 1440s a concerted effort was made, with some success, to reduce the level of arrears. Fastolf's policy towards estate administration was flexible. It was designed to maximise the revenue he received from his possessions. Fastolf also paid attention to commerce: he produced wool for the textile industry, agricultural produce for urban markets and he supplied his neighbours with building materials. In addition he had interests in shipping based at Yarmouth. Fastolf's success as a landowner owed much to his own ability and attention to administration.

The third chapter of this thesis looks briefly at Fastolf's associates, particularly those men for whom he acted as a feoffee. The majority of these associates had served with him in France. Most of the men who acted as Fastolf's feoffees, however, were East Anglian gentry, neighbours with substantial land holdings near Caister. When Fastolf made feoffments to the use of his will he added to gentry of this kind some of the most important men in the country - Archbishops, Bishops and secular royal councillors. He took care to include a number of common lawyers amongst his feoffees. A noticeable aspect of the 1449 feoffment made by Fastolf is the absence of the Dukes of York, Norfolk and Suffolk. Suffolk was an important figure in East Anglia but was Fastolf's great enemy. The other two Dukes were his friends. Their absence must be explained by the fact that they were politically controversial figures. Controversy was something

Fastolf wished to avoid where his own possessions were concerned. To his great misfortune he was unable to avoid several serious disputes.

The lawsuits fought by Fastolf were often protracted. In most cases concerning his major properties right was on his side. The history of the best documented lawsuits does not suggest that Fastolf was troubled by disputes because his original purchases had been made rashly. The political power possessed by his opponents prevented him from securing justice. Fastolf preferred to proceed in Chancery and by private negotiations and arbitration. He seems to have disliked the complexity, expense and delay inherent in common law procedures. The disputes in which Fastolf was involved were not marked by violence and indiscriminate use of force, even though they took place during a period of political instability. In the 1450s the prevalence of such conditions meant that Fastolf's litigation proceeded more favourably when the Duke of York had influence in government than when he did not.

Fastolf had been an ally and councillor of York during the 1440s. He had also been closely associated with two other aristocratic opponents of the Duke of Suffolk's regime, namely the Dukes of Norfolk and Gloucester. Fastolf's friends and associates were usually men who had served in France and who tended to be opposed to a policy of peace such as that pursued by Suffolk's government. Fastolf's enmity towards Suffolk was not owing to disagreements over foreign policy alone. The Duke of Suffolk presided over an oppressive and avaricious group of adherents, and allowed them to abuse his power. Fastolf was one of this group's most important victims. When Suffolk fell in 1450 Fastolf played an important part in the attempts made by Suffolk's East Anglian opponents to bring the Duke's followers to justice. Fastolf enjoyed a brief period of national political prominence as a result of the breakdown of Lancastrian government during 1450. After this his involvement in national politics ceased.

Fastolf's career illuminates English political history because it helps to explain why the Duke of Suffolk's regime became so unpopular. His domestic unpopularity was one of the causes of his fall from power. Fastolf's success as a landowner shows that it was possible for owners of large estates to achieve financial stability during the middle of the century, even though economic conditions were not favourable. Fastolf was successful because he paid close attention to administration and was determined to take advantage of the opportunities offered by industrial growth and commercial enterprise. Nevertheless the enormous effort put into administration makes clear how difficult conditions were. Finally the lawsuits fought by Fastolf remind us that political power affected legal procedures and that such disputes did not necessarily involve the use of violence and force. Furthermore, recourse to the common law was not the only way to resolve a dispute. Proceedings in Chancery and private arbitration were at least as important.

This thesis is approximately 98,000 words long.